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superscribed "*Tender for the Four Per Cent. Loan, 1881.*" If the tenderer is not resident in India, he must name an agent resident in India to whom a letter of allotment may be issued if any part of the Loan is allotted to such tenderer.

5. Each tender must be accompanied by a receipt from one of the Banks of Bengal, Madras, or Bombay, or one of their Branches, or from an Officer in charge of some Public Treasury, or by a cheque drawn in favour of the Comptroller General on a Banker in Calcutta, Madras, or Bombay, or by* Government Promissory Notes, standing in the name of or endorsed to the tenderer or the person making the deposit, for not less than one-hundredth, or, if the tender be for less than Five Lakhs of Rupees, then for not less than one-fiftieth part of the tender. If the allotment is not fully taken up, this deposit of one or two per centum will be forfeited, and if one or more Government Promissory Notes have been deposited, such note or notes will be appropriated by the Government and cancelled; otherwise, if the deposit is in cash, it will be treated as in part payment of the last instalment. A cash deposit may, after acceptance of the tender in support of which it is made, be replaced by a Government Promissory Note, as aforesaid.

6. The rate at which a tender is made must not contain a fraction of an anna: if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out and the tender treated as if the rate did not contain such fraction of an anna.

7. The rate at which each tender is made must be specified in rupees or rupees and annas: a tender in which no rate is thus specified, but a subscription is offered in some other terms—as, for example, at the recorded minimum, or at some specified percentage in addition to the recorded minimum, or at the average of the accepted tenders—will be rejected as null and void.

8. The minimum rate at which tenders will be accepted will be recorded under the signature of the Comptroller General, when the tenders are opened, placed upon the table in a sealed envelope, but will not be declared unless some tender is rejected only because it is below the recorded minimum.

9. Tenders will be opened, publicly, at the Office of the Comptroller General in Calcutta, at noon on Monday the 25th July 1881: but the contents of the tenders will not be disclosed otherwise than as provided in clause 11.

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

11. As soon as possible after the 25th of July 1881, letters of allotment will be issued to those persons whose tenders are accepted in whole or in part, or to their agents; and an alphabetical list of the names of those to whom such letters of allotment are issued will be posted, for general information, at the Head Offices of the Banks of Bengal, Madras, and Bombay.

12. Payment of any accepted tender may be made to the account of the Government in the Head Office of one of the Banks of Bengal, Madras, or Bombay, or in any Branch of these Banks, or into any Public Treasury or Treasuries in India, which may be named in the tender.

13. Accepted tenders must be paid, in equal instalments, as follows:—

One-third on or before Monday, 8th August 1881,
" " Monday, 5th September 1881,
" " Monday, 26th September 1881;

but the whole or any part of any accepted tender may be paid at any time after receipt of the letter of allotment.

14. Interest upon each payment will be promptly paid in advance, at the rate of four per centum per annum, from the date of such payment to the last day of October 1881. In the case of Promissory Notes, at the option of the allottee and on his paying interest from the first day of May 1881, to date of payment, interest will run from the said first day of May.

15. Scrip receipts for instalments paid will be given by the Banks of Bengal, Madras, and Bombay, or their Branches, or by the Officers in charge of the Government Treasuries at which payment is made. These receipts will, as soon as possible, be exchanged for Promissory Notes or Couponed Certificates issued under this Notification.

* *It is particularly requested that such Promissory Notes may NOT be endorsed to the Comptroller General.*

FORM *A* OF PROMISSORY NOTE.—(*See Clause 2.*)

FORT WILLIAM, THE 1ST OF MAY 1865.

Promissory Note *Government Rupees* *at four per cent.*
No. *of 1865.*

The Governor General of India in Council does hereby acknowledge to have received from the sum of Government Rupees Five Hundred, as a Loan to the Secretary of State in Council for India; and does hereby promise, for and on behalf of the said Secretary of State in Council, to repay the said Loan, by paying the said sum of Government Rupees Five Hundred to the said his Executors, or Administrators, or his or their Order, on demand, at the General Treasury at Fort William, after the expiration of Three Months' Notice of Payment, to be given by the Governor General of India in Council, in the *Government Gazette*, and to pay the interest accruing on the said sum of Government Rupees Five Hundred from the 1st 1881 (eighty-one), at the rate of four per cent. per annum by half-yearly payments, at the General Treasury of Fort William, to the said his Executors, or Administrators, or his or their Order, until the expiration of three months after such Notice of Payment as aforesaid, when the amount of interest due will be payable with the principal, and (such Notice being considered as equivalent to a tender of payment at the period appointed for the discharge of this note) all further interest shall cease.

FORM *B* OF COUPONED CERTIFICATE.

INDIA FOUR PER CENT. RUPEE LOAN, 1865.

Certificate.

Rs. 000 No.

This is to certify that the bearer of this Certificate is entitled, under the Notification of the Government of India of the 27th June 1881, to Government Rupees India Four Per Cent. Rupee Loan, 1865, payable three months after notice, which may be published in the *Gazette of India*.

No. , Rs.

The coupons attached to this Certificate, as well as the principal sum herein named, are payable to bearer at the Government Treasury at Calcutta only.

FORM OF TENDER.—(*See Clause 4.*)

I, *A. B.*, hereby tender for Rupees (*X*) of *The Four Per Cent. Loan, 1881*, advertised in the Notification published in the *Gazette of India Extraordinary* dated the 27th of June 1881, and agree to pay for the same, subject to the conditions notified, at the rate of Rupees (*Y*) Annas (*Z*) for every Hundred Rupees allotted to me.

I enclose a *deposit receipt** for Rupees (*XX*), and engage, if my offer be accepted, to pay to the account of the Government at the Bank of† (or at the† Branch of the Bank of† ; or into the Public Treasury at† , as the case may be) the first instalment of one-third on or before Monday, the 8th August, 1881, and the several later instalments on or before the dates fixed by the said Notification, as follows :—

One-third on or before Monday, 5th September 1881.

„ „ Monday, 26th September 1881.

Any allotment made to me may be communicated to *C. D.* at‡

* Or Cheque or Government Promissory Note.

† Here enter the name of Bank, Branch Bank, or Treasury.

‡ Here insert *C. D.'s* address, which must be in India. This paragraph should only be inserted if *A. B.* does not reside in India.

NOTE.—(*1*) *A separate tender must be made at each rate tendered, and each tender must be supported by a separate deposit, and must be in even hundreds of Rupees not less than Five Hundred Rupees. As a precaution against mistakes, the tender, or, at least, the name of the tenderer, and the amount and rate tendered, should be written in English. The rate tendered should be the whole amount per centum, not the premium or discount: thus:—"One hundred and two," or "One hundred," or "Ninety-nine"; not "Two per cent. premium," or "Par," or "One per cent. discount."*

By order of the Governor General of India in Council,

T. C. HOPE,
Offg. Secretary to the Government of India.

NOTIFICATION BY COMPTROLLER GENERAL.

TENDERS FOR LOAN.

In order to secure the early return of deposits made with unaccepted tenders for the new Loan, the Comptroller General notifies the following arrangements:—

1. For all tenders presented to him in his office upon the last fixed day, or the two days preceding it, he will give the bearer a receipt bearing a number, and initialled by himself or an assistant specially deputed for the purpose.
2. The reverse of this receipt is a form in which the tenderer may give to the Comptroller General a receipt for the deposit accompanying it. This form should, on the third day after the opening of the tenders, be filled up, signed with the same signature as the tender, and be presented at the Office of the Comptroller General. The deposit will then be returned to the bearer, in exchange for the receipt.
3. Deposit upon tenders presented personally, as described in No. 1, above, will be returned only in this way, and will not be sent by post, or otherwise. Deposits upon other unsuccessful tenders will be returned by post, or by the hands of a clerk.
4. The Comptroller General requests that, in order to facilitate the business of his office, Tenderers will—
   (1) use the printed forms which will be available at his office and at the Currency Office, on application to the durwan on duty; and at the Bank of Bengal:
   (2) if they make more than one tender, put *each* in a separate closed cover:
   (3) if the deposit is in the form of promissory notes or of currency notes, quote their number in detail in the tender.

The 27th June 1881.

J. WESTLAND,
Comptroller General.

The 30th June 1881.

No. 1511.—The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information:—

P. & A. A. C.

PAGE 291.

Appendix.

For "[Resolution in the Home, Revenue and Agricultural Department (Forests), No. 5F., dated 23rd February 1880]," *substitute* "[Resolution in the Home, Revenue and Agricultural Department (Forests), No. 6F., dated 1st April 1881]."

Strike out Rule II.

Substitute "Rule VIII," "Rule XIII," *and* "Rule XIV" *for* "Rule VI," "Rule XI," *and* "Rule XII" *respectively.*

For the words "An officer officiating in any case not provided for by Rules II and XI" *in the present Rule XII* (future Rule XIV), *substitute* "An officiating officer in any case not provided for by Rule XIII."

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

MILITARY DEPARTMENT.

Simla, the 1st July, 1881.

APPOINTMENTS.

No. 353.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant William Tomes Fairbrother, 2nd Battalion, 11th Foot, Wing Officer, 13th (The Shekhawattee) Regiment of Native Infantry,—25th July, 1878.

Lieutenant William David Gordon, 2nd Battalion, 17th Foot, Officiating Wing Officer, 3rd Sikh Infantry, Punjab Frontier Force,—16th May, 1879.

No. 354.—Lieutenant H. R. L. Holmes should have been described in G. G. O. No. 316 of 1881 as of the 2nd Battalion, 22nd Foot, and not as of the 2nd Battalion, 2nd Foot.

No. 355.—COMMISSARIAT DEPARTMENT—

Lieutenant C. G. F. Fagan, s.c., Squadron Officer, 10th Bengal (The Duke of Cambridge's Own) Lancers, to be a Sub-Assistant Commissary General, 3rd Class, on probation, with effect from the 15th June, 1881, to fill an existing vacancy.

No. 356.—MILITARY ACCOUNTS DEPARTMENT—

Captain J. F. D. Fordyce, a probationer for the Military Accounts Department, is confirmed in his appointment as Assistant Military Accountant, with effect from the 24th May, 1880.

FURLOUGH AND LEAVE.

No. 357.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel W. G. Waterfield, C.S.I., s.c., Commissioner, Peshawar Division, Officiating Agent to the Governor General, Baroda, (p. a.) for 273 days, under rule IX of the regulations of 1868.

Captain (Brevet Major) J. M. Trotter, s.c., Wing Commander, 24th (Punjab) Regiment of Native Infantry, (u. p. a.) for 182 days, under rule VIII of the regulations of 1875.

Surgeon J. Blood, (m. c.) for 243 days, under rule VI of the regulations of 1875.

No. 358.—The late Sub-Conductor J. Rogers was allowed leave in India, (m. c.) from the 1st March to the 24th May, 1881, under rule XXV of the regulations of 1868.

LONDON GAZETTE.

No. 359.—The following extracts are published for general information:—

"London Gazette," dated the 17th May, 1881, page 2556.

BREVET.

The undermentioned Lieutenant-Colonels to be Colonels:—

Henry Philip Hawkes, Madras Staff Corps. Dated 3rd March, 1881.

William Winson, Bengal Staff Corps. Dated 3rd March, 1881.

Guy Annesley Prendergast, Bengal Staff Corps. Dated 20th March, 1881.

Thomas Gally Ross, Bengal Staff Corps. Dated 20th March, 1881.

"London Gazette," dated the 20th May, 1881, page 2626.

HER Majesty has been pleased to approve of the following admissions to the Staff Corps, made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Francis Hoel Probyn, from the 40th Foot. Dated 6th May, 1879, but to rank from 21st September, 1874.

Lieutenant George Ulick Browne, from the 40th Foot. Dated 4th October, 1879, but to rank from 21st September, 1874.

Lieutenant Andrew Pennell Williamson, from the 18th Foot. Dated 8th January, 1879, but to rank from 11th February, 1875.

Lieutenant William Charles Pollard, from the Royal Artillery. Dated 7th June, 1879, but to rank from the 14th August, 1876.

Lieutenant William Knox Downes, from the 18th Foot. Dated 7th May, 1877, but to rank from 10th September, 1876.

* * * *

PROMOTIONS.

No. 360.—The following promotions are made, subject to Her Majesty's approval:—

STAFF CORPS.

To be Major.

Captain Charles Denroche Swete,—25th June, 1881.

BENGAL ARMY.

To be Colonel.

Lieutenant-Colonel (Brevet Colonel) Horace Albert Browne, Bengal Infantry,—29th June, 1881.

No. 361.—NATIVE ARMY—

20th (Punjab) Regiment of Native Infantry.

Havildar Burriam Singh, to be Jemadar, *vice* Khooshal Singh, invalided; Havildar Sház Ali, to be Jemadar, *vice* Baba Khan, invalided,—1st May, 1881.

39th (The Allygurh) Regiment of Native Infantry.

Jemadar Oodeh Ram, to be Subadar, *vice* Bhoop Sing, invalided; Havildar Lena Sing, to be Jemadar, *vice* Oodeh Ram, promoted,—1st May, 1881.

No. 362.—PUNJAB FRONTIER FORCE—

4th Sikh Infantry.

Subadar Gurdat Singh, to be Subadar-Major, *vice* Sobhá Singh, invalided,—1st May, 1881.

3rd Punjab Infantry.

Subadar Lall Singh, to be Subadar-Major, *vice* Abdoola Khan, deceased,—14th May, 1881.

No. 363.—VOLUNTEER CORPS—

3rd or Sind, Punjab and Indus Valley Railways Volunteer Rifle Corps.

Major B. T. Hill, to be Lieutenant-Colonel-Commandant, *vice* Lieutenant-Colonel R. Bocquet, resigned.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 27th June, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned commissioned officers, on the dates specified, were received in the Military Department from the 21st to the 27th June, 1881;—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Bengal Staff Corps ...	Captain G. Brehon ...	18th June, 1881	Calcutta ...	No will found.	
Ditto ...	Lieutenant D'A. W. Thuillier ...	13th " "	Dehra Dún.		

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 1st July, 1881.

No. 17.—The services of Mr. T. H. Colley, Engineer, Indian Marine, are dispensed with.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 1st July 1881.

No. 230.—Consequent on the return from furlough of Mr. W. H. Parker, Superintending Engineer, Class II, the following reversions will take place from the 5th June 1881:—

From Temporary to Officiating Superintending Engineer, Class II.

Major C. W. I. Harrison, R.E.

From Officiating Superintending Engineer, Class II, to Temporary Superintending Engineer, Class III.

Major R. H. Palmer.

From Temporary to Officiating Superintending Engineer, Class III.

Mr. F. B. Walker.

From Officiating Superintending Engineer, Class III, to Executive Engineer, 1st Grade.

Mr. F. L. Dibblee.

No. 232.—Mr. R. W. Egerton, Assistant Engineer, 2nd Grade, is transferred temporarily from the Railway Branch to the Punjab, with effect from the 4th June 1881.

TELEGRAPH.

The 1st July 1881.

No. 231.—The Governor General in Council is pleased to sanction, as an experimental measure, the introduction of branch telegraph offices at convenient points in towns and business centres wherever, in the opinion of the Local Government or Administration concerned, such a measure is required.

Such branch offices to form a town circuit in connection with the general telegraph system.

The extent of the town circuits to be limited to a radius of six miles from the central telegraph office.

The charge for local messages within these limits will be four annas for each group of six words with address free, and free delivery within one mile.

ALEX. FRASER, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 28. } SIMLA, SATURDAY, JULY 9, 1881.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

Nothing for publication.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—

Nothing for publication.

SUPPLEMENT No. 28.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 8th July 1881.

No. 21.—Major A. C. Toker, Bengal Staff Corps, has been appointed to officiate as Assistant Secretary to the Government of India, Legislative Department, with effect from the 2nd instant, *vice* Major H. S. Jarrett, on leave.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME, REVENUE AND AGRICULTURAL DEPARTMENT.

The following Resolution is published for general information:—

Extract from the Proceedings of the Government of India, in the Home, Revenue and Agricultural Department (Public),—Nos. 25—886-914, under date Simla, the 4th July 1881.

Read the undermentioned papers:—

Home Department Resolution Nos. 31—1104-1119, dated 14th June 1879.
" " " Nos. 53—2046-2061, dated 29th October 1879.
Report of the Indian Famine Commission, Part I, paragraphs 113 to 125, and Part II, Chapter IV, Sections I and II.
Despatch to Her Majesty's Secretary of State for India, No. 19, dated the 14th March 1881.
Telegram to Her Majesty's Secretary of State, dated 10th June 1881.
" from " " " " 11th " "

RESOLUTION.

In 1879, under the pressure of financial exigencies, it was determined that the work of two departments, the Home Department and the Revenue, Agriculture and Commerce Department, should be amalgamated (some of the duties of the latter being at the same time transferred to the Finance and Military Departments), and that the office of Secretary in the Revenue, Agriculture and Commerce Department should be abolished. This measure was not adopted without reluctance, as it was admitted that the system which had been in force since 1871 possessed many advantages.

2. The Famine Commission has now proposed the institution of an Agricultural Department in India. It lays stress upon the importance of rendering readily available the accumulated experience of past famines in different parts of India, and has urged that greater attention should be bestowed on the investigation of vital, economic and agricultural facts. Any effectual measures of agricultural and industrial development must, in the opinion of the Commission, tend at least to the mitigation of famines, both by promoting the increase of the food-supply amongst a growing population, and by directing industry into new and productive channels. Moreover, it is represented that the Government would obviously be strengthened, in its future dealings with scarcity, by a systematic classification of the experience gained in past calamities.

3. After careful consideration of the views put forward by the Famine Commission, the Governor General in Council came to the conclusion that full justice could not be done to the important interests which they advocate, and more particularly to the protection of the people from the effects of uncertain seasons, without some enlargement and reconstitution of the Department now charged with those duties. The experience of the last two years had shown that no additional work could be undertaken by the amalgamated Home, Revenue and Agricultural Department without imposing upon it an undue burden; and it therefore became necessary to devise some additional means for the conduct of business more immediately affecting agricultural improvements, the social and economical condition of the people, and the material resources of the country. It was accordingly determined to recommend to the Secretary of State the appointment of a new Secretary to the Government of India, to have direct and special charge of these branches of the administration; and His Lordship has now sanctioned this proposal.

4. It remains to decide what portions of the work at present performed by the amalgamated Department shall be entrusted for the future to the new Department, and what portions shall continue to be under the control of the Home Secretary. One of the most important objects of the new arrangements is to enable the Government of India to devote increased attention to the important subjects above mentioned; and it would, therefore, be inexpedient to make the new Department responsible for all the general and miscellaneous business which, for reasons of administrative convenience, was formerly conducted by the Revenue, Agriculture and Commerce Department. The new Department will, as a matter of course, control all operations for the relief of famine; but that part of its functions will be necessarily intermittent, and its main work will lie in the branches of the public administration which most closely affect agricultural development and the interests of the agricultural population. In making the following distribution of work, the Governor General in Council has, therefore, been influenced by the desire to free the new Department as much as possible from unnecessary calls upon its energies, in order to direct its efforts, so far as present circumstances admit, to the fulfilment of its most really essential duties.

5. Having regard to these considerations, the Governor General in Council is pleased to direct that all matters connected with the subjects noted below, so far as they affect the provinces of British India, shall come under the cognizance of the new Department, *viz.*:—

1. Land Revenue, including Settlements and Takávi Advances.
2. Surveys, including Geological Surveys, but excluding Archæological and Marine Surveys.
3. Agriculture and Horticulture, including Fibres and Silk, Fisheries, Cattle-breeding and Cattle-disease.
4. Minerals.
5. Meteorology.
6. Famine.

All matters relating to the undermentioned subjects shall be administered by the Home Department:—

1. Law and Justice.
2. Jails and the Penal Settlements in the Andaman and Nicobar Islands.
3. Escheats, and the administration of Estates of Intestates.
4. Police.
5. Education.
6. Examinations.
7. Industrial Arts, Museums and Exhibitions.
8. Sanitation.
9. The (Civil) Medical Service.
10. The Ecclesiastical Service.
11. Civil Service questions.
12. Registration of Assurances.
13. Patents.
14. The working of the Vagrancy Act.
15. The working of the Arms Act.
16. Copyright.
17. Archæological Surveys and Conservation of Ancient Monuments.
18. Municipalities and Local Funds.
19. Census.
20. Gazetteers.

6. As a temporary arrangement, the Home Department will also be charged with the superintendence of the Forest Department; and, subject to reconsideration, the Revenue and Agricultural Department will temporarily conduct the whole of the business of the Government of India connected with Emigration.

7. The Military and Finance Departments will continue to administer all matters connected with the branches allotted to them by the Home Department Resolutions Nos. 31—1104-1119, dated 14th June 1879, and Nos. 53—2046-2061, dated the 29th October 1879.

8. The new Department will be styled "The Revenue and Agricultural Department," and will be constituted with effect from the 6th July 1881. The officer to be placed in charge of it will have the position, and will exercise the duties, of a Secretary to the Government of India.

ORDER.—Ordered, that a copy of the foregoing Resolution be communicated to the several Departments of the Government of India, the Local Governments and Administrations, and the Officers named on the margin, for information and guidance.

Ordered also, that the Department of Finance be requested by a separate Office Memorandum to issue the necessary orders regarding the salary to be drawn by the Secretary in the new Department.

Foreign, Military, Finance, Public Works, and Legislative Departments; Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab; Chief Commissioners of the Central Provinces, British Burma, Coorg and Assam, and Resident at Hyderabad; Surveyor General of India; Superintendent of the Geological Survey of India; Director General of Post Offices in India; Superintendent of Port Blair and the Nicobars; Sanitary Commissioner with the Government of India; Surgeon-General with the Government of India; Registrar, High Court, Calcutta; Secretary, Board of Examiners; Registrar, Calcutta University; Bishop's Chaplain; Curator of Ancient Monuments; Director General, Archæological Survey of India; and Meteorological Reporter to the Government of India.

(True Extract.)

C. GRANT,

Offg. Secretary to the Government of India.

NOTIFICATIONS.—PUBLIC.

Simla, the 4th July 1881.

No. 932.—In advertence to the Resolution of this Department Nos. 25—886-914, dated 4th instant, establishing the Revenue and Agricultural Department with effect from the 6th July 1881, the Governor General in Council is pleased to make the following appointments:—

Mr. C. E. Bernard, C.S., C.S.I., Secretary to the Government of India in the Home, Revenue and Agricultural Department, to be Secretary to the Government of India in the Revenue and Agricultural Department, but to continue to officiate as Chief Commissioner of British Burma.

The Hon'ble C. Grant, C.S., C.S.I., Officiating Secretary to the Government of India in the Home, Revenue and Agricultural Department, to be Secretary to the Government of India in the Home Department.

Mr. E. C. Buck, C.S., now on furlough, to officiate as Secretary to the Government of India in the Revenue and Agricultural Department; but, pending his return, Mr. C. L. Tupper, C.S., to officiate temporarily as Secretary in that Department.

F. C. DAUKES,
Under-Secretary to the Government of India.

POLICE.

The 5th July 1881.

No. 181.—*Appointment.*—Mr. G. Campbell, Chief Inspector of Police in British Burma, to officiate as an Assistant District Superintendent of Police in that Province, with effect from the 24th February 1881, *vice* Mr. W. A. Banbury, or until further orders.

PORT BLAIR.

The 2nd July 1881.

No. 159.—Privilege leave for three months is granted to Sirdar Baghail Singh, Extra Assistant Superintendent, 2nd Class, and Assistant District Superintendent of Police, Port Blair and the Nicobars, with effect from the 22nd August next, or from any subsequent date on which he may avail himself of it.

SURVEYS.

The 5th July 1881.

No. 302.—Mr. F. Fedden, Assistant of the 2nd Grade in the Geological Survey of India, is granted privilege leave for 2 months and 28 days, under Section 71, Chapter V, of the Civil Leave Code, from the 3rd proximo, or any later date on which he may avail himself of it.

C. GRANT,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 6th July 1881.

No. 941.—Mr. J. D. Sandford, M.A., B.L., Chief Judge of Mysore, is appointed to be also Judicial Commissioner of Coorg.

Lieutenant-Colonel Tredway G. Clarke, Madras Staff Corps, is appointed to be Superintendent and District and Sessions Judge of Coorg, with effect from the 29th March 1881.

Lieutenant-Colonel W. Hill, Madras Staff Corps, is appointed to be Superintendent and District and Sessions Judge of Coorg *substantive pro tempore*, *vice* Lieutenant-Colonel T. G. Clarke, employed on other duty.

The 7th July 1881.

No. 944.—Under the provisions of Section 27 of the Indian Arms Act, XI of 1878, the Governor General in Council is pleased to exempt the retainers of Raja Sirdar Singh, Jaghirdar of Katehra in the Jhansi district, North-Western Provinces, from the operation of all prohibitions and directions contained in Sections 13, 14, 15, and 16 of that Act, other than those referring to cannon, articles designed for torpedo service, war-rockets, and machinery for the manufacture of arms and ammunition, subject to such orders as the Local Government may issue regarding the number of retainers to be included within this order of exemption.

The 8th July 1881.

No. 946.—The Governor General in Council is pleased to declare that the Pegu Division of the Province of British Burma shall consist of the following districts only:—

Rangoon Town.	Tharrawaddy.
Hanthawaddy.	Prome.

The Governor General in Council is further pleased to establish a division, to be called the Irrawaddy Division, and to declare that the Commissioner of such division shall have the powers and jurisdiction of a Commissioner of a Division in all revenue and general administrative matters throughout the following districts:—

Henzada.	Thonegwa.
Bassein.	Thayetmyo.

No. 947.—In exercise of the powers conferred by Section 8 of Act XVII of 1875 (The Burma Courts Act, 1875), the Governor General in Council is pleased to establish a court, to be called the Court of the Commissioner of the Irrawaddy Division, and to declare that the local limits of the jurisdiction of such court shall include the following districts:—

Henzada.	Thonegwa.
Bassein.	Thayetmyo.

No. 948.—Referring to the notification by this Department, No. 946 of this day's date, the Governor General in Council is pleased to appoint Lieutenant-Colonel C. W. Street, Secretary to the Chief Commissioner, British Burma, and Officiating Commissioner of the Pegu Division, to be Commissioner of the Irrawaddy Division. Lieutenant-Colonel Street will continue to officiate as Commissioner of Pegu until further orders.

Mr. G. J. S. Hodgkinson, Deputy Commissioner of the 1st Grade, British Burma, is appointed to officiate as Commissioner of the Irrawaddy Division during the absence of Lieutenant-Colonel Street, or until further orders.

ESTABLISHMENTS.

The 6th July 1881.

No. 232.—The following promotions are made in the Subordinate Executive and Judicial Service in British Burma, with effect from the 1st June 1881, consequent on the retirement of Moung Gan, Extra Assistant Commissioner, 1st Class, 2nd Grade:—

Moung Po, Extra Assistant Commissioner, 2nd Class, 1st Grade, to be Extra Assistant Commissioner, 1st Class, 2nd Grade, *vice* Moung Gan.

Moung Galay, Extra Assistant Commissioner, 2nd Class, 2nd Grade, to be Extra Assistant Commissioner, 2nd Class, 1st Grade, *vice* Moung Po.

Moung Shway Zin, Extra Assistant Commissioner, 3rd Class, 1st Grade, to be Extra Assistant Commissioner, 2nd Class, 2nd Grade, *vice* Moung Galay.

No. 233.—The following temporary promotions are made in the Subordinate Executive and Judicial Service in British Burma, with effect from the 1st June 1881, consequent on the promotion of Moung Po, to be Extra Assistant Commissioner, 1st Class, 2nd Grade, and Moung Shway Zin, to be Extra Assistant Commissioner, 2nd Class, 2nd Grade:—

Moung Wike, Extra Assistant Commissioner, 1st Class, 2nd Grade, to officiate as Extra Assistant Commissioner, 1st Class, 2nd Grade, *vice* Moung Po.

Moung Min Gyaw, Extra Assistant Commissioner, 3rd Class, 1st Grade, to officiate as Extra Assistant Commissioner, 2nd Class, 2nd Grade, *vice* Moung Shway Zin.

FORESTS.

The 8th July 1881.

No. 621F.—Mr. J. S. Mackay, Assistant Conservator of Forests of the 1st Grade in the Punjab, is permitted to resign his appointment, with effect from the 1st June 1881.

C. GRANT,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 8th July 1881.

No. 156I.-J.—In exercise of the powers conferred upon him by Section 56 of the Indian Christian Marriage Act (XV of 1872), the Governor General in Council hereby appoints the First Assistant to the Resident at Hyderabad, for the time being, as the officer to whom Marriage Registrars within the dominions of His Highness the Nizam shall send the certificates mentioned in Section 54 of the aforesaid Act.

GENERAL.

The 6th July 1881.

No. 1273G.-G.—The services of Mr. H. Rigg, Executive Engineer, 1st Grade, are replaced at the disposal of the Public Works Department on his return from furlough.

No. 1275G.-G.—Misr Rama Charan is appointed to be Attaché to the Governor General's Agent for Rajputana.

The 8th July 1881.

No. 1288G.-G.—Lieutenant E. E. Robertson, Officiating Squadron Officer, 1st Regiment, Central India Horse, is granted leave of absence for three months, with effect from the date on which he may avail himself of it, to study the Hindustani language.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATION.

Simla, the 8th July 1881.

No. 1225.—Captain R. V. Riddell, R.E., having been appointed to officiate as Mint Master, Calcutta, during the absence of Colonel J. F. Tennant, R.E., C.I.E., on privilege leave, received charge of that office after noon on the 2nd July 1881.

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

MILITARY DEPARTMENT.

Simla, the 8th July, 1881.

APPOINTMENTS.

No. 864.—PERSONAL STAFF—

His Excellency the Viceroy and Governor General has been pleased to make the following appointment on His Excellency's Personal Staff:—

Lieutenant-Colonel A. R. D. Mackenzie, Commandant, 3rd Bengal Cavalry, to be Honorary Aide-de-Camp, *vice* Colonel *Sir* C. M. MacGregor, K.C.B., C.S.I., C.I.E., vacated on promotion to local Major-General.

No. 365.—The following appointment has been made on the Personal Staff of His Excellency the Commander-in-Chief in India, with effect from the 27th June, 1881:—

Lieutenant-Colonel E. F. Chapman, C.B., R.A., to be Military Secretary.

No. 366.—QUARTERMASTER-GENERAL'S DEPARTMENT—

Captain A. J. Pearson, R.A., Officiating Deputy Assistant Quartermaster-General, is confirmed in that appointment, *vice* Major the Hon'ble C. Dutton, 85th Foot, resigned. Dated 25th March, 1881.

No. 367.—COMMISSARIAT DEPARTMENT—

Lieutenant-Colonel N. R. Burlton, Assistant Commissary General, 1st class, and Officiating Deputy Commissary General, to be Deputy Commissary General.

Major J. B. Smith, Assistant Commissary General, 2nd class, and Officiating Deputy Commissary General, to be Assistant Commissary General, 1st class.

Lieutenant-Colonel A. R. Badcock, C.B., Deputy Assistant Commissary General, 1st class, and Officiating Assistant Commissary General, 1st class, to be Assistant Commissary General, 2nd class.

Lieutenant-Colonel H. Rowband, Deputy Assistant Commissary General, 2nd class, to be Deputy Assistant Commissary General, 1st class.

Captain L. W. Christopher, Sub-Assistant Commissary General, 1st class, and Officiating Deputy Assistant Commissary General, 1st class, to be Deputy Assistant Commissary General, 2nd class.

Lieutenant H. M. P. Hawkes, Sub-Assistant Commissary General, 2nd class, and Officiating Deputy Assistant Commissary General, 2nd class, to be Sub-Assistant Commissary General, 1st class.

With effect from the 13th June, 1881, *vice* Colonel T. H. Sibley, Deputy Commissary General, retired.

No. 368.—MEDICAL DEPARTMENT—

Her Majesty has been pleased to appoint the undermentioned gentleman to be a Surgeon in Her Majesty's Indian Military Forces in the Presidency of Bengal. He is accordingly admitted into the service:—

Surgeon Sambhu Chandra Nandi, M.B., arrived at Bombay, 14th April 1881.

No. 369.—PUNJAB FRONTIER FORCE—

1st Punjab Cavalry.

Surgeon P. de H. Haig, to be Medical Officer, *vice* Surgeon-Major G. Thomson, M.B., transferred to civil employment.

The appointment of Surgeon J. G. Hancock, notified in G. G. O. No. 213 of 1881, is hereby cancelled.

FURLOUGH AND LEAVE.

No. 370.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Major J. A. D. Gordon, General List, Infantry, Wing Commander, 2nd (Queen's Own) Regiment of Native (Light) Infantry, (p. a.) for two years, under rule IX of the regulations of 1868, with effect from the 5th May, 1881.

Major S. C. MacTier, s.c., Wing Commander, 33rd (The Allahabad) Regiment of Native Infantry, (p. a.) under rule I of the regulations of 1875.

Captain W. Hailes, s.c., Deputy Assistant Quartermaster-General on the establishment, (m. c.) for one year, under rule VI of the regulations of 1875.

No. 371.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Lieutenant-Colonel (Brevet Colonel) G. A. Brown, s.c., (m. c.) for six months.

Major G. S. Hills, s.c., (m. c.) for four months.

Major D. G. Pitcher, s.c., (m. c.) for three months.

Captain G. F. Churchill, s.c., (m. c.) for three months.

Captain G. W. Deane, s.c., (m. c.) for four months.

Lieutenant R. W. MacLeod, s.c., (m. c.) for four months.

Lieutenant R. F. Gartside-Tipping, (m. c.) for six months.

Surgeon-Major H. D. S. Compigné, M.D., (m. c.) for six months.

No. 372.—Surgeon-Major L. F. Dickson, M.D., 13th (The Shekhawattee) Regiment of Native Infantry, is granted 182 days' extension (m. c.) of the furlough notified in G. G. O. No. 1204 of 1879.

LONDON GAZETTE.

No. 373.—The following extracts are published for general information:—

"London Gazette," dated the 7th June, 1881, page 2905.

Brevet.

The following promotions to take place in consequence of the death, on the 17th May, 1881, of Lieutenant-General Henry James Barr, Bombay Staff Corps:—

Major-General Charles Harris, Bengal Staff Corps, to be Lieutenant-General. Dated 18th May, 1881.

Lieutenant-Colonel and Brevet Colonel Francis Adams Ellis Loch, C.B., Bombay Staff Corps, to be Major-General. Dated 18th May, 1881.

The undermentioned Officers to have the honorary rank of Captain:—

Honorary Lieutenant and Deputy Commissary John Walshe, Bengal Establishment. Dated 26th January, 1881.

Honorary Lieutenant Laurence Collins, Madras Establishment. Dated 24th February, 1881.

To have the honorary rank of Lieutenant:—

Deputy Assistant-Commissary Sidney Smith Saunders, Bengal Establishment. Dated 25th January, 1881.

Deputy Assistant-Commissary George Stevens Beckett, Bengal Establishment. Dated 25th January, 1881.

MEDICAL DEPARTMENT.

No. 374.—The Governor General in Council is pleased to direct the publication of the following Royal Warrant, dated 5th February, 1881, relative to the precedence of Surgeon-Majors of the Army Medical Department on promotion to the rank of Brigade Surgeon:—

FINANCE.

I.—REGULAR FORCES.

Royal Warrant—Precedence of Surgeon-Majors on Promotion to the rank of Brigade Surgeon.

VICTORIA R.

Whereas by Article 4 of Our Warrant of the 27th November, 1879, prescribing the terms and conditions of service of officers of the Medical Department of Our Regular Forces, we did, amongst other things, direct that Brigade Surgeons and Surgeon-Majors, after 20 years' service, should have the relative rank of Lieutenant-Colonel;

Our Will and Pleasure is and We do hereby direct that a Surgeon-Major of the Army Medical Department who, on promotion to the rank of Brigade Surgeon, is granted, under the provisions of Our said Warrant, the relative rank of Lieutenant-Colonel, shall take precedence of all Surgeon-Majors who may be holding such relative rank.

Given at Our Court at Osborne, this fifth day of February, one thousand eight hundred and eighty-one, in the forty-fourth year of Our Reign.

By Her Majesty's Command,

HUGH C. E. CHILDERS.

No. 375.—The Governor General in Council is pleased to direct the publication of the following Royal Warrant, dated 20th May, 1881, relative to the precedence of Surgeon-Majors of the Indian Medical Service on promotion to the rank of Brigade Surgeon:—

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India.

Whereas, by Article 2 of Our Warrant of the 16th November, 1880, revising the rules for the promotion and relative rank and allowances of our Indian Medical Service, We did, amongst other things, direct that Brigade Surgeons and Surgeon-Majors after twenty years' service should have the relative rank of Lieutenant-Colonel;

Our Will and Pleasure is and We do hereby direct that a Surgeon-Major of Our Indian Medical Service who, on promotion to the rank of Brigade Surgeon, is granted under the provisions of Our said Warrant the relative rank of Lieutenant-Colonel, shall take precedence of all Surgeon-Majors who may be holding such relative rank.

Given at Our Court at Windsor, this twentieth day of May, in the year of Our Lord one thousand eight hundred and eighty-one, and in the forty-fourth year of Our Reign.

By Her Majesty's Command,

HARTINGTON.

No. 376.—With reference to the Royal Warrants published in G. G. Os. Nos. 374 and 375 of this date, it has been laid down by Her Majesty's Government that the precedence of Brigade Surgeons over Surgeon-Majors established by those Warrants is intended to take effect only amongst themselves, and that the precedence of Brigade Surgeons with respect to combatant officers will continue to be governed by the rules laid down in the Royal Warrants of the 27th November 1879 and 16th November 1880, respectively.

PROMOTIONS.

No. 377.—The following promotions are made, subject to Her Majesty's approval:—

STAFF CORPS.

To be Captains.

Lieutenant Charles Wemyss Muir,—7th July, 1881.

Lieutenant Duncan Alexander Allan Macpherson,—7th July, 1881.

Lieutenant Charles Campbell Whistler,—7th July, 1881.

Lieutenant Edward Duncan Frederick Bignell,—7th July, 1881.

Lieutenant George Brougham Austin,—8th July, 1881.

Lieutenant Henry North Webb,—8th July, 1881.

BENGAL ARMY.

To be Majors.

Captain Douglas Cowslade Hennessy, General List, Infantry,—4th July, 1881.

Captain Everard Neal Digges LaTouche, General List, Infantry,—4th July, 1881.

No. 378.—NATIVE ARMY—

13th Bengal Lancers.

Ressaidar Jelall Khan, to be Ressaldar, *vice* Dost Mahomed Khan, invalided; Jemadar Khadum Ali Khan, to be Ressaidar, *vice* Jelall Khan, promoted, and to be Woordie-Major, *vice* Dowlut Singh, who resigns his appointment; Kote-Duffadar Meeah Khan, to be Jemadar, *vice* Khadum Ali Khan, promoted,—10th November, 1880.

5th Regiment of Native (Light) Infantry.

Havildar Salamut Ally Khan, to be Jemadar, *vice* Sahib Allee, invalided,—26th April, 1881.

3rd Goorkha (The Kemaoon) Regiment.

Havildar Sootar Sing Thappa, to be Jemadar, *vice* Taijee Rawut, promoted,—8th March, 1881.

No. 379.—In G. G. O. No. 382 of 1881, for "17th (The Loyal Poorbeah) Regiment of Native Infantry," read *19th (Punjab) Regiment of Native Infantry.*

No. 380.—VOLUNTEER CORPS.

East Indian Railway Volunteer Rifle Corps.

To be Lieutenants.

Second-Lieutenant John Francis Thomson. Dated 14th February, 1879.

Second-Lieutenant Gregory Sam. Dated 16th May, 1879.

RETIREMENTS.

No. 381.—In continuation of G. G. O. No. 349 of 1881, the undermentioned officer is permitted to retire from the service, under the provisions of G. G. O. No. 1 of 1881, with effect from the date specified, subject to Her Majesty's approval:—

Lieutenant-Colonel (Brevet Colonel) Charles Langford Brown, Bengal S. C.,—3rd July, 1881.

No. 382.—Surgeon-Major William Smith Caldwell, M.D., is permitted to retire from the service, with effect from the 4th July, 1881, subject to Her Majesty's approval.

REWARDS.

No. 383.—GOOD SERVICE PENSIONS—

It is hereby announced that, on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer Good Service Pensions on the undermentioned officers, with effect from the dates specified :—

From the 10th December, 1880, in room of Colonel (Brigadier-General) J. I. Murray, C.B., succeeded to the Colonel's allowance.

MAJOR-GENERAL ARTHUR BUNNY, C.B., ROYAL (LATE BENGAL) ARTILLERY.

Dates of Commissions.

Second-Lieutenant	...	8th December, 1843
First-Lieutenant	...	21st „ 1845
Captain	...	27th April, 1858
Brevet Major	...	20th July, 1858
„ Lieutenant-Colonel	...	5th April, 1867
Lieutenant-Colonel	...	10th January, 1868
Brevet Colonel	...	10th „ 1873
Colonel	...	1st October, 1877
Major-General	...	31st December, 1878

War Services.

Served in the Sutlej campaign in 1843, and was present at the battle of Sobraon (medal). Punjab campaign of 1848-49, including the first and second siege operations before Mooltan, and surrender of the fortress; actions of 12th September (wounded) and 7th November, 1846, on which last occasion, when in command of two horse artillery guns, he was particularly brought to the notice of the Commander-in-Chief in General Whish's despatch; afterwards present at the battle of Goojerat (medal with two clasps). Indian Mutiny 1857-58, including the battle of Budlee-ke-Serai, siege and capture of Delhi (slightly wounded 23rd July, 1857), battles of Bolundshuhur and Agra, relief of Lucknow by Lord Clyde (mentioned in despatches), battle of Cawnpore, and taking of Futtehghur; was brigade-major of the siege artillery at the siege of Lucknow (mentioned in despatches). Present with Walpole's column as staff officer of artillery at the attack on fort Rooya (mentioned in despatches), and action of Allygunge; present at the battle of Bareilly and action of Mohumdee (mentioned in despatches, brevet of major, and medal with three clasps). Nominated a C.B., 24th May, 1873.

Commanded Royal Artillery, Saugor District, from 1st March, 1872 to 1st October, 1877.

From the 21st December, 1880, in room of Lieutenant-General C. A. Barwell, C.B., retired.

MAJOR-GENERAL FREDERICK RICHARD MAUNSELL, C.B., ROYAL (LATE BENGAL) ENGINEERS.

Dates of Commissions.

Second-Lieutenant	...	12th June, 1846
First-Lieutenant	...	15th February, 1854
Second-Captain	...	27th August, 1858
First-Captain	...	19th December, 1861
Brevet Major	...	28th August, 1858
„ Lieutenant-Colonel	...	14th June, 1869
Lieutenant-Colonel	...	10th November, 1869
Brevet Colonel	...	10th „ 1874
Colonel	...	31st December, 1878
Major-General	...	31st „ 1878

War Services.

Served in the Punjab campaign of 1848-49, throughout the operations before Mooltan, including the first siege, storming of the intrenched positions on 9th and 12th September, and surrender of the fortress; also surrender of the fort and garrison of Cheniote, and battle of Goojerat (medal with two clasps). In the Indian Mutiny campaign, commanded sappers and miners at the actions on the Hindun, battle of Budlee-ke-Serai, and throughout the siege of Delhi, directed the right attack during the final operations, and was dangerously wounded when conducting the column of assault on the Paharеepore suburb on 14th September, 1857. Commanded sappers at the siege and capture of Lucknow, in the Rohilcund campaign at Rooya, Allygunge and Bareilly, and at Mitowlee and Biswal in the Oudh campaign of 1858-59 (mentioned in despatches, medal with two clasps, and brevet of major). Nominated a C.B., 24th May, 1873. Served also in the Afghan campaign of 1878-79, as Commanding Royal Engineer of Sir Sam Browne's Column; present at the capture of Ali Musjid (mentioned in despatches).

Commanded Corps of Bengal Sappers and Miners from 24th August, 1863, to 31st December, 1878.

From the 28th December, 1880, in room of Lieutenant-General W. T. Hughes, C.B., succeeded to the Colonel's allowance.

COLONEL (*Brigadier-General*) *Sir* CHARLES HENRY PALLISER, K.C.B., BENGAL STAFF CORPS.

Dates of Commissions.

Ensign	...	11th June, 1847
Lieutenant	...	15th November, 1853
Captain	...	7th April, 1860
Brevet Major	...	7th „ 1860
Major	...	11th June, 1867
Brevet Lieutenant-Colonel		15th August, 1868
Lieutenant-Colonel	...	11th June, 1873
Brevet Colonel	...	19th „ 1874

War Services.

Colonel Palliser, when Adjutant, Sind Camel Corps, was severely wounded in an action with the Sheoranees at the Drabund Pass on the Derajat frontier on the 14th March, 1853 (mentioned in despatches, and medal with clasp). Served in the Indian Mutiny campaign of 1857-58; accompanied the advance column under Major Renaud from

Allahabad towards Cawnpore (wounded 2nd July, 1857), and served with Havelock's force from its first taking the field; commanded irregular cavalry in the actions of Futtehpore; commanded right troop of Barrow's Volunteer Cavalry in the actions of Mungulwar, Alumbagh, and first relief of Lucknow (wounded 25th September, 1857, and two horses shot); defence of the Residency till the second relief by Lord Clyde; subsequent occupation of the Alumbagh under Outram from November, 1857 to March, 1858, including actions of Gahilee, repulse of rebel attack, and capture of Lucknow. Served with Hodson's Horse at re-occupation of Fyzabad, and crossing of the Goomtee at Sultanpore. Commanded 1st regiment of Hodson's Horse in the action of Daoodpore, and in repulse and pursuit of rebels at Khandoo Nuddee, dangerously wounded 26th October, 1858 (mentioned in despatches, medal with two clasps, a year's service, and brevet of major). Commanded the 10th Bengal Cavalry in the Abyssinian expedition (mentioned in despatches, brevet of lieutenant-colonel and medal). Nominated a C. B. 20th May, 1871. Served also during the Afghan campaign of 1878-79, as Brigadier-General Commanding Cavalry Brigade, Southern Afghanistan Field Force (mentioned in despatches). Nominated a K. C. B., 22nd February 1881.

Brigadier-General Commanding Sialkot Brigade.

From the 21st February, 1881, in room of Colonel J. A. M. Macdonald, succeeded to the Colonel's allowance.

LIEUTENANT-GENERAL WILLIAM SPARKES HATCH, ROYAL (LATE BOMBAY) ARTILLERY.

Dates of Commissions.

Second-Lieutenant	...	10th December, 1841.
Lieutenant	...	7th January, 1844.
Captain	...	29th August, 1854.
Major (Brevet)	...	19th January, 1858.
Lieutenant-Colonel	...	18th February, 1861.
Colonel (Brevet)	...	18th „ 1866.
Colonel	...	6th March, 1868.
Major-General	...	1st October, 1877.
Lieutenant-General	...	26th February, 1880.

Appointments.

Regimental duty	...	December, 1841 to September, 1851.
Adjutant, Artillery in Sind	...	September, 1851 to April, 1852.
Regimental duty	...	April, 1852 to December, 1860.
Director, Artillery Depôt of Instruction	...	December, 1860 to October, 1862.
Agent for Gunpowder	...	November, 1862 to March, 1863.
Agent for Gun Carriages	...	March, 1863 to May, 1877.
Acting Inspector General of Ordnance and Magazines	...	May, 1877 to November, 1877.
Superintendent, Gun Carriage Factory	...	November, 1877 to August, 1878.
On Special Ordnance Commission while Superintendent, Gun Carriage Factory		April, 1874 to April, 1875.
Inspector General of Ordnance	...	August, 1878 to March, 1881.

War Services.

Served under Sir Charles Napier against Meer Shore Mahome in June 1843; commanded a detachment of artillery at the capture of the fort of Wankeera, in Khandeish, in 1844 (mentioned in despatches and received thanks of Government); served as Adjutant of Artillery with force assembled at Roree in December, 1851 to overawe Meer Ali Moorad; commanded 1st Company, 1st Battalion, Artillery, and No. 3 Light Field Battery during the Persian Expedition of 1856-57; at the landing at Hallilah Bay, the storm and capture of Bushire, surrender of Bushire; on the march to Borasjoon and the action of Koosheb (mentioned in despatches, medal and clasp, and brevet of major); commanded 1st Company, 1st Battalion, and No. 3 Light Field Battery with Field Force in Mahee Kanta in April and May, 1858, and in pursuit of Tantia Topee in December, 1858 and January, 1859.

SPECIAL.

No. 384.—The Governor General in Council is pleased to sanction the following appointments to the Staff of the Forces in Biluchistan, which command will in future be known as "The Quetta Division."

These appointments will severally have effect from the dates on which the Officers named took up the duties of each, as noted opposite their names :—

Major-General R. Hume, C.B., Unattached	To Command	23rd May, 1881.
Captain H. H. C. Braddon, 55th Foot	To be Aide-de-Camp to Major-General Hume, C.B.	
Lieutenant-Colonel H. A. Little, Bengal S. C.	To be Assistant Adjutant General	
Major J. Jopp, Bombay S. C.	To be Assistant Quartermaster General	
Major A. FitzGerald, General List, Bengal Infantry	To be Deputy Assistant Adjutant General	
Major P. C. Story, 40th Foot	To be Deputy Assistant Quartermaster General	
Major R. A. Prideaux, General List, Bombay Infantry.	To be Deputy Judge Advocate	14th June, 1881.
Deputy Surgeon-General B. Simpson, M.D., Bengal Medical Service.	To be Principal Medical Officer	23rd May, 1881.
Captain E. A. Johnson, R.A.	To be Commissary of Ordnance	

Captain R. W. Studdy, 63rd Foot	To be Provost Marshal ...	1st July, 1881.	
Lieutenant-Colonel W. Luckhardt, Bombay S. C....	To be Principal Commissariat Officer ...		
Major J. Hibbert, General List, Bombay Infantry	To be Executive Commissariat Officer at Quetta ...		
Lieutenant C. G. B. Hervey, Bengal S. C. ...	To be Commissariat Officers ...		
Lieutenant R. C. Sherard, Madras S. C. ...			
Lieutenant N. Irving-Noble, 28th Foot, (Offg. Wing Officer, 3rd Bengal Native Infantry, on probation)...			
Lieutenant H. B. Warden, Bombay S. C. ...			
Major DeL. R. F. Wooldridge, Bombay S. C. ...	To be Director of Transport ...		
Lieutenant C. W. Ford, 63th Foot ...	To be Transport Staff Officer ...		
Local Lieutenant F. T. V. Austin ...	To be Transport Pay Master ...		
Captain A. M. Saunders, Army Reserve ...	To be General Transport Officer	23rd May, 1881.	
Captain G. H. Elliott, Bengal S. C. ...	To be Brigade Transport Officers		
Lieutenant H. F. K. Waldron, 70th Foot ...			
Major M. H. Court, General List, Bengal Cavalry	To be Transport Officers ...		
Lieutenant P. A. Morshead, 18th Foot ...			
Lieutenant H. W. N. Guinness, 18th Foot ...			
Local Lieutenant R. C. Plowden ...			
„ „ B. Egerton ...			
„ „ A. G. Mayne ...			
„ „ A. Jardine ...			
„ „ C. J. A. Hoskins ...			
„ „ W. J. Prince ...			
Veterinary-Surgeon A. Bostock ...	To be in Veterinary charge of Transport Sick Depots.		
„ „ H. A. Woodroffe ...			

Engineer Department.

Lieutenant-Colonel J. Hills C.B., R.E. ...	To be Commanding Engineer ...	23rd May, 1881.	
Lieutenant C. L. Young, R.E. ...	To be Adjutant of Engineers ...	27th May, 1881.	
Captain W. H. Haydon, R.E. ...	To be Field Engineers ...		23rd May, 1881.
Captain W. W. B. Whiteford, R.E. ...			
Lieutenant W. J. Lister, R.E. ...	To be Assistant Field Engineers		
„ E. A. Waller, R.E. ...			

Artillery.

Lieutenant-Colonel W. Carey, R.A. ...	To Command ...	...	11th May, 1881.
Lieutenant M. O. Hopkins, R.A. ...	To be Adjutant ...	...	23rd May, 1881.

Cavalry Brigade.

Brigadier-General H. C. Wilkinson, *h. p.* 16th Lancers	To Command. ...	...	23rd May, 1881.
Captain W. Christie, 13th Hussars ...	To be Brigade Major	...	15th May, 1881.

Infantry Brigade.

Brigadier-General J. H. Henderson, Bombay S. C.* ...	To Command ...	...	23rd May, 1881.
Captain B. G. Humfrey, Bombay S. C. ...	To be Brigade Major	...	

* Since deceased.

VOLUNTEER CORPS.

No. 335.—With reference to paragraph 261, Volunteer Regulations, the following statement, showing the figure of merit obtained by the several Volunteer Rifle Corps in India in the annual course of musketry, 1879-80, is published for general information :—

Corps.	Figure of merit.	Percentage of extra efficients.	Remarks.
Northern Bengal State Railway Volunteer Rifle Corps ...	123·28	Cent.	
1st Punjab Volunteer Rifle Corps	115·44	80·28	
Calcutta „ „ „	114·64	85·09	
Cawnpore „ „ „	111·21	93·61	
2nd Punjab „ „ „	110·41	75·00	
Eastern Bengal Railway Volunteer Rifle Corps	105·52	94·59	
Agra *Volunteer Rifle Corps*	103·60	61·62	
Thomason College Volunteer Rifle Corps	94·26	80·00	
East Indian Railway „ „ „	93·13	64·84	
Allahabad Volunteer Rifle Corps	84·25	63·57	
Lucknow „ „ „	79··2	51·16	
Nagpur „ „ „	69·55	48·88	
Bangalore „ „ „	69·16	33·36	
Tirhoot State Railway Volunteer Rifle Corps	63·31	40·00	
Moulmein Volunteer Rifle Corps	56·36	43·52	
Rangoon and Irrawaddy State Railway Volunteer Rifle Corps	105·58	83·78	
Ghazipur Volunteer Rifle Corps	99·83	73·33	
Rangoon „ „ „	9·.15	66·23	
„ (Cadet) „ „ „	42·35	14·43	
Berar „ „ „	79·41	50·00	
Naini Tal „ „ „	93·32	66·07	
Mussoorie „ „ „	81·46	94·39	
Behar Mounted „ „ „	...	...	Not exercised.
Akyab „ „ „	...	...	Not exercised.
Darjeeling „ „ „	...	...	No return received.
Madras.			
Duke's Own Volunteer Artillery	57·43	...	
Madras Volunteer Guards	72·12	72·03	
Nilgiri Volunteer Rifles	62·93	44·53	
Bombay.			
Great Indian Peninsula Railway Volunteer Corps ...	95·57	68·25	
Bombay Volunteer Rifle Corps	113·09	82·85	
Bombay, Baroda and Central India Railway Volunteer Corps	111·45	62·50	
Sind Volunteer Rifle Corps	...	...	Corps recently organised.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 4th July, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned commissioned officers, on the dates specified, were received in the Military Department from the 28th June to the 4th July, 1881 :—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Bombay Staff Corps ...	Brigadier-General J. H. Henderson	27th June, 1881	Quetta ...	...	...
Late 6th European Light Cavalry.	Brevet Major I. Low ...	26th „ „	Simla ...	...	...
Indian Medical Department, Bombay.	Surgeon R. L. Dutt ...	28th „ „	Gundakinduff	...	...

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 8th July, 1881.

APPOINTMENTS.

No. 18.—Navigating-Lieutenant J. S. Barrett, R.N. (retired), 1st Grade Officer in command of the I.G. turret ships *Abyssinia* and *Magdala*, and in charge "Hulks and vessels in ordinary," Bombay, to officiate as Accountant, Bombay Dockyard, during the absence of Mr. Place.

FURLOUGH AND LEAVE.

No. 19.—Mr. F. Place, Accountant, Bombay Dockyard, is granted twelve months' leave to Europe on urgent private affairs in lieu of privilege leave.

PROMOTIONS.

No. 20.—Mr. D. P. Jones, Officiating 1st Grade Officer, to be a 1st Grade Officer, with effect from the 3rd July, 1881.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 5th July 1881.

No. 233.—Under the provisions of Section 4 of the Northern India Ferries Act, No. XVII of 1878, the Governor General in Council is pleased to declare that the ferries named in the following Schedule are public ferries, and that for the purposes of the Act they are situated in the Punjab:—

Province.	Division.	District.	Name of ferry.	Remarks.
Punjab	Delhi	Delhi	Mamarpur ...	Bridge-of-boats.
			Chaensá ...	
			Dahisra ...	Without bridge-of-boats.
			Burari ...	
			Wazirabad ...	
			Okhla ...	
			Jethpur ...	
			Karauli ...	
			Mahabatpore ...	
			Kabulpur ...	
			Majhaoli ...	
			Shahjehanpur ...	
Punjab.	Delhi	Gurgaon	Sheikhpur ...	Without bridge-of-boats.
			Solrah ...	
			Bhalrah ...	
			Gurwari ...	
			Sultanpur ...	
			Bilochpur ...	
			Hasanpur ...	
			Mahauli ...	
Ditto	Ditto	Kurnal	Sanauli ...	Bridge-of-boats.
			Mirghan ...	
			Begi ...	Without bridge-of-boats.
			Dub Kowli and Rundowli.	
			Kalsowra ...	
			Chawgaon ...	
			Khoggipur ...	
Ditto	Ditto	Umballa	Rajghat ...	Ditto.
			Gumthulla ...	
			Tika and Pubari	

The 6th July 1881.

No. 234.—Mr. J. Douglas, Deputy Examiner of Accounts, 1st Grade, Guaranteed Railway Accounts, Lahore, is promoted to Examiner, 4th Class, 3rd Grade, temporary rank, with effect from the 23rd April 1881.

The 8th July 1881.

No. 235.—The following reversions take place from the 30th June 1881:—

Mr. R. Tyndall, Officiating Superintending Engineer, Class I, to Superintending Engineer, Class II.

Major C. W. I. Harrison, R.E., Officiating Superintending Engineer, Class II, to Superintending Engineer, Class III, *temporary rank*.

Mr. F. B. Walker, Officiating Superintending Engineer, Class III, to Executive Engineer, 1st Grade.

No. 236.—Lieutenant E. C. Stanton, R.E., Assistant Engineer, 2nd Grade, North-Western Provinces and Oudh, is transferred to the Military Works Branch.

ALEX. FRASER, *Major-Genl., R.E.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 29. SIMLA, SATURDAY, JULY 16, 1881.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—
Nothing for publication.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—
Report of Select Committee and the Indian Trusts Bill No. II.
Report of Select Committee and the Indian Easements Bill No. II.

SUPPLEMENT No. 29.

PART I.

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

HOME DEPARTMENT.

NOTIFICATION.—ESTABLISHMENTS.

Simla, the 15th July 1881.

No. 237.—*Appointments.*—Mr. J. W. Neill, C.S., Commissioner, Nagpur Division, to officiate as Judicial Commissioner of the Central Provinces, with effect from the 15th June 1881, *vice* Mr. C. H. T. Crosthwaite, on furlough.

Colonel J. L. Loch, Deputy Commissioner, 2nd Class, and Officiating Inspector General of Police and Jails in the Central Provinces, to officiate as Commissioner, Nagpur Division, *vice* Mr. J. W. Neill.

Major M. M. Bowie, Deputy Commissioner, 3rd Class, and Officiating Deputy Commissioner, 2nd Class, to officiate as Inspector General of Police and Jails in the Central Provinces, *vice* Colonel J. L. Loch.

C. GRANT,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 15th July 1881.

No. 1515*E.-P.*—It is hereby notified for general information that the Turkish authorities in the Hedjaz (on the Arabian littoral of the Red Sea) have issued orders to the effect that foreigners not provided with papers attesting their nationality are liable to expulsion from the country; and that pilgrims for Mecca and Medina, and other persons arriving at Jedda or other ports of the Hedjaz without passports, are liable to be refused permission to disembark.

All persons proceeding to the Hedjaz from India are, therefore, warned that they should provide themselves with passports, which will be issued at the several Indian ports of embarkation.

The 12th July 1881.

No. 194 *G.-P.*—In recognition of the services of Sir Faiz Ali Khan, K.C.S.I., the title of Nawab Mumtaz-ud-Daulah conferred upon him by the Notification of the 9th September 1870, as a personal distinction, is hereby declared by His Excellency the Viceroy and Governor General in Council to be hereditary.

The 13th July 1881.

No. 197 *G.-P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognise the appointment of Mr. Leopold Biedermann as Acting Vice-Consul for Italy at Rangoon, during the absence of Mr. H. Chiaves.

GENERAL.

The 13th July 1881.

No. 1318 *G.-G.*—The services of Mr. E. W. Collin, C.S., Senior Attaché in the Foreign Department, are replaced at the disposal of the Government of Bengal, with effect from the 11th July 1881.

No. 1320 *G.-G.*—Captain N. C. Martelli, Political Assistant, 3rd Class, and Officiating Political Agent, 3rd Class, is appointed to officiate as Superintendent of Chirkari, with effect from the date of assuming charge, *vice* Major Maitland, proceeding on privilege leave.

No. 1322 *G.-G.*—The services of Lieutenant-Colonel W. G. Waterfield, C.S.I., Officiating Resident of the 1st Class, and Officiating Agent to the Governor General at Baroda, are replaced at the disposal of the Government of the Punjab, with effect from the afternoon of the 2nd July 1881.

No. 1324 *G.-G.*—Under Section 131, Civil Leave Code, Mr. R. C. Bower, District Superintendent of Police, Ajmere, is granted furlough to Europe for twenty months, with effect from the 26th March 1881, with the necessary subsidiary leave.

Mr. R. A. D'O. Bignell, Assistant Superintendent of Police, 1st Grade, Bengal, is appointed to officiate as District Superintendent of Police, Ajmere, with effect from the date of assuming charge, *vice* Mr. Bower.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 15th July 1881.

No. 1766.—Mr. W. C. Holmes, M.C.S., having been appointed to officiate as Assistant Accountant General, Bombay, joined the office after noon on the 7th July 1881.

No. 1767.—The following Addendum to the Codes of the Financial Department is published for general information.

C. P. C.

PAGES 53 AND 54.

Section 106.

Add the following as Rule 3A:—

3A. In the Public Works Department, the Inspector General of Military Works, the Director General of Telegraphs, and the Director General of Railways exercise the powers of a Local Government under these Rules in regard to all subordinates serving under them except Accountants. The Accountant General also exercises similar powers over all subordinates serving under him, including all Accountants belonging to the establishment under the Government of India.

No. 1789.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 30th June 1881, published as required by Section 23 of the Indian Paper Currency Act, 1871.*

CIRCLES OF ISSUE.	Whole amount of Notes in circulation.	RESERVE IN SILVER COIN AND BULLION.		
		Coin.	Bullion.	Total.
	Rs.	Rs.	Rs.	Rs.
Calcutta ...	6,39,18,685	1,93,03,219	4,33,612	1,97,36,831
Madras ...	1,13,29,350	50,90,865	10,58,000	61,54,865
Bombay ...	3,05,35,545	1,22,00,097	1,01,183	1,23,01,280
Allahabad ...	51,34,420	81,37,165	...	81,37,165
Lahore ...	91,84,770	1,83,41,305	...	1,83,41,305
Calicut ...	17,27,490	20,01,215	...	20,01,215
Coconada ...	17,42,285	24,58,030	1,65,000	26,23,030
Nagpur ...	19,71,850	19,41,880	...	19,41,880
Kurrachee ...	34,13,055	14,24,415	61,000	14,85,415
Akola ...	22,45,855	24,35,145	...	24,35,145
TOTAL ...	13,72,03,305	7,34,00,326	18,18,795	7,52,79,121
Add—Amount under remittance from Lahore to Kurrachee ...				20,00,000
				7,72,79,121
Invested in Government Securities under Section 17 of the Act				5,99,24,184
GRAND TOTAL ...				13,72,03,305

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

MILITARY DEPARTMENT.

Simla, the 15th July, 1881.

APPOINTMENTS.

No. 386.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Howard Goad, 68th Foot, Officiating Squadron Officer, 12th Bengal Cavalry,—17th November, 1879.

Second-Lieutenant Robert Arthur Cole, 2nd Battalion, 17th Foot, Officiating Wing Officer, Deolee Irregular Force,—10th March, 1880.

Second-Lieutenant Cole will take rank as Lieutenant from the 10th March, 1880, subject to Her Majesty's approval.

Lieutenant Arthur Nisbet Carr, 100th Foot, Officiating Squadron Officer, 7th Bengal Cavalry,—3rd April, 1880.

No. 387.—COMMISSARIAT DEPARTMENT—

Lieutenant-Colonel R. C. Low, C.B., Commandant, 13th Bengal Lancers, is temporarily attached to the Commissariat Department with the rank and pay of a Deputy Commissary General. Dated 26th June, 1881.

No. 388.—Lieutenant R. B. Shawe, S.C., Wing Officer, 4th Regiment of Native Infantry, to be a Sub-Assistant Commissary General, 3rd class, on probation, with effect from the 17th May, 1881, to fill an existing vacancy.

No. 389.—PUNJAB FRONTIER FORCE—

3rd Punjab Cavalry.

Lieutenant F. J. B. Priestley, 1st Battalion, 17th Foot, a candidate for the Bengal Staff Corps, to be Officiating Squadron Officer, on probation.

2nd Sikh Infantry.

Lieutenant F. C. Dunlop, Officiating Wing Officer, on probation, to be Wing Officer and Quartermaster, on probation, *vice* Lieutenant W. F. C. C. Plowden, whose services have been replaced at the disposal of His Excellency the Commander-in-Chief.

3rd Punjab Infantry.

Lieutenant E. W. Cunliffe, S.C., to be Wing Officer and Quartermaster, and to officiate as Adjutant in addition to his other duties, with effect from the 17th and 22nd March, 1881, respectively.

G. G. O. No. 159 of 1881 is cancelled, so far as it refers to Lieutenant Cunliffe.

No. 390.—VOLUNTEER CORPS—

Behar Mounted Rifle Corps.

Mr. William Brereton Hudson to be Major-Commandant, *vice* Major F. Collingridge, resigned.

FURLOUGH AND LEAVE.

No. 391.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) J. J. H. Gordon, C.B., S.C., Commandant, 29th (Punjab) Regiment of Native Infantry, (p. a.) for 273 days, under rule IX of the regulations of 1868.

This cancels the furlough granted to Colonel Gordon in G. G. O. No. 329 of 1881.

Lieutenant-Colonel G. W. Holdsworth, Infantry, (m. c.) for two years and 171 days, under rule XIV, clause 1, and the remaining period, without pay, under rule XVI of the regulations of 1868.

This cancels the furlough granted to Lieutenant-Colonel Holdsworth in G. G. O. No. 227 of 1881.

Major J. E. Sandeman, S.C., Deputy Superintendent, 3rd grade, Survey of India, (p. a.) for one year and 25 days, under rule IX of the regulations of 1868.

No. 392.—The undermentioned officer has been granted an extension of furlough by the Right Hon'ble the Secretary of State for India:—

Captain (Brevet Major) D. C. S. L. Carnegie, late 4th European Light Cavalry, (m. c.) for four months.

No. 393.—Lieutenant-Colonel (Brevet Colonel) E. W. Dun, Madras S. C., Commandant, 6th Infantry, Hyderabad Contingent, is allowed leave to sea, (p. a.) for 91 days, under rule XXVII of the regulations of 1868.

PROMOTIONS.

No. 394.—The following promotions are made, subject to Her Majesty's approval:—

STAFF CORPS.

To be Captains.

Lieutenant Lewis Maltby Boileau,—10th July, 1881.

Lieutenant John Clibborn,—14th July, 1881.

Lieutenant George Edward Money,—14th July, 1881.

No. 395.—COLONEL'S ALLOWANCE—

The undermentioned officer of the Bengal Staff Corps, having completed twelve years' service in the rank of Lieutenant-Colonel, is admitted to the Colonel's allowance, with effect from the date specified:—

Lieutenant-Colonel (Brevet Colonel) Alexander Pond,—11th July, 1881.

No. 396.—PUBLIC WORKS DEPARTMENT—

Barrack Sergeant Hugh Cahil is appointed Assistant Barrackmaster and promoted to the grade of Sub-Conductor, with effect from the 7th September, 1880, and will be borne as a Supernumerary on the Public Works Department warrant list between Sub-Conductors Holehouse and Gunning.

RESIGNATIONS.

No. 397.—Second class Assistant-Apothecary John Edwin Cooney is permitted to resign the service, with effect from the 26th March, 1881.

RETIREMENTS.

No. 398.—Surgeon-Major John Barclay Scriven has been permitted to retire from the service, with effect from the 13th June, 1881, subject to Her Majesty's approval.

SPECIAL.

No. 399.—The Most Hon'ble the Viceroy and Governor General is pleased to notify that he has received from the Right Hon'ble the Lord High Chancellor of England the following letter, dated the 6th May 1881, transmitting certain resolutions passed by the House of Lords on the 5th of the same month:—

London, May 6th, 1881.

To His Excellency the Viceroy and Governor General of India.

MY LORD,

I HAVE been ordered by the House of Lords to transmit to Your Excellency the accompanying resolutions, and to request Your Excellency to communicate the same to the several officers referred to therein.

I cannot discharge this duty without at the same time expressing the high gratification I feel in making this communication to Your Excellency.

I have, &c.,

(Sd.) SELBORNE, C.,

Die Jovis, 5° Maii, 1881.

Resolved—Nemine Dissentiente, by the Lords Spiritual and Temporal in Parliament assembled, that the thanks of this House be given to General Sir Frederick Paul Haines, Knight Grand Cross of the Most Hon'ble Order of the Bath, Knight Grand Commander of the Most Exalted Order of the Star of India, Companion of the Order of the Indian Empire, Commander-in-Chief in India, for the ability and judgment with which he directed the recent operations from September 1879 to September 1880 in Afghanistan.

Resolved—Nemine Dissentiente, that the thanks of this House be given to—

Lieutenant-General Sir Donald Martin Stewart, Knight Grand Cross of the Most Hon'ble Order of the Bath;
Lieutenant-General (local) Sir Frederick Sleigh Roberts, Knight Grand Cross of the Most Hon'ble Order of the Bath, Companion of the Order of the Indian Empire, Victoria Cross;
Lieutenant-General Sir Robert Onesiphorus Bright, Knight Commander of the Most Hon'ble Order of the Bath;
Major-General Sir John Ross, Knight Commander of the Most Hon'ble Order of the Bath;
Major-General Sir James Hills, Knight Commander of the Most Hon'ble Order of the Bath, Victoria Cross;
Major-General Sir Robert Phayre, Knight Commander of the Most Hon'ble Order of the Bath;
Major-General (local) John Watson, Companion of the Most Hon'ble Order of the Bath, Victoria Cross;
and the other officers of the army, both European and Native,

for the intrepidity, skill, and perseverance displayed by them in the military operations in Afghanistan, and for their indefatigable zeal and exertions during the late campaign.

Resolved—Nemine Dissentiente, that this House doth highly approve and acknowledge the valour and perseverance displayed by the non-commissioned officers and private soldiers, both European and Native, employed in Afghanistan during the late campaign, and that the same be signified to them by the commanders of the several corps, who are desired to thank them for their gallant behaviour.

(Sd.) WILLIAM ROSE,
Cler. Parliamentar.

No. 400.—The Most Hon'ble the Viceroy and Governor General is pleased to notify that he has received from the Right Hon'ble the Speaker of the House of Commons the following letter, dated the 2nd June 1881, conveying a vote of thanks of the House to the officers of the army who served in the second phase of the Afghan war:—

June 2nd, 1881.

The Speaker presents his compliments to the Viceroy and Governor General of India, and has the honor to forward to him the vote of thanks passed by the House of Commons on Thursday, May 5th.

The Speaker requests His Excellency to communicate the thanks of the House to—

General Sir Frederick Paul Haines, G.C.B., G.C.S.I., C.I.E.,
Lieutenant-General Sir Donald Martin Stewart, G.C.B.,
Lieutenant-General Sir Frederick Sleigh Roberts, G.C.B., C.I.E., V.C.,
Lieutenant-General Sir Robert Onesiphorus Bright, K.C.B.,
Major-General Sir John Ross, K.C.B.,
Major-General Sir James Hills, K.C.B., V.C.,
Major-General Sir Robert Phayre, K.C.B.,
Major-General John Watson, C.B., V.C.,
and the other officers of the army, both European and Native, who served in the campaign.

To the Most Hon'ble the Marquis of Ripon, K.G.,
&c., &c., &c.

HOUSE OF COMMONS;
Thursday, May 5th, 1881.

Resolved—That the thanks of this House be given to General Sir Frederick Paul Haines, Knight Grand Cross of the Most Hon'ble Order of the Bath, Knight Grand Commander of the Most Exalted Order of the Star of India, Companion of the Order of the Indian Empire, Commander-in-Chief in India, for the ability and judgment with which he directed the recent operations from September 1879 to September 1880 in Afghanistan.

Resolved—That the thanks of this House be given to—

Lieutenant-General Sir Donald Martin Stewart, Knight Grand Cross of the Most Hon'ble Order of the Bath;
Lieutenant-General Sir Frederick Sleigh Roberts, Knight Grand Cross of the Most Hon'ble Order of the Bath, Companion of the Order of the Indian Empire, Victoria Cross;
Lieutenant-General Sir Robert Onesiphorus Bright, Knight Commander of the Most Hon'ble Order of the Bath;
Major-General Sir John Ross, Knight Commander of the Most Hon'ble Order of the Bath;
Major-General Sir James Hills, Knight Commander of the Most Hon'ble Order of the Bath, Victoria Cross;
Major-General Sir Robert Phayre, Knight Commander of the Most Hon'ble Order of the Bath;
Major-General (local) John Watson, Companion of the Most Hon'ble Order of the Bath, Victoria Cross;
and the other officers of the army, both European and Native,

for the intrepidity, skill, and perseverance displayed by them in the military operations in Afghanistan, and for their indefatigable zeal and exertions during the late campaign.

Resolved—That this House doth highly approve and acknowledge the valour and perseverance displayed by the non-commissioned officers and private soldiers, both European and Native, employed in Afghanistan during the late campaign, and that the same be signified to them by the commanders of the several corps, who are desired to thank them for their gallant behaviour.

Ordered—That the said Resolutions be transmitted by Mr. Speaker to the Viceroy and Governor General of India, and that His Lordship be requested to communicate the same to the several officers referred to therein.

(Sd.) T. ERSKINE MAY,
Cl. Ho. Com.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 15th July, 1881.

APPOINTMENTS.

No. 21.—Mr. R. W. Hilton to be an Assistant Engineer, 2nd class, on probation, in Her Majesty's Indian Marine, with effect from the 1st July, 1881.

PROMOTIONS.

No. 22.—Mr. Charles F. Wight, 4th grade officer, to be 3rd grade officer, on probation, with effect from the 9th July, 1881.

No. 23.—Messrs. G. Gill and R. W. Laing, Assistant Engineers, 1st class, to be Engineers, with effect from the 8th July, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 9th July 1881.

No. 237.—Lieutenant-Colonel R. C. B. Pemberton, R.E., having on return from privilege leave resumed charge of his duties as Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, Major T. F. Dowden, R.E., Superintending Engineer, 3rd Class, temporary rank, is appointed, as a temporary measure, to officiate as Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, with effect from 30th June 1881.

No. 238.—The undermentioned Storekeepers of the State Railway Department are transferred from the grades noted opposite their names to the State Railway Revenue Establishment Scale, and placed in the classes specified, with effect from 1st January 1881:—

Mr. W. Mellor, Chief Storekeeper ...	Class III.
Mr. F. Cunliffe, Storekeeper, 1st Grade	
Mr. G. G. Hiley, Storekeeper, 1st Grade	
Mr. E. N. Homan, Storekeeper, 1st Grade	
Mr. J. H. L. Patterson, Storekeeper, 1st Grade	
Mr. T. Wood, Storekeeper, 1st Grade ...	
Mr. H. P. Edwards, Storekeeper, 2nd Grade	Class IV.
Mr. G. J. H. M. Sherman, Storekeeper, 2nd Grade	

2. Mr. H. P. Edwards (since deceased) officiated in Class III, *vice* Mr. F. Cunliffe, on furlough, with effect from 4th January 1881.

The 11th July 1881.

No. 239.—The transfer of Mr. E. J. Keelan, Executive Engineer, 4th Grade, to the Bengal Provincial Establishment, notified in Public Works Department Notification No. 185, dated 13th May 1881, is hereby cancelled.

No. 240.—Mr. F. R. White, Accountant, 1st Grade, held the rank of a Deputy Examiner of Accounts, 2nd Grade, temporary rank, in the Office of Examiner, Public Works Accounts, North-Western Provinces and Oudh, from the 1st April 1881 to 28th May 1881.

No. 241.—*Erratum.*—In Notifications Nos. 159 and 182, dated 27th April 1881 and 13th May 1881, respectively, appointing Messrs. W. A. Crisp and J. S. Partridge, Assistant Examiners, 1st Grade, temporary rank, *for* "Assistant Examiner, 1st Grade," *read* "Deputy Examiner, 2nd Grade."

No. 242.—Mr. G. J. H. M. Sherman, Storekeeper, Tirhoot and Patna-Gya State Railways, in Class IV of the State Railway Revenue Establishment, is appointed to act in Class III, with effect from the 23rd June 1881, *vice* Mr. H. P. Edwards, deceased.

The 13th July 1881.

No. 243.—Mr. T. Wood, Storekeeper in Class III of the Revenue Scale, is appointed Stock-Verifier for State Railways, and is placed at the disposal of the Director General of Railways.

The 15th July 1881.

No. 244.—Mr. A. Morse, Assistant Engineer, 2nd Grade, Railway Branch, is transferred from the North-Western Provinces and Oudh to British Burma in that Branch.

ALEX. FRASER, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 30. } SIMLA, SATURDAY, JULY 23, 1881.

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The Indian Emigration Bill, 1881.

SUPPLEMENT No. 30.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 18th July 1881.

No. 242.—Consequent on the departure on leave of Captain E. N. D. La Touche, Assistant Commissioner, 1st Grade, in Assam, Mr. J. J. S. Driberg, Assistant Commissioner, 2nd Grade, is appointed to officiate as Assistant Commissioner, 1st Grade, with effect from the 21st April 1881.

Mr. F. St. Clair Grimwood, Assistant Commissioner, 3rd Grade, is appointed to officiate as Assistant Commissioner, 2nd Grade, *vice* Mr. Driberg.

No. 243.—Consequent on the departure on leave of Mr. A. C. Campbell, Deputy Commissioner, 3rd Grade, in Assam, Mr. A. J. Primrose, Assistant Commissioner, 2nd Grade, is appointed to officiate as Assistant Commissioner, 1st Grade, with effect from the 12th May 1881.

Mr. S. J. Douglas, Assistant Commissioner, 3rd Grade, is appointed to officiate as Assistant Commissioner, 2nd Grade, *vice* Mr. Primrose.

No. 244.—Consequent on the appointment of Captain H. St. P. Maxwell to officiate as Deputy Commissioner of the 4th Grade in Assam, Captain M. A. Gray, Officiating Assistant Commissioner, 2nd Grade, is appointed to officiate as Assistant Commissioner, 1st Grade, with effect from the 25th May 1881.

Mr. W. C. Macpherson, Assistant Commissioner, 3rd Grade, is appointed to officiate as Assistant Commissioner, 2nd Grade, *vice* Captain Gray.

No. 246.—Mr. G. D. Burgess, C.S., Deputy Commissioner, 2nd Grade, and Officiating Secretary to the Chief Commissioner of British Burma, is confirmed in the latter appointment, *vice* Lieutenant-Colonel C. W. Street.

EXAMINATIONS.

The 20th July 1881.

No. 43.—Major A. C. Toker, Bengal Staff Corps, received charge of the office of the Secretary to the Board of Examiners at Calcutta from Major H. S. Jarrett on the afternoon of the 2nd instant.

SANITARY.

The 19th July 1881.

No. 135.—Surgeon C. Little, M.D., Civil Surgeon, Amraoti, and Officiating Sanitary Commissioner in the Hyderabad Assigned Districts, is confirmed in the latter appointment, *vice* Surgeon-Major R. T. Abbott, M.D., deceased.

No. 136.—Surgeon T. Hume, M.B., Civil Surgeon of Akola, to be Civil Surgeon of Amraoti, *vice* Surgeon Little.

JUDICIAL.

The 21st July 1881.

No. 917.—The services of Lieutenant C. J. Dennys, Bengal Staff Corps, are placed at the disposal of the Government of the Punjab for employment as Cantonment Magistrate.

C. GRANT,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 21st July 1881.

No. 159*I.-J.*—In exercise of the powers conferred by Section 6 of Act XXI of 1879 (The Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to appoint the following gentlemen to be Justices of the Peace within the State of Mysore:—

(1) The Resident in Mysore, for the time being, being a European British subject.
(2) The Chief Judge of Mysore, for the time being, being a European British subject.
(3) Lieutenant-Colonel A. C. Hay, Madras Staff Corps.
(4) Lieutenant-Colonel T. G. Clarke, Madras Staff Corps.
(5) Lieutenant-Colonel R. A. Cole, Madras Staff Corps.
(6) Lieutenant-Colonel C. J. Pearse, Madras Staff Corps.
(7) Major E. P. Maltby, Madras Staff Corps.
(8) Mr. L. Ricketts, Uncovenanted Civil Service.
(9) Mr. G. F. Meiklejohn, Uncovenanted Civil Service.
(10) Mr. W. J. Cunningham, Bombay Civil Service.

No. 160*I.-J.*—In exercise of the powers conferred by Section 6 of Act XXI of 1879 (The Foreign Jurisdiction and Extradiction Act, 1879), and in supersession of so much of Foreign Department Notification No. 179J. of the 23rd September 1874 as relates to Mysore, the Governor General in Council is pleased to direct that Justices of the Peace within the State of Mysore shall commit European British subjects for trial to the High Court at Madras.

No. 162*I.-J.*—Under the provisions contained in Section 8 of the Indian Christian Marriage Act, 1872, the Governor General in Council is hereby pleased to appoint the Reverend B. Pratt, Wesleyan Chaplain, to be a Marriage Registrar in respect of all places within the territories of His Highness the Nizam.

And under the provisions contained in Section 9 of the same Act, the Governor General in Council is hereby pleased to license the said Reverend B. Pratt to grant certificates of marriage between Native Christians within the territories of His Highness the Nizam.

POLITICAL.

The 21st July 1881.

No. 201*G.-P.*—With reference to Notification No. 110G.-P., dated the 19th April 1881, the recognition by the Government of India of the appointment of Mr. Alexander Dausseing as Acting Consul-General for France at Calcutta, during the absence of Mr. Blanchard de Farges, has been confirmed by Her Majesty's Government.

GENERAL.

The 21st July 1881.

No. 1365*G.-G.*—The following promotions and appointments are made, with effect from this date:—

Surgeon-Major J. P. Stratton, Officiating Resident of the 2nd Class and Resident in Meywar, is appointed to be a Resident of the 2nd Class and Resident in the Western States of Rajputana, but to continue to officiate as Resident in Meywar.

Lieutenant-Colonel W. Tweedie, C.S.I., Political Agent of the 1st Class and Officiating Political Agent in the Western States of Rajputana and Commandant Erinpura Irregular Force, *to officiate* as Resident of the 2nd Class and Resident in the Western States of Rajputana.

Lieutenant-Colonel J. C. Berkeley, Political Agent, 1st Class, substantive *pro tempore*, is confirmed in that grade, *vice* Lieutenant-Colonel Cadell, whose services have been transferred to the Home Department.

Lieutenant-Colonel S. B. Miles, Officiating Political Agent, 1st Class, is confirmed in that grade, *vice* Surgeon-Major J. P. Stratton, promoted.

No. 1370*G.-G.*—Major G. L. K. Hewett, 3rd Bengal Cavalry, is appointed to be Commandant of the Erinpura Irregular Force, with effect from the date of assuming charge, *vice* Lieutenant-Colonel W. Tweedie.

No. 1373*G.-G.*—Under Section 71 of the Civil Leave Code, Major W. F. Prideaux, Political Agent, 2nd Class, and Agent to the Governor General with the King of Oudh and Superintendent of Political Pensions, is granted privilege leave for two months and eighteen days, with effect from the 19th August 1881, or from such subsequent date as he may avail himself of it.

The 22nd July 1881.

No. 1380*G.-G.*—Under Section 49 of the Civil Leave Code, Dr. J. Kirk, Political Agent, 1st Class, and Political Agent at Zanzibar, is granted furlough to Europe for two years, with effect from date of departure.

Lieutenant-Colonel S. B. Miles, Political Agent, 1st Class, and Political Agent, Muscat, is posted to Zanzibar as Political Agent, *vice* Dr. Kirk.

No. 1384*G.-G.*—The services of Captain W. Ashfield, Adjutant, Malwa Bheel Corps, are replaced at the disposal of the Bombay Government, at his own request, with effect from the date on which he may be relieved of his present duties.

No. 1386*G.-G.*—Captain E. D. F. Bignell, 17th Bengal Native Infantry, is appointed to be Adjutant, Malwa Bheel Corps, with effect from the date of assuming charge, *vice* Captain W. Ashfield, who has been permitted to resign the appointment.

No. 1387*G.-G.*—Surgeon G. H. K. O'Callaghan, Army Medical Department, in medical charge of the European Detail Hospital at Indore, held charge of the office of Residency Surgeon, Indore, from the afternoon of the 11th to the forenoon of the 20th June 1881, in addition to his other duties.

No. 1389*G.-G.*—In exercise of the powers conferred by Section 2 of Act I of 1881 (Taj Mahal's Pension Act, 1881), the Governor General in Council is pleased to make the following rule:—

Every application for a certificate authorising the applicant to receive the said pension, or any portion thereof, shall, with such variations as the circumstances of each case require, be in the form, and contain the particulars contained in the form, appended to this rule.—

Form of application under Section 2 Act I of 1881.

Petition of *A B* of *C*.

I, *A B* of *C*, son (or daughter) of *D E*, state as follows:—

1. That the late Taj Mahal left the following heirs:—

(*Here enter names*).

2. That I am (*here enter relationship*), and am, therefore, entitled to (*here state amount of share*) of the pension of the late Taj Mahal; and I hereby apply for a certificate authorising me to receive the same.

3. I, *A B*, further state that I have preferred no claim to any portion of Taj Mahal's pension.

Or, (*if the applicant has already preferred such claim*)—

A copy of the order passed by the (*here enter name of Court or Office*) on the day of 18 , regarding my claim to the abovementioned pension, is attached to this application.

I, *A B*, certify that the facts set forth in this application are true.

No. 1391*G.-G.*—The following appointments are made, with effect from the date of assuming charge:—

Captain T. Hope, Officiating Political Agent, 3rd Class, and Assistant Secretary in the Foreign Department, to be Junior Under Secretary, substantive *pro tempore*, *vice* Lieutenant-Colonel Ridgeway, on furlough.

Mr. A. H. T. Martindale, M.C.S., to officiate as Political Agent, 3rd Class, and Assistant Secretary in the Foreign Department, *vice* Captain Hope.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 20th July 1881.

No. 1814.—The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information:—

C. L. C.

PAGE 165.

Section 76, Rule 1 (a).

After "Sanskrit," *in lines 4 and 5 respectively, add* "or the Burmese language."

No. 1891.

CODES OF THE FINANCIAL DEPARTMENT.

DEFINITIONS.

Page IV.

In Rule 1 after "Leave with allowances" *add* "if any," *and in Rule 2 after* "Leave without allowances" *add* "(not counting for pension)."

No. 1918.

C. P. C.

PAGES 13 AND 14.

Section 24.

In the Table in this Section the following corrections are made:—

Opposite to— "Bengal Establishment"—	*the words* "of Lieutenant-Governors and Chief Commissioners" *in entry No.* (4) *are struck out.*
Opposite to— "Bombay Establishment"—	*the word* "and" *is inserted before entry No.* (7), *and the words* "and (8) sumptuary allowance" *are struck out.*
Opposite to— "If the officer is appointed to the service after passing a competitive examination held in or after the year 1876"—	*the words* "of Lieutenant-Governors and Chief Commissioners" *in entry No.* (4) *are struck out.*

No. 1876.—The Governor General in Council is pleased to direct that the interest on stock certificates of Book Debt, issued in lieu of Government Promissory Notes under Notification of the Government of India, Financial Department, No. 44, dated 10th January 1867, shall be payable at the Public Debt Offices at Madras and Bombay, as well as at Calcutta.

The 22nd July 1881.

No. 1900.

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

1. In Financial despatch No. 46, dated 27th January 1881, the Right Honourable the Secretary of State communicated, with his orders, the report of a Committee appointed to enquire into the existing system of Military Accounts in India; and in paragraph 4 of that despatch it was stated that the Committee

further consider it necessary to define more clearly the duties of the Comptroller General and of the Military Accountant General, and they make certain specific recommendations, which are detailed in the 23rd paragraph of their report, and of which I approve.

2. The recommendation of the Committee regarding the relative positions of the Comptroller General and the departmental Account officers was as follows:—

That the respective duties of the Comptroller General and the Military Accountant General, and their official relations towards each other, be more clearly defined than they are at present. The Comptroller General should be the chief authority in all matters affecting the mode of keeping the public accounts, including those of the military and other spending departments. He should be held solely responsible for the general finance accounts, and should be the recognised channel for information in regard to the financial position as indicated by those accounts. He would therefore be answerable for watching the issues for military and all other services, and keeping the Government closely informed as to the actual progress of both revenue and expenditure. He should be required to send to the Military Accountant General monthly statements of the total issues from civil treasuries for military services, including all charges incurred and paid by the Civil Department for military purposes; and he should require from the Military Accountant General monthly statements exhibiting, on one side, the moneys received from civil treasuries and other military receipts, and, *per contra*, the amount of expenditure actually audited, and the sums remaining to be audited and accounted for. He should be empowered to call for any explanations which he may at any time consider necessary, especially in regard to outstanding or unsettled charges.

The Military Accountant General should occupy the position and exercise the authority of a Deputy Secretary for Finance in the Military Department, retaining his present duties, and being specially charged with the function of watching and reporting upon the current military expenditure; his responsibility for the due and proper conduct of the departmental audit of military expenditure and for the prompt adjustment of outstanding advances being assimilated to that which attaches to the Comptroller General in regard to the Civil Department. It would be necessary for him to keep such books as would enable him to consolidate the accounts of the Military Controllers, and to compare the expenditure as it proceeds (under the various heads and sub-heads) with the amounts of the sanctioned grants. He should require the several Controllers of Military Accounts to transmit to him immediately after the close of each month, or at such other periods as may be found convenient, statements of all military drawings of every kind upon civil treasuries in the period just ended, and such other financial returns as will ensure his being in a position at all times to advise the Government of the actual and anticipated progress of military expenditure. He should also require every military disbursing officer who now renders cash balance reports to forward direct to him monthly abstract statements of receipts and expenditure, and of the balances in hand at the commencement and close of the month. He should sign the separate accounts of audited military expenditure appended to the finance accounts, and be answerable for their accuracy.

3. In directing, in general terms, the adoption of this recommendation as defining the general functions of the Comptroller General and the Officers of the Military and other Account Departments, the Governor General in Council has resolved to place the Controllers of Military Accounts in immediate subordination, in all matters of account, to the Comptroller General.

4. According to the system of the Civil Account Department, the Accountant General (to whose position that of the Controller of Military Accounts corresponds) exercises his office in subordination to three different authorities:—

I.—To the Comptroller General, to whom his accounts are rendered; who also determines, under the general instructions of the Government, the form of the accounts, sees that as accounts they are properly kept and punctually rendered, and generally directs all questions of account procedure.

II.—To the Local Government, to whom the Accountant General is bound to give all the information arising out of his accounts, which is required for administrative purposes, and, in consultation with whom, the Accountant General must regulate the procedure of his own office in those matters in which it comes in contact with the Administrative Departments.

III.—To the Government of India in the Financial Department, in respect of all questions arising on audit, and of the administration of his own office.

5. In regard to the first of these matters, the Controllers of Military Accounts will have the same relation to the Comptroller General that the Civil Accountants General have. They will render their accounts to him, in such form as he may direct, and must be prepared to give any explanations which he may require. It will be the Comptroller General's duty to see that the accounts are punctually and properly prepared by the Controllers and rendered to him; and especially that they work up to, and fit in with, the accounts received by him in other departments. He will have the general direction of the detailed accounting work in respect of deposits, advances, and accounts with other departments. He will take measures (as in the case of Civil Accountants General) to satisfy himself that the work of audit and account is efficiently maintained, and is kept up to date, the responsibility for the manner in which the business of the different offices of military account is conducted resting however on the Accountant General, Military Department.

6. In the other two matters, the Controllers of Military Accounts will be directly subordinate to the Government of India in the Military Department, —rendering to that department such accounts and returns as it may desire, and referring to it, for orders, all matters which are not pure questions of account, or which affect officers or departments, not their own subordinates.

7. The Accountant General of the Military Department will be a Deputy Secretary in that Department, whose special function it will be to deal with all matters that arise in connection with Military Finance or with the Military Account Department. His duty will be to obtain the fullest information (from the Controllers especially, but from other officers also, for purposes of check or of early information) regarding military receipts or outgoings, and to record it in such form as may be best adapted for bringing out their effect and their results. It will be his duty, not only to keep the Government in the Military Department informed regarding receipts and expenditure, but to bring to its notice any point of administrative importance or interest which arises out of the information received by him. The Military estimates will also be in his special charge, both in respect of their original compilation and in the subsequent comparison with them of the actual progress of receipts and expenditure.

8. The above orders, relating to the Military Department, apply also to the Marine Department; and as regards the other departments (Public Works and Post Office), the present relation of the Accountant General of the Department Public Works and the Comptroller, Post Office, is nearly in conformity with that recommended by the India Office Committee. These two officers will render their accounts, as at present, to the Comptroller General; and while the Comptroller General will be responsible for compiling the general figures of them, and keeping the Government in the Finance Department generally informed regarding the receipts and expenditure on Military Account, it will be for the departmental Account officers to maintain the more detailed accounts and statements necessary for the information of the Government and the effective financial control of their departments.

9. No alteration will be made in the system by which the Accountant General, Department Public Works, receives and compiles the accounts of the Examiners of Public Works Accounts, and maintains the general accounts of the Public Works Department.

10. The offices and accounts of the Controllers of Military Accounts, of the Examiners of Public Works Accounts, and of the Comptroller to the Post Office, will be open to the inspection of the Comptroller General, and his inspecting officers; but in the case of the Examiners of Public Works Accounts, any instructions arising out of the inspections will be communicated through, and in consultation with, the Accountant General of the Department Public Works, who will continue to be immediately responsible for the proper working of the Examiners' offices.

ORDERED, that this Resolution be communicated to the Military and Public Works Departments for information and for the issue of further necessary orders, and to the Comptroller General for information and guidance.

Ordered also, that this Resolution be published in the *Gazette of India*.

No. 1908.—Under the provisions of Section 63 of the Indian Post Office Act, 1866, the Governor General in Council is pleased to prohibit the transmission by post into British Burma of ganja, bhang, sidhee, or other preparations of hemp.

Persons transgressing the above rule are liable to the penalties provided by the Sea Customs Act 1878, and any cover sent by the post which may be suspected to contain ganja, bhang, sidhee, or other similar preparations of hemp will be dealt with under the provisions of Section 60 of the Post Office Act, the cover and its contents, if found to contain such preparations of hemp, being made over to the nearest excise officer for the adoption of such ulterior proceedings as may be deemed proper.

No. 1923.

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

Read again—

Resolution in this Department, No. 953, dated the 10th June 1881, prescribing that articles of other than Indian origin or manufacture required for the public service must be obtained through the agency of the India Office, but that endeavours should be made to substitute for such articles, wherever feasible, articles of Indian production and manufacture.

Read also—

Letter from the Government of Bengal, No. 33, dated 4th April 1881, stating that tenders for the local supply of stationery for 1882-83 had been called for, and that it was not intended to prepare an indent for transmission to the Secretary of State.

Telegram to the Government of Bengal, No. 71, dated the 14th April 1881, directing that the notice calling for tenders should be cancelled and the indent prepared and submitted without delay.

Letter from the Government of Bengal, No. 58, dated the 18th June 1881, forwarding, for transmission to the Secretary of State, an indent for stationery and paper required for the year 1882-83.

RESOLUTION.—In consequence of a misapprehension of the orders on the subject of the supply of stores from England for the public service, the stationery required for the Bengal Presidency for 1880-81 and 1881-82 was obtained from local contractors, and the Government of Bengal had sanctioned the continuance of the system for 1882-83, when the Government of India intervened and directed a return to the system of obtaining imported articles through the India Office.

2. The Government of Bengal has now submitted the indent as required, and it has been forwarded to the Secretary of State for compliance, with the exception of the items noted below which have been struck out of the list, as the Governor General in Council has assured himself that the articles they comprise are now manufactured in India, and has decided that in all cases where Indian manufactures can be obtained as good in quality as imported articles and no dearer in price, they shall be substituted for them.

(1) *Parallel rulers.*—These are made at the Government Workshops and Foundry, Roorkee, and there is no doubt that they can also be made at other similar private establishments in India, *e.g.*, Messrs. Apcar & Co. and Messrs. Jessop & Co., Calcutta; Messrs. Fraser and Miller and Messrs. Richardson and Cruddas, Bombay; perhaps also at the workshops of the Government Dockyards. There can be no difficulty in obtaining them of Indian manufacture.

(2) *Japanned tin boxes for colours (empty).*—Articles of tinned ware are commonly made in the Indian bazaars, and the industry is extensive. It is desirable that tin-workers should be encouraged to produce such articles.

(3) *Red tape (cotton), ½″ and ¼″ wide and 7 yards long.*—The local Government should call for tenders from the cotton mills in Bombay, Cawnpore and Calcutta for the supply of this article of local mill manufacture.

(4) *Round rulers*
(5) *Flat rulers* } .—Both these articles should be made locally. The wood from which they are made in England is largely Indian wood. Native or European carpenters and cabinet-makers should be invited in Bombay, Madras and Calcutta to tender for their manufacture of sissoo wood or Bombay blackwood.

(6) *Plain ink glasses, with plated tops*
(7) *Plain ink glasses, with screw-off tops* } .—The Governor General in Council understands that glass workers in Calcutta and elsewhere can produce the kind of glasses required, and that the manufacture of the article is also being carried on at Lahore. The tops can be made by metal-workers in the bazaars.

(8) *Pasteboards*
(9) *Strawboards* } .—These two articles should be obtained from the local paper mills, either those at Bally or Girgaum (Bombay), or elsewhere, according to convenience of supply and distribution, and tenders should be invited.

(10) *Slices or paper-cutters (ivory).*—The manufacture of ivory-ware is such an extensive industry in India that it is unnecessary to resort to the English market for these articles. Workers in ivory in Bengal, Madras (Vizagapatam) and Bombay should be invited to tender for the supply of paper slices, and also for that of ivory penholders, only the metal portion attached to these latter being if necessary obtained from England.

(11) ***Envelope stands of fancy wood with compartments of sizes.*—These can be made in Calcutta and other towns by Native or European cabinet-makers** or joiners.

(12) *Pink and white blotting paper.*—The remarks made on Nos. 9 and 10 apply to this article.

(13) *White tape (cotton), ⅜″ wide.*—The remarks made with reference to red tape (No. 4) apply to this article also.

(14) *Brass note-book clasps.*—There seems no reason to doubt that native metal-workers in Bengal, the North-Western Provinces and elsewhere can make these clasps in strict accordance with the samples which accompanied the letter from the Government of Bengal. Ordinary brass work of this kind should always be procured of native manufacture.

(15) ***Bookbinders' tools, viz., scratchers, paper knives and plough knives.*—It has been ascertained that these articles are commonly made at the Roorkee Workshops, and no doubt they can be made on demand at other similar establishments.**

(16) *Machine blanketing (for printing work).*—The Manager of the Cawnpore Woollen Mills has stated his readiness to produce this article according to sample. It should be ascertained whether any other Woollen Mills, *e.g.*, the Elgin or Muir Mills, Cawnpore, or the Bangalore Woollen Mills, would be able and willing to make similar articles.

3. In all cases where native workers in the bazaar are employed, it is desirable that if the work is to be done elsewhere than in Calcutta, the arrangements should be made through the district authorities, who will generally be in a position to secure better rates and workmanship than if the artisans were employed direct or through other agency.

4. The Governor General in Council requests that the Government of Bengal will give the instructions necessary for carrying into effect the wishes of the Government of India as expressed above in regard to the articles named. The Government of India further particularly desires that no articles for the stationery stores may in future be indented for from Europe which can be procured of local manufacture, and His Excellency in Council looks to the local Government carefully to strike out of indents passing through its hands all items which may be found on consideration capable of manufacture in India. Careful enquiries should be made in regard to all such articles, and not until it is satisfactorily shown that local manufactures cannot compete with the imported articles should such indents be accepted.

5. It is not desired that in regard to the articles specified above or any others, the local Government should confine its orders to any particular firm

or locality herein named. Further enquiry may elicit the fact that similar manufactures are carried on in other localities under more favourable conditions. As a rule, the best course to adopt will be to ascertain where certain articles can be, or are, made, and then to call for tenders from all the ascertained localities.

6. The principles enunciated above apply to paper equally with other articles of stationery, and should be carried out as far as practicable. The Indian Paper Mills are not at present of a nature to permit of the manufacture of the superior qualities of paper; but His Excellency the Governor General in Council expects shortly to be able to notify for general information the quantities of such paper which have usually been obtained from England, with the prices paid, and will be prepared to enter into engagements, for its supply to Government for a term of years, with any private parties or companies who may give satisfactory guarantees of their ability to manufacture it in India, at a cost not exceeding that hitherto paid.

7. These remarks will be communicated to all other local Governments and Administrations, who will be required to act on them in regard to future supplies of stationery, and to apply them also to indents for stores in all other Departments.

ORDERED, that the foregoing Resolution be communicated to the Government of Bengal for information and guidance.

Also, to the local Governments and Administrations noted in the margin for information and guidance. **The Governments of Madras and Bombay are requested to arrange that no future indents for stationery from those provinces shall contain the articles specified above, or any others which may be procured of Indian manufacture.**

Bombay.
Madras.
North-Western Provinces and Oudh.
Punjab.
Central Provinces.
Assam.
British Burma.
Ajmere.

Ordered also, that this Resolution be published for public information in the *Gazette of India*.

No. 1924.—The following Rules made by the Governor General in Council, in exercise of the powers conferred by the Inland Customs Act, 1875, extended to the Province of Sind by Notification No. 262, dated the 28th December 1877, are published under Section 30 of the Act, in continuation of the Rules published with Notification No. 244 of 7th August 1878:—

CHAPTER V.

Of the manufacture of salt on behalf of Government.

41. The manufacture of salt within the limits of the Moach Salt Works, or of any other local area to which the local Government may extend these Rules, are prohibited, except under the conditions hereinafter prescribed.

Manufacture prohibited, except on conditions.

42. Any person wishing to manufacture salt within such limits may apply for a license to the Collector, who may grant or refuse the application, and whose order thereon shall be final.

Application for license to manufacture salt.

43. The license shall be in the form given in Schedule A hereto annexed, and shall be signed and issued by the Collector.

Form of license.

44. Licenses may be cancelled by the Collector giving one month's notice or on the application of the licensee: provided that no notice shall be necessary when the license is cancelled by any breach of its conditions.

Licenses may be cancelled.

45. The manufacture of salt and the storage of the salt manufactured shall be carried on in conformity with the conditions of the license and under the supervision of the salt establishment.

Manufacture and storage of salt to be carried on in conformity with conditions of license.

46. The area defined for the purpose of Section 10, clause (*e*), of the Inland Customs Act, 1875, round the place of manufacture and of storage at the Moach Salt Works shall extend to and include the wall and ditch surrounding the said works.

Limits of the place of manufacture and storage at the Moach Salt Works.

47. No salt shall be removed for consumption from the place of manufacture or of storage-unless covered by a permit certifying that the price fixed by the Commissioner, with the sanction of the Governor of Bombay in Council, has been paid on it.

Issue of permit previous to removal of salt.

48. Any person wishing to purchase salt from the Moach Salt Works shall first pay the price into such Government Treasury as the Commissioner may from time to time appoint, and shall receive in return a dakhila, or receipt.

Issue of dakhila, or receipt, to purchaser of salt.

49. He shall present the dakhila, or receipt, with a written application, or durkhast, to the officer in charge of the Moach Salt Works, who shall thereupon grant a permit signed by himself and sealed in his presence.

Grant of permit.

50. The permit shall be current and valid for such period as the Commissioner may, under Rule 40 of the Rules of the 7th August 1878, from time to time prescribe.

Period of currency of permit.

51. When a permit is lost or destroyed, the person to whom it was granted may make application for a duplicate to the Collector, who may grant the same on payment of a fee not exceeding the price paid for the original permit, or, if such price be less than ten rupees, then on payment of ten rupees.

Grant of duplicates of lost permits on payment of fee.

An appeal from an order to pay such fee shall lie to the Commissioner, whose orders thereon shall be final. Fees levied under this Rule shall be retained and credited to Government.

Appeal from an order to pay such fee to lie to Commissioner.

52. When a purchaser clears salt from the Moach Salt Works, he shall remove it on the day on which the salt is delivered to him to a distance of at least one mile from the works, unless, for sufficient reason, the officer in charge of the works allows him, by order endorsed on the permit, to keep it within a shorter distance.

Removal of salt delivered to purchaser.

CHAPTER VI.

Of the possession and sale of salt in the vicinity of Moach Salt Works.

53. The area defined for the purposes of Section 10, clause (*f*), of the Inland Customs Act, 1875, round the Moach Salt Works shall extend to a distance of 10 miles from the boundary of the said works on all sides: provided that the town and cantonment of Karachi, together with the suburbs of Keamari and Manora, shall be excluded from such area.

Protected area.

54. The area defined in Rule 53 shall be called a "protected area," and the provisions of Sections 15, 26, 27, 28, 29, 30, 31, and 32 of Chapter II of the Rules of the 7th August 1878 shall apply to the possession and sale of salt within such area.

Possession and sale of salt within such area.

55. With the exception of Rule 40 of the Rules of the 7th August 1878, and the Rules specified in Rule 54, the Rules of the 7th August 1878 shall not apply to the manufacture, sale, or storage of salt or to any other matter provided for by these Rules.

Rules of 7th August 1878 not to apply to the Moach Works, with certain exceptions.

SCHEDULE A.—[*See Rule 43.*]

Form of license to manufacture salt on behalf of Government.

License to manufacture salt at the Government Salt Works, Moach, in the district of Karachi is hereby granted to (*here give name*) in the holding No. under the following conditions, the infraction of any of which shall involve penalties under Act VIII of 1875 and the cancellation of this license:—

1st.—That the rules prescribed by the Governor General in Council under the said Act, and any subsidiary rules or departmental orders that may be issued by the Commissioner, shall be strictly observed by the licensee and his servants.

2nd.—That none but good salt, according to the judgment of the officer in charge of the works, shall be manufactured. All inferior salt shall be thrown back into the brine pits for redissolution, or be otherwise destroyed in the presence of the officer in charge of the works.

3rd.—That the licensee shall deliver all such salt as he shall make, and as shall be passed by the officer in charge of the works, to Government, receiving the value thereof, less a deduction for wastage according to a fixed scale at such fixed rate per maund, as may be determined from time to time by the Commissioner.

4th.—That a penalty of Rs. 6 per maund shall be paid by the licensee for all salt stolen or made away with either from the place of manufacture or storage, whether with or without his knowledge, and that until such penalty shall have been paid, the licensee shall not be allowed to manufacture any salt.

5th.—That salt shall be manufactured and stored at no places other than those hereinafter designated without the consent in writing of the Collector (*here describe the places of manufacture and storage*).

6th.—That the licensee shall keep his pan or holding fully worked at all times, except at such times as a penalty incurred under the fourth condition of this license remains unpaid; and, on his failing to do so, that the officer in charge of the works may work the same at the licensee's expense, recovering the cost thereof from any moneys belonging to the licensee which may be at the time in, or may hereafter come into, the hands of Government.

This license shall have effect from the date hereof until the (*here mention date*), or until cancelled.

District

Date

Collector.

No. 1925.—In exercise of the powers conferred by the Inland Customs Act, 1875, extended to the Province of Sind by Notification No. 262, dated 28th December 1877, the Governor General in Council is pleased to direct that the following rules should be published under Section 30 of the said Act, in substitution for Rules 15 and 27 respectively of the Rules published with Notification No. 244, dated the 7th August 1878:—

15. No person shall possess salt in excess of one seer within a protected area unless accompanied by a *rawanna*, or certificate, covering the same, as hereinafter provided.

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

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

MILITARY DEPARTMENT.

Simla, the 22nd July, 1881.

APPOINTMENTS.

No. 401.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Philip James Melvill, 2nd Battalion, Royal Highlanders (Black Watch), Officiating Wing Officer, 2nd (Queen's Own) Regiment of Native Infantry,—2nd June, 1880.

No. 402.—MEDICAL DEPARTMENT—

The third Christian name of Surgeon Sedgefield is *Wyatt*, and not as stated in G. G. Orders Nos. 200 and 337 of 1881.

No. 403.—MILITARY ACCOUNTS DEPARTMENT—

The dates of appointment of Lieutenants H. Melvill and J. G. Downing, as Assistant Military Accountants, on probation, are respectively the 2nd and 11th April, 1881, and not as stated in G. G. O. No. 274 of 1881.

No. 404.—HYDERABAD CONTINGENT—

4th Infantry.

Surgeon D. F. Dymott, Madras Establishment, to be Officiating Medical Officer, *vice* Surgeon-Major H. Crocker, M.D., transferred to the 1st Cavalry.

No. 405.—PUNJAB FRONTIER FORCE—

1st Punjab Infantry.

The following direct appointment is made, with effect from date of joining:—

Shahdaula, to be Jemadar, on probation, *vice* Uttar Singh, resigned.

FURLOUGH AND LEAVE.

No. 406.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Captain F. G. Maltby, s.c., Wing Officer, 2nd Infantry, Hyderabad Contingent, (p. a.) for two years, under rule IX of the regulations of 1868.

Lieutenant C. H. M. Smith, s.c., Wing Officer and Adjutant, 3rd Sikh Infantry, Punjab Frontier Force, and Paid Attaché in the Intelligence Branch, Quartermaster General's Department, (m. c.) for one year and 91 days, under rules IX and XV of the regulations of 1868.

Surgeon T. Robinson, M.B., 4th Punjab Infantry, Punjab Frontier Force, (p. a.) for 273 days, under rule IX of the regulations of 1865.

No. 407.—Lieutenant-Colonel (Brevet Colonel) C. S. Lane, s.c., Assistant Commissary General, 1st class, is allowed leave in India, (m. c.) for 182 days, under rule XXV of the regulations of 1868, with effect from the 31st May, 1881.

LONDON GAZETTE.

No. 408.—The following extracts are published for general information:—

"London Gazette," dated the 24th May, 1881, pages 2673 to 2675.

THE Queen has been graciously pleased, on the occasion of the celebration of Her Majesty's Birthday, to give orders for the following promotions in, and appointments to, the Most Honourable Order of the Bath:—

To be Ordinary Members of the Military Division of the Second Class, or Knights Commanders of the said Most Honourable Order, viz.:—

* * * * *

Colonel Charles Cooper Johnson, C.B., Bengal Staff Corps.

To be Ordinary Members of the Military Division of the Third Class, or Companions of the said Most Honourable Order, viz.:—

Colonel Allen Bayard Johnson, Bengal Staff Corps.

Colonel John Alexander Mathew Macdonald, Bombay Staff Corps.

Colonel George Scougall Macbean, Bengal Staff Corps.

Colonel Rowley Sale Hill, Bengal Infantry.

Colonel John William Hoggan, Bengal Staff Corps.

Colonel Thomas Gally Ross, Bengal Staff Corps.

Lieutenant-Colonel Frederick Macnaghten Armstrong, Bengal Staff Corps.

Lieutenant-Colonel Alexander Copland, Bengal Staff Corps.

THE Queen has been graciously pleased, on the occasion of the celebration of Her Majesty's Birthday, to make the following appointments to the First, Second and Third Classes of the Most Exalted Order of the Star of India:—

To be Knights Commanders.

General Orfeur Cavenagh, Bengal Staff Corps.

John Forsyth, Esq., C.B., Inspector-General of Hospitals (Retired), Bengal Medical Service.

To be Companions.

Colonel Samuel Black, Bengal Staff Corps, Secretary to the Government of the Punjab in the Military Department.

Colonel William Cousmaker Anderson, Bombay Staff Corps, late Member of the Council of the Governor of Bombay for making Laws and Regulations.

"London Gazette," dated the 10th June, 1881, page 2959.

THE Queen has been pleased to approve of the transfer of the undermentioned Officer to the Half-pay List of the Staff Corps:—

BENGAL STAFF CORPS.

Captain Thomas Francis Stillwell. Dated 10th June, 1881.

"London Gazette," dated the 14th June, 1881, pages 3002 and 3003.

THE Queen has been pleased to direct Letters Patent to be passed under the Great Seal granting the dignity of a Baronet of the United Kingdom of Great Britain and Ireland unto Lieutenant-General Sir Donald Martin Stewart, G.C.B., C.I.E., Commander-in-Chief of Her Majesty's Forces in India, and an Extraordinary Member of

the Council of the Governor-General of India, and the heirs male of his body lawfully begotten.

THE Queen has been pleased to direct Letters Patent to be passed under the Great Seal granting the dignity of a Baronet of the United Kingdom of Great Britain and Ireland unto Major-General Sir Frederick Sleigh Roberts, G.C.B., C.I.E., V.C., and the heirs male of his body lawfully begotten.

THE Queen has approved of the retirement from the Service of the undermentioned Officers of Her Majesty's Indian Military Forces :—

Lieutenant-Colonel and Brevet Colonel John Boyd Saunders, of the Bengal Army. Dated 17th January, 1881.

Lieutenant-Colonel and Brevet Colonel James Thomas Norgate, of the Bengal Staff Corps. Dated 30th December, 1880.

Lieutenant-Colonel and Brevet Colonel James Thomas Harris, of the Bengal Staff Corps. Dated 7th April, 1881.

Lieutenant-Colonel and Brevet Colonel Robert Havard Price, of the Bengal Staff Corps. Dated 7th May, 1881.

Lieutenant-Colonel and Brevet Colonel Richard Collyer Andrée Marshall, of the Madras Staff Corps. Dated 21st March, 1881.

Lieutenant-Colonel and Brevet Colonel John James Elder, of the Bombay Staff Corps. Dated 31st March, 1881.

Lieutenant-Colonel Alexander Kincaid Johnston Canning Mackenzie, of the Bengal Army. Dated 1st April, 1881.

Surgeon-Major William Niven, M.D., of the Bombay Army. Dated 14th April, 1881.

The Queen has approved of the resignation of the Service of the undermentioned Officer of Her Majesty's Indian Forces :—

Surgeon Henry Ogilvy Stuart, of the Bengal Army. Dated 31st March, 1881.

BREVET.

The undermentioned Officers are granted a step of honorary rank on retirement :—

To be Major-General.

Lieutenant-Colonel and Brevet Colonel John Boyd Saunders, of the Bengal Army. Dated 17th January, 1881.

Lieutenant-Colonel and Brevet Colonel James Thomas Norgate, of the Bengal Staff Corps. Dated 30th December, 1880.

Lieutenant-Colonel and Brevet Colonel James Thomas Harris, of the Bengal Staff Corps. Dated 7th April, 1881.

Lieutenant-Colonel and Brevet Colonel Robert Havard Price, of the Bengal Staff Corps. Dated 7th May, 1881.

Lieutenant-Colonel and Brevet Colonel Richard Collyer Andrée Marshall, of the Madras Staff Corps. Dated 21st March, 1881.

Lieutenant-Colonel and Brevet Colonel John James Elder, of the Bombay Staff Corps. Dated 31st March, 1881.

To be Colonel.

Lieutenant-Colonel Alexander Kincaid Johnston Canning Mackenzie, of the Bengal Army. Dated 1st April, 1881.

"London Gazette," dated the 17th June, 1881, page 3046.

Lieutenant-General James Charles Innes, Bengal Infantry, has been placed on the Retired List, from 30th May, 1881, under the provisions of the Royal Warrant of 31st December, 1877.

PENSIONS.

No. 409.—Conductor Joshua Perkins Hill, Ordnance Department, is transferred to the Pension establishment.

PROMOTIONS.

No. 410.—The following promotion is made, subject to Her Majesty's approval :—

BREVET.

To be Colonel.

Lieutenant-Colonel Frederick Augustus Buckley, Bengal Infantry,—17th July, 1881.

No. 411.—NATIVE ARMY—

1st Bengal Cavalry.

Kote-Duffadar Mohumed Buksh, to be Jemadar, *vice* Kurrum Khan, invalided,—8th May, 1881.

3rd Bengal Cavalry.

Duffadar Shewdan Singh, to be Jemadar, *vice* Ramjus Singh, invalided,—1st May, 1881.

5th Bengal Cavalry.

Duffadar Sheodurshun Singh, to be Jemadar, *vice* Alustoo Khan, invalided,—1st May, 1881.

20th (Punjab) Regiment of Native Infantry.

Jemadar Nettur, to be Subadar, *vice* Kowda, invalided; Havildar Bainta, to be Jemadar, *vice* Nettur, promoted,—1st May, 1881.

40th (The Shahjehanpore) Regiment of Native Infantry.

Jemadar Sewdeen Singh, to be Subadar, *vice* Goolab Singh, invalided; Havildar Bahadoor Singh, to be Jemadar, *vice* Sewdeen Singh, promoted,—1st May, 1881.

45th (Rattray's Sikhs) Regiment of Native Infantry.

Jemadar Heera Singh, to be Subadar, *vice* Goorditt Singh, invalided; Pay and Color-Havildar Mitt Singh, to be Jemadar, *vice* Shere Singh, invalided; Pay and Color-Havildar Mungul Singh, to be Jemadar, *vice* Heera Singh, promoted,—1st May, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 18th July, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned commissioned officers, on the dates specified, were received in the Military Department from the 5th to the 18th July, 1881 :—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Indian Medical Department	Surgeon-Major A. K. Reed ...	7th June, 1881	Jhelum.		
Army Medical Department	„ E. O'Sullivan ...	12th „ „	Peshâwar ...	Intestate.	

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India

MILITARY (MARINE) DEPARTMENT.

Simla, the 22nd July, 1881.

APPOINTMENTS.

No. 24.—Mr. Walter Mitchell, to be a 3rd Grade Officer, on probation, in Her Majesty's Indian Marine, with effect from the date of joining.

No. 25.—Mr. Arthur George Mallock, to be a 3rd Grade Officer, on probation, in Her Majesty's Indian Marine, with effect from the date of joining.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 18th July 1881.

No. 245.—With reference to Foreign Department Notification No. 1273G.-G., dated 6th July 1881, Mr. H. Rigg, Executive Engineer, 1st Grade, is posted to the Railway Branch of the Public Works Department and placed at the disposal of the Chief Commissioner, British Burma.

The 21st July 1881.

No. 248.—Mr. A. G. Harrison, Assistant Engineer, 1st Grade, British Burma, is transferred, as a temporary arrangement, to the Public Works Accounts Establishment, with the temporary rank of Deputy Examiner, 2nd Grade.

The 22nd July 1881.

No. 249.—Lieutenant C. C. Ellis, R.E., is appointed to the Public Works Department as Assistant Engineer, 1st Grade, and posted to the Military Works Branch.

TELEGRAPH.

The 20th July 1881.

No. 246.—Mr. W. P. Johnston, Assistant Superintendent, 1st Grade, Indian Telegraph Department, is appointed to officiate as Superintendent, 3rd Grade, with effect from the 27th June 1881, during the absence of Mr. C. L. Schwendler, on furlough, or until further orders.

The 21st July 1881.

No. 247.—Mr. F. T. Richards, Assistant Superintendent, 1st Grade, Indian Telegraph Department, officiated as Superintendent, 3rd Grade, with effect from the 3rd to the 21st June 1881, both days inclusive.

Mr. C. H. Reynolds, Assistant Superintendent, 1st Grade, Indian Telegraph Department, is appointed to officiate as Superintendent, 3rd Grade, with effect from the 22nd June 1881, during the absence of Major J. Eckford, R.E., Superintendent, 1st Grade, on privilege leave, or until further orders.

ALEX. FRASER, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 31. SIMLA, SATURDAY, JULY 30, 1881.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

Nothing for publication.

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Report of Select Committee and the Indian Trusts Bill No. II.

Report of Select Committee and the Indian Easements Bill No. II.

The Indian Emigration Bill, 1881.

SUPPLEMENT No. 31.

PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 30th July 1881.

Their Excellencies the Viceroy and the Marchioness of Ripon will probably hold a Drawing Room at Government House, Calcutta, early in December next.

The exact date will be notified hereafter.

By Command,

GEO. S. WHITE, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 29th July, 1881.

No. 22.—The following Statutes are published for general information:—

44 & 45 VIC., CAP. 3.

An Act to further improve the Administration of Justice in the Judicial Committee of the Privy Council.

[*17th February 1881.*]

Whereas it is expedient that further provision should be made for the administration of justice in the Judicial Committee of the Privy Council:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Lords Justices of Appeal to be members of Judicial Committee.

1. Every person holding or who has held in England the office of a Lord Justice of Appeal shall, if a member of Her Majesty's Privy Council in England, be a member of the Judicial Committee of the Privy Council.

Short title.

2. This Act may be cited as the Judicial Committee Act, 1881.

44 & 45 VIC., CAP. 9.

An Act to provide during twelve months for the Discipline and Regulation of the Army.

[*8th April 1881.*]

Whereas the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by Her Majesty, and this present Parliament, that a body of forces should be continued for the safety of the United Kingdom, and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one hundred and thirty-four thousand and sixty men, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within Her Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or merchant ships or vessels, or ships or vessels of Her Majesty, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the Government of Her Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgment of his peers, and according to the known and established laws of this realm; yet nevertheless it being requisite, for the retaining all the beforementioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert Her Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

And whereas the Army Discipline and Regulation Act, 1879, will expire—

(*a*) in the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April one thousand eight hundred and eighty-one; and

(*b*) elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July one thousand eight hundred and eighty-one; and

(*c*) elsewhere, whether within or without Her Majesty's dominions, on the thirty-first day of December one thousand eight hundred and eighty-one:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army Discipline and Regulation (Annual) Act, 1881.

Army Discipline and Regulation Act (42 & 43 Vic., c. 33) to be in force for specified times.

2. The Army Discipline and Regulation Act, 1879, shall be and remain in force during the periods hereinafter mentioned, and no longer, unless otherwise provided by Parliament; that is to say,

(1) within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand eight hundred and eighty-one to the thirtieth day of April one thousand eight hundred and eighty-two, both inclusive; and

(2) elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand eight hundred and eighty-one to the thirty-first day of July one thousand eight hundred and eighty-two, both inclusive; and

(3) elsewhere, whether within or without Her Majesty's dominions, from the thirty-first day of December one thousand eight hundred and eighty-one to the thirty-first day of December one thousand eight hundred and eighty-two, both inclusive;

and the day from which the Army Discipline and Regulation Act, 1879, is continued in any place by this Act is in relation to that place referred to in this Act as the commencement of this Act.

The Army Discipline and Regulation Act, 1879, while in force shall apply to persons subject to military law, whether within or without Her Majesty's dominions.

A person subject to military law shall not be exempted from the provisions of the Army Discipline and Regulation Act, 1879, by reason only that the number of the forces for the time being in the service of Her Majesty, exclusive of the marine forces, is either greater or less than the number hereinbefore mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Discipline and Regulation Act, 1879, the prices specified in the schedule to this Act.

AMENDMENTS OF ARMY DISCIPLINE AND REGULATION ACT, 1879.

Summary punishment.

4. (1) On and after the commencement of this Act, where a soldier on active service is guilty of an aggravated offence of drunkenness, or of an offence of disgraceful conduct, or of any offence punishable with death or penal servitude, it shall be lawful for a court-martial to award for that offence such summary punishment other than flogging as may be directed by rules to be made from time to time by one of Her Majesty's Principal Secretaries of State; and such summary punishment shall be of the character of personal restraint or of hard labour, but shall not be of a nature to cause injury to life or limb, and shall not be inflicted where the confirming officer is of opinion that imprisonment can with due regard to the public service be carried into execution.

(2) The said summary punishment shall not be inflicted upon a non-commissioned officer, or upon a reduced non-commissioned officer, for any offence committed while holding the rank of non-commissioned officer.

(3) "An aggravated offence of drunkenness" for the purposes of this section means drunkenness committed on the march or otherwise on duty, or after the offender was warned for duty, or when by reason of the drunkenness the offender was found unfit for duty; and notwithstanding anything contained in the Army Discipline and Regulation Act, 1879, it shall not be incumbent on the commanding officer to deal summarily with such aggravated offence of drunkenness.

(4) "An offence of disgraceful conduct" for the purposes of this section means any offence specified in section eighteen of the Army Discipline and Regulation Act, 1879.

(5) For the purpose of commutation of punishment the summary punishment abovementioned shall be deemed to stand in the scale of punishments next below penal servitude.

(6) Any punishment which may, in pursuance of the Army Discipline and Regulation Act, 1879, be awarded in addition to imprisonment, may also be awarded in addition to a summary punishment under this section.

Summary court-martial.

5. (1) Where a person subject to military law and being on active service with any body of forces is charged, on and after the commencement of this Act, with an offence against the Army Discipline and Regulation Act, 1879, a summary court-martial may be convened and shall have jurisdiction to try such offence, if the officer convening the Court is of opinion that an ordinary court-martial cannot, having due regard to the public service, be convened to try such offence.

(2) A summary court-martial shall be convened and constituted, and the members and witnesses sworn, and its proceedings conducted, and its finding and sentence confirmed in such manner as may be provided by this section and rules from time to time made in pursuance of the Army Discipline and Regulation Act, 1879, as amended by this Act; and sections fifty to fifty-four (both inclusive) of that Act shall not apply to such court-martial: provided that—

(*a*) A summary court-martial shall consist of not less than three officers, unless the officer convening the same is of opinion that three officers are not available, having due regard to the public service, in which case the court-martial may consist of two officers; and

(*b*) Where a summary court-martial consists of less than three officers, the sentence shall not exceed such summary punishment as is allowed by this Act, or imprisonment; and

(*c*) A sentence of death or penal servitude awarded by a summary court-martial shall not be carried into effect unless and until it has been confirmed by the general or field officer commanding the force with which the prisoner is present at the date of his sentence.

Abolition of corporal punishment.

6. On and after the commencement of this Act, there shall be repealed so much of the Army Discipline and Regulation Act, 1879, as prescribes corporal punishment for offences committed by persons subject to military law and convicted of such offences by court-martial; also so much of section seventy-two of the said Act as relates to field general courts-martial, without prejudice to anything done or suffered in pursuance of the said section, and the finding and sentence of any such court held before the commencement of this Act may be confirmed and carried into effect after such commencement.

Rules made in pursuance of this Act to be laid before Parliament.

7. All rules made in pursuance of this Act shall be laid before Parliament as soon as practicable after they are made, if Parliament be then sitting, and if Parliament be not then sitting, as soon as practicable after the beginning of the then next session of Parliament.

SCHEDULE.

Accommodation to be provided.	Maximum price.
Lodging and attendance for soldier where hot meal furnished.	Two pence half-penny per night.
Hot meal as specified in Part I of the second Schedule to the Army Discipline and Regulation Act, 1879.	One shilling and one penny half-penny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Four pence per day.
Ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and nine pence per day.
Lodging and attendance for officer ...	Two shillings per night.

NOTE.—An officer shall pay for his food.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—MEDICAL.

Simla, the 27th July 1881.

No. 379.—Surgeon T. Hume, M.B., Civil Surgeon of Akola, to be Civil Surgeon of Amraoti, *vice* Surgeon Little.

The 29th July 1881.

No. 381.—*Appointment.*—Surgeon Shibrám Borah, M.B., to be Civil Surgeon of Kohima, in Assam, which has been constituted a second class civil station as a temporary measure.

POLICE.

The 27th July 1881.

No. 213.—The services of Mr. J. T. Rivett-Carnac, Assistant Superintendent of Police, Midnapore, are placed at the disposal of the Chief Commissioner of Assam.

ECCLESIASTICAL.

The 29th July 1881.

No. 107.—The Right Reverend the Lord Bishop of Calcutta has appointed Mr. F. J. Fergusson, Barrister-at-Law, to be Registrar of the Archdeaconry of Calcutta, with effect from the 1st July 1881, or subsequent date on which he may take charge of the duties of the office.

PATENTS.

The 25th July 1881.

No. 551.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open, at all reasonable hours, at the office of the Secretary to the Government of India in the Home Department at the Presidency, to public inspection upon payment of a fee of one rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying:—

No. 4 of 1881.—William Henry McNary, of Brooklyn, in the State of New York, United States of America, but temporarily of Holborn Viaduct, in the City of London, for improvements in circular knitting machinery.

No. 5 of 1881.—William Henry McNary, of Brooklyn, in the State of New York, United States of America, but temporarily of Holborn Viaduct, in the City of London, for improvements in machinery for knitting piece and fashioned goods.

No. 33 of 1881.—Hermann Hirsch, Civil Engineer, of Great Saint Helens, in the County of Middlesex, Kingdom of Great Britain and Ireland, for improvements in the shaping and constructing of hulls of vessels, propellers, rudders, and other bodies which have to act in, or to be acted upon by, water.

No. 37 of 1881.—Reinhold Ruckert, Miller and Engineer to Messrs. Diekmann, Barckhausen and Company, Bassein, for cleaning and cooling the stone spindles of a rice-mill during the working of the mill.

No. 47 of 1881.—Ralph Smith Jennings, of the City of Baltimore, in the State of Maryland and United States of America, for improvements in means for packing cotton, rice, coffee, and other articles, and in the material employed therefor.

No. 48 of 1881.—Nicolaus August Otto, of Deutz on the Rhine, in the German Empire, Engineer, for improvements in gasmotor engines.

No. 62 of 1881.—Christian Heingerling, of Frankfort on the Main in the Empire of Germany, Doctor of Philosophy, for improvements in converting skins or hides into leather.

No. 66 of 1881.—Peter Tyrer, of No. 425, King Street, Melbourne, in the British Colony of Victoria, Engine Driver, for improved contrivances for arresting and extinguishing sparks from steam engines.

No. 68 of 1881.—John Lamont, of Glasgow, in the County of Lanark, North Britain, Merchant, for improvements in stoppers for bottles for containing aërated or gaseous liquids.

No. 71 of 1881.—Nicolas Emile Reynier, of Paris, in the Republic of France, for improvements in the treatment of ores and compounds containing metals for the separation of the metals therefrom, and the production of electricity, and in the apparatus employed therein, and the mode or means of regenerating the agents employed in such treatment.

No. 73 of 1881.—Louis Thenot, of Paris, in the Department of the Seine and Republic of France, Doctor of Medicine, for improvements in the treatment of quartz, auriferous sand and soil, and argentiferous and other ores which may undergo amalgamation, and improved apparatus in connection therewith.

C. GRANT,
Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.—SURVEYS.

Simla, the 28th July 1881.

No. 29.—Doctor O. Feistmantel, Palæontologist, Geological Survey of India, is granted privilege leave for three months under Section 71, Chapter V, of the Civil Leave Code, with effect from the 20th proximo, or any subsequent date on which he may avail himself of it.

GENERAL.

The 26th July 1881.

No. 27.—In supersession of the Notification issued from the Home, Revenue and Agricultural Department, No. 66, dated the 25th February 1881, it is notified that Mr. C. L. Tupper, Officiating Under Secretary to the Government of India in that Department, was granted privilege leave for thirty days, with effect from the 28th February last.

C. L. TUPPER,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 29th July 1881.

No. 206*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the Raja of Vizianagram the title of "Maharaja," as a personal distinction.

No. 208*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer upon Moung Shway Go, Honorary Assistant Superintendent of Police in British Burma, the title of "Rai Bahadur," as a personal distinction.

No. 211*G.-P.*—With reference to Notification No. 132G.-P., dated the 5th May 1881, the recognition by the Government of India of the appointment of Mr. Adolph Philippi as Acting Consul for the Austro-Hungarian Empire at Bassein during the absence of Mr. G. Buhmeyer has been confirmed by Her Majesty's Government.

No. 214*G.-P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognise the appointment of Mr. Georges Biardet d'Aunet as Vice-Consul for France at Aden.

No. 217*G.-P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognise the appointment of Mr. G. W. Deane as in charge of the Consular Agency for Italy at Madras during the absence of Mr. T. Croysdale.

No. 587*I.-P.*—His Excellency the Viceroy and Governor General in Council is pleased to notify that His Highness the Maharao of Kotah has decided to abolish transit duties levied within the State on all goods save opium and other intoxicating drugs, with effect from the 1st August 1881.

GENERAL.

The 27th July 1881.

No. 1415*G.-G.*—Colonel J. D. Hall, Commandant, Bhopal Battalion, held charge of the office of Political Agent, Bhopal, from the forenoon of the 30th May to the afternoon of the 7th June 1881, in addition to his own duties.

No. 1417*G.-G.*—Captain J. Humfrey, Superintendent of Police, Ahmedabad, and *ex-officio* Assistant to the Political Superintendent, Palanpur, is appointed to be *ex-officio* Assistant to the Governor General's Agent at Baroda.

The 29th July 1881.

No. 1432*G.-G.*—The following appointments are made in the Berar Commission:—

Lieutenant P. J. Melvill, Officiating Wing Officer, 2nd Regiment, Native Infantry, to officiate as an Assistant Commissioner, 3rd Class.

Mahomed Nizam-ud-din Hasan Khan, B.A., B.L., a Pleader of the High Court at Lucknow, to officiate as an Assistant Commissioner, 3rd Class.

No. 1435*G.-G.*—Mr. J. Sladen, C.S., is appointed to officiate as Governor General's Agent at Benares, with effect from the date of assuming charge, during the absence on deputation of Mr. C. A Daniell, C.S., or until further orders.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 29th July 1881.

No. 1974.—Mr. Adam Anthony, having been appointed to officiate as Accountant General, Punjab, and Deputy Commissioner of the Department of Issue of State Paper Currency at Lahore, in consequence of the absence on privilege leave of Mr. T. W. Rawlins, B.C.S., received charge of those offices after noon on the 21st July 1881.

No. 1975.—Mr. H. G. Cowie resumed charge of the offices of Comptroller, Central Provinces, and Deputy Commissioner of the Department of Issue of State Paper Currency at Nagpur before noon on the 15th July 1881.

No. 2017.—Mr. R. E. Hamilton, having been appointed to officiate as Deputy Accountant General, Punjab, received charge of that office before noon on the 22nd July 1881.

No. 2043.—The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information:—

CODES OF THE FINANCIAL DEPARTMENT.

DEFINITIONS.

Pages IV and V.

In AVERAGE SALARY *add the following to clause (III) after* "Home Treasury" *in the second place:—*

"For non-gazetted officers whose salary is not less than Rs. 300, the minimum of 'Half Average Salary' is Rs. 150, and of 'One-Quarter Average Salary' Rs. 75 a month."

No. 2057.

C. P. C.

PAGE 62.

Section 117, Rule 4.

Add to this Rule after the word "Servant"—"if he is invalided on account of incapacity for further service, due to old age or natural decay from advancing years *(see Note under Section (109)).*"

No. 2070.

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

Read the following papers regarding the supply of stores required for the public service:—

Financial Resolution No. 3574, dated 3rd November 1880.
" " " 953, " 10th June 1881.
" Circular " 220, " 28th April "
" " " 621, " 14th May "

Read also the following letters from the Chief Commissioner, Central Provinces :—

No. 1680—94, dated 12th May 1881.
„ 2412—125, „ 1st July „

RESOLUTION.—It appears that for the public service in the Central Provinces no European stores were indented for from England during the last two years, the articles required having been procured locally. In future the orders contained in the Resolution of the 10th ultimo cited above should be carried out in the Central Provinces as elsewhere.

2. In pursuance of the policy of the Government of India that it is expedient to encourage Indian industries, the Governor General in Council is pleased to direct that the following articles shall in future be procured of *bonâ fide* Indian manufacture wherever possible, and when they can be supplied at rates not higher than imported goods of the same quality can be obtained.

3. *Pasteboards.*—Over Rs. 1,000 worth was bought during the last two years. These should be obtained either from the Girgaum (Bombay) or the Bally Paper Mills, or elsewhere, according to cheapness and convenience of supply.

4. *Turkey Red Cloth.*—Over Rs. 13,000 worth was bought during the last two years, and there is a large yearly demand for this cloth in the Central Provinces and in other local Administrations. It is understood to be largely used for turbans for the Police. There will probably be no difficulty in having the cloth woven in the Indian mills, and dyed either with imported madder or with Indian dye-stuffs, such as ál (*Morinda tinctoria* and *M. citrifolia*), which is common over Northern India. Should difficulties in obtaining a suitable red present themselves at the outset, the Indian dyes of other colours are excellent and equally suitable for the purposes of Government. The Chief Commissioner should give public notice of his requirements in respect of this cloth and of the price hitherto paid for it, and invite tenders for their supply within those limits for a term of years not exceeding five.

His Excellency the Governor General in Council desires that a similar course may be followed by all Local Governments and Administrations requiring cloth, and that the purchase of the imported article may be henceforward discontinued.

5. *Brass rules for printing; Iron tanks and pipes.*—These can be made by local manufacturers in Bombay and elsewhere, and should be obtained, whenever required, by private reference or public tender.

6. *Spirits of wine and rum.*—These are largely manufactured of good quality in India, *e.g.*, at the distilleries at Shajahanpur, Simla, Cossipur (Calcutta), and Aska (Ganjam), and should not henceforward be indented for from England or purchased of English manufacture in the local market.

ORDERED, that the foregoing Resolution be communicated to the Chief Commissioner, Central Provinces, and to the other local Governments and Administrations for information and guidance, with the request that the instructions here given may be carefully carried out.

Ordered also, that the Resolution be published in the *Gazette of India*.

No. 2092.—In exercise of the powers conferred by Section 35 of the Court Fees Act, VII of 1870, the Governor General in Council has remitted the fees payable in respect of the documents specified in the first or second schedule to the said Court Fees Act annexed in the case of suits for the redemption of mortgaged property when the plaintiff, or, where there are several plaintiffs, any one of the plaintiffs, is an agriculturist, and when such suits are instituted within the districts of the Bombay Presidency in which the Dekkhan Agriculturists Relief Act is in force.

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

MILITARY DEPARTMENT.

Simla, the 29th July, 1881.

APPOINTMENTS.

No. 412.—STAFF CORPS—

The undermentioned Officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Second-Lieutenant Percy Maxwell Carpendale, 2nd Battalion, Leicestershire Regiment, Officiating Wing Officer, 21st (Punjab) Regiment of Native Infantry,—30th May, 1880.

Second-Lieutenant Carpendale will take rank as Lieutenant from the 30th May, 1880.

No. 413.—MILITARY SECRETARIAT—

Lieutenant-Colonel O. R. Newmarch, s.c., Accountant General, Military Department, to be also Deputy Secretary *ex-officio* to the Government of India in the Military Department, Accounts Branch.

No. 414.—MEDICAL DEPARTMENT—

Her Majesty has been pleased to appoint the undermentioned gentleman to be a Surgeon in Her Majesty's Indian Military Forces in the Presidency of Bengal. He is accordingly admitted into the service :—

Surgeon Philip de Conceiçao. Arrived at Bombay, 5th April, 1881.

No. 415.—VOLUNTEER CORPS—

Northern Bengal State Railway Volunteer Rifle Corps.

Mr. William Hackett Chase to be Second-Lieutenant, *vice* Second-Lieutenant J. P. De Vine, resigned.

FURLOUGH AND LEAVE.

No. 416.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Major W. Hopkinson, General List, Infantry, Cantonment Magistrate, 1st class, and Judge, Small Cause Court, Barrackpore, (p. a.) for one year and 61 days, under rule IX of the regulations of 1868.

Lieutenant J. G. Morris, s.c., (m. c.) for one year and 182 days,—one year under rule I, and the remaining period under rule VI of the regulations of 1875, with effect from the 24th March, 1881.

Surgeon-Major G. Hutcheson, M.D., (u. p. a.) for 182 days, under rule XI of the regulations of 1868.

No. 417.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India :—

Major G. S. Hills, s.c., (p. a.) for two months.

Captain R. K. Ridgeway, V.C., s.c., (p. a.) for six months.

HONORARY DISTINCTIONS.

No. 418.—The Most Hon'ble the Governor General in Council announces that Her Majesty the Queen, Empress of India, has been graciously pleased to permit the following corps to bear upon their standards, colors or appointments the words specified below, in commemoration of their gallant conduct during the recent campaigns in Afghanistan :—

"AFGHANISTAN, 1878-79,"—for the operations in Afghanistan, generally, during the first campaign of the late war.

"AFGHANISTAN, 1879-80,"—for the operations in Afghanistan, generally, during the second campaign of the late war.

"AFGHANISTAN, 1878-80,"—for the operations in Afghanistan, generally, during both campaigns.

"ALI MUSJID,"—for the capture of the Fort of Ali Musjid, on the 21st and 22nd November, 1878.

"PEIWAR KOTAL,"—for the forcing of the Peiwar Kotal, on the 2nd December, 1878.

"CHARASIA,"—for the action of Charasia, on the 6th October, 1879.

"KABUL, 1879,"—for the operations at, and in the vicinity of, Kabul, from the 10th to the 24th December, 1879, inclusive of the operations of the force which arrived at Kabul under the command of Brigadier-General C. J. S. Gough, C.B., V.C., on the 24th December, 1879.

"AHMED KHEL,"—for the battle of Ahmed Khel, on the 19th April, 1880.

"KANDAHAR, 1880,"—for the battle of Kandahar on the 1st September, 1880.

No. 1 (Kohat) Punjab Mountain Battery	... "Peiwar Kotal"—"Kabul, 1879"—"Afghanistan, 1878-80."
No. 2 (Derajat) Punjab Mountain Battery	... "Charasia"—"Kabul, 1879"—"Kandahar, 1880"—"Afghanistan, 1878-80."
No. 3 (Peshawar) Punjab Mountain Battery	... "Afghanistan, 1878-79."
No. 4 (Hazara) Punjab Mountain Battery	... "Ali Musjid"—"Kabul, 1879"—"Afghanistan, 1878-80."
No. 2 Bombay Mountain Battery	... "Afghanistan, 1878-80."
Bengal Sappers and Miners	... "Ali Musjid"—"Charasia"—"Kabul, 1879"—"Ahmed Khel"—"Afghanistan, 1878-80."
The Queen's Own Madras Sappers and Miners	... "Afghanistan, 1878-80."
Bombay Sappers and Miners	... "Afghanistan, 1878-80."
1st Bengal Cavalry	... "Afghanistan, 1879-80."
3rd Bengal Cavalry	... "Kandahar, 1880"—"Afghanistan, 1879-80."
4th Bengal Cavalry	... "Afghanistan, 1879-80."
5th Bengal Cavalry	... "Afghanistan, 1879-80."
8th Bengal Cavalry	... "Afghanistan, 1878-80."
10th (the Duke of Cambridge's Own) Bengal Lancers	... "Afghanistan, 1878-80."

11th (the Prince of Wales' Own) Bengal Lancers	... "Ali Musjid"—Afghanistan, 1878-79."
12th Bengal Cavalry	... "Peiwar Kotal" — "Charasia" — "Kabul, 1879"—"Afghanistan, 1878-80."
13th Bengal Lancers	... "Afghanistan, 1878-80."
14th Bengal Lancers	... "Charasia"—"Kabul, 1879"—"Afghanistan, 1878-80."
15th Bengal Cavalry	... "Afghanistan, 1878-80."
17th Bengal Cavalry	... "Afghanistan, 1879-80."
18th Bengal Cavalry	... "Afghanistan, 1879-80."
19th Bengal Lancers	... "Ahmed Khel"—"Afghanistan, 1878-80."
1st Punjab Cavalry	... "Ahmed Khel"—"Afghanistan, 1878-80."
2nd Punjab Cavalry	... "Ahmed Khel"—"Afghanistan, 1878-80."
3rd Punjab Cavalry	... "Kandahar, 1880"—"Afghanistan, 1879-80."
5th Punjab Cavalry	... "Charasia"—"Kabul, 1879"—"Afghanistan, 1878-80."
1st Central India Horse	... "Kandahar, 1880"—"Afghanistan, 1879-80."
2nd Central India Horse	... "Kandahar, 1880"—"Afghanistan, 1879-80."
1st Madras Light Cavalry	... "Afghanistan, 1879-80."
2nd Bombay Light Cavalry	... "Afghanistan, 1879-80."
3rd (the Queen's Own) Bombay Light Cavalry	... "Kandahar, 1880"—"Afghanistan, 1879-80."
Poona Horse	... "Kandahar, 1880"—"Afghanistan, 1879-80."
2nd Sind Horse	... "Afghanistan, 1879-80."
3rd Sind Horse	... "Kandahar, 1880"—"Afghanistan, 1878-80."
2nd (the Queen's Own) Bengal Native (Light) Infantry	... "Afghanistan, 1879-80."
3rd Bengal Native Infantry	... "Afghanistan, 1879-80."
4th Bengal Native Infantry	... "Afghanistan, 1879-80."
5th Bengal Native (Light) Infantry	... "Afghanistan, 1879-80."
6th Bengal Native (Light) Infantry	... "Ali Musjid"—"Afghanistan, 1878-79."
8th Bengal Native Infantry	... "Afghanistan, 1879-80."
9th Bengal Native Infantry	... "Afghanistan, 1879-80."
11th Bengal Native Infantry	... "Afghanistan, 1879-80."
12th Bengal Native Infantry	... "Afghanistan, 1878-79."
13th Bengal Native Infantry	... "Afghanistan, 1879-80."
14th Bengal Native Infantry	... "Ali Musjid"—"Afghanistan, 1878-79."
15th Bengal Native Infantry	... "Ahmed Khel"—"Kandahar, 1880"—"Afghanistan, 1878-80."
16th Bengal Native Infantry	... "Afghanistan, 1879-80."
17th Bengal Native Infantry	... "Afghanistan, 1879-80."
19th Bengal Native Infantry	... "Ahmed Khel"—"Afghanistan, 1878-80."
20th Bengal Native Infantry	... "Ali Musjid"—"Afghanistan, 1878-80."
21st Bengal Native Infantry	... "Afghanistan, 1878-80."
22nd Bengal Native Infantry	... "Afghanistan, 1879-80."
23rd Bengal Native Infantry (Pioneers)	... "Peiwar Kotal" — "Charasia" — "Kabul, 1879"—"Kandahar, 1880"—Afghanistan, 1878-80."
24th Bengal Native Infantry	... "Kandahar, 1880"—"Afghanistan, 1878-80."
25th Bengal Native Infantry	... "Ahmed Khel"—"Kandahar, 1880"—"Afghanistan, 1878-80."
26th Bengal Native Infantry	... "Afghanistan, 1878-79."
27th Bengal Native Infantry	... "Ali Musjid"—"Afghanistan, 1878-80."
28th Bengal Native Infantry	... "Charasia"—"Kabul, 1879"—"Afghanistan, 1878-80."
29th Bengal Native Infantry	... "Peiwar Kotal"—"Afghanistan, 1878-80."
30th Bengal Native Infantry	... "Afghanistan, 1879-80."
31st Bengal Native Infantry	... "Afghanistan, 1879-80."
32nd Bengal Native Infantry (Pioneers)	... "Afghanistan, 1878-80."
39th Bengal Native Infantry	... "Afghanistan, 1878-80."
41st Bengal Native Infantry	... "Afghanistan, 1879-80."
45th Bengal Native Infantry	... "Ali Musjid"—"Afghanistan, 1878-80."
1st Goorkha Regiment (Light Infantry)	... "Afghanistan, 1878-80."
2nd (the Prince of Wales' Own) Goorkha Regiment	... "Kabul, 1879"—"Kandahar, 1880"—Afghanistan, 1878-80."
3rd Goorkha Regiment	... "Ahmed Khel"—"Afghanistan, 1878-80."
4th Goorkha Regiment	... "Ali Musjid"—"Kabul, 1879"—"Kandahar, 1880"—"Afghanistan, 1878-80."
5th Goorkha Regiment	"Peiwar Kotal"—"Charasia"—Kabul, 1879" — "Kandahar, 1880" — "Afghanistan, 1878-80."
The Queen's Own Corps of Guides	... "Ali Musjid" — "Kabul, 1879" — "Afghanistan, 1878-80."
1st Sikh Infantry	... "Ali Musjid"—"Afghanistan, 1878-79."

2nd Sikh Infantry	... "Ahmed Khel" — "Kandahar, 1880"—Afghanistan, 1878-80."
3rd Sikh Infantry	... "Kabul, 1879" — "Kandahar, 1880" — "Afghanistan, 1879-80."
1st Punjab Infantry	... "Afghanistan, 1878-79."
2nd Punjab Infantry	... "Peiwar Kotal"—"Afghanistan, 1878-79."
4th Punjab Infantry	... "Afghanistan, 1879-80."
5th Punjab Infantry	... "Peiwar Kotal" — "Charasia" — "Kabul, 1879"—"Afghanistan, 1878-80."
Bhopal Battalion	... "Afghanistan, 1878-79."
Infantry of the Deoli Irregular Force	... "Afghanistan, 1879-80."
Mhairwara Battalion	... "Afghanistan, 1878-79."
1st Madras Native Infantry	... "Afghanistan, 1879-80."
4th Madras Native Infantry	... "Afghanistan, 1879-80."
15th Madras Native Infantry	... "Afghanistan, 1879-80."
21st Madras Native Infantry	... "Afghanistan, 1878-80."
30th Madras Native Infantry	... "Afghanistan, 1878-80."
1st Bombay Native Infantry (Grenadiers)	... "Kandahar, 1880"—"Afghanistan, 1878-80."
4th Bombay Native Infantry (Rifle Corps)	... "Kandahar, 1880"—"Afghanistan, 1879-80."
5th Bombay Native (Light) Infantry	... "Afghanistan, 1879-80."
8th Bombay Native Infantry	... "Afghanistan, 1879-80."
9th Bombay Native Infantry	... "Afghanistan, 1879-80."
10th Bombay Native (Light) Infantry	... "Afghanistan, 1879-80."
13th Bombay Native Infantry	... "Afghanistan, 1879-80."
15th Bombay Native Infantry	... "Afghanistan, 1879-80."
16th Bombay Native Infantry	... "Afghanistan, 1879-80."
19th Bombay Native Infantry	... "Kandahar, 1880"—"Afghanistan, 1878-80."
23rd Bombay Native (Light) Infantry	... "Afghanistan, 1879-80."
24th Bombay Native Infantry	... "Afghanistan, 1879-80."
27th Bombay Native (Light) Infantry	... "Afghanistan, 1879-80."
28th Bombay Native Infantry	... "Kandahar, 1880"—"Afghanistan, 1879-80."
29th Bombay Native Infantry	... "Kandahar, 1880"—"Afghanistan, 1878-80."
30th Bombay Native Infantry	... "Afghanistan, 1878-80."

PROMOTIONS.

No. 419.—The following promotions are made, subject to Her Majesty's approval:—

STAFF CORPS.

To be Lieutenant-Colonel.

Major Reginald Colvil William Mitford,—25th July, 1881.

To be Major.

Captain Horace Howell,—26th July, 1881.

BENGAL ARMY.

To be Major.

Captain (Brevet Major) Frederick Schomberg Carr, General List, Infantry,—26th July, 1881.

BREVET,

To be Colonels.

Lieutenant-Colonel Arthur Thomas Moore, V.C., Bombay S. C.,—29th July, 1881.

Lieutenant-Colonel Cecil D'Urban La Touche, Bombay S. C.,—29th July 1881.

No. 420.—SUBORDINATE MEDICAL DEPARTMENT—

The Christian name of Senior Apothecary Tanney is *Edmund*, and not as stated in G. G. O. No. 281 of 1881.

No. 421.—NATIVE ARMY—

14th (The Ferozepore) Regiment of Native Infantry.

Jemadar Meer Aslam, to be Subadar, *vice* Suppah Singh, invalided,—1st May, 1881.

Jemadar Maun Singh, to be Subadar, *vice* Deedar Singh, deceased,—21st May, 1881.

Havildar Suppah Singh, to be Jemadar, *vice* Meer Aslam, promoted,—1st May, 1881.

Havildar Kaisrah Singh, to be Jemadar, *vice* Maun Singh, promoted,—21st May, 1881.

16th (The Lucknow) Regiment of Native Infantry.

Subadar Buldeo Pattuck, to be Subadar-Major, *vice* Jodh Sing, deceased; Jemadar Dabeedeen Misser, to be Subadar, *vice* Jodh Sing, deceased; Havildar Gourisankar Agnhotri, to be Jemadar, *vice* Dabeedeen Misser, promoted,—25th March, 1881.

24th (Punjab) Regiment of Native Infantry.

Havildar Ram Dass, to be Jemadar, *vice* Bysaka Sing, invalided,—1st May, 1881.

28th (Punjab) Regiment of Native Infantry.

Jemadar Gholamee Khan, to be Subadar, *vice* Ellahee Bux, invalided; Havildar Lall Singh, to be Jemadar, *vice* Surrum Singh, invalided; Havildar Shere Singh, to be Jemadar, *vice* Sheikh Jooahir, invalided; Havildar Hackim Khan, to be Jemadar, *vice* Gholamee Khan, promoted,—1st May, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 29th July, 1881.

No. 26.—The services of Mr. G. W. Goodwin, Assistant Engineer, 1st class, are dispensed with.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 25th July 1881.

No. 250.—Mr. C. J. Cole, Assistant Engineer, 2nd Grade, is transferred from the establishment under the Director General of Railways to that under the Government of Bengal in the Railway Branch.

The 26th July 1881.

No. 251.—The Governor General in Council is pleased to make the following officiating promotions, with effect from the dates specified :—

From 5th July 1881.

Mr. R. Tyndall, Superintending Engineer, Class II, to Class I.

Major C. W. I. Harrison, R.E., Temporary Superintending Engineer, Class III, to Class II.

From 18th July 1881.

Mr. W. H. Parker, Superintending Engineer, Class II, to Class I.

Mr. R. H. Rhind, Temporary Superintending Engineer, Class III, to Class II.

Mr. F. B. Walker, Executive Engineer, 1st Grade, to Superintending Engineer, Class III.

No. 252.—Captain M. C. Brackenbury, R.E., Executive Engineer, 3rd Grade, is appointed an Officiating Deputy Consulting Engineer to the Government of India for Guaranteed Railways, and is posted to Lahore.

The 28th July 1881.

No. 254.—The following reversions are ordered, with effect from the 11th July 1881 :—

Major-General H. W. Gulliver, R.E., Chief Engineer, Class I, temporary rank, to Chief Engineer, Class II.

Colonel J. O. Mayne, R.E., Chief Engineer, Class II, temporary rank, to Chief Engineer, Class III.

No. 256.—The following temporary promotion is made in the Barrack Department establishment of the Military Works Branch, with effect from the 7th May 1881 :—

From Barrack Master, 2nd Class, to Barrack Master, 1st Class.

Honorary Lieutenant J. Murray.

The 29th July 1881.

No. 257.—Lieutenant-Colonel R. C. B. Pemberton, R.E., Consulting Engineer to the Government of India for Guaranteed Railways, Lucknow, is appointed to officiate as Consulting Engineer to the Government of India for Guaranteed Railways, Lahore, during the absence on privilege leave of Colonel J. G. Medley, R.E., or until further orders.

Major T. F. Dowden, R.E., Superintending Engineer, 3rd Class (temporary rank), is appointed to officiate for Colonel Pemberton during his absence, or until further orders.

This cancels the portion of Public Works Department Notification No. 200, dated 26th May 1881, which relates to Major H. Doveton, R.E.

No. 258.—Mr. F. L. Dibblee, Executive Engineer, 1st Grade, Engineer-in-Chief, Delhi-Ferozepore Railway Survey, is granted three months' special leave under Public Works Department Resolution Nos. 854-68R.E. of the 11th November 1880, with effect from the 1st August 1881.

Major C. E. Shepherd, Executive Engineer, 1st Grade, will officiate as Engineer-in-Chief of the Survey during the absence of Mr. Dibblee, or until further orders.

No. 259.—The following temporary promotions in the Superior Accounts Establishment are ordered :—

Names.	From	To	Date.
Captain A. G. Beggbie, R.E.	Examiner, 4th Class, 2nd Grade.	Examiner, 3rd Class.	1st July 1881.
Captain W. I. Le Breton, R.E.	Ditto	Ditto	Ditto.

TELEGRAPH.

The 27th July 1881.

No. 253.—Mr. W. Williams, Assistant Superintendent, 1st Grade, Indian Telegraph Department, is appointed to officiate as Superintendent in charge of the Bombay Division, with effect from the 19th instant, during the absence of Mr. H. T. Walton on privilege leave, or until further orders.

The 28th July 1881.

No. 255.—Mr. A. B. Larkins, Assistant Superintendent, 1st Grade, Indian Telegraph Department, is appointed to officiate as Superintendent, 3rd Grade, during Mr. T. C. Hill's absence from British Burma, on deputation, or until further orders.

ALEX. FRASER, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 32. SIMLA, SATURDAY, AUGUST 6, 1881.

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

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Nothing for publication.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22 :—

The Indian Emigration Bill, 1881.

SUPPLEMENT No. 32.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 5th August 1881.

No. 258.—*Appointments.*—Mr. C. H. T. Crosthwaite, C.S., Commissioner of the Jubbulpore Division, to be Judicial Commissioner of the Central Provinces, *vice* the Hon'ble C. Grant, C.S., C.S.I.

Mr. F. Venning, C.S., Inspector General of Police and Jails in the Central Provinces, to be Commissioner of the Jubbulpore Division, *vice* Mr. Crosthwaite.

Lieutenant-Colonel J. L. Loch, Deputy Commissioner of the 2nd Class, to be Inspector General of Police and Jails, *vice* Mr. Venning.

Major A. Bloomfield, Deputy Commissioner of the 3rd Class, to be Deputy Commissioner of the 2nd Class, *vice* Lieutenant-Colonel Loch.

Lieutenant-Colonel C. H. Plowden, Commissioner of Excise, Inspector General of Registration, and Superintendent of Stamps in the Central Provinces, to be Deputy Commissioner of the 3rd Class, *vice* Major Bloomfield.

Mr. A. H. L. Fraser, C.S., Assistant Secretary to the Chief Commissioner, to be Commissioner of Excise, Inspector General of Registration, and Superintendent of Stamps, *vice* Lieutenant-Colonel Plowden.

Mr. F. C. Anderson, C.S., Assistant Commissioner of the 3rd Class, to be Assistant Secretary to the Chief Commissioner, *vice* Mr. Fraser.

Mr. S. Ismay, C.S., Supernumerary Assistant Commissioner, to be Assistant Commissioner of the 3rd Class, *vice* Mr. Anderson.

FORESTS.

The 2nd August 1881.

No. 687F.—Captain E. S. Wood, Conservator of Forests in Oudh, Mr. B. Ribbentrop, Conservator of Forests of the Pegu Circle in British Burma, and Captain F. Bailey, R.E., Conservator of Forests of the School Circle in the North-Western Provinces, are appointed to officiate in the 2nd Grade of Conservators of Forests, with effect from the 18th July 1881, during the absence on furlough of Major W. J. Seaton, or until further orders.

Mr. H. C. Hill, Deputy Conservator of Forests of the 2nd Grade, and officiating as a Deputy Conservator of the 1st Grade in British Burma, is appointed to officiate as Conservator of Forests of the Tenasserim Circle in the 3rd Grade of Conservators, with effect from the same date.

The 4th August 1881.

No. 695F.—Mr. H. B. Ward, Officiating Assistant Conservator of Forests of the 3rd Grade in British Burma, is confirmed in his appointment, with effect from the 1st June 1881.

The 5th August 1881.

No. 698F.—The following Sub-Assistant Conservators of Forests are appointed to officiate as

Assistant Conservators of the 3rd Grade, with effect from the 1st April 1881 :—

Mr. H. B. Anthony,—Central Provinces.

Mr. A Campbell,—North-Western Provinces and Oudh.

Mr. L. G. Smith,—Punjab.

C. GRANT,
Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.—EMIGRATION.

Simla, the 4th August 1881.

No. 17.—In exercise of the powers conferred by Section 59 of the Indian Emigration Act (VII of 1871), the Governor General in Council is pleased, in supersession of paragraphs 1 and 2 of Notification No. 85, dated the 20th May 1881, to direct that Schedule A appended to Rules relating to emigration from the port of Calcutta, promulgated by Notification No. 30, dated the 19th February 1873, shall be amended as follows :—

After the words "and in good order," substitute for the words "crew, &c," to end of the schedule—

"*Crew, &c.*

"Scale, according to tonnage, of the number of hands to be carried by an emigrant vessel :

"For the first 500 tons and under—Four hands to every 100 tons.

"From 600 to 1,500 tons—Two additional hands to every additional 100 tons.

"From 1,500 tons upwards—One additional hand to every additional 100 tons.

"The total number of hands shall include the master and three officers; and two-thirds of the ship's company, exclusive of the master and the three officers, shall be made up of (A. B.'s) able seamen.

"2. The master and the first and second officers shall be possessed of certificates of competency, and shall be Europeans. The third officer may be either a European or an East Indian, and shall be nominated subject to the approval of the Protector of Emigrants."

No. 20.—In exercise of the powers conferred by Section 46 of the Native Passenger Ships Act, No. VIII of 1876, the Governor General in Council is pleased to direct that, in the case of ships, to which the said Act applies, conveying emigrants as defined in Section 2 of Act V of 1877 from the port of Negapatam or from any port in the Madras Presidency from which emigration under the said Act shall be lawful, four ounces of ship's biscuit or four ounces of flour shall be added to the scale of provisions laid down in clause (A) of Notification No. 298 of 8th August 1877.

GENERAL.

The 1st August 1881.

No. 35A.—Mr. C. L. Tupper, C.S., and Mr. E. C. Buck, C.S., respectively made over and received charge of the office of Secretary to the Government of India in the Revenue and Agricultural Department on the forenoon of the 1st instant.

No. 35B.—Mr. C. J. Lyall, at present Officiating as Secretary to the Chief Commissioner of Assam, is appointed to be Under Secretary to the Government of India in the Revenue and Agricultural Department, with effect from the 6th ultimo.

Mr. C. L. Tupper is appointed to officiate as Under Secretary to the Government of India in the Revenue and Agricultural Department during the absence of Mr. C. J. Lyall, or until further orders, with effect from the forenoon of the 1st instant.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 4th August 1881.

No. 221G.-P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognise the appointment of Mr. Henry Beer as in charge of the Vice-Consulate for Portugal at Calcutta.

GENERAL.

The 30th July 1881.

No. 1451G.-G.—Mr. W. B. Cracknall, Barrister-at-Law, is appointed to be 2nd Assistant to the Political Agent at Zanzibar, with effect from the date of assuming charge, *vice* Mr. W. E. Foster, deceased.

The 5th August 1881.

No. 1493G.-G.—Major C. Grant, Cantonment Magistrate, Neemuch, is appointed to officiate as a Political Agent, 2nd Class, and is posted as Political Agent at Muscat, with effect from the date of assuming charge, *vice* Lieutenant-Colonel S. B. Miles.

No. 1496G.-G.—Sir James D. Gordon, K.C.S.I., Resident in Mysore and Chief Commissioner of Coorg, is granted three months' privilege leave, with effect from the 23rd July 1881, or from such date as he may avail himself of it.

Mr. J. D. Sandford, C.S., Chief Judge of Mysore and Judicial Commissioner of Coorg, is appointed to officiate as Resident in Mysore and Chief Commissioner of Coorg, with effect from the date of assuming charge, *vice* Sir James Gordon, but to continue to perform the duties of Judicial Commissioner of Coorg.

No. 1499G.-G.—Surgeon K. H. Mistri, Indian Medical Department, held medical charge of the Malwa Bheel Corps and Bhopawar Political Agency from the forenoon of the 11th June to the afternoon of the 8th July 1881.

No. 1501G.-G.—Surgeon J. F. Tuohy, M.D., Indian Medical Department, is appointed to officiate as Medical Officer of the Deoli Irregular Force and of the Haraoti and Tonk Political Agency, with effect from the date of assuming charge, *vice* Surgeon-Major Caldwell.

No. 1504G.-G.—The following promotions and changes of rank are made in the Graded List of the Political Service, with effect from the dates noted :—

Major G. H. Trevor, Secretary for Berar to the Resident, Hyderabad, to be a Political Agent of the 1st Class,—21st July 1881.

Major John Biddulph, B.S.C., on special duty at Gilgit, to be a Political Agent of the 2nd Class,—15th June 1881.

Lieutenant-Colonel W. F. Kincaid, Major H. P. Peacock, } Political Agents, 2nd Class, substantive *pro tempore*,

are confirmed in that rank,—21st July 1881.

The undermentioned Political Agents of the 2nd Class to officiate as Political Agents, 1st Class, with effect from the 21st July 1881 :—

Major W. J. W. Muir.
Major W. F. Prideaux.
Lieutenant-Colonel W. F. Kincaid.
Major H. P. Peacock.

The undermentioned officers to officiate as Political Agents of the 2nd Class, with effect from the 21st July 1881 :—

Captain D. W. K. Barr.
Captain E. L. Durand, Mr. W. J. Cuningham, C.S., } Political Agents, 3rd Class.
Major A. W. Roberts, Major V. E. Law, } Political Assistants, 1st Class.

Captain E. A. Fraser, Political Agent, 3rd Class, substantive *pro tempore*, to officiate as a Political Agent, 3rd Class, from the 21st July 1881.

Captain J. H. Newill, Political Assistant, 2nd Class, to officiate as Political Agent, 3rd Class, from 13th July 1881, *vice* Captain N. C. Martelli, on special duty.

Captain W. Loch, Political Assistant, 3rd Class, to officiate as Political Agent, 3rd Class, from 5th June 1881, *vice* Lieutenant-Colonel Reynolds, on furlough.

Captain T. Hope, Political Assistant, 1st Class, substantive *pro tempore*, is confirmed in that rank, with effect from 13th May 1881, *vice* Captain E. L. Durand, promoted.

Mr. H. S. Barnes, C.S., Officiating Assistant Agent, Governor General, Biluchistan, to be a Political Assistant, substantive *pro tempore*, with effect from 17th June 1881, *vice* Captain T. Hope, Junior Under Secretary, Foreign Department, substantive *pro tempore*.

The following officers to officiate as Political Assistants, 1st Class, from the 21st July 1881 :—

Mr. F. T. Hewson, C.S., Captain J. Burne, } Political Assistants, 1st Class, substantive *pro tempore*.
Pandit Sarup Narain, Officiating Political Assistant, 2nd Class.
Lieutenant H. L. Ramsay, Political Assistant, 2nd Class, substantive *pro tempore*.

Lieutenant R. H. Jennings, R.E., Officiating Assistant Agent to the Governor General for Biluchistan, to officiate temporarily as a Political Assistant, 1st Class, from 21st July 1881.

The undermentioned Officiating Political Assistants, 3rd Class, to officiate as Political Assistants, 2nd Class, from 21st July 1881 :—

Lieutenant C. W. Ravenshaw.
Lieutenant M. J. Meade.
Captain A. M. Muir.

Captain W. Loch, Officiating Political Assistant, 3rd Class, is confirmed in that rank, with effect from 13th May 1881, *vice* Captain T. Hope, promoted.

Mr. J. A. Crawford, C.S., Officiating Political Assistant, 3rd Class, to be substantive *pro tempore* in that grade, from 21st July 1881.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 5th August 1881.

No. 2146.—Whereas under the terms of Notification in the Department of Finance, No. 3643, dated 13th November 1880, the Trustees of the Port of Bombay have paid to the Superintendent of Stamps, Bombay, Rs. 3,500 as composition for the stamp duty chargeable on a sum of Rupees seven lakhs which the said Trustees were authorised to borrow, and which have been raised by the issue of the undermentioned Debentures, dated the 14th day of June 1881, *viz.*,—

Nos.	1 to 10	at Rs.	10,000 each.
,,	11 to 70	at ,,	5,000 ,,
,,	71 to 295	at ,,	1,000 ,,
,,	296 to 445	at ,,	500 ,,

In exercise of the powers conferred by Section 8 of the Indian Stamp Act, 1879, the Governor General in Council has exempted the abovementioned Debentures from any stamp duty with which they might otherwise be chargeable, whether on issue, renewal or subdivision.

No. 2152.—In exercise of the power conferred by Section 25 of the Indian Paper Currency Act, 1871, the Governor General in Council is pleased to revoke the following Resolution and Notifications :—

Resolution No. 35, dated 12th March 1862.
Notification No. 1572, dated 26th July 1864.
,, No. 2268, ,, 21st April 1865.
,, No. 1120, ,, 29th June 1867.
,, No. 1894, ,, 18th August 1868.
,, No. 3934, ,, 31st October 1872.

And in exercise of the power conferred by Section 5 of the said Act, the Governor General in Council is pleased to establish the following Circles of Issue in the Madras and Bombay Presidencies respectively :—

In the Madras Presidency.

The Calicut Circle of Issue to consist of the districts of Malabar, South Canara and Coimbatore.

The Madras Circle of Issue to consist of all the other districts in the said Presidency.

In the Bombay Presidency.

The Bombay Circle of Issue to consist of all the districts of the Bombay Presidency Proper, the Central Provinces and Berar.

The Kurrachee Circle to consist of the Province of Sind.

And to appoint the town of Calicut to be the place of Issue in the Calicut Circle; the town of Madras to be the place of issue in the Madras Circle; the town of Bombay to be the place of issue in the Bombay Circle; and the town of Kurrachee to be the place of issue in the Kurrachee Circle.

And to establish an Office of Issue in each of the said towns of Calicut, Madras, Bombay and Kurrachee.

This Notification shall come into effect from the 15th August 1881.

No. 2203.

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

Read the following papers regarding the supply of stores required for the public service :—

Financial Resolution No. 3575, dated 3rd November 1880.
" " " 953, " 10th June 1881.
" Circular " 220, " 28th April "
" " " 621, " 14th May "

Read also a communication from the Revenue and Agricultural Department, No. 33, dated 1st August 1881, forwarding returns showing the European stores purchased in 1878-79 and 1879-80 in the local market for the Office of the Meteorological Reporter to the Government of India.

RESOLUTION.—In pursuance of the policy of the Government of India, that it is expedient to encourage Indian industries, the Governor General in Council is pleased to direct that the following articles shall in future be procured of Indian manufacture wherever possible, and when they can be supplied at rates not higher than those for which imported articles of the same quality can be obtained :—

Sundials.—The Government Workshop at Roorkee makes sundials, and no doubt they can be made at other establishments of a similar kind.

Sulphuric acid.—Made in Calcutta by Dr. Waldie, and probably elsewhere.

Alcohol.—Made at all large distilleries and sugar factories.

ORDERED, that the foregoing Resolution be communicated to the Revenue and Agricultural Department and to all Local Governments and Administrations for information and guidance.

Ordered also, that the Resolution be published in the *Gazette of India*.

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

MILITARY DEPARTMENT.

Simla, the 5th August, 1881.

APPOINTMENTS.

No. 422.—STAFF CORPS—

Under instructions from the Right Hon'ble the Secretary of State for India, it is notified that admissions to the Staff Corps on probation, on and after the 1st July, 1881, will be held to be subject to any regulations which may be made applicable to the Staff Corps in consequence of the issue of the Royal Warrant for the Pay, Promotion, and Non-effective Pay of the Army, dated 25th June, 1881, and taking effect from the 1st July, 1881.

No. 423.—The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant Ernest Hunter Rodwell, 2nd Battalion, East Surrey Regiment, Officiating Wing Officer, 2nd Punjab Infantry, Punjab Frontier Force,—28th May, 1880.

No. 424.—COMMISSARIAT DEPARTMENT—

Lieutenant H. Mansfield, Sub-Assistant Commissary-General, 3rd class, on probation, is confirmed in his appointment, with effect from the 4th June, 1880.

Lieutenant H. Mansfield, Sub-Assistant Commissary-General, 3rd class, and Officiating Sub-Assistant Commissary-General, 1st class, to be Sub-Assistant Commissary-General, 2nd class, with effect from the 4th June, 1881.

No. 425.—PUNJAB FRONTIER FORCE—

Major E. C. Codrington, s.c., Wing Commander and 2nd-in-Command, 2nd Punjab Infantry, and Officiating Assistant Adjutant General, to be Assistant Adjutant General, *vice* Major J. Davidson, whose tour of staff service has expired. Dated 14th July, 1881.

No. 426.—The appointment of Lieutenant F. B. Deane, Madras S. C., to the 1st Punjab Infantry, notified in G. G. O. No. 204 of 1881, is cancelled.

No. 427.—VOLUNTEER CORPS—

The Darjeeling, and Northern Bengal State Railway Volunteer Rifle Corps having been amalgamated, the following appointment is made :—

To be Major-Commandant.

Captain W. A. J. Wallace, R.E.

No. 428.—RANGOON VOLUNTEER ARTILLERY CORPS—

Lieutenant George Wilson, R. N. (retired), Acting Port Officer, Rangoon, to be Lieutenant-Commandant, *vice* Lieutenant Arnot, resigned.

FURLOUGH AND LEAVE.

No. 429.—The undermentioned officer is granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant A. R. Martin, s.c., Wing Officer and Adjutant, 5th Goorkha Regiment (The Hazara Goorkha Battalion), Punjab Frontier Force, (m. c.) for one year, under rule I of the regulations of 1875, with effect from the 10th July, 1881.

No. 430.—Captain H. A. Vincent, Bombay S. C., Squadron Commander, 1st Regiment, Central India Horse, is allowed leave in India, (p. a.) for 182 days, under rule XXV of the regulations of 1868, with effect from the 25th March, 1881.

No. 431.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India :—

Major (Brevet Lieutenant-Colonel) J. W. Ridgeway, General List, Infantry, (u. p. a.) for three months.

Captain (Brevet Major) H. C. Creak, late 4th E. L. C., (m. c.) for four months.

LONDON GAZETTE.

No. 432.—The following extracts are published for general information :—

"London Gazette," dated the 24th June, 1881, pages 3179 and 3180.

THE Queen has approved of the retirement from the Service of the undermentioned Officers of Her Majesty's Indian Forces :—

Lieutenant-Colonel and Brevet Colonel Robert Vernor Handyside, of the Madras Staff Corps. Dated 13th June, 1881.

Lieutenant-Colonel and Brevet Colonel Torin Thatcher, of the Bombay Staff Corps. Dated 1st June, 1881.

Lieutenant-Colonel Albert Seagrim, of the Bengal Staff Corps. Dated 24th June, 1881.

Surgeon-Major John Barclay Scriven, of the Bengal Army. Dated 13th June, 1881.

BREVET.

The undermentioned Officers are granted a step of honorary rank on retirement :—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel Robert Vernor Handyside, of the Madras Staff Corps. Dated 13th June, 1881.

Lieutenant-Colonel and Brevet Colonel Torin Thatcher, of the Bombay Staff Corps. Dated 1st June, 1881.

"London Gazette," dated the 28th June, 1881, page 3244.

BREVET.

The undermentioned Officers to be Colonels :—

Lieutenant-Colonel Horace Searle Anderson, Bombay Staff Corps. Dated 6th April, 1881.

* * * *

"London Gazette," dated the 1st July, 1881, page 3302.

HER Majesty has been pleased to approve of the following admissions to the Staff Corps made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant George Ward Cole Bruce, from the 2nd Foot. Dated 17th June, 1879, but to rank from 19th June, 1873.

Lieutenant Frank Gun Delamain, from the 70th Foot. Dated 17th November, 1879, but to rank from 12th February, 1876.

Lieutenant Charles John Bernhard Hough Dresner, from the 9th Lancers. Dated 12th March, 1879, but to rank from 11th September, 1876.

Lieutenant George Alexander M'Carthy, from the 39th Foot. Dated 11th March, 1880, but to rank from 25th February, 1880.

ERRATUM.

Lieutenant R. S. Burn, whose admission to the Bengal Staff Corps was notified in the *London Gazette* of the 8th April, 1881, belonged to the 16th Foot, and not to the 19th, as stated in the Gazette.

"*London Gazette*," *dated the 5th July, 1881, page 3348.*

HER Majesty has approved of the following promotions among the Officers of the Staff Corps and Indian Military Services made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant-Colonel.

Major Henry Constantine Evelyn Ward. Dated 20th April, 1881.

To be Majors.

Captain Henry Lees Smith. Dated 1st April, 1881.

Captain George Thomas Maitland. Dated 9th April, 1881.

To be Captain.

Lieutenant William Bernard Wilson. Dated 24th April, 1881.

BENGAL MEDICAL ESTABLISHMENT.

To be Surgeons-Major. Dated 1st April, 1881 :—

Surgeon Christopher William Calthrop.
Surgeon Richard Careless Sanders.
Surgeon Edwin Sanders.
Surgeon Benjamin Franklin.
Surgeon Frederick Pooly Edis.
Surgeon Robert Temple Wright, M.D.
Surgeon George McBride Davis, M.D.
Surgeon Kali Pada Gupta.
Surgeon Henry James Linton.

PROMOTIONS.

No. 433.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL ARMY.

To be Major.

Captain Robert Edward Seymour Smyth, General List, Infantry,—2nd August, 1881.

BREVET.

To be Colonels.

Lieutenant-Colonel Harry Hammon Lyster, C.B., V. C., Bengal S. C.,—1st October, 1877.

This cancels G. G. O. No. 620 of 1880, so far as it refers to Colonel Lyster.

Lieutenant-Colonel Henry Pelham Close, Bombay S. C.,—20th March, 1881.

No. 434.—NATIVE ARMY—

21st (Punjab) Regiment of Native Infantry.

Jemadar Lehna Singh, to be Subadar, *vice* Durbaree, deceased; Havildar Ram Singh, to be Jemadar, *vice* Lehna Singh, promoted,—6th April, 1881.

RETIREMENTS.

No. 435.—Surgeon-Major James Bannatyne Samuel Brown is permitted to retire from the service, with effect from the 9th August, 1881, subject to Her Majesty's approval.

REWARDS.

No. 436.—GOOD SERVICE PENSIONS—

It is hereby announced that, on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned officer, with effect from the date specified :—

From the 22nd February, 1881, in room of Lieutenant-General C. Cureton, C.B., succeeded to the Colonel's allowance.

LIEUTENANT-COLONEL (BREVET COLONEL) *Sir* CHARLES COOPER JOHNSON, K.C.B., BENGAL STAFF CORPS.

Dates of Commissions.

Ensign	...	7th June, 1844.
Lieutenant	...	4th January, 1847.
Brevet Captain	...	7th June, 1859.
Captain	...	18th February, 1861.
Major	...	7th June, 1864.
Brevet Lieutenant-Colonel	...	11th August, 1869.
Lieutenant-Colonel	...	7th June, 1870.
Brevet Colonel	...	1st December, 1874.

War Services.

Served with the Army of the Sutlej in 1843; commanded a company of his regiment (33rd Native Infantry) at the battle of Sobraon (medal and clasp); served as Deputy Assistant Quartermaster General with Army Head Quarters at the capture of Lucknow, in March 1858 (medal and clasp); served as head of the Quartermaster General's Department with the Hazara Field Force in 1868, under Major-General Wilde, C.B.; brought to the notice of the Commander-in-Chief in despatch of Major-General Wilde, dated 28th October, 1868, and by Commander-in-Chief to notice of Government in despatch dated 5th November, 1868; received the thanks of Government, G. G. O. No. 1046 of 9th November, 1868; promoted to rank of Lieutenant-Colonel by Brevet for service in Hazara Campaign (medal and clasp). Nominated a C.B., 2nd June, 1877, and K.C.B., 24th May, 1881.

No. 437.—With reference to G. G. Orders Nos. 285 and 383 of 1881, the grant of the good service pensions conferred on the undermentioned officers will have effect from the dates specified :—

Colonel J. A. M. Macdonald, C.B., Bombay S. C. From the 24th January, 1880, *vice* Major-General R. Shaw, Retired List, deceased.

Lieutenant-General W. S. Hatch, Royal (late Bombay) Artillery. From the 10th June, 1880, in succession to Brigadier-General C. T. Aitchison, C.B., succeeded to the Colonel's allowance.

No. 438.—ORDER OF MERIT—

The Governor General in Council is pleased to sanction the admission of Sowar Sirbúland Khan, 1st Punjab Cavalry, Punjab Frontier Force, to the 3rd class of the Order of Merit, for conspicuous gallantry in action at Patkáo Shánú, in the Logar Valley, on the 1st July, 1880, on which occasion he singly charged three of the enemy, armed with guns, killing two of them and himself receiving a severe gun-shot wound from the third.

VOLUNTEER CORPS.

No. 439.—Under the authority of the Right Hon'ble the Secretary of State for India, it is notified that the honorary rank of Captain will be granted to the Paymaster of a Volunteer Corps on appointment, and that of Major after fifteen years' service as a commissioned officer, with not less than ten as Paymaster.

No. 440.—G. G. O. No. 459 of 1879, attaching the Northern Bengal State Railway Volunteer Rifle Corps to the Calcutta Volunteer Rifle Corps for administrative purposes, is cancelled.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 5th August, 1881.

APPOINTMENTS.

No. 27.—Mr. W. A. Dangerfield, R.N. (retired), Agent for Government Consignments, Calcutta, on probation, is confirmed in his appointment, with effect from the 19th July, 1880.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 1st August 1881.

No. 260.—Major T. C. Manderson, R.E., Executive Engineer, 1st Grade, Military Works Branch, is appointed to officiate as Superintending Engineer, Class III, during the absence of Lieutenant-Colonel W. B. Holmes, R.E., on privilege leave, or until further orders.

The 2nd August 1881.

No. 261.—The services of Major C. F. Call, R.E., Executive Engineer, 3rd Grade, are placed at the disposal of the Military Department from the 1st July 1881.

No. 262.—Mr. C. S. Biscoe, Assistant Traffic Superintendent, Class IV, of the Revenue Establishment of State Railways, is transferred from the establishment under the Director General of Railways to that under the Government of Bombay.

The 3rd August 1881.

No. 263.—The following officiating promotions are made from the dates specified until further orders :—

Colonel J. O. Mayne, R.E., Chief Engineer, Class III, to officiate in Class II, from 18th July 1881.

Lieutenant-Colonel R. C. B. Pemberton, R.E., Superintending Engineer, Class I, to officiate as Chief Engineer, Class III, from 22nd July 1881.

The 4th August 1881.

No. 264.—The following transfers of superior Account Officers are ordered :—

Name.	Rank.	From	To
Mr. F. E. Godfrey	Deputy Examiner, 1st Grade.	Guaranteed Railway Accounts, Madras.	Public Works Accounts, Madras.
Mr. A. Grant ...	Deputy Examiner, 2nd Grade, temporary rank.	Guaranteed Railway Accounts, Bombay.	Guaranteed Railway Accounts, Madras.

No. 265.—Lieutenant C. R. Hoskyn, R.E., Deputy Examiner of Accounts, 2nd Grade, is appointed to officiate as Examiner of Accounts, Indus Valley State Railway, during the absence of Mr. R. K. Williams, on privilege leave, or until further orders.

The 5th August 1881.

No. 266.—Mr. N. G. Priestley, Traffic Department, Rajputana State Railway, is promoted from the Candidate Class to Class IV of the State Railway Revenue Establishment, with effect from the 1st July 1881.

No. 267.—*Corrigendum.*—In Public Works Department Notification No. 35 of the 30th January 1880, promoting Mr. H. W. Bennett to the rank of Assistant Engineer, 2nd Grade, for *9th October 1879*, read *24th September 1879*.

ALEX. FRASER, *Major-Genl., R.E.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 33.] SIMLA, SATURDAY, AUGUST 13, 1881.

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

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Nothing for publication.

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Nothing for publication.

SUPPLEMENT No. 33.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 10th August, 1881.

No. 23.—Whereas the Secretary of State for India has, by Resolution in Council, declared the provisions of the Statute 33 Vic., cap. 3, section 1, to be, from and after the 1st October, 1877, applicable to the territories forming the Chief Commissionership of Coorg;

And whereas the Chief Commissioner of Coorg has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

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

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

REGULATION No. I of 1881.

A Regulation to repeal Madras Acts No. I of 1863 and No. I of 1873 within the limits of the Province of Coorg.

Preamble.

Whereas Madras Act No. I of 1863 (*to enable Subordinate Magistrates of the Second Class to take cognizance of offences under Section 174 of the Indian Penal Code*) and Madras Act No. I of 1873 (*to prevent the indiscriminate destruction of wild Elephants*) were, on the 22nd day of September, 1865, and the 22nd day of February, 1875, respectively, extended to the Province of Coorg;

And whereas the provisions of the said Acts have been superseded within the limits of the said Province by the Code of Criminal Procedure and the Elephants Preservation Act, 1879, respectively;

And it is therefore expedient to repeal the said Madras Acts No. I of 1863 and No. I of 1873 within such limits;

It is hereby enacted as follows:—

Madras Acts I of 1863 and I of 1873 repealed.

1. The said Madras Acts No. I of 1863 and No. I of 1873 are hereby repealed within the limits of the Province of Coorg.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Simla, the 11th August 1881.

No. 76*G.-M.*—The following promotions are made in the Infantry Branch of the Erinpura Irregular Force, with effect from the 13th May 1881:—

Subadar Bereea to be Subadar-Major, *vice* Oodeea, transferred to the pension establishment.

Jemadar Bunna to be Subadar, *vice* Oodeea, transferred to the pension establishment.

Jemadar Bheemla to be Subadar, *vice* Ramla, transferred to the pension establishment.

Havildar Prema to be Jemadar, *vice* Bunna, promoted.

Havildar Dewa to be Jemadar, *vice* Bheemla, promoted.

JUDICIAL.

The 10th August 1881.

No. 170*J.-J.*—His Excellency the Viceroy and Governor General in Council is pleased to extend Act XX of 1879 (An Act to provide for the better prevention of glanders and farcy among horses) to the cantonment of Secunderabad, with effect from the 1st September 1881, subject to the following modifications:—

For the words "Local Government" wherever they occur, *read* "Resident at Hyderabad."

The 12th August 1881.

No. 173*J.-J.*—With the consent of His Highness the Rao of Sirohi, His Excellency the Viceroy and Governor General in Council is pleased to extend the civil and criminal jurisdiction of the Magistrate of Abu to and along the road leading from Abu sanitarium to Abu road railway station, and to the bazaar at Kharari.

POLITICAL.

The 11th August 1881.

No. 227*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer upon Narso Ramchandra Godbole, Secretary to the Poona Municipality, the title of "Rao Saheb," as a personal distinction.

The 12th August 1881.

No. 229*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer the dignity of "Maharajah" upon Maharaj Koomar Aftab Chand Mahtab, the adopted son of the late Maharajah of Burdwan, by the name, style and title of Maharajah Dheeraj Aftab Chand Mahtab Bahadur.

GENERAL.

The 11th August 1881.

No. 1532*G.-G.—Erratum.*—In Notification No. 1324G.-G. of the 13th July 1881, granting furlough for twenty months to Mr. R. C. Bower, District Superintendent of Police, Ajmere, for the words "under Section *131*, Civil Leave Code," *read* "under Section *49*, Civil Leave Code."

The 12th August 1881.

No. 1538*G.-G.*—The following posting of officers is made in the Biluchistan Agency:—

Captain W. Loch, to officiate as 2nd Assistant to the Governor General's Agent, *vice* Captain H. Wylie, on furlough, with effect from the date of taking charge, and as 1st Assistant from the date of the departure on furlough of Lieutenant-Colonel E. S. Reynolds.

Mr. H. S. Barnes, C.S., to officiate as 3rd Assistant to the Governor General's Agent, *vice* Captain T. Hope, with effect from the date of taking charge, and as 2nd Assistant from the date of departure of Lieutenant-Colonel Reynolds.

Lieutenant R. H. Jennings, R.E., to officiate temporarily as 3rd Assistant to the Governor General's Agent, with effect from the departure on furlough of Lieutenant-Colonel Reynolds.

No. 1539*G.-G.*—The portion of Notification No. 1504G.-G. of the 5th August 1881 relating to Mr. H. S. Barnes, C.S., is cancelled.

Mr. H. S. Barnes, C.S., Officiating 2nd Assistant to the Governor General's Agent in Biluchistan, is appointed to be a Political Assistant, 1st Class, substantive *pro tempore*, with effect from the 17th June 1881, *vice* Captain T. Hope, appointed Junior Under Secretary in the Foreign Department, substantive *pro tempore*.

No. 1541*G.-G.*—Surgeon H. C. Banerji, Indian Medical Department, is appointed to officiate as Medical Officer of the 1st Regiment, Central India Horse, with effect from the date of assuming charge, *vice* Surgeon P. M. Grant, on privilege leave.

No. 1543*G.-G.*—Major H. P. Peacock, Officiating Political Agent, 1st Class, and Agent to the Governor General at Moorshedabad, is appointed to discharge the duties of Agent to the Governor General with the ex-King of Oudh and Superintendent of Political Pensions, in addition to his own, with effect from the date of assuming charge, *vice* Major Prideaux, proceeding on privilege leave.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 12th August 1881.

No. 2236.—The following addendum to the Codes of the Financial Department is published for general information:—

C. L. C.

PAGE 142.

Section 13.

Prefix the following to this Section:—

"Subject to the provisions of Section 54."

No. 2301.

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

Read again the following papers regarding the supply of stores required for the public service:—

Financial Resolution No. 3574, dated 3rd November 1880.
" " " 953, " 10th June 1881.
" Circular " 220, " 28th April "
" " " 621, " 14th May "

Read also—

Letter from the Chief Commissioner of British Burma, No. 5161-3tN., dated 25th July 1881, forwarding statements showing the European stores procured through the Secretary of State and purchased locally during the year 1879-80 and 1880-81.

RESOLUTION.—It appears that for the Police Department in British Burma the following stores were procured, *viz.*,—

			Rs.
Blue serge, 3,500 yards, at an aggregate cost of		...	44,050
" drill, 3,500 " " "		...	13,355
Turkey-red for turbans, 567 pieces, at an aggregate cost of		...	2,348
Cotton goung-boungs, 4,682 " " " "		...	5,917
Silk " " 460 " " " "		...	2,360
Ball bags	200 No. " " "	...	425
Handcuffs	100 " " " "	...	215
Bull's-eye lanterns	100 " " " "	...	520
Cotton putsoes	5,150 " " " "	...	10,430

The Governor General in Council observes that, excepting bull's-eye lanterns, the articles enumerated above can be procured of Indian manufacture. In accordance with the principle declared in the Resolution of the 10th June 1881, that it is proper to substitute goods of local manufacture for imported articles whenever this can be done with due regard to cost and quality, His Excellency in Council directs that in future the articles mentioned shall not be obtained from England, if they can be obtained of Indian manufacture as good for the purposes required and as cheaply as imported articles.

2. Serge of excellent quality is now being manufactured by the Cawnpore Woollen Mills Company, and probably is or shortly will be so elsewhere. Drill also of excellent quality is made by the Elgin Mills and the Muir Mills, Cawnpore. For these articles as well as for the other cotton goods specified, tenders should be invited from those mills as well as from the mills in the Bombay Presidency and elsewhere. In regard to Turkey-red cloth, the Chief Commissioner's attention is invited to the remarks in paragraph 4 of the Resolution No. 2070 of the Government of India, Department of Finance, published in the *Gazette of India* of the 29th ultimo. Those remarks should be acted on in British Burma, as elsewhere.

3. Silk goods should be obtained either of hand-loom weaving, which is common in Burma as well as in Bengal and other parts of the Indian continent, or from the silk mills in Bombay.

4. Ball bags (presumably of leather) should be made at Cawnpore* or Delhi, Calcutta, or any other place where leather work is carried on extensively.

* Messrs. Tuck, Harvey & Co.
Messrs. Foy Brothers.

5. Handcuffs, if they cannot be made in Burma, should be made at one of the iron works in Calcutta, *e.g.*, Messrs. Jessop & Co., Burn & Co., Apcar & Co., Marillier and Edwards, or at Bombay (Richardson and Cruddas, or Fraser and Miller).

ORDERED, that the foregoing Resolution be communicated to the Chief Commissioner of British Burma, and to the other Local Governments and Administrations for information and guidance.

Ordered also, that the Resolution be published in the *Gazette of India*.

No. 2302.

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

Read—

Letter from the Superintendent of Government Printing, No. 224P., dated 30th June 1881, forwarding indents (thirteen in number) for stores required for the Government Central Press.

RESOLUTION.—The Governor General in Council directs that the indents be forwarded to the Secretary of State for compliance, except as regards the undermentioned articles, which have been struck out of the indents:—

Brass rules of sizes—2 feet long, 72 pieces; other sorts, gross 135.
Brass centre pieces—12 pieces.
Stereotype picker's tools—6 sets.
Iron side sticks—65 pica ems long, 2 dozen.
Four royal imposing iron slabs—8 feet by 2 feet 7 inches, 10 in number.
Block tin—10 cwt.

2. It is unnecessary to indent on England for block tin, which is far more largely imported into India from the Straits than from England. Thus last year the imports from the Straits were 29,489 cwt. against only 230 cwt. from England. It is evident that this is because Straits tin can be laid down in India more conveniently and cheaply than tin from England. As the article is always on hand, and commonly obtainable in the Calcutta market, arrangements should be made to supply the requirements of the Press, firsthand, from an importing firm in Calcutta when prices are favourable. The Superintendent of Government Printing can ascertain from the Custom-house who are large importers of tin.

3. The other articles mentioned have been struck out of the indents, because, although they are not now, in the absence of demand, manufactured in the country, it is certain that they are easily capable of being so produced if manufacturers can be assured that a large and constant demand for the articles will arise. As articles such as these are in regular request year after year for all the Government printing establishments in India, the quantities required by the State alone may be sufficient to induce local manufacturers to undertake the business of supplying them. The Superintendent of Government Printing should, therefore, enquire carefully and ascertain the names of manufacturers who would undertake such work, with the knowledge that Government would prefer to supply all its requirements from Indian made goods if they can be made as cheaply and as good for the purposes for which they are required as imported goods of the same class.

4. The wooden frames required for iron imposing slabs should be made by carpenters on the spot.

5. Iron foot-sticks, wood-bearers and machine calico, having been required in small quantities as samples only, have been allowed to stand in the indent; but in future they should not be imported but made locally.

ORDERED, that the foregoing Resolution be communicated to the Superintendent of Government Printing and to all Local Governments and Administrations.

Ordered also, that it be published in the *Gazette of India*.

No. 2341.

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

Read again the following papers regarding the supply of stores required for the public service:—

Financial Resolution No. 3574, dated 3rd November 1880.
" " " 953 " 10th June 1881.
" Circular " 220 " 28th April "
" " " 621 " 14th May "

Read also the following letters from the Resident at Hyderabad, forwarding returns showing the European stores procured during the last two years:—

Letter No. 216, dated 23rd June 1881.
" " 281 " 22nd July "

RESOLUTION.—In accordance with the declared policy of the Government that for European stores articles of Indian manufacture shall be substituted wherever it is possible to do so with due regard to price and quality, the Governor General in Council directs that in the Hyderabad Assigned Districts, as in every other place, the undermentioned articles shall in future be procured of Indian manufacture, if they can be obtained as good as and no dearer, allowing for freight and other charges, than imported articles, *viz.*,—

American drill, dark-blue.—6,392½ yards were purchased in 1879-80 at a total cost of Rs. 2,344-5-10. This fabric is made of good quality at—
the Central India Spinning, Weaving and Manufacturing Company, Limited, Nagpur;
the Muir Mills, Cawnpore;
the Elgin Mills, Cawnpore;
the Ahmedabad Cotton Mills, Bombay;
the Sassoon Spinning and Weaving Mills Company, Limited, Bombay;
the Cawnpore Mills;
and perhaps others will be able to supply it dyed.

Glue pot, with copper kettle and stirrer.—One was purchased at £1-15.
Pressing boards.—4 at 18*s.* 6*d.* each.
Iron shooting sticks.—6 at 3*d.* each.
Inkstands.—16 for Rs. 12-0-3.
Rulers.—6 for Rs. 3.
File boards.—100 for Rs. 87-8.

In future all these articles should be procured of local manufacture.

Blankets.—10 pieces were procured at 12*s.* 6*d.* each. Endeavours should be made to obtain these of the quality required from the Woollen Mills at Cawnpore or Bangalore.

Blotting paper.—8 quires 15 sheets for Rs. 11-10-11.
Cartridge paper.—6¼ quires for Rs. 32-3-5.

These articles should be obtained from the Paper Mills at Bally near Calcutta and at Girgaum in Bombay.

Scissors.—13 scissors were obtained for Rs. 7-11-5.
Patent lock.—1 was purchased for Rs. 1-11-4.
The Postal Workshop, Aligarh, North-Western Provinces, can manufacture scissors and padlocks of any quality and description, and probably other similar establishments owned by private firms can do so too.

ORDERED, that the foregoing Resolution be communicated to the Resident at Hyderabad and to the other Local Governments and Administrations for information and guidance.

Ordered also, that it be published in the *Gazette of India*.

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

MILITARY DEPARTMENT.

Simla, the 12th August, 1881.

APPOINTMENTS.

No. 441.—ADJUTANT-GENERAL'S DEPARTMENT—
Captain F. F. F. Roupell, 2nd Battalion, East Surrey Regiment, to be a Deputy Assistant Adjutant-General for Musketry, *vice* Captain C. F. Gleig, whose term of staff service has expired. Dated 27th July, 1881.

No. 442.—MEDICAL DEPARTMENT—
Brigade-Surgeon G. A. Watson, Officiating Examiner, Medical and Fund Accounts, Bengal, to be Medical Storekeeper at Allahabad, *vice* Surgeon-Major J. B. S. Brown, retired.

No. 443.—PUNJAB FRONTIER FORCE—
3rd Punjab Infantry.
Lieutenant E. W. Cunliffe, Wing Officer and Quartermaster, to be Adjutant, *vice* Captain H. F. V. Gaitskell, vacated on promotion, with effect from the 7th July, 1881.

No. 444.—Jemadar Khan Wali, appointed on probation to the 3rd Sikh Infantry in G. G. O. No. 382 of 1879, is confirmed in that rank, with effect from the 2nd May, 1879.

FURLOUGH AND LEAVE.

No. 445.—The undermentioned officer is granted furlough out of India, with the necessary subsidiary leave:—

Surgeon-Major A. G. Grant, M.B., 16th (The Lucknow) Regiment of Native Infantry,

(m. c.) for one year,—148 days under rules IX and XV, and the remaining period under rule XIV, clause 2, of the regulations of 1868.

No. 446.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Lieutenant-Colonel (Brevet Colonel) E. G. Clark, s.c., (m. c.) for five months.
Lieutenant-Colonel G. R. Hennessy, s.c., (m. c.) for four months.
Lieutenant-Colonel M. G. Smith, s.c., (m. c.) for three months.
Lieutenant-Colonel W. G. Cubitt, V.C., S.C., (m. c.) for six months.
Surgeon-Major E. O. Tandy, (m. c.) for two months.
Surgeon-Major F. G. Constant, M.D., (m. c.) for four months.

No. 447.—Captain A. E. Ward, Executive Engineer, 3rd grade, Military Works Branch, Public Works Department, is granted eighteen days' further extension (p. a.) of the furlough notified in G. G. Orders No. 1205 of 1879 and No. 695 of 1880.

PROMOTIONS.

No. 448.—Under the provisions of the Royal Warrant of the 28th January, 1878, the names of the undermentioned officers are placed on the Indian Gradation List, as specified:—

Colonel H. Hopkinson, C.S.I., Bengal S. C., is placed on the list of Major-Generals,
Major H. C. Wright, Madras S. C., is placed on the list of Lieutenant-Colonels,
in consequence of the death of Major-General E. T. Dalton, C.S.I., Bengal S. C., on the 30th December, 1880.

Colonel R. Mainwaring, Bengal S. C., is placed on the list of Major-Generals,—
in consequence of the death of Major-General (Lieutenant-General on the Indian Gradation List) A. K. Gore, Madras S. C., on the 12th January, 1881.

Major-General H. Man, Madras S. C., is placed on the list of Lieutenant-Generals,
Colonel M. T. Ffrench, Madras S. C., is placed on the list of Major-Generals,
Major W. S. Macleod, Madras S. C., is placed on the list of Lieutenant-Colonels,—
in consequence of the death of Lieutenant-General H. J. Barr, Bombay S. C., on the 17th May, 1881.

Major-General C. L. Showers, Bengal S. C., is placed on the list of Lieutenant-Generals,
Colonel A. F. Place, Madras S. C., is placed on the list of Major-Generals,—
in consequence of the retirement from the service of Lieutenant-General J. C. Innes, Bengal Infantry, on the 30th May, 1881.

G. G. Orders Nos. 189 and 191 of 1881 are cancelled.

No. 449.—BREVET—

The following promotions are made, subject to Her Majesty's approval:—

BREVET.

To be Major.

Captain (now Major) Walter Charles Farwell, Bengal Infantry,—
from the 31st December, 1880, in succession to Major-General E. T. Dalton, C.S.I., Bengal S. C., deceased.

To be Lieutenant-Colonel.

Major William Hay Macnaghten, Bengal Cavalry.

To be Majors.

Captain (now Major) William Franco Dodsworth, Bengal Infantry,—
from the 13th January, 1881, in succession to Major-General (Lieutenant-General on the Indian Gradation List) A. K. Gore, Madras S. C., deceased.

Captain (now Major) Ralph Anstruther Price, Bengal Infantry,—
from the 18th May, 1881, in succession to Lieutenant-General H. J. Barr, Bombay S. C., deceased.

To be Lieutenant-Colonel.

Major Arthur Farrer, Madras Cavalry.

To be Major.

Captain (now Major) Edward Evans Grigg, Bengal Infantry,—
from the 30th May, 1881, in succession to Lieutenant-General J. C. Innes, Bengal Infantry, retired.

No. 450.—COMMISSARIAT DEPARTMENT—

Sub-Conductor Edward Wadsworth, Commissariat Department, to be Conductor, supernumerary, until absorbed by the vacancy which would have promoted him in ordinary course, in recognition of his services during the first phase of the Afghan War.

G. G. O. No. 77 of 1881, so far as it refers to Conductor Wadsworth, is cancelled.

No. 451.—NATIVE ARMY—

27th (Punjab) Regiment of Native Infantry.

Jemadar Mahomed Roshun, to be Subadar, *vice* Muddud, invalided,—1st May, 1881.

No. 452.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Sergeant Instructor of Musketry Henry Erskine Girard, to be Second-Lieutenant, *vice* C. H. Blackburn, resigned,—1st March, 1881.

East Indian Railway Volunteer Rifle Corps.

Volunteer William Arthur Dring, to be Second-Lieutenant.
Volunteer Edward Griffin Hoile, to be Second-Lieutenant.

RETIREMENTS.

No. 453.—In continuation of G. G. O. No. 381 of 1881, the undermentioned officer is permitted to retire from the service, under the provisions of G. G. O. No. 1 of 1881, with effect from the date specified, subject to Her Majesty's approval:—

Lieutenant-Colonel (Brevet Colonel) Henry Alexander Taylor, Bengal S. C.,—10th August, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 8th August, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned commissioned officer, on the date specified, was received in the Military Department from the 19th July to the 8th August, 1881:—

Corps.	Rank and Name.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Royal Artillery ...	Lieutenant D. Radcliffe ...	27th July, 1881	Quetta ...	...	...

Statement of Deposits on account of Estates from the 21st June to the 8th August, 1881.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. A. P.		
Henry Hodges Forbes (*a*)	Lieutenant ...	1st Battalion, The Kentish Regiment (The Buffs).	1st December, 1879.	Intestate	752 2 0	...	8th October, 1881.
Richard Fincher Warren Trist.	Captain ...	Royal Artillery	10th June, 1881.	Ditto	479 15 9	...	Ditto.

(*a*) *Next-of-kin—Father.*—Colonel Henry Twisden Forbes (Retired List), late Executive Engineer, Public Works Department, Sylhet.

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 12th August, 1881.

No. 28.—The services of Mr. F. W. Orchard, Clerk, I.G.S. *Enterprise,* are dispensed with.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 9th August 1881.

No. 268.—Mr. A. B. Thomson, Locomotive Superintendent, officiating in Class II of the State Railway Revenue Establishment, is transferred from the Establishment under the Director General of Railways to that under the Government of the North-Western Provinces and Oudh.

No. 269.—Mr. H. T. Ferguson, Locomotive Superintendent, in Class III of the State Railway Revenue Establishment, is promoted to Class II, and transferred from British Burma to the Establishment under the Director General of Railways.

Mr. Ferguson's promotion will have effect from the date of joining the Punjab Northern Railway.

No. 270.—With reference to Public Works Department Notification No. 41, dated 2nd July 1881, the transfer of Mr. C. H. Mackie, in Class III of the State Railway Revenue Establishment, to British Burma is made permanent.

The 10th August 1881.

No. 271.—The Governor General in Council is pleased to make the following promotions in the Military Works Branch, with effect from 3rd June 1881:—

Captain W. L. Greenstreet, R.E., Executive Engineer, 2nd Grade, to 1st Grade.

Captain N. Arnott, R.E., Executive Engineer, 3rd Grade, to 2nd Grade.

Lieutenant E. H. Cameron, R.E., Executive Engineer, 4th Grade, to 3rd Grade.

Lieutenant F. B. G. D'Aguilar, R.E., Assistant Engineer, 1st Grade, to Executive Engineer, 4th Grade.

The 11th August 1881.

No. 272.—The Governor General in Council is pleased to make the following promotions and reversions, with effect from the dates specified:—

Names.	From	To	With effect from	Nature of promotion, &c.
Harrison, A. G. ...	Asst. Engr., 1st Grade ...	Exe. Engr., 4th Grade	February 5, 1881	Temporary.
Harris, G. S. T. ...	„ „ 1st „ ...	„ „ 4th „	March 23, „	Ditto.
Von Ahn, C. ...	„ „ 1st „ ...	„ „ 4th „	„ 24, „	Ditto.
Sharp, F. ...	„ „ 1st „ ...	„ „ 4th „	April 15, „	Ditto.
Addison, Lieutenant J. C., R.E.	„ „ 1st „ ...	„ „ 4th „	„ 23, „	Ditto.
Gilbert, C. F. ...	„ „ 1st „ ...	„ „ 4th „	May 12, „	Ditto.
Lobb, T. ...	Exe. Engr., 4th Grade ...	„ „ 3rd „	„ 13, „	Permanent.
Perram, G. J. ...	„ „ 4th „ ...	„ „ 3rd „	„ 13, „	Ditto.
Joscelyne, D. ...	„ „ 4th „ ...	„ „ 3rd „	„ 13, „	Ditto.
Rollo, J. T. ...	„ „ 4th „ Tempy. rank.	„ „ 4th „	„ 13, „	Ditto.
Higgins, A. F. ...	„ „ 4th „ „	„ „ 4th „	„ 13, „	Ditto.
Bailey, R. J. ...	Asst. Engr., 1st Grade ...	„ „ 4th „	„ 13, „	Temporary.
Smart, O. G. ...	„ „ 2nd „ ...	Asst. Engr., 1st Grade	„ 13, „	Permanent.
Scobie, M. J. ...	„ „ 2nd „ ...	„ „ 1st „	„ 13, „	Ditto.
Leefe, C. O. ...	„ „ 2nd „ ...	„ „ 1st „	„ 13, „	Ditto.
Gilbert, C. F. ...	*Exe. Engr., 4th Grade, Tempy. rank.*	*Asst. Engr., 1st Grade*	*May* 28, „	*Reversion.*
Harrison, A. G. ...	*Exe. Engr., 4th Grade, Tempy. rank.*	„ „ 1st „	*June* 7, „	*Ditto.*
Gael, C. E. ...	Exe. Engr., 3rd Grade ...	Exe. Engr., 2nd Grade	June 11, „	Permanent.
Lloyd, Lieutenant R. O., R.E.	„ „ 4th „ ...	„ „ 3rd „	„ 11, „	Ditto.
Collings, A. ...	„ „ 4th „ Tempy. rank.	„ „ 4th „	„ 11, „	Ditto.
Tilly, H. L. ...	Asst. Engr., 2nd Grade ...	Asst. Engr., 1st Grade	„ 11, „	Ditto.
Algie, W. ...	„ „ 1st „ ...	Exe. Engr., 4th Grade	„ 20, „	Temporary.

No. 273.—Mr. J. L. Macpherson, Deputy Examiner of Accounts, 1st Grade, is appointed to officiate as Examiner of Public Works Accounts, Bengal, during the absence of Major I. P. Westmorland, R.E., on privilege leave, or until further orders.

No. 274.—Mr. J. M. Montague, Assistant Engineer, 1st Grade, is on return from furlough attached to the Office of the Consulting Engineer to the Government of India for Guaranteed Railways, Lahore.

No. 275.—Captain M. C. Brackenbury, R.E., Executive Engineer, 3rd Grade, and Officiating Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Lahore, is attached temporarily to the Office of the Director General of Railways.

No. 276.—The services of Lieutenant J. T. Johnston, R.E., Executive Engineer, 4th Grade, Military Works Branch, are replaced at the disposal of the Military Department.

The 12th August 1881.

No. 277.—Mr. D. F. Hogarth, Executive Engineer, 1st Grade, Bengal, is appointed to officiate as Superintending Engineer, Class III, during the absence on privilege leave of Major-General C. T. Stewart, R.E., or until further orders.

ALEX. FRASER, *Major-Genl., R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 34. } SIMLA, SATURDAY, AUGUST 20, 1881.

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

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Nothing for publication.

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Nothing for publication.

SUPPLEMENT No. 34.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 19th August, 1881.

No. 24.—The Governor General in Council has been pleased to appoint Mr. C. Boulnois, Barrister-at-Law, to be Reporter for the Judicial Committee of the Privy Council on the staff of the Indian Law Reports, with effect from the 1st October, 1881, *vice* Mr. N. H. Thomson, who has resigned from the 30th September, 1881.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—SANITARY.

Simla, the 18th August 1881.

No. 158.—*Appointment.*—Surgeon-Major A. S. Lethbridge, M.D., Inspector General of Jails in Bengal, to officiate as Sanitary Commissioner for Bengal, in addition to his own duties, during the absence on three months' leave of Surgeon-Major R. Lidderdale, M.D., or until further orders.

No. 163.—The quarantine against plague in the ports of Bombay, Karachi, and Aden, imposed by the rules published in Home Department Notifications Nos. 81 and 105, dated respectively the 20th April and the 20th May 1881, is hereby removed.

C. GRANT,
Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—REVENUE.

Simla, the 18th August 1881.

No. 66.—The following agreement, entered into between the Bombay Tramway Company, Limited, and the Secretary of State for India in Council under the provisions of Section 49 of Act X of 1870, for the acquisition of certain land required at Pydhowni in the city of Bombay for tramway purposes, is published for general information under Section 50 of the Act:—

AN AGREEMENT made this twenty-sixth day of July one thousand eight hundred and eighty-one between The Secretary of State for India in Council of the one part and The Bombay Tramway Company Limited a Company registered in Bombay under the provisions of the Indian Companies

Act 1866 (hereinafter called the said Company) of the other part Whereas the said Company being desirous to acquire for its purposes the land described in the Schedule hereto annexed lately requested the Local Government of Bombay to put in force the provisions of Section six to Section forty-five of the Land Acquisition Act 1870 in order to acquire the said land for the said Company And whereas the said Government appointed the Collector of Bombay to make enquiry at his office in Bombay on the eighteenth day of July one thousand eight hundred and eighty-one whether such acquisition is needed for the construction of some work and whether such work is likely to prove useful to the public And whereas the said Collector has reported to the said Government the result of the said enquiry and the said Government is satisfied that the proposed acquisition is needed for the construction of a work (namely the extension of a certain existing tramway of the said Company from Parell Road at Pydhowni in the city of Bombay so as to effect its junction with a new Tramway of the said Company now in course of construction from Parell Road Pydhowni aforesaid to and along Grant Road in the city of Bombay aforesaid) and that such work is likely to prove useful to the public and has required the said Company to enter into this present agreement Now these presents witness that the parties hereto mutually agree together as follows :—

First.—As soon as the said land has been acquired by Government under the said Act the said Company shall pay to Government the costs of Government or the said Collector of and incidental to the said acquisition.

Second.—On payment of such costs the said Secretary of State in Council shall transfer the said land to the said Company at their expense subject nevertheless to the provisions of Bombay Act I of 1874 and to the terms and conditions next hereinafter mentioned.

Third.—The said land shall be transferred to and held by the said Company their successors and assigns absolutely subject nevertheless as to part thereof to the following Trusts that is to say as to so much of the said land as shall be required for the Tramway extension hereinbefore mentioned upon Trust to use the same for the purpose of making and maintaining the Tramway required for the said extension and as to so much of the said land as shall be actually occupied by the tracks of the said Company and a space of eighteen inches on the east side of the said tracks upon Trust to make the same over to the Municipal Corporation of the City of Bombay free of cost except the expenses of transfer if and whenever the said Corporation shall acquire sufficient additional land to make a public road over along and adjoining the said land so to be actually occupied by the tracks of the said Company as aforesaid.

Fourth.—The work of making forming and laying down the said Tramway extension on and over the said land shall be executed within six calendar months from the date of this agreement and the said Tramway extension when constructed shall be maintained to the satisfaction of the Municipal Commissioner, Bombay.

Fifth.—The public shall be entitled to use the said Tramway extension when so constructed as aforesaid under the provisions of Bombay Act I of 1874 or any other Act for the time being regulating the working of Street Tramways in Bombay.

Sixth.—In the event of the cost mentioned in paragraph one hereof or any part of such costs being ordered by the High Court Bombay to be paid by the parties at present interested in the said land so much of such costs as shall be payable and paid by the said parties interested shall be paid to the said Company the payment agreed in paragraph one hereof to be made by the said Company having first been duly made In witness whereof the Right Honourable the Governor of Bombay in Council on behalf of the said Secretary of State in Council has caused one of the Secretaries to the Government of Bombay to set his hand hereto and Pickering Clark Esq. the Managing Director of the said Company in Bombay has set his hand hereto the day and year first before written.

THE SCHEDULE.

All that piece of land together with the buildings standing thereon situate at Pydhowni in the city of Bombay containing altogether by admeasurement one hundred and seventy three square yards more or less and assessed by the new Revenue Survey under No. 1238 and assessed by the Collector of Assessment under Nos. 15 and 16 and bounded on the North by the property of Taijia Sudajee and Huckma Rangjee managers of the Temple of Shri Adasur Bhugwan on the South by the Parell Road on the East partly by the property of Hormusjee Dadabhoy Poachkhanawalla and partly by the property of Taijia Sudajee and Huckma Rangjee managers of the Temple of Shri Adasur Bhugwan aforesaid and on the West by the property lately purchased by the said Bombay Tramway Company Limited which said premises are situate in the Registration Sub-District of Mandreie are now in the occupation of the heirs of Bhaw Ballajee deceased and are more particularly delineated in the plan hereunto annexed and are therein surrounded by a Red boundary line.

Signed and delivered by one of the Secretaries to the Government of Bombay in the presence of } (Sd.) J. NUGENT.

(Sd.) FRASER S. HORE,
Solicitor, Bombay.

Signed and delivered by the abovenamed Pickering Clark in the presence of } (Sd.) PICKERING CLARK,
Managing Director of the Bombay Tramway Company, Limited.

(Sd.) RISLEY V. HEARN,
Solicitor to the Govt. of Bombay.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 15th August 1881.

No. 642*I.-P.*—His Excellency the Viceroy and Governor General in Council has learned with much satisfaction that transit dues have been abolished throughout the Charkhari State from the 1st July 1881.

The 17th August 1881.

No. 233*G.-P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognise the appointment of Mr. C. C. Bancroft as Acting Vice-Consul for the United States of America at Calcutta, during the absence of Mr. A. B. Cobb.

No. 236*G.-P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognise the appointment of Mr. J. R. Hunter as Acting Consular Agent for the United States of America at Madras.

The 18th August 1881.

No. 239*G.-P.—Erratum.*—In Notification No. 214G.-P. of the 29th July 1881, for *Mr. Georges Biardet d'Aunet* read *Mr. Georges Biard d'Aunet.*

No. 242*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer upon the undermentioned officers of the Bombay Commissariat Department as personal distinctions the titles specified opposite their respective names :—

Khan Sahib Bazonjee Sorabjee,	"Khan Bahadur."
Pallonjee Ruttonjee, Ruttonjee Bazonjee, Jamsetjee Rustomjee, Dinshaw Dossabhoy Khambatta,	"Khan Sahib."

GENERAL.

The 18th August 1881.

No. 1572*G.-G.*—Mr. R. Warder, Assistant Engineer, 1st Grade, with temporary rank as Executive Engineer, 4th Grade, Mysore, is promoted to be Executive Engineer, 4th Grade, from the 13th May 1881.

No. 1573*G.-G.*—Surgeon J. Duke, Medical Officer at Gilgit, is granted privilege leave of absence for three months, with effect from the date on which he may avail himself of it.

No. 1575*G.-G.*—Lieutenant W. A. B. Dennys, attached to the 39th Regiment, Bengal Native Infantry, is appointed to officiate as Wing Officer of the Bhopal Battalion, with effect from the date of assuming charge, consequent on the departure of Major Peart, on furlough.

No. 1577*G.-G.*—Lieutenant J. M. Clements, Officiating Wing Officer and Adjutant of the Erinpura Irregular Force, is appointed to officiate temporarily as Political Assistant, 3rd Class, and is posted as an Assistant to the Governor General's Agent in Rajputana, with effect from the date of assuming charge.

The 19th August 1881.

No. 1037*I.-G.*—Whereas His Highness the Maharaja Holkar, His Highness the Maharaja Sindia, His Highness the Maharaja of Dhar, the Rajas of Rutlam and Sailana, the Nawab of Jaora, and His Highness the Maharana of Udepur (Meywar) have granted to the British Government full jurisdiction (in all civil suits where the cause of action has arisen, or the defendant at the time of the commencement of the suit dwells, or personally works for gain) within the limits of those portions of the lands forming the Holkar and Sindia-Neemuch and Neemuch-Nasirabad State Railways (including the lands occupied as stations, out-buildings, and for other purposes connected with the said Railways) which lie within their respective territories; for the better exercise of such jurisdiction, the Governor General in Council is pleased to issue the following Notification under Sections 4 and 5 of Act XXI of 1879 :—

The Code of Civil Procedure as amended by subsequent Acts, and Act XI of 1865 as amended by subsequent Acts, are hereby (in so far as they may be applicable) extended to the said lands.

The Cantonment Magistrate of Mhow is appointed Judge of a Court of Small Causes, which is hereby constituted, having jurisdiction in suits where the relief sought does not exceed Rs. 500 within the limits of the lands forming the Holkar and Sindia-Neemuch State Railways from the north bank of the Nerbudda to and including the Rutlam station limits.

The Cantonment Magistrate, Neemuch, is similarly appointed Judge of a Court of Small Causes within the lands forming the Sindia-Neemuch and Neemuch-Nasirabad State Railways from the northern limits of the Rutlam station to and including the Chittor station.

The 1st Assistant to the Governor General's Agent for the time being is invested with the powers of a District Court for hearing original suits, whatever be the amount or value of the subject-matter, within such portions of the said Railway lands as lie within the Central India Agency.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 17th August 1881.

No. 2432.

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

Read again—

Financial Resolution No. 2776, dated the 6th September 1878, regarding measures for withdrawing shroff-marked coins from circulation.

Proceedings (Mint, &c., Abstract) for the month of November 1879, Nos. 197—242, showing the action taken by the several Local Governments in accordance with the instructions issued in the abovementioned Resolution.

Proceedings (Mint, &c., Abstract) for the month of May 1879, Nos. 96—102, sanctioning a temporary suspension of the orders contained in the Resolution of the 6th September 1878 in the provinces under His Honour the Lieutenant-Governor of the Punjab.

Read the undermentioned letters reporting the result of the action taken under the Resolution of the 6th September 1878:—

From Resident, Hyderabad, No. 26, dated the 14th January 1880, and No. 37, dated the 8th February 1881.

From Chief Commissioner, Central Provinces, No. 1936—131, dated the 28th May 1881.

From Government, N. W. Provinces and Oudh, No. 1054, dated the 9th June 1880.
" " " " 252, " 22nd Feb. 1881.
" " " " 282, " 1st March 1881.

Read also—

Letter from the Government of the Punjab, No. 467, dated the 17th February 1881, enquiring whether the orders regarding the withdrawal of shroff-marked coin should continue in abeyance in that Province.

OBSERVATIONS.—In the Resolution of the 6th September 1878, cited in the preamble, two methods of procedure were laid down for withdrawing silver coins defaced by shroff-marking, one adapted for Provinces where such coins do not, and the other where they do, form a considerable portion of the currency.

2. The first set of rules was adopted in the Madras Presidency and in British Burma, Assam and the Lower Provinces of Bengal, and the second set in the Bombay Presidency, the Central Provinces and the North-Western Provinces and Oudh. It is chiefly in the North-Western Provinces and Oudh and the Punjab that a very large portion of the current coins is more or less defaced; and as rupees are ordinarily imported into the Punjab in the usual course of trade, and as during the last few years there was a very great additional demand in consequence of the military operations beyond the Frontier, it was apprehended that the carrying out of the reform at such a conjuncture would be attended with extreme difficulty and inconvenience. The Government of the Punjab was therefore permitted to suspend the rules temporarily.

3. The receipt of shroff-marked coins in Government treasuries under the orders of the 6th September 1878 has nowhere been large, not even in the Central Provinces where they were understood to be rather common; and the Government of India have reason to believe that the fact of such coins being at a disadvantage was not made known as widely as could be wished, and that consequently a large number of them may be still in circulation.

4. In the North-Western Provinces specially, the omission to give due publicity in time to the intentions of Government in regard to shroff-marked coins, has caused serious inconvenience. The Government of the North-Western Provinces notified in May 1879 that after the 1st January 1881, shroff-marked coins, even though they might not have lost more than two per cent. of their weight, would cease to be legal tender and be accepted only as bullion at a valuation of one rupee per tola. Public attention was, however, prominently drawn to the orders only towards the beginning of the current year when they were actually enforced. Much excitement was created in consequence amongst the people and even good rupees, to which no reasonable objection could be taken, were depreciated in value. The Government of the North-Western Provinces then postponed the enforcement of the rules to the 1st January 1882.

RESOLUTION.—The Governor General in Council now considers it necessary that the process of withdrawing shroff-marked coins from circulation should everywhere be begun again.

2. Accordingly His Excellency in Council directs that all Government treasuries (including those of the Punjab) shall, for the present, receive at full value all genuine coin which has not been diminished by fraudulent means or has been diminished only by what are ordinarily known as shroff-marks.

3. No such coins shall be re-issued from a Government treasury. They should be separated into an uncurrent balance and disposed of under instructions from the Accountant General, to whom a monthly report of the amount thus set apart must be made.

4. The Accountant General will send in his consolidated report to the Comptroller General who will watch the progress of the purification of the coinage in each province and determine in each case the time after which shroff-marked coins can expediently be dealt with, as required by law.

5. The Governor General in Council further directs that when in any province it is decided no longer to accept shroff-marked coins at full value, officers of Government authorised to receive money must exercise due and intelligent care in the receipt or rejection of suspicious coin. The Government of India will not call upon such officers to bear the loss upon any such coin which they may have accepted *bonâ fide* in behalf of Government, provided it appears that they have exercised proper discretion. On the other hand, they must be careful not to reject coin which may be good for all purposes, though accidentally marked in some trifling way.

ORDERED, that this Resolution be published in the *Gazette of India* for general information and distributed for information and guidance as follows:—

To the several Departments of the Government of India.
To the Local Governments and Administrations.
To the Comptroller General and the Local Accountants General.
To the several Chiefs of Departments administered by the Government of India in the Department of Finance and Commerce and the Presidency Banks, Calcutta, Madras and Bombay.

The 19th August 1881.

No. 2458.—The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information:—

CODES OF THE FINANCIAL DEPARTMENT.

DEFINITIONS.

Page III.

Strike out the word "also" *which occurs after* "In the case of a Native Civil Servant, 'Active Service' means."

No. 2401.

Page IX.

To the second paragraph of the definition "LOCAL GOVERNMENT" *add the following:—*

"and under the Rules in the Civil Leave and Pay and Acting Allowance Codes."

No. 2489.—Mr. T. W. Rawlins resumed charge of the offices of Accountant General, Punjab, and Deputy Commissioner of the Department of Issue of State Paper Currency at Lahore after noon on the 12th August 1881.

No. 2507.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 31st July 1881, published as required by Section 23 of the Indian Paper Currency Act, 1871.*

CIRCLES OF ISSUE.	Whole amount of Notes in circulation.	RESERVE IN SILVER COIN AND BULLION.		
		Coin.	Bullion.	Total.
	Rs.	Rs.	Rs.	Rs.
Calcutta ...	6,52,70,425	1,03,47,231	4,65,155	1,08,12,386
Madras ...	1,25,09,155	63,84,675	10,90,000	74,74,675
Bombay ...	3,72,35,165	1,32,37,613	1,10,242	1,33,47,855
Allahabad ...	47,24,420	81,89,860	...	81,89,860
Lahore ...	88,83,610	1,81,69,810	...	1,81,69,810
Calicut ...	14,59,450	24,19,800	...	24,19,800
Cocanada ...	18,39,095	22,72,675	1,65,000	24,37,675
Nagpur ...	33,46,040	22,96,910	...	22,96,910
Kurrachee ...	39,31,835	37,23,670	60,200	37,83,870
Akola ...	22,30,700	25,70,800	...	25,70,800
TOTAL ...	4,04,27,825	7,86,13,044	18,90,597	8,05,03,641
Invested in Government Securities under Section 17 of the Act				5,99,24,184
GRAND TOTAL ...				14,04,27,825

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

MILITARY DEPARTMENT.

Simla, the 19th August, 1881.

COMMISSARIAT DEPARTMENT.

No. 454.—CONTRACTS—

The following resolution is published for general information:—

Extract from the Proceedings of the Government of India in the Military Department,—(No. 1180-S. D., dated Simla, the 16th August, 1881).

Read the following documents relative to a representation made by the several brewery companies in regard to their contracts for the supply of hill-brewed malt liquor to the British troops in Bengal:—

From Messrs. { F. B. Hopkins, Director, Murree Brewery Company, Meakin & Co., E. Dyer & Co., J. W. Whymper & Co., J. MacDonald, Managing Director, Naini Tal Brewery Company, Limited, Mackinnon & Co., } dated 12th April, 1881.

To the Commissary General, Bengal, No. 282-S. D., dated 29th April, 1881.

From the Commissary General, Bengal, No. 2144, dated 29th June, 1881.

Observations.—In the correspondence here referred to, it is represented that the various brewery companies suffered during the years 1878-79-80 heavy losses on their contracts. It is said that these losses were sustained owing to the absence of the troops on service, in consequence of which there was a much less consumption of malt liquor than was anticipated. The conditions of the contracts, however, rendered it necessary for the companies to keep ready in stock the full quantity of malt liquor contracted for; and the prices of supplies and carriage being increased on account of the recent campaign, combined with an unprecedented failure of the hop crop in England in 1879, it is alleged that heavy losses were incurred by the brewery firms in question. It is now proposed on behalf of the brewers that the present contracts be extended for five years, and tenders

further invited for the supply of Indian beer at Lucknow, Fyzabad, Cawnpore, Allahabad, Benares and Dinapore.

RESOLUTION.—In order to encourage the brewing of beer in India, and to enable the brewery companies to recoup themselves for their first outlay on the enterprise, the Right Hon'ble the Governor General in Council has been pleased to permit the extension of the existing contracts at the present rates for a period of five years, *i.e.*, to the end of 1887, as proposed by the brewers, in the expectation that this concession will enable them to make an abatement ultimately in the rates of supply to the State.

This extension of time to be subject to the condition that the brewing operations at the different breweries shall be open to such inspection, by officers to be appointed for the purpose, as may be ordered by Government from time to time.

Tenders will be invited for the local supply of beer during the same period at Cawnpore, Lucknow, Fyzabad, Allahabad, Benares and Dinapore.

It is to be understood that the supply during the period of extension will be merely according to the actual requirements of the troops, and that there will be no unexpended balance at the end of the year 1887 to be taken from the contractors in the year 1888.

ORDER.—Ordered, that a copy of the above Resolution be forwarded to—

The Financial Department.
The Commissary General, Bengal.
The Controller of Military Accounts, Bengal.
The Accountant General, Military Department.

Ordered also, that it be published in the *Gazette of India*.

FURLOUGH AND LEAVE.

No. 455.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel G. W. Holdsworth, Infantry, (m. c.) for two years,—171 days under rule XIV, clause I, and the remaining period, without pay, under rule XVI, of the regulations of 1868.

This cancels the furlough granted to Lieutenant-Colonel Holdsworth, in G. G. Orders Nos. 237 and 391 of 1881.

Captain T. E. Spencer, s.c., Wing Officer, 35th Native Infantry, (m. c.) for two years, under rule I of the regulations of 1875.

Lieutenant F. H. R. Drummond, s.c., Squadron Officer, 11th (Prince of Wales' Own) Bengal Lancers, (m. c.) for one year and 90 days,—one year under rule I, and the remaining period under rule VI, of the regulations of 1875.

Surgeon-Major C. J. McKenna, 39th Native Infantry, (m. c.) for one year, under rule XIV, clause (2), of the regulations of 1868.

Surgeon F. C. Nicholson, M.B., (m. c.) for 184 days, under rules IX and XV of the regulations of 1868.

No. 456.—Lieutenant-Colonel C. E. Stewart, s.c., Wing Commander and 2nd-in-Command, 5th Punjab Infantry, has been granted an extension of furlough, to the 10th August 1881, by the Right Hon'ble the Secretary of State for India.

No. 457.—Conductor J. Hogan, Ordnance Department, is granted leave in India, (m. c.) for 182 days, under rule XXV of the regulations of 1868.

LONDON GAZETTE.

No. 458.—The following extracts are published for general information:—

"London Gazette," dated the 22nd March, 1881, pages 1308 and 1309.

RESERVE OF OFFICERS.

To be Lieutenants.

* * * * * * *

Chessborough Gordon MacKenzie Kennedy, Esq., late Lieutenant, 59th Foot. Dated 23rd March, 1881.

"London Gazette," dated the 19th July, 1881, page 3549.

HER Majesty has approved of the following promotions among the Officers of the Staff Corps and Indian Military Services made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Henry Thompson. Dated 11th May, 1881.

Major Edward Henry Ernest Kauntze. Dated 11th May, 1881.

To be Major.

Captain Augustus Henry Turner. Dated 24th May, 1881.

To be Captain.

Lieutenant Henry Campbell Lamb. Dated 5th May, 1881.

BENGAL ARMY.

INFANTRY.

To be Colonels.

Lieutenant-Colonel and Brevet Colonel James Cadogan Parkison Baillie. Dated 6th May, 1881.

Lieutenant-Colonel and Brevet Colonel Robert Blair. Dated 12th May, 1881.

BREVET.

To be Colonels.

Lieutenant-Colonel William Reid Martin, Bengal Infantry. Dated 24th March, 1881.

Lieutenant-Colonel John Mackie Stewart, Bengal Infantry. Dated 1st April, 1881.

MEDICAL DEPARTMENT.

No. 459.—The Governor General in Council is pleased to direct the publication of the following Royal Warrant, dated 6th July 1881, conferring the title of Surgeon on Probation and the relative rank of Lieutenant on candidates for the Indian Medical Service on their joining the Army Medical School:—

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India.

Whereas We deem it expedient, with a view to the assimilation of the grades of Our Indian Medical Service to those of Our Army Medical Department, to provide for the appointments to Our Indian Medical Service being, in the first instance, made on probation.

Our Will and Pleasure is that, from and after the date of this Our Warrant,—

1. The grades of Medical Officers in Our Indian Military Forces shall be six in number, the undermentioned grade being added to those enumerated in Article One of Our Warrant of the 16th November 1880; *viz.*:—

6. Surgeon on Probation.

2. A Surgeon on Probation shall have the relative rank of Lieutenant.

Given at Our Court at Windsor, this sixth day of July, in the year of Our Lord one thousand eight hundred and eighty-one in the forty-fifth year of Our Reign.

By Her Majesty's Command,
HARTINGTON.

PENSIONS.

No. 460.—Conductor James Jackson, Ordnance Department, is transferred to the Pension Establishment.

PROMOTIONS.

No. 461.—The following promotion is made, subject to Her Majesty's approval:—

STAFF CORPS.

To be Captain.

Lieutenant Arthur Frederick Barrow,—18th August, 1881.

No. 462.—COMMISSARIAT DEPARTMENT—

Sergeant and Officiating Sub-Conductor John Brown, to be Sub-Conductor, *vice* Sub-Conductor W. H. Russell, pensioned.

No. 463.—NATIVE ARMY—

24th (Punjab) Regiment of Native Infantry.

Havildar Hussun Ally Khan, to be Jemadar, *vice* Nutha Shah, invalided,—1st May, 1881.

31st (Punjab) Regiment of Native Infantry.

Jemadar Boota Singh, to be Subadar, *vice* Guness Dass, invalided; Jemadar Prem Singh, to be Subadar, *vice* Jowalla Singh, invalided; Havildar Assa Singh, to be Jemadar, *vice* Boota Singh, promoted; Havildar Roor Singh, to be Jemadar, *vice* Golaub, invalided; Havildar Gundah, to be Jemadar, *vice* Prem Singh, promoted,—1st May, 1881.

VOLUNTEER CORPS.

No. 464.—His Excellency the Governor General in Council is pleased to sanction the formation of a Volunteer Rifle Corps to be designated the "Seebpore College Volunteer Rifle Corps."

The Corps will be attached for administrative purposes to the East Indian Railway Volunteer Rifle Corps.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 19th August, 1881.

FURLOUGH AND LEAVE.

No. 29.—Mr. J. McArthur, Officiating Chief Engineer, Kidderpore Dockyard, is granted twelve months' furlough to Europe, under section 131, Chapter 10, of the Civil Leave Code, with effect from the 1st July, 1881.

PROMOTIONS.

No. 30.—Mr. G. E. Holland, 4th Grade Officer, to be 3rd Grade Officer, with effect from the 15th August, 1881.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 15th August 1881.

No. 278.—Major W. S. S. Bisset, R.E., Manager, Rajputana State Railway, and Captain W. A. J. Wallace, R.E., Manager, Northern Bengal State Railway, are promoted from Class I, Grade 3, to Class I, Grade 2, of the Superior State Railway Revenue Establishment, with effect from the 7th June 1881.

No. 279.—The post of Engineer-in-Chief of the Kandahar State Railway is abolished, with effect from the date Mr. H. F. Storey proceeds on privilege leave.

The 18th August 1881.

No. 280.—*Erratum.*—In that part of Public Works Department Notification No. 272, dated the 11th August 1881, authorising the promotion and reversion of Mr. Gilbert, for *C. F.* read *W. R.*

ALEX. FRASER, *Major-Genl., R.E.*,
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 35. } SIMLA, SATURDAY, AUGUST 27, 1881.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

Nothing for publication.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—

Nothing for publication.

SUPPLEMENT No. 35.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 23rd August 1881.

No. 1218.—Under the provisions of Section 27 of the Indian Arms Act, XI of 1878, the Governor General in Council is pleased to exempt the retainers of Raja Sheoraj Singh, C.S.I., of Kashipur and Burhapur in the North-Western Provinces, from the operation of all prohibitions and directions contained in Sections 13, 14, 15, and 16 of that Act, other than those referring to cannon, articles designed for torpedo service, war rockets, and machinery for the manufacture of arms and ammunition, subject to such orders as the Local Government may issue regarding the number of retainers to be included within this order of exemption.

MEDICAL.

The 26th August 1881.

No. 404.—Surgeon J. J. Moran, M.D., Madras Army, is appointed to be Civil Surgeon of Akola in Berar, *vice* Surgeon T. Hume, transferred to Amraoti.

PATENTS.

The 22nd August 1881.

No. 663.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859; in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency, to public inspection upon payment of a fee of one rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying:—

No. 8 of 1881.—William Renwick, Mechanic, residing at Lakhanhati Bungalow, near Malanchi Station, Northern Bengal State Railway, for the improvement of vertical roll sugarcane crushing mills.

No. 26 of 1881.—Maurice Gandy, of 5, Ansdell Street, Liverpool, in the County of Lancaster, England, Manufacturer of Belting, for improvements in, and relating to, belts or bands for driving machinery, and an improved mechanical process of manufacturing the same, and machinery employed therefor.

No. 28 of 1881.—Joseph Haggas, of the Village of Uxbudge, in the County of Ontario, in the Province of Ontario, in the Dominion of Canada, Mechanical Engineer, for improvements in apparatus for supplying locomotive tenders with water.

No. 63 of 1881.—George Archer, Tea Planter of Darjeeling, in British Sikkim, for drying

tea, coffee, cinchona bark, and other vegetable products, named "The Vacuum Stove."

No. 69 of 1881.—James Macbeth Robertson, Tea Planter, residing at Arcuttipore, Tea Estate, Cachar, for drying or roasting tea leaves, entitled "The Typhoon."

No. 72 of 1881.—John Ball Ball, of Putney, in the County of Surrey, in that part of Great Britain called England, Public Accountant, for improvements in apparatus for consuming smoke and saving fuel in the furnaces of steam boilers.

No. 74 of 1881.—William Pears Johnston, Government Telegraph Department, residing at 33, Chowringhee Road, Calcutta, for improvements and simplification in apparatus and arrangements for telephonic and microphonic purposes.

No. 75 of 1881.—James Kerr and Joseph Haworth, both of Church, in the County of Lancaster and Kingdom of England, for improvements in machinery or apparatus for printing fabrics.

No. 76 of 1881.—Juan Francisco Nepomuceno Macay, of Charapoto, in the Republic of Ecuador, South America, for improved apparatus for dissolving and filtering in chemical and metallurgical processes.

No. 77 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, for improvements in systems of conductors for the distribution of electricity as a lighting and motive power agent, and appliances connected therewith.

No. 78 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, for improvements in electric lamps and in carbons, or incandescing conductors therefor, and in means for and methods of manufacturing the same.

No. 79 of 1881.—Pierce Butler Wilson, Consulting Chemist of Baltimore, in the State of Maryland, one of the United States of America, for improvements in amalgamators for the separation of metals from other substances.

No. 80 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, for improvements in means for measuring the amount of electrical current flowing through a circuit which is denominated a vebermeter.

No. 89 of 1881.—Alexander William Gillman and Samuel Spencer, both of the Castle Brewery, St. George's Road, Southwark, in the County of Surrey, England, for improvements in the treatment of grain or cereals to be used in brewing, distilling, and vinegar-making.

FORESTS.

The 26th August 1881.

No. 783*F.*—Mr. J. T. Jellicoe, Assistant Conservator of Forests of the 1st Grade in Mysore, is transferred to Bengal.

C. GRANT,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 26th August 1881.

No. 249*G.-P.*—His Excellency the Viceroy and Governor General is pleased to continue to Framjee Nasarwanjee, as a personal distinction, the title of "Khan Bahadur" enjoyed by him during his tenure of the office of Huzur Deputy Collector of Nasik in the Bombay Presidency.

No. 1937*E.-P.*—The following translation of a letter, dated the 3rd July 1881, addressed by the Persian Minister for Foreign Affairs to Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at Teheran, is published for general information :—

"Since the right of purchasing arms and munitions of war abroad and introducing the same in Persia belongs to the Persian Government, who exercise it through their own specially appointed officials, and if this absolute right were not exclusively confined to the Government, and every body who thought fit to do so were allowed to purchase such articles and introduce them into the country, this great governmental privilege would become obsolete, and considerable evils would result to the State :

"Therefore His Majesty the Shah has issued stringent orders that no one shall import arms of any description whatever into this country from abroad, and any person in whose possession arms of foreign make are found will be liable to have them confiscated by Government.

"By His Majesty's orders, the above is communicated to Your Excellency, in order that you may bring it to the knowledge of British merchants and subjects, so that being informed of it they may be careful to avoid trading in these prohibited goods, and so that no injury may result to them from ignorance of the present Regulation."

GENERAL.

The 25th August 1881.

No. 1608*G.-G.*—Major A. W. Roberts, Officiating Political Agent, 2nd Class, and Assistant Commissioner in Merwara, is posted to Sujangarh as Assistant to the Governor General's Agent in Rajputana, with effect from the date of assuming charge.

Mr. W. R. Lawrence, C.S., Assistant Commissioner, 3rd Class, in the Punjab, is appointed to officiate as Political Assistant, 3rd Class, and is posted as Assistant Commissioner in Merwara, with effect from the date of assuming charge, *vice* Major Roberts.

No. 1611*G.-G.*—The services of Surgeon J. Duke, Medical Officer at Gilgit, are replaced at the disposal of the Military Department, with effect from the date on which the three months' privilege leave granted to him in Notification No. 1573G.-G. of the 18th August 1881, shall expire.

No. 1614*G.-G.*—Khan Bahadur Edulji Pestonji, Honorary Magistrate of Mhow, officiated as Assistant Cantonment Magistrate at that station, from the 19th March to the 9th August 1881, both days inclusive.

Captain W. Ashfield, Bombay Staff Corps, is appointed to be Assistant Cantonment Magistrate at Mhow, with effect from the 10th August 1881, *vice* Lieutenant-Colonel Keays, retired.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 26th August 1881.

No. 2521.

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

Read again—

Financial Resolution No. 953, dated 10th June 1881, declaring that for European stores articles of Indian manufacture should be substituted wherever this can be done without inconvenience or extra expense.

Read also—

A letter from the Mint Master, Calcutta, No. 537, dated 22nd June 1881, forwarding an indent and estimate for European stores required for the Mint during 1882-83.

RESOLUTION.—The Government General in Council directs that the indent and estimate be forwarded to the Assistant Under-Secretary of State for India, with the recommendation that the articles enumerated in the indent may be supplied except as regards the items noted below, the demand for which has been struck out of the indent.

Spun yarn.—10 cwt. were indented for at a total cost of £47-10. This article is manufactured at Calcutta by Messrs. Ahmuty and Company, with whom the Mint Master should communicate.

Soft soap.—15 cwt. were indented for at £1-15 per cwt. The North-West Soap Company, Limited, Meerut, are willing to deliver soft soap at the Howrah Railway Station for Rs. 20 a cwt., and probably other soap manufacturers will be able to supply soft soap at similarly low rates as compared with the cost of imported soap. It is made at Dr. Waldie's Chemical Works, Cossipore.

Linseed oil, boiled.—30 gallons are wanted. This oil should be procured locally either from the Gouripur Company or from other oil-mills in Calcutta.

ORDERED, that this Resolution be communicated to the Mint Master, Calcutta, and to all Local Governments and Administrations.

Ordered also, that it be published in the *Gazette of India*.

The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information :—

No. 2665.

CODES OF THE FINANCIAL DEPARTMENT.

DEFINITIONS.

Page XIII.

Insert the following Note under "STAFF SALARY" :—

[NOTE.—The following allowances are not treated as staff salary :—

Command allowance of hill convalescent depôts, of depôts of British troops, of all stations and forts (Asseerghur excepted) not being brigade commands; and the salaries of staff officers of stations and of convalescent depôts and superintendents of bazars.]

P. & A. A. C.

PAGE 266.

Section 19.

Insert the following Note under this Section :—

[NOTE.—For the purposes of this Section, the pay of the officer is taken at the full staff salary, *plus* his military pay and allowances or Staff Corps pay, though for the purposes of the Military Rules he may be considered to take with him to his officiating appointment only half the staff salary.]

No. 2644.

C. P. C.

PAGES 53 AND 54.

Section 106, Rule 6.

Add the following to the Rule :—

"A Brigade Surgeon or Surgeon-Major who entered the service on or after the 13th January

1860 ceases to be in civil employment on attaining the age of 55 years."

C. L. C.

PAGE 151.

Section 44.

Insert the following after the word "Employ" *in the third sentence,* "other than privilege leave."

No. 2645.

PAGE 156.

Section 55.

For "164" *substitute* "162."

No. 2671.—Mr. R. E. Hamilton having been appointed to officiate as Assistant Accountant General, North-Western Provinces and Oudh, received charge of the office before noon on the 23rd August 1881.

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

MILITARY DEPARTMENT.

Simla, the 26th August, 1881.

APPOINTMENTS.

No. 465.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Albert Dallas Enriquez, Royal Irish Rifles, Officiating Wing Officer, 16th Native Infantry,—9th July, 1880.

No. 466.—ORDNANCE DEPARTMENT—

Lieutenant K. S. Dunsterville, R.A., to officiate as Commissary of Ordnance, 3rd class.

No. 467.—PUNJAB FRONTIER FORCE—

No. 3 Mountain Battery.

Lieutenant F. H. J. Birch, R.A., 2nd Subaltern and Officiating 1st Subaltern, to be 1st Subaltern, *vice* Lieutenant W. H. Frith, R.A., vacated on promotion to Captain.

Lieutenant A. Mansel, R.A., Officiating 2nd Subaltern, to be 2nd Subaltern, *vice* Lieutenant Birch.

The above appointments will have effect from the 6th April, 1881.

No. 468.—NATIVE ARMY—

Jemadar Ram Sing, appointed on probation to the 30th Regiment of Native Infantry in G. G. O. No. 1030 of 1878, is confirmed in that rank, with effect from the 20th November, 1878.

No. 469.—VOLUNTEER CORPS—

Darjeeling and Northern Bengal State Railway Volunteer Rifle Corps.

Captain T. M. Maxwell, Dorsetshire Regiment, Adjutant of the Behar Mounted Rifle Corps, to be Adjutant.

FURLOUGH AND LEAVE.

No. 470.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Major H. S. Hutchinson, S.C., Assistant Superintendent, 2nd grade, officiating 1st grade, Survey of India, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Major A. G. Hartshorne, General List, Infantry, Wing Officer, 12th Regiment of Native Infantry, (u. p. a.) for 182 days, under rule XI of the regulations of 1868.

No. 471.—Major J. Eckford, R.E., Superintendent, 1st grade, Telegraph Department, is granted furlough out of India, (u. p. a.) for 182 days, under rule XI of the regulations of 1868, with effect from the 3rd June, 1881.

MEDALS.

No. 472.—With reference to paragraph 2 of G. G. O. No. 673 of 1880, the Governor General in Council is pleased to sanction the extension of the grant of the bronze decoration given in commemoration of the march from Kabul to Kandahar in August 1880, to the troops which then composed the garrison of Khelat-i-Ghilzai and accompanied the force under the command of Lieutenant-General Sir F. S. Roberts, G.C.B., V.C., from that place to Kandahar.

PENSIONS.

No. 473.—Sub-Conductor John Grimshaw, Ordnance Department, is transferred to the Pension establishment.

PROMOTIONS.

No. 474.—The following promotions are made, subject to Her Majesty's approval:—

STAFF CORPS.

To be Major.

Captain (Brevet Major) Andrew Harry Spencer Neill,—20th August, 1881.

To be Captain.

Lieutenant Atwell Robert Porter,—21st August, 1881.

BREVET.

To be Colonel.

Lieutenant-Colonel Charles Henry Clay, Bombay S. C.,—24th August, 1881.

No. 475.—COMMISSARIAT DEPARTMENT—

Rank and Names.	To what rank promoted.	From what date.	In succession to whom.
Sergeant and Officiating Sub-Conductor Edward Wadsworth.	Sub-Conductor ...	28th November, 1880.	Sub-Conductor C. T. Hobbs, pensioned.
Sergeant and Officiating Sub-Conductor John Brown.	Ditto ...	20th May, 1881	Sub-Conductor W. H. Russell, pensioned.
Sub-Conductor James Townsend ...	Conductor ...	9th June, 1881	Conductor J. H. Senior, deceased.
Sergeant and Officiating Sub-Conductor Charles Lightening.	Sub-Conductor ...	9th June, 1881	Sub-Conductor J. Townsend, promoted.

No. 476.—NATIVE ARMY—

14th Bengal Lancers.

Ressaldar Mookhram Sing, to be Ressaldar-Major, *vice* Khurruck Sing, "Sirdar Bahadur," invalided; Woordie-Major Koondun Sing, to be Ressaldar, *vice* Bhurt Sing, invalided,—1st May, 1881.

11th Regiment Native Infantry.

Jemadar Junnuck Sing, to be Subadar, *vice* Shaikh Deen Mohomed, invalided; Havildar Ramhit Pandy, to be Jemadar, *vice* Junnuck Sing, promoted,—31st May, 1881.

17th Regiment Native Infantry.

Subadar Gúlab Sing, to be Subadar-Major, *vice* Dulel Sing, deceased,—1st January, 1881.

Jemadar Gowhur Khan, to be Subadar, *vice* Meeadeen Khan, deceased,—27th December, 1880.

Jemadar Issuree Sing, to be Subadar, *vice* Dulel Sing, deceased,—1st January, 1881.

Havildar Khúdáyar Khan, to be Jemadar, *vice* Rugber Opudiah, deceased,—21st November, 1880.

Havildar Issuree Sing, to be Jemadar, *vice* Rughoo Sing, deceased,—30th November, 1880.

Havildar Purmesur Pandey, to be Jemadar, *vice* Gowhur Khan, promoted,—27th December, 1880.

Havildar Shaick Joomun, to be Jemadar, *vice* Issuree Sing, promoted,—1st January, 1881.

33rd Regiment Native Infantry.

Jemadar Dabeedeen, to be Subadar, *vice* Buldeo, invalided; Havildar Puncham, to be Jemadar, *vice* Dabeedeen, promoted,—1st May, 1881.

REWARDS.

No. 477.—GOOD SERVICE PENSIONS—

It is hereby announced that, on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer good service pensions on the undermentioned officers, with effect from the dates specified:—

From the 30th January, 1881, in room of Lieutenant-Colonel (Brevet Colonel) A. Drury, succeeded to the Colonel's allowance.

BREVET COLONEL (BRIGADIER-GENERAL) HARRY NORTH DALRYMPLE PRENDERGAST, C.B., V.C., ROYAL (LATE MADRAS) ENGINEERS.

Dates of Commissions.

Second-Lieutenant ...	8th June,	1854
Lieutenant ...	27th April,	1858
Second-Captain ...	7th „	1863
Brevet Major ...	8th „	1863
Brevet Lieutenant-Colonel	15th August,	1868
Captain ...	24th March,	1871
Major ...	5th July,	1872
Brevet Colonel ...	30th January,	1875
Lieutenant-Colonel ...	17th April,	1878

Appointments.

Officiating Adjutant, Madras Sappers	7th October,	1856
Second Assistant Engineer, Public Works Department ...	29th „	1856
Second Assistant District Engineer, Public Works Department ...	20th September,	1859
Assistant Field Engineer in Malwa and Central India ...	20th November,	1859
Acting First Assistant District Engineer, Public Works Department	11th March,	1863
Assistant Engineer, 2nd Class, Public Works Department ...	23rd June,	1863
Acting Assistant Engineer, 1st Class, Public Works Department	30th „	1863
Assistant Engineer, 1st Class, Public Works Department ...	24th May,	1864
Acting Executive Engineer, 3rd Class	13th September,	1864
Executive Engineer, 4th grade ...	28th April,	1865
Deputy Consulting Engineer for Railways	1st September,	1865
Field Engineer, Abyssinia ...	12th December,	1867
Acting Consulting Engineer for Railways	22nd July,	1868
Officiating Commandant, Sappers and Miners	7th January,	1869
Commandant, Sappers and Miners	15th October,	1870
Commanding Sappers, Indian Expeditionary Force, Malta ...	27th May,	1878
Commanding troops, Cyprus ...	16th July,	1878
Brigadier-General Commanding Malabar and Canara ...	9th September,	1880

War services.

Served with the Madras Sappers and Miners in Persia in 1857, and was present at the bombardment of Mohumrah (medal with clasp); served as Assistant Field Engineer with the Malwa Field Force in 1857, and with the Central India Field Force under Sir Hugh Rose in 1858; took part in the sieges of Dhar (thanked by Commander-in-Chief of Bombay), Ratghur, Gorakota and Jhansi; was present at nearly all the battles and minor affairs of the above forces, till the capture of Calpee (medal with clasp, and brevet majority); received the Victoria Cross for distinguished bravery, first, at the battle of Mundesore (thanked in despatches), severely wounded; secondly, at the battle of the Bena near Ratghur (specially mentioned in despatches), horse shot; thirdly, at the battle of Betwa (mentioned by Sir Hugh Rose for his merit and gallantry as devoted as they were unostentatious), severely wounded. Commanded the detachment of three companies, Madras Sappers and Miners, in Abyssinia, was Field Engineer during the advance, and was present at the action before Magdala (mentioned in despatches as having rendered singularly valuable and important services) (Brevet Lieutenant-Colonel and medal).

From the 4th April, 1881, in room of Lieutenant-Colonel (Brevet Colonel) W. A. Gib, C.B., succeeded to the Colonel's allowance.

LIEUTENANT-COLONEL (BREVET COLONEL) FRANCIS DAWSON, C.B., MADRAS STAFF CORPS.

Dates of Commissions.

Ensign ...	26th July,	1844
Lieutenant ...	7th June,	1847
Captain ...	23rd March,	1855
Brevet Major ...	26th July,	1864
Major ...	26th July,	1864
Brevet Lieutenant-Colonel ...	1st March,	1870
Lieutenant-Colonel ...	26th July,	1870
Brevet Colonel ...	1st March,	1875

Appointments.

Assistant Executive Camel-Officer, Lower Sind ...		1846
Executive in charge of hill road to Dalhousie, in the Himalayas ...	Not known.	
Deputy Assistant Quartermaster General, Southern Division ...	22nd June,	1858
Officiating Deputy Judge Advocate General, Southern Division ...	7th March,	1864
Officiating Deputy Judge Advocate General, Central Division ...	8th May,	1867
Acting Assistant Quartermaster General, Pegu Division ...	14th January,	1868
Acting Deputy Judge Advocate General, Ceded Districts ...	14th July,	1868

Officiating Assistant Quartermaster General, Hyderabad Subsidiary Force ...	16th September,	1869
Assistant Quartermaster General, Hyderabad Subsidiary Force ...	27th January,	1870
Wing Officer, 1st Native Infantry	17th December,	1874
Officiating 2nd-in-Command, 1st Native Infantry ...	18th December,	1874
2nd-in-Command, 1st Native Infantry ...	15th February,	1875
Officiating Commandant, 1st Native Infantry ...	3rd May,	1875
Officiating Commandant, 13th Native Infantry ...	11th September,	1876
Commandant, 13th Native Infantry	10th November,	1876
„ 1st „ „	22nd June,	1877
„ 9th „ „	11th October,	1880

War services.

Served in the Afghan Campaign ... 1879-80.

From the 4th April, 1881, in room of Lieutenant-Colonel (Brevet Colonel) Sir C. P. Keyes, K.C.B., succeeded to the Colonel's allowance.

LIEUTENANT-COLONEL (BREVET COLONEL) ANDREW ROBERT CLEPHANE, MADRAS STAFF CORPS.

Dates of Commissions.

Ensign ...	29th December,	1844
Lieutenant ...	14th June,	1847
Brevet Captain ...	29th December,	1859
Captain ...	18th February,	1861
Major ...	29th December,	1864
Lieutenant-Colonel ...	29th „	1870
Colonel ...	29th „	1875

Appointments.

Acting Adjutant, 24th Regiment Native Infantry ...	6th July,	1852
Adjutant, 24th Regiment Native Infantry ...	24th August	1853
Brigade Major, 1st Brigade, 1st Division, Turkish Contingent ...	29th June,	1855
Adjutant, No. 1 Native Infantry Recruiting Depôt ...	3rd December,	1857
Adjutant, Madras Infantry Volunteer Guards ...	20th May,	1859
Brigade Major, Bellary ...	24th January,	1860
Acting Deputy Assistant Adjutant General, Northern Division ...	14th January,	1862
Brigade Major, Thayetmyo ...	11th April,	1862
Wing Officer, 34th Infantry ...	1st „	1867
Officiating 2nd-in-Command and Wing Officer, 34th Infantry ...	7th February,	1868
Officiating Assistant Adjutant General ...	16th December,	1868
Officiating Brigade Major, Bellary	12th October,	1868
Officiating Deputy Adjutant General	1st November,	1870
Assistant Adjutant General at Head-Quarters ...	29th September,	1871
Officiating Deputy Adjutant General	12th February,	1875
Deputy Adjutant General ...	3rd December,	1876
Officiating Adjutant General ...	24th February,	1880
Deputy Adjutant General ...	30th August,	1880

War services.

Served in Turkey and the Crimea as Brigade Major of the Turkish Contingent, 1855-56 (medal).

No. 478.—ORDER OF MERIT—

The Governor General in Council is pleased to sanction the admission of No. 853, Sowar Burma Deen, 3rd (The Queen's Own) Bombay Light Cavalry, to the 3rd class of the Order of Merit, for conspicuous gallantry in action at Maiwand on the 27th July, 1880, in having, under a heavy fire, when Brigadier-General Burrows' horse was killed under him, promptly dismounted and given his own horse to the Brigadier-General, though he was himself at the time badly wounded.

SPECIAL.

No. 479.—The Right Hon'ble the Governor General in Council is pleased to direct the publication, for general information, of the following despatch from the Right Hon'ble the Secretary of State for India:—

MILITARY, INDIA OFFICE;
No. 215. *London, 21st July, 1881.*

To His Excellency the Most Hon'ble the Governor General of India in Council.

MY LORD MARQUIS,

Para. 1. I have received and considered in Council your Military letter No. 52, dated 7th February 1881, forwarding reports describing the arrangements made for the withdrawal of the British troops from Kabul and the upper portion of the Khyber in August, 1880, and expressing the high estimation in which you hold the services of Lieutenant-General Sir D. M. Stewart, G.C.B., under whose orders the retirement took place.

2. I have perused these papers with great interest, and have noticed with satisfaction the testimony borne to the excellent conduct of the troops during the evacuation. The arrangements for the passage of the different columns appear to have been carried out most successfully by all to whom the duties of directing the movement were entrusted, and I fully concur in the opinion you have expressed that the mode in which the retirement was effected reflects the highest credit on Lieutenant-General Sir Donald Stewart and the officers and men under him.

3. A copy of this correspondence will be transmitted for the information of the Secretary of State for War and His Royal Highness the Field Marshal Commanding-in-Chief.

I have, &c.,

HARTINGTON.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 26th August, 1881.

APPOINTMENTS.

No. 31.—Mr. A. D. Stewart, to be a 4th grade officer, on probation, in Her Majesty's Indian Marine.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 20th August 1881.

No. 281.—Mr. T. Conoannon, Assistant Engineer, 2nd Grade, is transferred from the Railway Branch, to the establishment under the Chief Commissioner, British Burma.

The 24th August 1881.

No. 282.—The services of Lieutenant R. Jennings, R.E., Assistant Engineer, 1st Grade, Beluchistan, are placed at the disposal of the Foreign Department, with effect from 1st April 1881.

The 26th August 1881.

No. 283.—Consequent on the departure on privilege leave of Major-General A. Fraser, C.B., R.E., on the afternoon of the 26th August 1881, Colonel W. S. Trevor, V.C., R.E., Director General of Railways, is appointed to officiate, until further orders, as Secretary to the Government of India in the Public Works Department, and Colonel F. S. Stanton, R.E., Chief Engineer, Class II, as Director General of Railways.

No. 284.—Mr. J. W. Alexander, Executive Engineer, 1st Grade, North-Western Provinces and Oudh, is appointed to officiate as Superintending Engineer, Class III, with effect from the 10th August 1881.

A. B. SAMPSON,
Under-Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 36.] SIMLA, SATURDAY, SEPTEMBER 3, 1881.

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—
The Burma Forest Act, 1881.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—
The Court-Fees Bill, 1881.
The Panjáb Laws Amendment Bill, 1881.

SUPPLEMENT No. 36.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 31st August, 1881.

No. 25.—His Excellency the Viceroy and Governor General has been pleased to accept the resignation by the Hon'ble G. H. P. Evans of his office of Additional Member of the Council of the Governor General of India for the purpose of making Laws and Regulations.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 31st August 1881.

No. 1256.—In exercise of the powers conferred by Section 8 of Act XVII of 1875 (The Burma Courts Act, 1875), the Governor General in Council is pleased to establish a Court to be called the Court of the Extra Assistant Commissioner of the Pyawbweh Township, the local limits of the jurisdiction of which shall include the following circles, *viz.*,—

1. Pyawbweh.
2. Tamatalaw.
3. Kanoungto.
4. Kodoung.
5. Tanmanaing.
6. Mokekyoon.
7. Zaymathweh.

ESTABLISHMENTS.

The 31st August 1881.

No. 269.—Moung Toon Oung, Extra Assistant Commissioner, 3rd Class, in British Burma, to officiate as Extra Assistant Commissioner, 2nd Class, with effect from the 1st July 1881, *vice* Moung Hla Toon Oung, retired.

ECCLESIASTICAL.

The 2nd September 1881.

No. 129.—The Governor General in Council is pleased to confirm the leave for two months granted by the Lord Bishop of Calcutta to Mr. F. J. Fergusson, Registrar of the Diocese, with effect from the 18th September 1881.

The Lord Bishop has nominated Mr. Tindal Arthur Pearson, Barrister-at-Law, to officiate as Registrar.

C. GRANT,
Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—SURVEYS.

Simla, the 2nd September 1881.

No. 94.—Mr. R. Lydekker, Assistant of the 3rd Grade in the Geological Survey of India, is granted three months' special leave of absence on urgent private affairs from the 4th October next, or any subsequent date on which he may avail himself of it.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 1st September 1881.

No. 181*I.-J.*—Under the provisions of Section 37 of the Code of Criminal Procedure, the Governor General in Council is pleased to invest Captain Jasper Burne, 2nd Assistant to the Governor General's Agent in Central India, with the powers of a Magistrate of the 1st Class, to be exercised within the limits of the Mhow Cantonment.

POLITICAL.

The 27th August 1881.

No. 1956*E.-P.*—His Excellency the Viceroy and Governor General has been pleased to select Hafiz Abdulla Khan, Alizai, from among the lineal heirs of his father, Nawab Ghulam Hassan Khan, K.C.S.I., to succeed to the hereditary title of Nawab.

The 31st August 1881.

No. 253*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer on Baboo Jai Prokash Lal, Manager of the estates of the Maharaja of Doomraon, the title of "Rai Bahadur," as a personal distinction.

GENERAL.

The 1st September 1881.

No. 1644*G.-G.*—Lieutenant-Colonel P. D. Henderson, C.S.I., General Superintendent of Operations for the Suppression of Thuggee and Dacoity, is granted privilege leave of absence for 2 months and 27 days, with effect from the 6th October 1881.

The 2nd September 1881.

No. 1651*G.-G.*—Lieutenant E. E. M. Lawford, of the 1st Regiment Madras Light Cavalry, is appointed to officiate as Political Assistant of the 3rd Class, and is posted to the Central India Agency as an Assistant to the Governor General's Agent, with effect from the date of assuming charge.

No. 1654*G.-G.*—Lieutenant-Colonel H. G. Thomson, Madras Staff Corps, is appointed to officiate as Civil and Sessions Judge of the civil and military station of Bangalore, with effect from the 30th August, *vice* Lieutenant-Colonel R. A. Cole, on furlough.

A. C. LYALL,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 2nd September 1881.

No. 2562.

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

Read again the following papers regarding the supply of stores required for the public service in India:—

Financial Resolution		No. 3574,	dated	3rd November 1880.
„	„	„ 953,	„	10th June 1881.
„	Circular	„ 220,	„	28th April „
„	„	„ 621,	„	14th May „

Read also the undermentioned letters from the Government of Madras, forwarding statements showing European stores procured through the Secretary of State, and purchased locally by certain officers, during the last two years:—

No. 1351B., dated 23rd July 1881.
„ 1381, „ 27th „ „

RESOLUTION.—From the statements submitted by the Government of Madras a list has been prepared, and is appended to this Resolution, showing the articles which, on the information before the Government of India, it is possible to obtain of Indian manufacture. The Governor General in Council accordingly requests that His Excellency the Governor in Council of Madras

will cause definite instructions to be issued to all the Departments concerned to institute enquiry as to the cheapest and most convenient way of obtaining future regular supplies of such goods of Indian manufacture, as well as of any other goods which in the course of enquiry it may be found feasible to add to the list. In order to give manufacturers that confidence in the existence of a permanent and steady demand without which they cannot reasonably be expected to spend time and money in the manufacture of new classes of goods, the Governor General in Council will be prepared to approve of contracts made by the Local Government for a term of say five years based on the equivalents of the average cost in the year 1880-81 laid down in Madras from England of articles entered in the list.

2. With regard to many of the articles entered in that list, the Government of India has already issued general instructions in the Resolutions published in the *Gazette of India* since 23rd July last. Of the remaining articles the most important items are—longcloth, for which tenders should be invited from the Indian cotton mills; twine and rope (these are manufactured by Messrs. Ahmuty & Co., Calcutta, and elsewhere); and chemicals. The kinds specified, *viz.*, nitric, hydrochloric, and sulphuric acids, and various others, are made by Dr. Waldie, of Calcutta.

ORDERED, that the foregoing Resolution be communicated to the Government of Madras for information and guidance, and with the request that the submission of the further returns promised may be expedited.

Ordered also, that the Resolution be communicated to the other Local Governments and Administrations, and published in the *Gazette of India*.

List of Articles referred to in Resolution No. 2562, dated the 2nd September 1880.

	1879-80.			1880-81.			Total.	
	Rate.	No. or Quantity.	Total cost.	Rate.	No. or Quantity.	Total cost.	No. or Quantity.	Total cost.
			Rs. A. P.			Rs. A. P.		Rs. A. P.
Stationery Department, Madras.								
Longcloth ...	Rs. 6-10-11 per piece ...	$102\frac{23}{40}$ pieces ...	685 6 10	Rs. 6-10-9 per piece ...	$65\frac{1}{4}$ pieces ...	435 5 5	$167\frac{33}{40}$ pieces ...	1,120 12 3
Twine, Europe ...	„ 0-12-8 „ lb. ...	229 lbs. ...	181 4 8	„ 0-12-6 „ lb. ...	$374\frac{1}{2}$ lbs. ...	292 9 3	$603\frac{1}{2}$ lbs. ...	473 13 11
„ hemp, fine ...	„ 1-11-11 „ „ ...	30 „ ...	52 5 6	„ 1-11-0 „ „ ...	41 „ ...	69 3 0	71 „ ...	121 8 6
Tape in pieces, white ...	„ 0-9-0 „ dozen...	450 dozens ...	253 2 0	„ 0-5-9 „ dozen ...	510 dozens ...	183 4 6	960 dozens ..	436 6 6
„ „ red ...	„ 0-12-0 „ „ ...	261 „ ...	195 12 0	„ 0-9-11 „ „ ...	200 „ ...	123 15 4	461 „ ...	319 11 4
Lamp-black ...	.....	.....	.....	„ 0-4-0 „ lb. ...	$12\frac{1}{2}$ lbs. ...	3 2 0	$12\frac{1}{2}$ lbs. ...	3 2 0
Uncovenanted Civil Service Examinations, Madras.								
Blotting-paper ...	.....	.....	.....	.....	10-12-19 reams ...	163 13 7	.....	.....
Longcloth ...	.....	.....	.....	.....	$118\frac{1}{2}$ yards ...	41 1 3	.....	.....
Drill ...	.....	.....	.....	.....	4 „ ...	1 0 0	.....	.....
Paper-binders ...	.....	.....	.....	.....	9 gross ...	8 5 0	.....	.....
Lock and key ...	.....	.....	.....	.....	1 number ...	0 4 6	.....	.....
Pen-holders ...	.....	.....	.....	.....	6 „ ...	0 1 6	.....	.....
Cup for gum ...	.....	.....	.....	.....	2 „ ...	0 5 6	.....	.....
Medical Stores, Madras.								
Acid, hydrochloric ...	.....	.....	.....	Rs. 0-5-0 per lb. ...	752 lbs. ...	500 3 2	.....	.....
„ nitric, ...	.....	.....	.....	„ 0-8-0 „ „ ...	284 „ ...	237 5 3	.....	.....
„ sulphuric ...	.....	.....	.....	„ 0-2-0 „ „ ...	564 „ ...	158 14 10	.....	.....
Master Attendant's Office, Madras, Marine Stores.								
Bar soap ...	Rs. 0-12-0 per lb. ...	5 lbs. ...	3 12 0	.....	.....	.....	5 lbs. ...	3 12 0
Chalk ...	„ 0-1-0 „ „ ...	190 „ ...	11 14 0	Rs. 0-1-0 per lb. ...	180 lbs. ...	11 4 0	370 „ ...	22 2 0
Lampblack ...	„ 0-6-0 „ „ ...	1 „ ...	0 6 0	„ 0-6-0 „ „ ...	1 lb. ...	0 6 0	2 „ ...	0 12 0
Broadcloth (scarlet) ...	„ 5-8-0 „ yard ...	$1\frac{1}{2}$ yards ...	8 4 0	.....	.....	.....	$1\frac{1}{2}$ yards ...	8 4 0
„ (blue) ...	„ 2-4-0 „ „ ...	$\frac{3}{8}$ yard ...	0 13 6	.....	.....	.....	$\frac{3}{8}$ yard ...	0 13 6
Twine ...	„ 0-12-0 „ skein ...	28 skeins ...	21 0 0	„ 0-12-0 per lb. ...	29 lbs. ...	21 12 0	57 lbs. ...	42 12 0
Spirits of wine ...	„ 6-0-0 „ gallon ...	$\frac{1}{2}$ gallon ...	3 0 0	.....	.....	.....	$\frac{1}{2}$ gallon ...	3 0 0
Tallow ...	„ 0-8-0 „ lb. ...	363 lbs. ...	181 8 0	„ 0-8-0 per lb. ...	$149\frac{3}{4}$ lbs. ...	74 14 0	$512\frac{3}{4}$ lbs. ...	256 6 0
White serge ...	„ 1-8-0 „ yard ...	2 yards ...	3 0 0	.....	.....	.....	2 yards ...	3 0 0
Linseed oil ...	„ 3-0-0 „ gallon ...	60 gallons ...	180 0 0	„ 3-0-0 per gallon ...	27 gallons ...	81 0 0	87 gallons ...	261 0 0
Europe rope ...	„ 39-0-0 „ cwt. ...	182 lbs. ...	63 6 0	.....	.....	.....	182 lbs. ...	63 6 0
Copal varnish ...	„ 8-0-0 „ gallon ...	2 gallons ...	16 0 0	.....	.....	.....	2 gallons ...	16 0 0
Scarlet serge ...	.....	.....	.....	„ 2-12-0 per yard ...	$7\frac{1}{2}$ yards ...	20 10 0	$7\frac{1}{2}$ yards ...	20 10 0
Blue drill ...	.....	.....	.....	„ 0-4-0 „ „ ...	26 „ ...	6 8 0	26 „ ...	6 8 0
Galvanized iron buckets ...	.....	.....	.....	„ 1-4-0 each ...	12 number ...	15 0 0	12 number ...	15 0 0
Hasps and staples ...	.....	.....	.....	.....	.....	1 0 0	.....	1 0 0
Hammers ...	.....	.....	.....	„ 2-0-0 each ...	2 number ...	4 0 0	2 number ...	4 0 0
Zinc buckets ...	.....	.....	.....	„ 2-4-0 „ ...	2 „ ...	4 8 0	2 „ ...	4 8 0

Manilla rope ...	40 0 per cwt. ...	5 cwt. 2 qrs. 3 lbs.	14 9 3	.....				
Wire seizing thread, galvanized...	32 10 per coil of 56 lbs.	3 coils ...	3 0 0	.....				
Oil-cans for tide-gauge ...	1*s.* each ...	No. 4 ...	0 4 0	.....				
Kerosine brass lamps ...	21*s.* „ ...	„ 12 ...	14 10 4	.....				
Cotton wick for lamps ...	.....	144 yards ...		.....				
Oil-cans ...	1*s.* each ...	No. 4 ...	0 4 0	6*d.* each ...	10 number ...	0 5 0		
Cart-covers ...	.....	.....	.....	30*s.* „ ...	5 „ ...	7 10 0		
Drag-ropes ...	.....	.....	.....	23*s.* 1*d.* each ...	5 „ ...	5 15 5		
Hammers ...	.....	.....	.....	4*s.* „ ...	5 „ ...	1 0 0		
Hand-barrows ...	.....	.....	.....	16*s.* „ ...	5 „ ...	4 0 0		
Pickaxes ...	.....	.....	.....	3*s.* 10*d.* „ ...	5 „ ...	0 19 2		
Screw-drivers ...	.....	.....	.....	2*s.* 6*d.* „ ...	5 „ ...	0 12 6		
Shovels ...	.....	.....	.....	1*s.* 10*d.* „ ...	5 „ ...	0 9 2		
Spades ...	.....	.....	.....	.....	10 „ ...	0 18 4		
Spun yarn ...	.....	.....	.....	6*d.* per lb. ...	5 lbs. ...	0 2 6		
Tally-boards ...	.....	.....	.....	4*s.* 6*d.* each set ...	15 sets ...	3 7 6		
Tent-pegs ...	.....	.....	.....	$1\frac{1}{2}$*d.* each ...	40 number ...	0 5 0		
Triangles ...	.....	.....	.....	5*s.* ...	45-6 „ ...	11 7 6		
Tripods ...	.....	.....	.....	.....	5 „ ...	1 12 6		
Swivels ...	.....	.....	.....	.....	5 „ ...	.....		
				s. *d.*				
Wicks ...	.....	.....	.....	0 6 per yard ...	5 yards ...	0 2 6		
Wrenches ...	.....	.....	.....	5 7 each ...	5 number ...	1 7 11		
Axes ...	.....	.....	.....	2 6 „ ...	5 „ ...	0 12 6		
Blocks, snatch ...	.....	.....	.....	16 3 „ ...	5 „ ...	4 1 3		
Do., tail ...	.....	.....	.....	11 4 „ ...	10 „ ...	5 13 4		
Do., traveller ...	.....	.....	.....	30 0 „ ...	5 „ ...	7 10 0		
Boxes rocket line ...	.....	.....	.....	33 3 „ ...	15 „ ...	24 18 9		
Do., do. carrying ...	.....	.....	.....	12 6 „ ...	20 „ ...	12 10 0		
Do., tin fuze ...	.....	.....	.....	3 6 „ ...	5 „ ...	0 17 6		
Do., tin for primers ...	.....	.....	.....	5 0 „ ...	5 „ ...	0 2 1		
Do., whip ...	.....	.....	.....	11 1 „ ...	5 „ ...	2 15 5		
Do., long light ...	.....	.....	.....	9 10 „ ...	5 „ ...	2 9 2		
Do., portfire ...	.....	.....	.....	9 4 „ ...	5 „ ...	2 6 8		
Do., combined ...	.....	.....	.....	10 9 „ ...	5 „ ...	2 13 9		
Stationery.	£ *s.* *d.*							
Blotting-paper, pink	0 8 4	260 reams ...	108 6 8					
	0 9 8	370 „ ...	178 16 8					
Paper, Europe, cartridge, 35 lbs.	0 14 5	120 „ ...	86 10 0					
	0 13 6	30 „ ...	20 5 0					
Do., white, cartridge, royal, 40 lbs.	0 16 0	224 „ ...	179 4 0					
	0 14 9	76 „ ...	56 1 0					

	1879-80.			1880-81.		Total.	
	Rate.	Number or quantity.	Total cost.	Rate.	Number or quantity.	Total cost.	Number or quantity.	Total cost.
***Stationery*—contd.**	£ s. d.		£ s. d.			£ s. d.		
Paper, brown, packing, imperial cap, 70 or 75 lbs.	0 11 10	37 reams ...	21 17 10					
	0 10 3	83 „ ...	42 10 9					
Do., brown, packing, imperial cap, 50 lbs.	0 7 10	8 „ ...	3 2 8					
	0 7 8½	7 „ ...	2 13 11					
Inkstands, pewter, round, complete.	0 12 0	18 number ...	10 16 0					
	0 10 0	3 „ ...	1 10 0					
Ink-bottles delft ...	0 3 0	66 „ ...	9 18 0					
Pen-holders for steel pens ...	0 2 9 per gross	200 gross ...	27 10 4					
„ „ „ lithographic pens	0 1 10 „	12 dozens ...	0 1 10					
„ „ „ crow-quills	0 0 7½ per dozen	2 „ ...	0 1 3					
	0 0 7 1/6 „	8 „ ...	0 4 9					
„ „ „ mapping pens ...	0 0 2 per gross	3 gross ...	0 0 6					
„ „ „ metallic pens	0 0 7½ per dozen	3 number ...	0 0 2					
	0 1 10 per gross	3 „ ...	0 0 1					
„ „ drawing ...	0 0 2 per dozen	2 dozens ...	0 0 4					
„ „ for school pens	0 1 6 per gross	8 „ ...	0 1 0					
	0 1 10 „	8 „ ...	0 1 3					
Pasteboards, Europe ...	0 10 6 „	817 „ ...	35 14 10					
Scissors, large and small ...	0 14 6 per dozen	100 „ ...	72 10 0					
Paper-folder knife	0 9 10 „	100 number ...	4 1 11					
	0 0 7½ each	35 „ ...	1 1 11					
Envelopes, brown paper, 11″×5″	0 10 10½ per 1,000	5,400 „ ...	29 7 3					
Do., linen lined, 13⅓″×5½″	5 12 9 „	2,000 „ ...	11 5 6					
	7 10 0 „	2,600 „ ...	19 10 0					
Press blanket ...	0 4 9 per yard	132 yards ...	31 7 0					
Tape, red, broad ...	0 1 1½ per dozen	10 dozens ...	0 11 3					
Superintendent, Government Press, Madras.								
Brass rules ...	0 4 0 per dozen	600 dozens ...	120 0 0					
Brass dotted rules ...	0 7 6 „	5 „ ...	1 17 6					
Composing sticks, gun metal ...	0 9 0 each	50 number ...	22 10 0					
Double royal iron imposing table, with frames, &c.	.....	1 „ ...	7 15 0					
Iron cylindrical inking table, full size.	.....	1 „ ...	7 0 0					
Cast-iron chases, double foolscap	0 16 0 per pair	6 pairs ...	4 16 0					
„ „ royal 8vo. ...	0 14 6 „	15 „ ...	10 17 6					
„ „ demy, with movable bars.	0 19 0 „ ...	6 „ ...	5 14 0					
Oil feeders ...	0 3 6 each ...	6 number ...	1 1 0					
Scissors ...	0 1 1½ „ ...	25 „ ...	1 8 1					
Director of Public Instruction, Madras (Kumbakonam College).	Rs. A. P.		Rs. A. P.					
Brown paper ...	0 8 0 per quire...	2½ quires ...	1 4 0					
Blotting-paper ...	0 5 6 „	12 „ ...	4 2 0					
Chalk	0 0 6 per seer ...	58 seers ...	1 13 0					
Medical College, Madras.								
Blotting-paper ...	0 12 0 per quire...	1 quire ...	0 12 0					
Inspector of Schools, 6th Division.								
Blotting-paper ...	0 6 0 per quire...	3 quires ...	1 2 0					

No. 2776.

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

Read again the undermentioned papers regarding the supply of stores required for the public service in India :—

Financial Resolution No. 3574, dated 3rd November 1880.
„ „ „ 953, „ 10th June 1881.
„ Circular „ 220, „ 28th April „
„ „ „ 621, „ 14th May „

Read also the following correspondence with the Government of the North-Western Provinces and Oudh regarding the stores procured from England during the last two years :—

Letter from, No. 578A., dated 9th June 1881.
„ to, „ 1840, „ 20th July „
„ from, „ 824A., „ 19th August „

RESOLUTION.—In the Resolutions cited above the Government of India has declared its policy that it is expedient to encourage Indian industries and to substitute country-made goods for imported articles wherever it is possible to do so with due regard to economy. The Governor General in Council learns, with satisfaction, from the letter of the 19th August 1881, that in the North-Western Provinces and Oudh the Police are clothed with materials of Indian manufacture. His Excellency in Council now directs that in future the same procedure shall be adopted in regard to the articles enumerated below, if they can be procured without expense exceeding that given below and of quality not inferior to imported goods :—

For Muir Central College.

		£	s.	d.		£	s.	d.
Acid, hydrochloric, pure	@	0	1	6	qts. 2	0	3	0
„ „ commercial	„	0	1	0	„ 4	0	4	0
„ nitric, pure					„ 1	0	3	0
„ „ commercial	„	0	1	6	„ 2	0	3	0
„ oxalic, common					lb. 1	0	1	0
„ sulphuric, pure	„	0	2	0	qts. 2	0	4	0
„ „ common	„	0	1	0	„ 4	0	4	0
Ammonia, liquor fortissimus	„	0	1	4	lb. 4	0	5	4
„ chloride, salammoniac					„ 1	0	1	0
„ nitrate	„	0	1	6	„ 2	0	3	0
Antimony, metallic	„	0	0	3	oz. 2	0	0	6
„ oxide	„	0	0	3	„ 2	0	0	6
„ sulphide	„	0	0	3	„ 2	0	0	6
Copper, sulphate	„	0	2	0	lb. ½	0	1	0
Iodine					oz. 1	0	2	0
Iron, perchloride (crystallized)	„	0	2	0	lb. ½	0	1	0
„ „ sulphate					„ 1	0	0	6
Lead, nitrate	„	0	1	4	„ ½	0	0	8
Manganese, black oxide	„	0	0	6	„ 2	0	1	0
Mercury, red oxide	„	0	6	0	„ ¼	0	1	6
Phosphorus	„	0	8	0	„ ½	0	4	0
Potassium, metal	„	0	8	0	oz. ¼	0	2	0
„ bromide	„	0	4	0	lb. ¼	0	1	0
„ iodide	„	1	0	0	„ ¼	0	5	0
„ bichromate	„	0	2	0	„ ¼	0	0	6
„ cyanide	„	0	5	0	„ ½	0	2	6
„ nitrate					„ 1	0	0	9
„ permanganate	„	0	0	6	„ 2	0	1	0
Silver, nitrate					oz. 1	0	4	0
Sodium, metal	„	0	1	0	„ 2	0	2	0
„ borate	„	0	1	4	lb. ½	0	0	8
„ carbonate					„ 1	0	0	8
„ hydrate					„ 1	0	2	8
„ chloride, pure					„ 1	0	1	0
„ sulphate					„ 1	0	0	8
Sulphur					„ 1	0	0	8

For Agra College.

Stand, filter, blackwood					No. 1	0	1	4
Stand, iron tripod, 8 inches high					„ 1	0	1	0
„ „ retort, with three rings					„ 1	0	10	0
Scissors					Pair 1	0	1	6
Spatula					„ 1	0	1	0
Pliers					„ 1	0	2	0

His Excellency the Governor General in Council will also be prepared to sanction, on the recommendation of the Local Governments, arrangements for the supply of the articles for a term of years on the above basis, in any cases in which this course may appear to be called for.

2. Most of the chemicals and chemical preparations are commonly made as regular manufactures at the Kasipur (Calcutta) chemical works belonging to Dr. Waldie, and possibly in other places. Those which are not so made can be made by him to order. The chemicals named in the list are in constant demand year after year for all the higher educational institutions in the different provinces of India, and it is proper that they should now be obtained of Indian manufacture.

3. The other articles mentioned at the end of the list as obtained for the Agra College, are of a kind which should not be purchased of European make. From the Resolutions on the subject of stores already issued by the Government of India the Local Governments will have learnt where such goods can be made in India.

ORDERED, that the foregoing Resolution be communicated to the Government of the North-Western Provinces and Oudh, and to the other Local Governments and Administrations.

Also that it be published in the *Gazette of India*.

The 1st September 1881.

No. 2777.

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

Read again the undermentioned papers regarding the supply of stores required for the public service :—

Financial Resolution No. 3574, dated 3rd November 1880.
„ „ „ 953, „ 10th June 1881.
„ Circular „ 220, „ 28th April „
„ „ „ 621, „ 14th May „

Read also—

Letter from the Government of Bengal, No. 689, dated 4th August 1881, enclosing lists of European stores supplied for the public service in the Lower Provinces of Bengal for 1879-80 and 1880-81.

RESOLUTION.—In the Resolutions cited above, the Government of India declared that it is expedient to substitute for European stores articles of *bonâ fide* Indian manufacture wherever it is possible to do so without inconvenience or extra expense; and in order to ascertain to what extent or in respect to what articles the decision of Government could be made applicable, returns were called for from the several Departments and Local Governments showing all European articles obtained from England and purchased in the local market during the last two years. Such a return is now submitted by the Government of Bengal.

2. From this return a list has been prepared, and is appended to this Resolution, showing the articles which, on the information before the Government of India, it is possible to obtain of Indian manufacture. The Governor General in Council accordingly requests that His Honour the Lieutenant-Governor will be good enough to issue definite instructions to all the Departments concerned to institute enquiry as to the cheapest and most

convenient way of obtaining in future regular supplies of such goods, of Indian manufacture, as well as of any other goods which in the course of enquiry it may be found feasible to add to the list. In order to give to manufacturers that confidence in the existence of a permanent and steady demand, without which they cannot reasonably be expected to spend time and money in the manufacture of new classes of goods, the Governor General in Council will be prepared to approve of contracts made by the Local Governments for a term of, say, five years, based on the equivalents of the average cost in the year 1880-81 of the articles entered in the list, laid down in Calcutta.

3. As regards articles of stationery and printing, orders have already been issued in the Resolutions marginally noted, published in the *Gazette of India* of the 23rd July and 13th August 1881. A few additional articles of stationery have been inserted in the appended list, such as erasers and scissors, which can be made in the Aligarh Postal Workshop and by private iron-workers, and blue tape, which, like red and white tape, should be obtained from the Indian cotton mills.

No. 1923, dated 22nd July 1881.
No. 2302, dated 12th August 1881.

Balances, weights, butcher's knives, iron and brass locks and padlocks, are procurable from the Rurki Workshop, the Aligarh Postal Workshop, and no doubt can be made elsewhere.

Shovels, hammers, cast-iron pulleys, buckets, kodalies, spades, forks and other gardener's tools can also similarly be obtained of Indian manufacture. The manufacture of cement is now an established industry, and the article should not again be indented for.

Linseed-oil, boiled, should be obtained of Calcutta manufacture, either from the Gouripur mills, where it is made of good quality, or elsewhere.

Good serge is now being woven at the Cawnpore Woollen Mills, and measures should be taken to obtain supplies of all the cotton fabrics mentioned in the manner prescribed in paragraph 2 of Resolution No. 2301 of 12th August 1881.

ORDERED, that the foregoing Resolution be communicated to the Government of Bengal and to the other Local Governments and Administrations.

Ordered also, that it be published in the *Gazette of India*.

List of Articles referred to in Resolution No. 2777, dated the 1st September 1881.

Names of articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. No. or quantity.	Total. Total cost.
	Rs. A. P.		Rs. A. P.	Rs. A. P.		Rs. A. P.		Rs. A. P.
STATIONERY STORES.								
Writing materials.								
Erasers, common	4 2 0 per doz.	413 doz.	1,873 15 9					
Scissors, large	9 4 0 ,,	90 ,,	915 12 0					
Do., do.	1 12 0 each.	1 No.	1 12 0					
Do., do.	2 4 0 ,,	2 ,,	4 8 0					
Do., small	5 4 0 per doz.	85 doz.	490 14 0					
Do., do.	1 4 0 each.	10 No.	12 8 0					
Do., do.	0 14 0 ,,	1 ,,	0 14 0					
Do., do.	1 0 0 ,,	2 ,,	2 0 0					
Do., do.	1 12 0 ,,	2 ,,	3 8 0					
Do., do.	2 0 0 ,,	2 ,,	4 0 0					
Do., do.	1 11 0 ,,	1 ,,	1 11 0					
Blue tape	...	...	...	2 0 0 per 100 yds.	500 yds.	10 0 0		
White tape	1 0 0 per 100 yds.	23,400 yds.	234 0 0	0 14 0 ,,	11,652 ,,	101 15 3		
				0 12 0 ,,	19,500 ,,	146 4 0		
				1 14 0 ,,	600 ,,	11 4 0		
Miscellaneous articles.								
Brass clasps, P. 1 to 4 ...	8 12 6 per 1,000	20,000 No.	193 3 0				2 No.	...
Stores for Behar Opium Laboratory Department.								
	£ s.		£ s. d.					
Balance	16 0 each	1 No.	16 0 0					
Set of weights	3 12 ,,	1 set.	3 12 0					
Balances, 8 inch	4 10 ,,	4 No.	18 0 0					
Set of weights	1 14 ,,	1 set.	1 14 0					
Shovels	0 6 ,,	2 No.	0 12 0					
Behar Opium Factory Department.								
Hammers, handled	...	...	...					

Names of articles.	1879-80.			1880-81.			TOTAL.		
	Rate.	No. or quantity.	Total cost.	Rate.	No. or quantity.	Total cost.	Rate.	No. or quantity.	Total cost.
	Rs. A. P.		Rs. A. P.	Rs. A. P.		Rs. A. P.	Rs. A. P.		Rs. A. P.
Behar Agency, Sudder Godown Department.									
Butcher's knives, 8 inch	Not given.	1 doz.	9 4 0						
Butcher's knives	9 0 0 per doz.	1 „	9 0 0						
Linseed oil, boiled	2 12 0 per gal.	5 gals.	13 12 0	...	3 gals.	9 4 0			
One iron drum for ditto	2 8 0 each.	1 No.	2 8 0						
Linseed oil, boiled	2 10 0 per gal. 0 8 6 packing charges.	10 gals.	26 12 6						
Smith's hammers, three	0 6 0 per lb.	10½ lbs.	3 15 0						
Brass lower drawer lock, 2 inches ...	1 8 0 each.	6 No.	9 0 0						
Borax	0 8 0 per seer.	4 chittacks	0 2 0	1 0 0 per seer	1 seer 1 chittack	1 1 0			
Galvanized buckets, 12 inches ...	...	...	...	18 0 0 per doz.	1½ doz.	27 0 0			
Lampblack	...	...	...	0 5 0 per lb.	14 lbs.	4 6 0			
2½ brass cocks with several ends for gas pipe.	...	...	...	3 0 0 each	2 No.	6 0 0			
1⅜ ditto ditto ...	...	...	...	2 8 0 each	1 „	2 8 0			
Copal varnish	...	...	...	12 0 0 per gal.	1 gal.	12 0 0			
Iron padlocks to open with 1 key ...	...	...	...	13 0 0 per doz.	22-1 6 doz.	290 14 8			
Sewing twine	...	...	...	1 0 0 per lb.	10 lbs.	10 0 0			
2½ brass lever almirah locks ...	...	...	...	1 12 0 each	3 No.	5 4 0			
Behar Agency Saw Mill and Chest Department.									
Linseed oil, boiled, 2 drums	2 10 0 per gal.	10 gals.	27 0 0						
Cement	...	...	...	9 8 0 per barrel	29 barrels	364 14 0			
Shovels	...	...	...	2 8 0 each	3 No.				
Brass padlocks	...	...	...	2 6 0 „	3 „	7 2 0			
2 pairs cast iron, large blocks ...	...	...	...	8 4 0 per cwt.	2 qrs. 18 lbs.				
Ditto small blocks ...	...	...	...	8 4 0 „	2 qrs. 4 lbs.				
New cast iron pulley 3 feet × 12 inch broad. 3¾ bore turned and key way cut.	...	...	...	65 0 0 each	one	76 9 0			
Benares Agency, Ghazipur Opium Factory.									
Iron padlocks	2 0 0 each	2 doz.	52 8 0	2 0 0 „	2 doz.	52 8 0	...	4 doz.	105 0 0
Double block tin	0 5 0 per sheet	600 sheets	200 0 0	0 5 0 per sheet	600 sheets	200 0 0	...	1,200 sheets	400 0 0
Single tin	0 2 6 „	100 „	17 3 0	0 2 6 „	100 „	17 3 0	...	200 „	34 6 0
Twine	0 4 0 per lb.	20 lbs.	5 15 0	0 4 0 lb.	20 lbs.	5 15 0	...	40 lbs.	11 14 0
Brass locks for drawer and boxes ...	2 0 0 each	6 No.	13 14 0	2 0 0 each	6 No.	13 14 0	...	12 No.	27 12 0
Leather, English	1 5 0 per lb.	1 lb.	1 6 6	1 5 0 per lb.	1 lb.	1 6 6	...	2 lbs.	2 13 0
Royal Botanical Gardens, Howrah.		No.							
Spades, digging	...	12							
Forks, 5-pronged	...	12							
Iron rakes, 9-inch	...	12							
Ditto 12 „	...	12							
Knives, pruning	...	12	...	1 8 0 each	5 No.	7 8 0			
Do. cutting	...	12							
Do. budding	...	6							
Shears, hedge	...	2							
Pickaxes	...	3							
Axes	...	12							
Terracotta plant markers	...	1,500							
Ditto 11	...	1,500							
Ditto 16	...	1,500							
Ditto 20	...	1,500							
Ditto 21	...	1,500							
A set of chain harrows	...	1							
Wire baskets for plants with chain 24-inch	...	4	...	£ s.	5 No.	£ s. d.			
Ditto 18 „	...	5	...	6 15	4 „	27 7 0			
Ditto 15 „	...	4	...		5 „				
Ditto 12 „	...	2	...		7 „				
Wire baskets without chains, of sizes ...	...	36							
Kodalies, Griffin's	...	100							
Ditto, Bengal pattern	...	50							
Watering-pots, 3 gallons	...	6							
Ditto, 2 „	...	6							
Garden rollers	...	2		Rs. A. P.		Rs. A. P.			
Scythes	...	...	...	3 0 0 each	12 No.	36 0 0			
Padlocks	...	...	...	0 12 0 „	6 „	4 8 0			
Cinchona Plantations and Manufactory.									
Sickles	...	...	...	...	...	...	13 8 0 per doz.	60 doz.	810 0 0
Watering cans, 4 gallons	...	...	...	...	...	...	4 8 0 each	1 „	93 3 3
Ditto, 2 „	...	...	...	...	...	...	3 4 0 „	½ „	

Names of articles.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	TOTAL. Total cost.
	Rs. A. P.		Rs. A. P.	Rs. A. P.		Rs. A. P.	Rs. A. P.
Tinsmith's shears	21 7 9 per cwt.	Cwt. qrs. lbs. 1 3 5	38 9 0	3 8 0 per pair	one pair	3 8 0	3 8 0
Spirit-level	1 4 0 each	51 No.	76 12 0	7 8 0 ,,	,,	7 8 0	7 8 0
Plough plane	15 8 0 per doz.	500 ,,	691 9 3	16 0 0 ,,	,,	16 0 0	16 0 0
	3 0 0 each	3 ,,	9 0 0				
	3 11 6 ,,	6 ,,	22 5 0				
	0 5 9 per foot	200 feet	71 14 0				
	13 8 0 per doz.	50 doz.	675 0 0				
	3 4 0 each	1 ,,	44 12 0				
Supplied by the Marine Department.							
Animal charcoal				0 7 3 per yd.	(Annually.)		13,119 5 3
Kodalies				0 3 3 ,,	28,953 yds.		8,894 4 6
Ditto				2 4 0 ,,	43,787¼ ,,		13,932 0 0
Iron jumpers				0 4 6 ,,	6,192 ,,		690 7 6
Iron crowbars				0 3 9 ,,	2,455 ,,		13,047 13 4
Lead tubing				0 5 0 ,,	55,670¾ ,,		2,714 11 0
Sickles				6 0 0 ,,	8,687 ,,		8,947 8 0
Watering-cans				0 12 0 ,,	1,491¼ ,,		1,192 14 0
					1,590¾ ,,		
Bengal Secretariat Press.							
8 to pica brass rules 24-inch		100 doz.	225 0 0				
Brass rules		100 ,,	225 0 0				
Bengal Police.							
Blue drill—							
Grey cotton dhooties							
Blue serge							
American drill (unbleached)							
Red saloo							
American drill (bleached)							
Blue cloth							
Cotton drill							

The 2nd September 1881.

No. 2778.—In exercise of the power conferred by Section 8 of Act I of 1879 (The Indian Stamp Act, 1879), the Governor General in Council is pleased to remit the stamp-duty chargeable under the said Act on instruments executed by Government officers, and their sureties, either before or after the publication of this order, to secure the due accounting for property received by such officers by virtue of their office.

The 1st September 1881.

No. 2787.

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

Read again—

Financial Resolution No. 387, dated 30th April 1879, sanctioning, in supersession of all previous orders on the subject, the grant of travelling allowances to ministerial and menial officers who are entitled to such allowances when travelling by railway on duty, or on transfer from one office to another.

Read—

A letter from the Surveyor General of India, No. 3202, dated 29th December 1880, requesting reconsideration of the order as far as it relates to the grant to an officer of a second class fare when there is no intermediate class accommodation in the train.

RESOLUTION.—In supersession of the orders contained in the Resolution read in the preamble, the Governor General in Council sanctions the following travelling allowances for ministerial and menial officers who are entitled to travelling allowances when travelling by railway on duty, or on transfer from one office to another:—

For an officer whose service is superior under the Civil Pension Code—

At the option of the officer, in lieu of any daily or monthly travelling allowance to which he may be otherwise entitled—

if the officer's salary is not less than Rs. 50 a month,—second class fare; or where there are only two classes, upper class fare;

if the officer's salary is less than Rs. 50 but not less than Rs. 10 a month,—intermediate class fare, or, if there be no intermediate class accommodation in the train by which he is required to travel, third, or, where there are only two classes, lower class fare.

For an officer whose service is inferior under the Civil Pension Code—

in addition to any daily or monthly travelling allowance to which he may be otherwise entitled,—the fare of the lowest class in the train by which he may be ordered to proceed, whether called lower, third, or fourth class.

2. If the journey involves the absence of the officer from his head-quarters or standing-camp for one or more nights, so as to make it necessary for him to carry with him servants and baggage, double the fare to which he would otherwise be entitled may, at the discretion of his superior officer, be granted to him.

3. An officer in superior service may not, except as provided in paragraph 4, charge railway fare on any day for which he receives travelling allowance at the daily or monthly rate.

4. If an officer in superior service is required to travel on one day partly by railway and partly otherwise, or to make a railway journey in the course of another journey, or of a tour, then, at the discretion of his superior officer, he may be reimbursed his actual expenses, not exceeding, on the whole, the amount to which he is entitled under paragraph 1 or 2 of this Resolution, added to the amount to which he would be otherwise entitled, for the period occupied by the journey by railway, as daily or monthly (contract) allowance.

ORDERED, that this Resolution be published in the *Gazette of India* and distributed for information and guidance as follow:—

(1) To the several Departments* of the Government of India.

(2) To the several Local Governments and Administrations.

(3) To the Comptroller General and to the several Accountants General and Comptrollers.

(4) To the several Chiefs of Departments administered by the Government of India in the Financial Department.

* Original papers received from the Revenue and Agricultural Department to be returned.

The 2nd September 1881.

No. 2788.—The Governor General in Council, having had under consideration the subject of railway accommodation of public officers travelling on duty by railways where there are only two classes (upper or first class, and lower or second class), has decided that the upper class of such railways is to be considered the equivalent of both first and second classes on other railways where there are more than two classes.

No. 2815.—The following Corrigendum to the Codes of the Financial Department is published for general information:—

C. P. C.

PAGE 42.

Section 93, Rule 2.

For "Bengal Revenue Survey Department" *substitute* "Survey of India."

No. 2823.—*Erratum.*—In Notification No. 2644, dated 26th August 1881, published at page 345 of Part I of the *Gazette of India* of the 27th idem, regarding an addition to Section 44 of the Civil Leave Code, *for* "employ" *substitute* "on leave."

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

MILITARY DEPARTMENT.

Simla, the 2nd September, 1881.

APPOINTMENTS.

No. 480.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Frank Cunningham Dunlop, 1st Battalion, Dorsetshire Regiment, Officiating Wing Officer, 2nd Sikh Infantry,—25th July, 1879.

Second-Lieutenant William Joseph Newell, 2nd Battalion, Royal Warwickshire Regiment, Officiating Wing Officer, 8th Regiment of Native Infantry,—5th May, 1880.

Second-Lieutenant Newell will take rank as Lieutenant from the 5th May, 1880, subject to Her Majesty's approval.

No. 481.—ADJUTANT GENERAL'S DEPARTMENT—

Major N. R. Stewart, Bengal S. C., Wing Officer, 4th Goorkha Regiment, Officiating Deputy Assistant Adjutant General, to be a Deputy Assistant Adjutant General, *vice* Lieutenant-Colonel H. M. Evans, vacated on appointment to be Officiating Commandant, 43rd Native Infantry. Dated 19th August, 1881.

No. 482.—ORDNANCE DEPARTMENT—

Rank and Names.	To what rank promoted.	From what date.	In whose room.
Sergeant Joseph Harrison, Assistant Overseer, Foundry and Shell Factory.	*Sub-Conductor on probation.*	*30th December* 1880.	
Sergeant William Viney, soldier mechanic, Foundry and Shell Factory.	*Sub-Conductor on probation.*	*30th* „ „	
Sub-Conductor William Shortridge ...	Conductor ...	30th „ „	Conductor D. Buckley, seconded.
Magazine Sergeant (Temporary Sub-Conductor) George C. Goff.	Sub-Conductor on probation.	30th „ „	Sub-Conductor Shortridge.
Magazine Sergeant (Temporary Sub-Conductor) Henry Robinson.	Ditto ...	6th January 1881	Sub-Conductor T. Etherington, reduced.
Sergeant Richard Francis, Overseer carpenters, Harness and Saddlery Factory.	*Ditto* ...	*17th February* „	
Sub-Conductor (Temporary Conductor) William P. Pickering.	Conductor ...	17th „ „	Conductor E. McCarthy, pensioned.
Magazine Sergeant (Temporary Sub-Conductor) Alfred Beauchamp.	Sub-Conductor on probation.	17th „ „	Sub-Conductor Pickering.
Magazine Sergeant (Officiating Sub-Conductor) Lawrence J. O'Connell.	Ditto ...	11th April „	Sub-Conductor F. Waller, seconded.
Assistant Commissary (Officiating Deputy Commissary) and Honorary Lieutenant William Swinnerton.	Deputy Commissary	1st July „	Deputy Commissary and Honorary Captain J. Baker, pensioned.
Deputy Assistant Commissary and Honorary Lieutenant Edwin W. Allum.	Assistant Commissary.	1st „ „	Honorary Lieutenant Swinnerton.

FIELD OPERATIONS.

No. 483.—In paragraph 10 of Major-General Phayre's despatch No. 45, dated the 16th October, 1880, published in G. G. O. No. 693 of 1880, *for* "Lieutenant G. H. W. O'Sullivan, R.E.," *read* "Lieutenant W. Coles, R.E."

FURLOUGH AND LEAVE.

No. 484.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Lieutenant-Colonel (Brevet Colonel) H. V. Mathias, s.c., (m. c.) for two months.

Major (Brevet Lieutenant-Colonel) G. Stewart, Bengal S. C., (m. c.) for two months.

Captain (Brevet Major) the Hon'ble G. C. Napier, C.I.E., General List, Infantry, (u. p. a.) for one month.

Captain E. S. Neave, Bengal S. C., (m. c.) for six months.

Captain H. W. Clarke, R.E., (p. a.) for six months.

Lieutenant W. S. Hewett, Bengal S. C., (m. c.) for three months.

Lieutenant C. E. Pollock, Bengal S. C., (m. c.) for six months.

Lieutenant C. J. Robarts, Bengal S. C., (m. c.) for one month.

Surgeon-Major B. Franklin, (p. a.) for two months.

No. 485.—The special leave granted to Captain W. Shepherd, R.E., in G. G. O. No. 216 of 1881, commenced from the 23rd June, 1881, and not as therein notified.

PROMOTIONS.

No. 486.—NATIVE ARMY—

7th Bengal Cavalry.

Jemadar Shadul Khan, to be Ressaidar, *vice* Sheikh Kumroodin, invalided; Kote-Duffadar Kuppoor Sing, to be Jemadar, *vice* Shadul Khan, promoted,—1st May, 1881.

No. 487.—*16th Regiment Native Infantry.*

Jemadar Lachman Sing, to be Subadar, *vice* Chingun Sing, invalided; Jemadar Makhdumbux Khán, to be Subadar, *vice* Ramsarn Sing, invalided; Havildar Biseser Opadhia, to be Jemadar, *vice* Soorjbax Sing, invalided; Havildar Bhagwandin, to be Jemadar, *vice* Ramnath Sing, invalided; Havildar Bhagwandin Misser, to be Jemadar, *vice* Ranjit Khan, invalided; Havildar Kirtinath Tiwari, to be Jemadar, *vice* Lachman Sing, promoted; Havildar Kashiram Dube, to be Jemadar, *vice* Makhdumbux Khan, promoted,—15th June, 1881.

No. 488.—PUNJAB FRONTIER FORCE—

2nd Punjab Cavalry.

Ressaldar Lahrasaf Khan, to be Ressaldar Major, *vice* Badhawa Sing, invalided; Ressaldar Shere Sing, to be Ressaldar, *vice* Badhawa Sing, invalided; Jemadar Hakim Sing, to be Ressaidar, *vice* Shere Sing, promoted; Duffadar Narain Sing, to be Jemadar, *vice* Hakim Sing, promoted,—30th April, 1881.

RETIREMENTS.

No. 489.—Under the authority of the Secretary of State for India, His Excellency the Governor General in Council is pleased to direct the publication of the following revised scales of pensions for officers of the Indian Staff Corps and the Indian Forces, to take effect from the 1st July, 1881.

2. For the purposes of these pension rules, which will be known as those of 1881, officers will be divided into four classes, *viz.*,—

I.—Officers who entered the Staff Corps prior to or on the 12th September, 1866.

II.—Officers of the late Indian Cavalry and Infantry who have not joined the Staff Corps, commonly known as officers of the Local Service.

III.—Officers on the General List, who entered the service under "new conditions of appointment," and who have not subsequently joined the Staff Corps.

IV.—Officers who have entered the Staff Corps since the 12th September, 1866.

3. The pensions for classes I and II will be—

	Pension. £
After 20 years' service	... 288
„ 24 „ „	... 420
„ 28 „ „	... 571
„ 32 „ „	... 783

4. The existing regulation which gives to these classes certain rates of pension after 35 years' and 38 years' service will thus become inoperative.

5. The conditions of retirement offered in G. G. O. No. 1 of 1st January, 1881, will not be renewed.

6. The pensions for officers in classes III and IV will be—

	Pension. £
After 20 years' service	... 250
„ 24 „ „	... 365
„ 28 „ „	... 500
„ 32 „ „	... 700
„ 38 „ „ (as now)	... 750

7. Furlough service for pension will continue to be governed by the furlough regulations under which each officer may be serving.

8. The senior officers of classes III and IV will succeed to colonel's allowances as soon as they have completed 12 years as substantive Lieutenant-Colonel, until the number of officers in receipt of the allowances is equal to one-thirtieth of the whole of the officers in their respective lists in each Presidency, and thenceforward the number of colonel's allowances then enjoyed by officers of that class shall be considered as the fixed establishment to which officers are to succeed by seniority as vacancies occur. For the purposes of this scheme, all officers of class III of all three presidencies will be placed on one list. The establishment will be ascertained by the number of officers remaining on that amalgamated list on the day the senior officer completes 12 years' service as substantive Lieutenant-Colonel.

9. No colonel's allowances will be granted to any officer joining the Staff Corps as a probationer after the 1st of July 1881.

10. Pension regulations for officers entering the Staff Corps henceforward will be notified hereafter.

11. Officers will be allowed to commute a portion, not exceeding one-third, of their pensions, and this commutation may take place at any time and not merely on retirement.

12. In every case the capitalized sum will be payable in rupees in India, the sterling sum being converted at the official rate of exchange for the year in which the payment is made.

13. Full power is reserved to the Secretary of State for India to temporarily suspend or limit retirement, whenever it may appear to him necessary in the interests of the public service to do so.

No. 490.—In continuation of G. G. O. No. 453 of 1881, the undermentioned officers are permitted to retire from the service, under the provisions of G. G. O. No. 1 of 1881, with effect from the dates specified, subject to Her Majesty's approval:—

Lieutenant-Colonel Alexander McLeod Stewart, Bengal S. C.,—31st August, 1881.

Lieutenant-Colonel (Brevet Colonel) Theodore Walter Ross Boisragon, C.B., Bengal S. C.,—2nd September, 1881.

No. 491.—Surgeon H. Mallins, M.B., has been permitted to resign the service, with effect from the 25th July, 1881, subject to Her Majesty's approval.

VETERINARY DEPARTMENT.

No. 492.—Under the authority of the Secretary of State for India, His Excellency the Governor General in Council is pleased to notify that the following will be the scale of pensions for the officers of the Indian Veterinary Department:—

	£
After 25 years' service, including 3 years' furlough or leave of absence	350
After 30 years' service, including 4 years' furlough or leave of absence	450

2. The commutation of a portion of the pension not exceeding one-third, as sanctioned for combatant officers, will be allowed under the same conditions to officers of the Veterinary Department, such commutation being allowed to take place at any time and not merely on retirement.

3. In every case the capitalized sum will be payable in rupees in India, the sterling sum being converted at the official rate of exchange for the year in which the payment is made.

4. The new scale of pensions will have effect from the 1st July, 1881.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

CALCUTTA, THE 29TH AUGUST, 1881.

Statement of Deposits on account of Estates from the 9th to the 29th August, 1881.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
Lister Sunderland (*a*) ...	Lieutenant	1st Battalion, Seaforth Highlanders (Ross-shire Buffs).	17th May, 1881.	No will found.	790 11 11	...	29th October, 1881.

(*a*) *Next of kin—Brother.*—Thomas J. Sunderland, Honorary Major, Bedfordshire Militia, Ravensden Grange, Bedford.

W. M. LEES, *Colonel*,
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 2nd Sep[illegible]881.

APPOINTM[illegible]

No. 32.—Mr. J. McArthur, Officiating Chief Engineer, Kidderpore Dockyard, to be Inspector of Machinery of that Dockyard.

Mr. J. Fergusson, Officiating 1st Superintending Engineer, Kidderpore Dockyard, to be Foreman of the factory.

Mr. E. A. S. Mignon, Officiating Marine Storekeeper, Kidderpore Dockyard, is confirmed in his appointment.

FURLOUGH AND LEAVE.

No. 33.—The leave granted to Mr. F. Place, Accountant, Bombay Dockyard, in G. G. O. No. 19 of 1881, has effect from the 19th July, 1881.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 30th August 1881.

No. 285.—Mr. J. M. Campion, Executive Engineer, 3rd Grade, is transferred from the Railway Branch to the Punjab.

No. 286.—Mr. J. J. Jones, Executive Engineer, 3rd Grade, Bengal, is transferred to the establishment under the Director General of Railways.

No. 287.—To fill existing vacancies in the Railway Branch, the following promotions are made, with effect from the 31st July 1881:—

Names.	From	To
Mr. F. J. E. Spring...	Executive Engineer, 4th Grade ...	Executive Engineer, 3rd Grade.
Mr. W. K. Stent ...	" " 4th " ...	" " 3rd "
Mr. A. S. Gerrard ...	" " 4th " tempy. rank ...	" " 4th "
Mr. F. W. Morse ...	Assistant " 1st " ...	" " 4th " tempy. rank.
Mr. E. W. Arundell...	" " 1st " ...	" " 4th " " "
Mr. T. R. Wynne ...	" " 1st " ...	" " 4th " " "
Mr. F. Lang ...	" " 2nd " ...	Assistant " 1st "
Mr. C. J. S. Baker ...	" " 2nd " ...	" " 1st "
Mr. J. E. Dallas ...	" " 2nd " ...	" " 1st "
Mr. R. Sivewright ...	" " 2nd " ...	" " 1st "

The 1st September 1881.

No. 288.—The services of Lieutenant-Colonel (Brevet Colonel) G. D. Pritchard, R.E., are placed at the disposal of the Military Department, with effect from the date on which he may be relieved of his duties in the North-Western Provinces and Oudh.

No. 289.—*Addendum.*—In Public Works Department Notification No. 283, dated 26th August, after the words "*Director General of Railways*" add "*and Deputy Secretary.*"

The 2nd September 1881.

No. 290.—Mr. F. Finch, Storekeeper, 2nd Grade, is promoted to Class IV of the Revenue Establishment of State Railways, with effect from the 23rd June 1881.

No. 291.—Adverting to Department of Finance and Commerce Notification No. 1029, dated 10th June 1881, the Governor General in Council has decided that the Darjeeling Tramway be classed as a Railway as regards the allowances to be drawn for travelling thereon.

W. S. TREVOR, *R.E., Colonel*,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 37. } SIMLA, SATURDAY, SEPTEMBER 10, 1881.

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

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SUPPLEMENT No. 37.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 6th September 1881.

No. 275.—The services of the Hon'ble C. Grant, C.S., C.S.I., Secretary to the Government of India in the Home Department, are placed at the disposal of the Foreign Department.

No. 277.—Mr. A. Mackenzie, C.S., Secretary to the Government of Bengal, is appointed to officiate as Secretary to the Government of India in the Home Department.

The Hon'ble Mr. Grant made over, and Mr. Mackenzie received, charge of the office of Secretary to the Government of India in the Home Department on the forenoon of the 6th instant.

F. C. DAUKES,
Under Secy. to the Govt. of India.

PUBLIC.

The 9th September 1881.

No. 1344.—The Governor General in Council is pleased, under Section 27 of the Indian Arms Act, 1878, to exempt, from the operation of Section 15 of the said Act, the undermentioned persons, residents of Cawnpore in the North-Western Provinces, in respect of a sword and a dagger which were granted to their father for good services rendered to Government:—

Rajbansi and Bindrabán, sons of the late Ram Baksh, Subadar Bahadur of the Nepal Escort.

ESTABLISHMENTS.

The 9th September 1881.

No. 28[illegible]—In consequence of Colonel H. A. Browne, Commissioner of Pegu, having vacated his appointment on the 29th June 1881, on succeeding to Colonel's allowances, the following promotions are made in the British Burma Commission:—

Lieutenant-Colonel C. W. Street, Secretary to the Chief Commissioner and Officiating Commissioner of Pegu, to be confirmed in his appointment, *vice* Colonel H. A. Browne.

Mr. J. K. Macrae, Deputy Commissioner, 3rd Grade, and Officiating Deputy Commissioner, 2nd Grade, to be confirmed in his appointment, *vice* Mr. G. D. Burgess, C.S., appointed to be Secretary to the Chief Commissioner.

Mr. H. Buckle, Deputy Commissioner, 4th Grade, and Officiating Deputy Commissioner, 3rd Grade, to be confirmed in his appointment.

Mr. R. H. Pilcher, C.S., Junior Secretary to the Chief Commissioner, to be Deputy Commissioner, 4th Grade.

Mr. E. S. Symes, C.S., Assistant Commissioner, 4th Grade, and Officiating Junior Secretary to the Chief Commissioner, to be confirmed in his appointment.

No. 285.—In consequence of the creation of the Commissionership of the Irrawaddy Division, the following promotions are made in the British Burma Commission, with effect from the 6th July 1881:—

Mr. G. J. S. Hodgkinson, C.S., Deputy Commissioner, 1st Grade, and Officiating Commissioner, to be confirmed in his appointment.

Major G. A. Strover, Deputy Commissioner, 2nd Grade, and Officiating Deputy Commissioner, 1st Grade, to be confirmed in his appointment.

Major W. G. Hughes, Deputy Commissioner, 3rd Grade, and Officiating Deputy Commissioner, 2nd Grade, to be confirmed in his appointment.

Mr. A. Hough, Deputy Commissioner, 4th Grade, and Officiating Settlement Secretary to the Chief Commissioner, to be Deputy Commissioner, 3rd Grade, but to continue to officiate as Settlement Secretary.

Captain J. Butler, Assistant Commissioner, 1st Grade, and Officiating Deputy Commissioner, 4th Grade, to be confirmed in his appointment.

Major G. Alexander, Assistant Commissioner, 2nd Grade, and Officiating Deputy Commissioner, 4th Grade, to be Assistant Commissioner, 1st Grade, but to continue to officiate as Deputy Commissioner, 4th Grade.

Captain B. A. N. Parrott, Assistant Commissioner, 3rd Grade, to be Assistant Commissioner, 2nd Grade.

Captain W. F. H. Grey, Assistant Commissioner, 4th Grade, and Officiating Assistant Commissioner, 2nd Grade, to be Assistant Commissioner, 3rd Grade, but to continue to officiate as Assistant Commissioner, 2nd Grade.

MEDICAL.

The 8th September 1881.

No. 434.—The services of Surgeon-Major A. McM. Paterson, attached to the 31st Regiment Native Infantry, are placed temporarily at the disposal of the Government of the Punjab.

The 9th September 1881.

No. 438.—His Excellency the Viceroy and Governor General is pleased to make the following appointments:—

To be Honorary Assistant Surgeons to His Excellency the Viceroy.

Assistant Surgeon		Dinobundhoo Dutt ...	Bengal.
,,	,,	S. P. Johns ...	North-Western Provinces.
,,	,,	Mookund Loll ...	Ditto.
,,	,,	Chetan Shah, Khan Bahadur ...	Punjab.
,,	,,	Jadub Kishen Ghose...	Central Provinces.
,,	,,	Madras Iyasawmy Pillai ...	Madras.
,,	,,	Ananta Chandroba ...	Bombay.
,,	,,	Sakharam Arjun ...	Ditto.

EDUCATION.
INDUSTRY, SCIENCE AND ART.

The 7th September 1881.

No. 276.—Mr. O. L. Fraser, Officiating 1st Assistant to the Superintendent, Indian Museum, has obtained furlough for one year, with effect from such date as he may avail himself of it.

FORESTS.

The 7th September 1881.

No. 805F.—Mr. E. F. Litchfield, Assistant Conservator of Forests of the 2nd Grade, attached to the Forest Survey Branch, is granted examination leave, under Chapter I, Section IV, paragraph 53, of the Forest Department Code, with effect from the 20th August 1881, or such subsequent date as he may avail himself of it, to the 10th November 1881.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—SURVEYS.

Simla, the 9th September 1881.

No. 111.—The services of Lieutenant-Colonel H. C. B. Tanner, Deputy Superintendent of the 3rd Grade, Survey of India, are placed temporarily at the disposal of the Foreign Department, with effect from the 17th November 1880.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Simla, the 8th September 1881.

No. 1686G.-G.—Under Section 49 of the Civil Leave Code, Sir A. C. Lyall, K.C.B., Secretary to the Government of India in the Foreign Department, is granted furlough to Europe on private affairs for eight months, with effect from the 20th September 1881, or from any subsequent date on which he may avail himself of it.

No. 1688G.-G.—The Hon'ble C. Grant, C.S., C.S.I., Additional Member of the Council of the Governor General for making Laws and Regulations and Secretary to the Government of India in the Home Department, is appointed to officiate as Secretary to the Government of India in the Foreign Department, with effect from the 7th September 1881, *vice* Sir A. C. Lyall, K.C.B., proceeding on furlough.

H. M. DURAND,
Under Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 9th September 1881.

No. 2853.—The services of Mr. A. P. MacDonnell, B.C.S., have been replaced at the disposal of the Government of Bengal from the 31st August 1881.

The 6th September 1881.

No. 2866.—In exercise of the powers conferred by Section 23 of the Sea Customs Act, VIII of 1878, His Excellency the Governor General in Council is pleased to exempt all materials and apparatus used in the construction and maintenance of lines of telephonic communication from the customs duties to which they are liable under the Indian Tariff Act, 1875.

The 9th September 1881.

No. 2869.—Mr. R. Logan, having been appointed to officiate as Accountant General, Bengal, received charge of that office before noon on the 31st August 1881.

No. 2882.—Babu Ishan Chandra Basu, M.A., having been appointed to officiate as Assistant Accountant General, Bengal, received charge of that office before noon on the 31st August 1881.

No. 2967.—In exercise of the powers conferred by Section 8 of the Indian Stamp Act, 1879, the Governor General in Council is pleased to remit in the whole of British India the stamp duty payable on leases or counterparts thereof executed at the time of settlements made directly by Government with existing occupants of land, whether zemindars or tenants, and whether self-cultivating or not, provided that no fine or premium is paid in consideration of such lease.

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

MILITARY DEPARTMENT.

Simla, the 9th September, 1881.

APPOINTMENTS.

No. 493.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Alfred Ambrose Lane, 1st Battalion South Yorkshire Regiment, Wing Officer, 28th Native Infantry,—8th October, 1878.

Lieutenant Ernest DeBrath, 1st Battalion East Kent Regiment, Officiating Wing Officer, 32nd Native Infantry, now Wing Officer, 24th Native Infantry,—20th August, 1879.

Lieutenant Tudor Lay, 2nd Battalion Leinster Regiment, Officiating Wing Officer, 15th Native Infantry,—5th May, 1880.

Lieutenant Ernest Henry Rivett-Carnac, 2nd Battalion Shropshire Regiment, Officiating Squadron Officer, 19th Bengal Lancers,—19th July, 1880.

Lieutenant Alexander John Ross Hutchinson, 1st Battalion Suffolk Regiment, Officiating Squadron Officer, 11th Bengal Lancers,—5th August, 1880.

Lieutenant John Maxwell Carpendale, 1st Battalion Suffolk Regiment, Officiating Squadron Officer, 12th Bengal Cavalry,—7th August, 1880.

No. 494.—PERSONAL STAFF—

His Excellency the Viceroy and Governor General is pleased to make the following appointments on His Excellency's Personal Staff:—

To be Honorary Surgeons.

Surgeon-General W. R. Cornish, C.I.E., Indian Medical Service, Madras Establishment.

Deputy Surgeon-General (local Surgeon-General, Bengal) A. J. Payne, M.D., Indian Medical Service, Bengal Establishment.

Deputy Surgeon-General W. J. Moore, Indian Medical Service, Bombay Establishment.

Brigade-Surgeon J. A. Marston, M.D., Army Medical Department.

Surgeon-Major G. Farrell, Indian Medical Service, Bengal Establishment.

Surgeon-Major T. E. Charles, M.D., Indian Medical Service, Bengal Establishment.

Surgeon-Major R. W. Cunningham, M.D., Indian Medical Service, Bengal Establishment.

Surgeon-Major C. A. Atkins, Army Medical Department.

Surgeon E. A. H. Roe, Army Medical Department.

No. 495.—COMMISSARIAT DEPARTMENT—

Lieutenant C. J. B. H. Dressner, Bengal S. C., Officiating Squadron Officer, 2nd Regiment, Central India Horse, to be a Sub-Assistant Commissary General, 3rd class, on probation, with effect from the 17th August, 1881, to fill an existing vacancy.

No. 496.—MILITARY ACCOUNTS DEPARTMENT—

Major C. G. Cautley, Military Accountant, 2nd class, 1st grade, to be Military Accountant, 1st class, 2nd grade.

Major M. A. Rowlandson, Military Accountant, 2nd class, 2nd grade, to be Military Accountant, 2nd class, 1st grade.

Major H. F. Woodcock, Military Accountant, 3rd class, to be Military Accountant, 2nd class, 2nd grade.

Lieutenant H. F. Cadell, Assistant Military Accountant, to be Military Accountant, 3rd class.

Major J. S. F. Mackenzie, Assistant Military Accountant, to be Military Accountant, 3rd class.

With effect from the 3rd July, 1881, *vice* Colonel C. L. Brown, Military Accountant, 1st class, 2nd grade, retired, and to fill an existing vacancy in the 3rd class.

FURLOUGH AND LEAVE.

No. 497.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Major H. J. Nuthall, Bengal S. C., Executive Engineer, 1st grade, Public Works Department,

(p. a.) for two years, under rule IX of the regulations of 1868.

Captain B. Wemyss, General List, Infantry, Wing Officer, 41st Native Infantry, (p. a.) for one year, under rule IX of the regulations of 1868.

Lieutenant C. W. Harris, Bengal S. C., Wing Officer, 4th Native Infantry, (m. c.) for one year and 182 days, under rule VI of the regulations of 1875.

First class Apothecary T. Lyons, (m. c.) for one year and 182 days, under the regulations of 1868, with effect from the 17th August, 1881.

No. 498.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India :—

Lieutenant-Colonel E. J. McNair, Bengal Infantry, (m. c.) for six months.

Lieutenant-Colonel G. A. Way, Bengal S. C., (p. a.) for two months.

Major A. B. Douglas, Bengal S. C., (p. a.) for six months.

Captain H. O. Woodhouse, Bengal S. C., (p. a.) for one year.

Lieutenant F. Beauclerk, R.E., (p. a.) for one year.

Lieutenant H. D. Gerrard, Bengal S. C., (m. c.) for six months.

PENSIONS.

No. 499.—Conductor John Lake, Ordnance Department, is transferred to the Pension establishment.

PROMOTIONS.

No. 500.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

To be Lieutenant-Colonel.

Major (Brevet Lieutenant-Colonel) Robert Byng Patricia Price Campbell,—4th September, 1881.

To be Major.

Captain Everard Strangways Neave,—4th September, 1881.

BENGAL ARMY.

To be Major.

Captain George Michell Devereux Hill, General List, Infantry,—4th September, 1881.

No. 501.—COMMISSARIAT DEPARTMENT—

Conductor and Honorary Lieutenant John Henry Sharpe, to be Deputy Assistant Commissary, in recognition of his services during the first phase of the Afghan War.

No. 502.—PUBLIC WORKS DEPARTMENT—

Sergeant Peter Francis Taylor, Public Works Department, to be Sub-Conductor, with effect from the 1st June, 1881, in recognition of his services during the second phase of the Afghan War.

No. 503.—SUBORDINATE MEDICAL DEPARTMENT—

Rank and Names.	To what rank promoted.	From what date.	In succession to
Passed Hospital Apprentice Charles John Maher.	2nd Class Assistant Apothecary.	20th March, 1881.	Assistant Apothecary R. G. Annosette, deceased.
Passed Hospital Apprentice Edward Aloysious Bryan.	Ditto	Ditto	Assistant Apothecary J. E. Cooney, resigned.

No. 504.—NATIVE ARMY—

26th Native Infantry.

Havildar Kootub Deen, to be Jemadar, *vice* Saiyud Mahomed, invalided,—1st May, 1881.

No. 505.—VOLUNTEER CORPS—

Tirhoot State Railway Volunteer Rifle Corps.

Sergeant Arthur William Uglow Pope, to be Second-Lieutenant, *vice* Second-Lieutenant James Douglas, resigned.

RETIREMENTS.

No. 506.—In continuation of G. G. O. No. 490 of 1881, the undermentioned officer is permitted to retire from the service under the provisions of G. G. O. No. 1 of 1881, with effect from the date specified, subject to Her Majesty's approval :—

Lieutenant-Colonel Mansfeldt George Smith, Bengal S. C.,—5th September, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 5th September, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned commissioned officer, on the date specified, was received in the Military Department from the 9th August to the 5th September, 1881 :—

Corps.	Rank and Name.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Unattached List ...	Lieutenant-Colonel John Hopkins...	27th August, 1881.	Meerut ...	...	...

Statement of Deposits on account of Estates from the 30th August to the 5th September, 1881.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. A. P.		
Robert Lowe Spencer Vassall (a).	Lieutenant ...	Royal Artillery	15th March, 1881.	Intestate	1,470 14 4	...	5th November, 1881.

(a) *Next-of-kin—Father.*—R. Vassall, Esq., Oldbury Court, Nr. Bristol.

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 9th September, 1881.

APPOINTMENTS.

No. 34.—Mr. R. Wood, Inspector of Machinery, Bombay Dockyard, to be Officiating Chief Engineer, Kidderpore Dockyard, with effect from the 1st July, 1881, *vice* Mr. McArthur, on furlough.

Mr. T. Anderson, Foreman of the Factory, Bombay Dockyard, to be Officiating Inspector of Machinery, *vice* Mr. Wood.

Mr. J. Balbi, Engineer in charge, I. G. S. *Dalhousie*, to be Officiating Foreman of the Factory, *vice* Mr. Anderson.

No. 35.—Mr. R. Wood, Inspector of Machinery, Bombay Dockyard, and Officiating Chief Engineer, Kidderpore Dockyard, to be Inspector of Machinery of the latter Dockyard, with effect from the 1st September, 1881, *vice* Mr. McArthur, on furlough.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 5th September 1881.

No. 292.—The Government of India has no further need of the services of Mr. G. McEwen, Temporary Assistant Examiner, Public Works Accounts.

The 8th September 1881.

No. 294.—Mr. W. deW. Peel, Executive Engineer, 4th Grade, is transferred from the Railway Establishment of the Government of Bengal to the Office of the Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, with effect from the date that he returns from special privilege leave.

The 9th September 1881.

No 295.—To fill existing vacancies in the Railway Branch, the following promotions are made, with effect from 1st August 1881 :—

Name.	From	To
Mr. A. Brereton ...	Ex. Engr., 4th Grade	Ex. Engr., 3rd Grade.
„ T. W. Grant ...	„ „ 4th „ tempy. rank.	„ „ 4th „
„ E. S. J. Routh ...	Asst. Engr., 2nd Grade	Asst. „ 1st „

TELEGRAPH.

The 6th September 1881.

No. 293.—In consequence of Mr. H. P. Owen, Officiating Superintendent, 2nd Grade, Indian Telegraph Department, having proceeded on furlough, the following officiating appointments are made, with effect from the 19th August 1881, and until further orders :—

Mr. T. C. Hill, Superintendent, 3rd Grade, to officiate as Superintendent, 2nd Grade.

Mr. J. F. Bevan, Assistant Superintendent, 1st Grade, to officiate as Superintendent, 3rd Grade.

W. S. TREVOR, *R.E., Colonel,*
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 38. } SIMLA, SATURDAY, EPTEMBER 17, 1881.

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

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SUPPLEMENT No. 38.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—MEDICAL.

Simla, the 15th September 1881.

No. 459.—The services of Surgeon J. Lewtas, M.B., (Queen's Own) Corps of Guides, are placed temporarily at the disposal of the Government of Bengal.

JUDICIAL.

The 15th September 1881.

No. 1212.—In exercise of the power conferred by Section 5 of Act XIV of 1874 (The Scheduled Districts Act), the Chief Commissioner of Assam is pleased, with the previous sanction of the Governor General in Council, to extend Act VII (B. C.) of 1880 (The Public Demands Recovery Act) to the districts of Sylhet and Goalpara (excluding the Eastern Duars) in the Chief Commissionership of Assam.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.—SURVEYS.

Simla, the 15th September 1881.

No. 120.—Mr. F. R. Mallet, Assistant of the 2nd Grade in the Geological Survey of India, is granted privilege leave for one month, under Section 71, Chapter V, of the Civil Leave Code, with effect from the 1st proximo, or any subsequent date on which he may avail himself of it.

GENERAL.

The 16th September 1881.

No. 127.—Mr. C. L. Tupper, C.S., Officiating Under Secretary to the Government of India in the Revenue and Agricultural Department, is placed on special duty for two months, from the 15th September 1881.

No. 128.—Mr. T. W. Holderness, C.S., is appointed to officiate as Under Secretary to the Government of India in the Revenue and Agricultural Department, during the absence of Mr. C. L. Tupper on special duty.

No. 129.—Mr. C. L. Tupper, C.S., and Mr. T. W. Holderness, C.S., respectively made over

and received charge of the office of Under Secretary to the Government of India in the Revenue and Agricultural Department on the forenoon of the 15th instant.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

STAR OF INDIA.

NOTIFICATION.

Simla, the 10th September 1881.

No. 53*S.-I.*—Under the provisions of Section XXI of the Statutes of the Most Exalted Order of the Star of India, His Excellency the Grand Master has been pleased to appoint the Hon'ble Charles Grant, C.S., C.S.I., to be Secretary of the Order.

H. M. DURAND,
Under Secy. to the Govt. of India.

INDIAN EMPIRE.

NOTIFICATION.

Simla, the 10th September 1881.

No. 58*I.-E.*—Under the provisions of Section XII of the Statutes of the Order of the Indian Empire, His Excellency the Grand Master has been pleased to appoint the Hon'ble Charles Grant, C.S., C.S.I., to be Secretary of the Order.

H. M. DURAND,
Under Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 12th September 1881.

No. 256*G.-P.*—With reference to Notification No. 153G.-P., dated 1st June 1881, the recognition by the Government of India of the appointment of Mr. Sander Gutmann as Acting Consul for the Netherlands at Aden, during the absence of Mr. E. O. Ooms, has been confirmed by Her Majesty's Government.

The 14th September 1881.

No. 260*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer upon Gundubogula Ramanah Naidu, Inspector of the Vizagapatam Police, the title of "Rai Bahádur," as a personal distinction.

GENERAL.

The 14th September 1881.

No. 1722*G.-G.*—Under Section 49 of the Civil Leave Code, Major J. Biddulph, lately on special duty in Gilgit, is granted furlough on private affairs for one year, with effect from the date of his departure in June 1881, with the necessary subsidiary leave.

The 15th September 1881.

No. 1732*G.-G.*—Mr. C. Stuart, late Deputy Registrar in the Foreign Department, having been dismissed from his appointment, is declared incapable of serving Government hereafter in any capacity.

No. 1736*G.-G.*—Lieutenant R. A. Cole, Officiating Adjutant of the Deoli Irregular Force, is appointed to officiate as Adjutant of the Erinpura Irregular Force during the absence of Captain C. E. Wheeler, or until further orders, with effect from the date of assuming charge.

Major P. W. Smith, doing duty with the Deoli Irregular Force, is appointed to officiate as Adjutant of that Force, during the absence of Lieutenant C. Herbert, with effect from the date of assuming charge.

The 16th September 1881.

No. 1740*G.-G.*—Mahomed Razza, Attaché to the Resident at Hyderabad, substantive *pro tempore*, is confirmed in that appointment.

Syed Alim-ud-din Husain is appointed to be an Attaché to the Resident at Hyderabad, substantive *pro tempore*, with effect from the date of assuming charge, *vice* Dastur Edulji Bahmanji.

Suraj Narain is appointed to be an Attaché to the Resident at Hyderabad, substantive *pro tempore*, with effect from the date of assuming charge, *vice* Runga Rao.

No. 1743*G.-G.*—Sir S. C. Bayley, K.C.S.I., Resident of the 1st Class and Resident at Hyderabad, is granted privilege leave of absence for two months and twenty-nine days, with effect from the date on which he may avail himself of it.

No. 1745*G.-G.*—The following temporary arrangements are made, with effect from the date of assuming charge, during the absence on privilege leave of Sir S. C. Bayley.

Mr. W. B. Jones, Commissioner of the Hyderabad Assigned Districts, to officiate as Resident of the 1st Class and Resident at Hyderabad.

Lieutenant-Colonel J. G. Bell, Judicial Commissioner, to officiate as Commissioner of the Hyderabad Assigned Districts, *vice* Mr. W. B. Jones.

Lieutenant-Colonel J. T. Bushby, Deputy Commissioner of the 1st Class, to officiate as Judicial Commissioner of the Hyderabad Assigned Districts, *vice* Lieutenant-Colonel J. G. Bell.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 16th September 1881.

No. 2977.—The following Addendum to the Codes of the Financial Department is published for general information:—

DEFINITIONS.

Page IX.

In "LOCAL GOVERNMENT," *paragraph 2, fifth line, after* "Rules" *insert* "2."

The 14th September 1881.

No. 2979.

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

Read again—

Financial Resolution No. 1923, dated 22nd July 1881, directing that certain articles entered in the Bengal stationery indent for 1882-83 should be struck out of the indent and the articles obtained of Indian manufacture.

Read also—

Letter from the Superintendent of Stationery, Calcutta, No. 2441, dated 3rd August 1881, intimating that machine blankets which were struck out of his indent cannot be obtained of Indian manufacture.

RESOLUTION.—The Governor General in Council has ascertained that, in addition to the articles mentioned in the Resolution above cited (published in the *Gazette of India* of the 23rd July 1881), colour slabs and colour saucers are made at the Raneegunge Pottery belonging to Messrs. Burn & Co. The material is highly glazed, and takes colours freely without absorbing them. The only practical difference between these goods and those of English manufacture is that the latter are purely white, while the Indian-made articles, owing to the presence of iron in the clay, is of a cream colour. This difference is quite immaterial for useful purposes, and the locally-made article should be substituted for imported colour slabs and saucers if they can be made for a price not higher than that of the English-made articles laid down in Calcutta. The number indented for was 400 colour slabs at 9*d.* each and 700 saucers at ¾*d.* each.

2. It is understood that the Madras School of Art is also prepared to make these articles.

3. Machine blankets not being at present procurable of Indian manufacture, a requisition will be made for their supply from England.

ORDERED, that the foregoing Resolution be communicated to the Government of Bengal and to the other Local Governments and Administrations for information and guidance.

Ordered also, that the Resolution be published in the *Gazette of India*.

The 16th September 1881.

No. 3048.—Mr. G. W. Cline, LL.D., Barrister-at-Law, having been appointed to officiate as Assistant Comptroller General, received charge of that office before noon on the 9th September 1881.

No. 3054.—There being no fixed procedure at present for the publication of Loan Notifications in the three Presidencies, the Governor General in Council is pleased to prescribe the following rules for observance in future:—

(1) All announcements regarding Loans will be issued by the Financial Secretary to the Government of India.

(2) In cases where it is possible, the Gazette Extraordinary containing the Loan Notification will be sent, in proof, by him confidentially to the Comptroller General and the Accountants General, Madras and Bombay, to be reprinted by them and issued at 10 A.M. from their offices on the day fixed.

(3) Where circumstances do not allow of this, a telegraphic summary will be sent for similar issue.

(4) The day before or the day on which the mail leaves Calcutta will, whenever possible, be chosen as the day for issue of the Loan Notification.

ORDERED, that these rules be communicated to the Comptroller General and the Accountants General, Madras and Bombay, and that they be also published in the *Gazette of India* for general information.

No. 3081.—Mr. C. A. Stuart, having been appointed to officiate as Postmaster General, Bombay, during the absence on special duty of Mr. A. U. Fanshawe, received charge of that office after noon on the 7th September 1881.

No. 3090.

Read again—

The undermentioned papers regarding the supply of stores required for the public service in India.

Financial Resolution No. 3574, dated 3rd November 1880.
" " " 953 " 10th June 1881.

Read also—

Letter from the Government of Madras to the Under-Secretary of State for India, No. 35, dated 18th August 1881, forwarding an estimate of the value of stores required for the Revenue Survey Department in Madras during the year 1882-83.

RESOLUTION.—In the Resolutions cited above, the Government of India has declared its policy that it is expedient to encourage Indian industries. The Governor General in Council accordingly directs that for the use of the Revenue Survey Department in Madras, as also for the public service generally, the articles enumerated below shall in future be procured of Indian manufacture, if they can be obtained at a price not higher than imported goods of the same class.

			Rs.	A.	
Alcohol, absolute	...	Pints 10 @	2	4	each.
" common	...	" 20 @	2	3	"
Nitrate of silver, common		oz. 50 @	1	12	per oz.
" " fused		" 50 @	1	13	"

Alcohol is prepared by Dr. Waldie of Calcutta and by Messrs. Ahmuty and Company, Calcutta, and probably at the distillery at Aska in Ganjam and in other places. Nitrate of silver is also made by Dr. Waldie.

Gum Arabic, of which 50 lbs. are entered in the estimate at Rs. 1-2 per lb., is an article of common and large import into Bombay, and it should not be obtained from England.

The Governor General in Council requests that His Excellency the Governor of Madras in Council will be good enough to cancel the demand for the articles mentioned in this Resolution, if an indent for them from the Survey Department has already been forwarded to the India Office.

ORDERED, that the foregoing Resolution be communicated to the Government of Madras for information and guidance, a copy being sent to the Revenue and Agricultural Department.

Ordered also, that it be communicated to the other Local Governments and Administrations, and be published in the *Gazette of India*.

No. 3095.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 31st August 1881, published as required by Section 23 of the Indian Paper Currency Act, 1871.*

Circles of Issue.	Whole amount of Notes in circulation.	Reserve in Silver Coin and Bullion.		
		Coin.	Bullion.	Total.
	Rs.	Rs.	Rs.	Rs.
Calcutta ...	6,73,68,235	1,67,71,847	4,70,029	1,72,41,876
Madras ...	1,28,87,025	70,88,510	10,82,000	81,70,510
Bombay ...	3,07,17,340	1,26,03,315	1,91,400	1,27,94,715
Allahabad ...	67,38,185	1,00,75,365	...	1,00,75,365
Lahore ...	77,80,205	2,07,25,385	...	2,07,25,385
Calicut ...	12,66,650	27,10,630	...	27,10,630
Coconada ...	7,95,845	19,52,565	1,65,000	21,17,565
Nagpur ...	15,62,895	23,03,875	...	23,03,875
Kurrachee ...	31,66,335	40,14,750	59,200	40,73,950
Akola ...	9,73,250	20,87,850	...	20,87,850
TOTAL ...	14,22,55,965	8,03,64,152	19,67,629	8,23,31,781
Invested in Government Securities under Section 17 of the Act				5,99,24,184
GRAND TOTAL ...				14,22,55,965

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

MILITARY DEPARTMENT.

Simla, the 16th September, 1881.

APPOINTMENTS.

No. 507.—PUNJAB FRONTIER FORCE—

2nd Sikh Infantry.

Lieutenant R. G. Egerton, 1st Battalion Leicestershire Regiment, a candidate for the Bengal Staff Corps, to be Officiating Wing Officer, on probation.

No. 508.—VOLUNTEER CORPS—

Seebpore College Volunteer Rifle Corps.

Mr. C. Fouracres, to be Captain-Commandant.

FURLOUGH AND LEAVE.

No. 509.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Major N. M. T. Horsford, Bengal S. C., Cantonment Magistrate, 1st grade, North-Western Provinces and Oudh, (m. c.) for one year, under rules IX and XV of the regulations of 1868, with effect from the 5th August, 1881.

Captain A. C. LeQuesne, Bengal S. C., Wing Officer, 5th Infantry, Hyderabad Contingent, (p. a.) for two years, under rule IX of the regulations of 1868.

Lieutenant B. Briscoe, Bengal S. C., Wing Officer and Adjutant, 40th Regiment of Native Infantry, (p. a.) for one year, under rule I of the regulations of 1875.

Sub-Conductor L. Eucker, Commissariat Department, (m. c.) for one year, under the regulations of 1868.

No. 510.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Lieutenant-Colonel (Brevet Colonel) G. C. Hankin, Bengal S. C., up to the 8th December 1881, without pay.

Major G. R. Grylls, Bengal S. C., (m. c.) for two months.

Captain A. B. Clare, General List, Infantry, (m. c.) for six months.

Surgeon-Major J. B. White, (m. c.) for three months.

Surgeon-Major E. Selous, M.D., (m. c.) for two months.

Surgeon T. Moloney, M.D., (m. c.) for six months.

LONDON GAZETTE.

No. 511.—The following extracts are published for general information:—

"*London Gazette,*" *dated the 29th July, 1881, page 3740.*

HER Majesty has approved of the following admissions to the Staff Corps, made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Laurence Julius Elliott Bradshaw, from the 25th Foot. Dated 2nd July, 1879, but to rank from 10th September, 1875.

Lieutenant Joseph Hume Balfour, from the 8th Foot. Dated 11th March, 1880, but to rank from 6th October, 1876.

Second-Lieutenant George Burridge Crawley, from the 2nd Foot. Dated 29th February, 1880.

"*London Gazette,*" *dated the 9th August, 1881 pages 4137 and 4138.*

HER Majesty has approved of the following promotions among the Officers of the Staff Corps and Indian Military Services made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Alfred Frederick Pollock Harcourt. Dated 8th June, 1881.

Major and Brevet Lieutenant-Colonel Henry Collett, C.B. Dated 8th June, 1881.

Major James Miller. Dated 8th June, 1881.

Major Edward Lacon Ommanney. Dated 9th June, 1881.

Major Henry Montgomery Barton Burlton. Dated 12th June, 1881.

To be Majors.

Captain Arthur George Hammond. Dated 7th June, 1881.

Captain John Edward Sandeman. Dated 7th June, 1881.

Captain and Brevet Major Edward Molloy. Dated 7th June, 1881.

Captain William John Williamson, C.I.E. Dated 7th June, 1881.

Captain and Brevet Major James Cook. Dated 8th June, 1881.

Captain Celadon Charles Brownlow. Dated 8th June, 1881.

Captain Frederick William Nicolay. Dated 8th June, 1881.

To be Captains.

Lieutenant Vernon Ansdell Schalch. Dated 29th May, 1881.

Lieutenant Gervas Selwyn Eyre. Dated 12th June, 1881.

BENGAL ARMY.

CAVALRY.

To be Lieutenant-Colonels.

Major and Brevet Lieutenant-Colonel Alfred Robert Davidson Mackenzie. Dated 17th January, 1881.

Major and Lieutenant-General Sir Dighton Macnaghten Probyn, K.C.S.I., C.B., V.C. Dated 1st April, 1881.

Major and Brevet Lieutenant-Colonel John Lowis Loch. Dated 1st April, 1881.

To be Majors.

Captain and Brevet Major John Shakespear Irvine, late 2nd European Cavalry. Dated 1st April, 1881.

INFANTRY.

To be Majors.

Captain Ralph Anstruther Price. Dated 7th June, 1881.

Captain Edward Evans Grigg. Dated 7th June, 1881.

Captain James Murphy Tulloch. Dated 7th June, 1881.

Captain Charles Ransford. Dated 7th June, 1881.

Captain George MacCall. Dated 7th June, 1881.

Captain and Brevet Lieutenant-Colonel John Richard Brooks Atkinson. Dated 7th June, 1881.

Captain James Fraser. Dated 7th June, 1881.

Captain Etwall Walter Smyth, Dated 7th June, 1881.

Captain Edward Harvey Webb. Dated 7th June, 1881.

Captain Hugh Stark Anderson. Dated 7th June, 1881.

Captain William Walter Hopton Scott. Dated 7th June, 1881.

Captain Percy Wyndham Smith. Dated 8th June, 1881.

Captain James Agnew McNeale. Dated 8th June, 1881.

Captain Charles Frederick Thomas. Dated 8th June, 1881.

Captain Arthur Oldham. Dated 8th June, 1881.

Captain Walter Edward Gowan. Dated 8th June, 1881.

Captain Allan Harden. Dated 8th June, 1881.

Captain William Charles Ramsden. Dated 8th June, 1881.

Captain Thomas Nicholls. Dated 8th June, 1881.

Captain John Andrias Davidson Gordon. Dated 20th June, 1881.

BENGAL MEDICAL ESTABLISHMENT.

To be Brigade-Surgeons.

Surgeon-Major Alfred James Dale. Dated 27th November, 1879.

Surgeon-Major Benjamin Simpson, M.D. Dated 27th November, 1879.

Surgeon-Major Robert Faure Hutchinson, M.D. Dated 27th November, 1879.

Surgeon-Major John Pothall, M.D. Dated 27th November, 1879.

Surgeon-Major George Vernon Currie. Dated 27th November, 1879.

Surgeon-Major Theobald Ringer, M.D. Dated 27th November, 1879.

Surgeon-Major Philip Warren Sutherland. Dated 27th November, 1879.

Surgeon-Major Alfred Eteson, M.D. Dated 27th November, 1879.

Surgeon-Major William Watson. Dated 27th November, 1879.

Surgeon-Major Alexander John Cowie. Dated 27th November, 1879.

Surgeon-Major William John Palmer, M.D. (since retired). Dated 27th November, 1879.

Surgeon-Major James Henry Loch, M.D. Dated 27th November, 1879.

Surgeon-Major Robert Rouse. Dated 27th November, 1879.

Surgeon-Major James Rawlinson Jackson, M.D. Dated 27th November, 1879.

Surgeon-Major Archibald Macdonald Garden (since retired). Dated 27th November, 1879.

Surgeon-Major John Brake. Dated 27th November, 1879.

Surgeon-Major Alexander Garden. Dated 27th November, 1879.

Surgeon-Major William Walker, M.D. Dated 27th November, 1879.

Surgeon-Major George Alder Watson. Dated 27th November, 1879.

Surgeon-Major Theobald Mathew. Dated 27th November, 1879.

Surgeon-Major James Fairweather, M.D. Dated 27th November, 1879.

Surgeon-Major Charles Julian Jackson. Dated 10th January, 1881.

Surgeon-Major Robert Bird, M.D. Dated 26th January, 1881.

Surgeon-Major John Martin Coates, M.D. Dated 12th May, 1881.

MEDICAL DEPARTMENT.

No. 512.—Under the authority of the Secretary of State for India, His Excellency the Governor General in Council is pleased to direct, with reference to paragraph 5 of G. G. O. No. 279 of 1881, that furlough service for pension in the

Indian Medical Service will continue to be governed by the furlough regulations under which each officer may be serving.

PENSIONS.

No. 513.—Honorary Captain and Deputy Commissary Thomas Heathcoate, Ordnance Department, is transferred to the Pension establishment.

No. 514.—WARRANT OFFICERS—

Under the authority of the Secretary of State for India, His Excellency the Governor General in Council is pleased to direct the publication of the following revised scale of pensions for warrant officers of Her Majesty's Indian Army, to take effect from the 1st September 1881.

2. The distinction between the invalid pension, which can be drawn only in India, and the retiring pension, will be abolished.

3. The periods of service entitling warrant officers to retiring pensions will be as follows:—

24 years' total service in Europe and India, including 16 years in the department.

26 years' total service in Europe and India, including 14 years in the department.

28 years' total service in Europe and India, including 12 years in the department.

4. The retiring pensions will be—

	England or the Colonies. Per annum.	India. Per mensem.
	£	Rs.
Deputy Commissary ...	216	200
Assistant Commissary ...	144	140
Deputy Assistant Commissary ...	108	100
Conductor ...	90	85
Sub-Conductor ...	72	70

5. A warrant officer of any grade, wishing to retire after 21 years' total service, will receive a pension of £54 per annum in England or the Colonies, or Rs. 50 per mensem in India.

6. A warrant officer declared by a medical board to be unfit for further service in India, after completion of half the periods of service, army and departmental, laid down in paragraph 3, will receive—

	England or the Colonies. Per annum.	India. Per mensem.
	£	Rs.
Deputy Commissary ...	172	160
Assistant Commissary ...	115	110
Deputy Assistant Commissary ...	86	80
Conductor ...	72	68
Sub-Conductor ...	58	56

If he has served less than half the prescribed periods, but more than 14 years altogether, he will receive—

	England or the Colonies. Per annum.	India. Per mensem.
	£	Rs.
Deputy Commissary ...	115	110
Assistant Commissary ...	86	80
Deputy Assistant Commissary ...	72	68
Conductor ...	58	56
Sub-Conductor ...	43	40

If he has not served 14 years altogether, his case will be specially considered.

7. A warrant officer, whose disqualification for further service in India has been caused by intemperance or irregular habits, will, if he has served half the periods of service, army and departmental, laid down in paragraph 3, receive—

	England or the Colonies. Per annum.	India. Per mensem.
	£	Rs.
Deputy Commissary ...	130	120
Assistant Commissary ...	86	85
Deputy Assistant Commissary ...	65	60
Conductor ...	54	50
Sub-Conductor ...	43	42

If he has served less than half the prescribed periods, but more than 14 years altogether, he will receive—

	England or the Colonies. Per annum.	India. Per mensem.
	£	Rs.
Deputy Commissary ...	86	85
Assistant Commissary ...	65	60
Deputy Assistant Commissary ...	54	50
Conductor ...	43	42
Sub-Conductor ...	32	30

If he has not served 14 years altogether, his case will be specially considered.

8. Retirement will be compulsory at the age of 55 years: and all warrant officers of that age now in the service will be required to retire at the expiration of one year from the date of this order.

9. All warrant officers at present on the establishment will be allowed the option of electing the old or the new scale of pensions at any time previous to retirement.

10. Pension, according to the present scale and conditions, is admissible to the widow of a warrant officer who may die, either while in the service or on the Pension establishment, provided, in the latter case, that she married the deceased warrant officer previous to his retiring from the army or being invalided.

PROMOTIONS.

No. 515.—The following promotion is made, subject to Her Majesty's approval:—

BENGAL ARMY.

To be Major.

Captain Francis Henry Hinde, General List, Infantry,—10th September, 1881.

No. 516.—MILITARY ACCOUNTS DEPARTMENT—

Major H. G. Pritchard, Military Accountant, 1st class, 2nd grade, to be Military Accountant, 1st class, 1st grade.

Lieutenant-Colonel W. S. Hunt, Military Accountant, 2nd class, 1st grade, to be Military Accountant, 1st class, 2nd grade.

Captain G. W. Sawyer, Military Accountant, 2nd class, 2nd grade, to be Military Accountant, 2nd class, 1st grade.

Major C. T. P. Luxmoore, Military Accountant, 3rd class, to be Military Accountant, 2nd class, 2nd grade.

Captain R. T. Hawkes, Assistant Military Accountant, to be Military Accountant, 3rd class.

With effect from the 31st August, 1881, *vice* Colonel G. J. D. Hay, Military Accountant, 1st class, 1st grade, deceased.

No. 517.—NATIVE ARMY—

17th Bengal Cavalry.

Woordie-Major Kuppoor Singh, to be Ressaldar, *vice* Kumurooddeen Khan, "Sirdar Bahadur," invalided; Jemadar Mehmood Khan, to be Ressaidar, *vice* Mehboob Khan, invalided; Jemadar Hazara Singh, to be Woordie-Major, *vice* Kuppoor Singh, promoted; Duffadar Mohomed Azim Khan, to be Jemadar, *vice* Mehmood Khan, promoted; Duffadar Taj Mohomed, to be Jemadar, *vice* Hazara Singh, promoted,— 1st May, 1881.

RETIREMENTS.

No. 518.—In continuation of G. G. O. No. 506 of 1881, the undermentioned officer is permitted to retire from the service under the provisions of G. G. O. No. 1 of 1881, with effect from the date specified, subject to Her Majesty's approval:—

Lieutenant-Colonel (Brevet Colonel) Browne William Ryall, Bengal S. C.,—12th September, 1881.

SPECIAL.

No. 519.—His Excellency the Governor General in Council has been pleased to sanction the following appointment.

Quetta Division.

Major C. W. Murray, 2nd Battalion Gloucestershire Regiment, to be Deputy Assistant-Quartermaster General, from the 27th August, 1881, *vice* Major P. C. Story, vacated on proceeding on leave to England.

No. 520.—In the list of officers of the Public Works Department mentioned in the Minute by His Excellency the Viceroy and Governor General, dated the 15th January, 1881, published in G. G. O. No. 315 of 1881, *for* "Mr. T. W. Morse," *read* "Mr. F. W. Morse."

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 16th September, 1881.

APPOINTMENTS.

No. 36.—Mr. J. T. Bonnett, to be an Assistant Engineer, 2nd class, in Her Majesty's Indian Marine, on probation, with effect from date of joining.

Mr. W. Cooper, to be an Assistant Engineer, 2nd class, in Her Majesty's Indian Marine, on probation, with effect from date of joining.

Mr. P. R. Officer, to be an Assistant Engineer, 2nd class, in Her Majesty's Indian Marine, on probation, with effect from date of joining.

Mr. J. V. Gonsalves, to be an Assistant Engineer, 2nd class, in Her Majesty's Indian Marine, on probation, with effect from date of joining.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 12th September 1881.

No. 296.—Colonel R. deBourbel, R.E., Chief Engineer, Class III, is appointed to officiate in Class II till further orders, with effect from 27th August.

No. 297.—The services of Captain C. C. C. Barlow, R.E., Executive Engineer, 3rd Grade, Railway Branch, were, on return from furlough, placed temporarily at the disposal of the Chief Commissioner, British Burma.

The 13th September 1881.

No. 298.—Mr. F. L. Dibblee, Executive Engineer, 1st Grade, on the Establishment under the Director General of Railways, is appointed to officiate as a Superintending Engineer in Class III, with effect from the 24th July 1881.

No. 299.—The Governor General in Council is pleased to make the following *officiating* promotions, with effect from the 23rd August 1881:—

Major J. M. Heywood, R.E., Superintending Engineer, Class II, to Class I.

Major R. H. Palmer, S.C., Temporary Superintending Engineer, Class III, to Class II.

No. 300.—Mr. C. L. DesMazures, Storekeeper, 2nd Grade, is transferred from the Establishment under the Director General of Railways to that of the Chief Commissioner, British Burma.

The 15th September 1881.

No. 301.—Mr. J. Ramsay, Executive Engineer, 1st Grade, Engineer-in-Chief of the Indus Valley and Kandahar Railways, is transferred to the Establishment of the Government of Bengal, Railway Branch, with effect from the date of the return of Mr. H. F. Storey from privilege leave.

Mr. H. F. Storey, Superintending Engineer, Class III, temporary rank, Railway Branch, is appointed Engineer-in-Chief of the Indus Valley and Kandahar Railways, *vice* Mr. J. Ramsay, transferred to Bengal.

No. 302.—Captain F. Firebrace, R.E., Under Secretary to the Government of India, Railway Branch, and Captain R. A. Sargeaunt, R.E., Superintending Engineer, Class III, temporary rank, attached to the Office of the Director General of Railways, are granted three months' special leave, under Public Works Department Notification No. 223,* dated 26th March 1873, with effect from 1st November 1881, or any subsequent date.

* G. G. O., Military Department, No. 249 of 1873.

The 16th September 1881.

No. 303.—Consequent on the retirement from the service of Lieutenant-General C. W. Hutchinson, R.E., Major-General A. Cadell, R.E., Deputy Inspector General of Military Works and Chief Engineer, 1st Class, is appointed Inspector General of Military Works, with effect from this date.

No. 304.—The undermentioned officers are transferred from the Railway Branch of the Public Works Department to the Establishment of the Government of the Punjab:—

Mr. M. S. Dooley, Executive Engineer, 2nd Grade.

Mr. T. J. Dumayne, Executive Engineer, 4th Grade, temporary rank.

Mr. F. B. Hebbert, Assistant Engineer, 1st Grade.

Mr. J. S. Brown, Assistant Engineer, 1st Grade.

Dharm Sing Soin, Assistant Engineer, 2nd Grade.

W. S. TREVOR, *Colonel, R.E.,*
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 39.] SIMLA, SATURDAY, SEPTEMBER 24, 1881.

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

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SUPPLEMENT No. 39.

PART I.

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

HOME DEPARTMENT.

NOTIFICATION.—PUBLIC.

Simla, the 23rd September 1881.

No. 1437.—The following Resolution of the Foreign Department containing rules regarding the sale of property to Natives by British officers, whether Civil, Military or Uncovenanted, is republished for general information:—

Extract from the Proceedings of the Government of India in the Foreign Department,—No. 1667, dated 30th September 1868.

RESOLUTION.—His Excellency the Viceroy and Governor General in Council observes that these references originated with a case which occurred at Allahabad, where an officer wished to part with his house to a Native, under circumstances not open to any suspicion, and with a remark from the Home Department to the effect that some change or relaxation of the rule which prohibits the sale of property to Natives by public servants under any circumstances seemed desirable. At present, under the Notification of the 3rd of December 1858, drawn up in consequence of the orders of the late Court of Directors, sales of property to Natives are strictly prohibited, and officers are thereby directed to refer all transactions in regard to which they have any doubts for the orders of superior authority.

2. His Excellency in Council observes that the weight of authority on the part of the various Administrations and Departments which have lately been consulted on this subject is decidedly in favour of some modification of the existing rule, or, at least, of more clearly and accurately defining the course to be pursued in such cases. There can be no doubt that the restrictions imposed hitherto on such transactions have been, to a certain extent, beneficial, and that the Government of India, though it can place a full reliance on the fair dealing, honour and integrity of its civil and military services, has a right to expect, not only that all such transactions shall be correct and unimpeachable in themselves, but that they shall not run any risk of misconstruction at the hands of designing, ignorant or credulous persons.

3. The Government of India is also well aware, as pointed out by some of the high authorities consulted, that many officials who, on joining their stations, have become the owners

of houses either under an absolute necessity, or from laudable motives of convenience and comfort, may, on quitting the district or province to which they have been for some time attached, literally find no purchasers for their property, except Natives of wealth or substance. When such transactions openly and avowedly take place, no evil consequences, His Excellency in Council thinks, need ever ensue under proper precautions.

4. The following rules have therefore been drawn up in supersession of the existing rule, and are hereby published for general information. They must be considered applicable to European public servants of all descriptions, Civil, Military and Uncovenanted :—

5. I.—Whenever a public servant wishes to dispose of a house, bungalow, elephant, horse or carriage, or other valuable property, to any Native within his jurisdiction, or within the limits of the district in which he is employed on the public service, and from which he is not about to remove, he must report his intention to the Local Government to which he is subordinate, stating the facts and circumstances and the price offered for the article to be sold. The Local Government will then pass such orders on the reference as may seem fit and proper.

II.—Whenever a public servant is about to quit his station or district permanently, or for a considerable period, and wishes to dispose of his house, bungalow, elephant, carriages and horses, and the like property of value, to Native purchasers, he shall report his intention to the Commissioner or the head local authority to which he may be immediately subordinate, and that authority will use its discretion in allowing the transaction, or in reporting the circumstance to the Local Government for further orders.

III.—Whenever a public servant, on quitting his station or district, wishes to dispose of his furniture, household goods, livestock, &c., he is at full liberty to do so either by circulating lists of such property amongst the community generally, or by having the same put up to public auction, without reference to any authority whatever. All that is necessary is that the transaction should be open and patent to everybody on the spot.

IV.—Rule No. I is to be considered applicable to purchases equally with sales.

6. The observance of the above rules will, His Excellency in Council thinks, fully meet the inconveniences and exigencies to which gentlemen of acknowledged honour and probity would be put on many occasions if debarred from such transactions; while, at the same time, they will be a sufficient safeguard against any abuse, any imputation of unfair or interested dealings, or any possibility of misconception on the part of the non-official community.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Simla, the 21st September 1881.

No. 266*G.-P.*—His Excellency the Viceroy and Governor General is pleased to confer upon Vurdoo Pillay, of the Bombay Commissariat Department, the title of "Rao Saheb," as a personal distinction.

No. 2220*E.-P.*—In exercise of the power conferred by Sections 4 and 8 of Act XXI of 1879 (The Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor General in Council, with the assent of His Highness the Khan of Kalat, is pleased to empower Diwan Ganpat Rai, Native Assistant to the Governor General's Agent in Biluchistan, to exercise the powers of a Magistrate of the 2nd Class, as described in the Code of Criminal Procedure (Acts X of 1872 and XI of 1874), over all persons within the district of Quetta, and to commit persons for trial to the officer for the time being holding the office of Agent to the Governor General in Biluchistan as the Court of Session.

The Assistant to the Governor General's Agent in Biluchistan for the time being in charge of the district of Quetta shall, in respect to the said Diwan Ganpat Rai, exercise all the powers of a Magistrate of the district.

The 22nd September 1881.

No. 270*G.-P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognise the appointment of Mr. Adolph Philippi as Vice-Consul for Denmark at Bassein.

The 23rd September 1881.

No. 273*G.-P.*—With reference to Notification No. 146G.-P., dated the 25th May 1881, the recognition by the Government of India of the appointment of Mr. R. A. Lowndes as Acting Consular Agent for the United States of America at Bassein, during the absence of Mr. W. W. G. Beatson, has been confirmed by Her Majesty's Government.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 23rd September 1881.

No. 3092.

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

Read again the undermentioned papers regarding the supply of stores—

Financial Resolution	No. 3574,	dated	3rd	November 1880.
„	„ „	953, „	10th	June 1881.
„	Circular „	220, „	28th	April „
„	„ „	621, „	14th	May „

Read also—

Returns showing European stores purchased in the open market for the use of the Postal Department during the last two years.

RESOLUTION.—From these returns a list has been prepared and is appended to this Resolution, showing the articles which on the information before the Government of India it is possible to obtain of Indian manufacture. The Governor General in Council accordingly requests that the Director General of the Post Office will institute enquiries as to the cheapest and most convenient way of obtaining future regular supplies of such goods of Indian manufacture, as also of any other goods which in the course of inquiry it may be found feasible to substitute for imported articles. The Government of India will be prepared to approve of contracts for a term of years, say five, based on the average prices hitherto paid for imported goods of a like description. Sail cloth, American drill, flannel, and other cotton and woollen fabrics of superior quality are now manufactured in the cotton and woollen mills at Cawnpore, Bombay, and in other places.

2. Canvas is largely manufactured by the Bombay United Spinning and Weaving Company.

3. Candles are procurable from the Bombay Steam Soap and Candle Work Company.

4. The jute mills and roperies in Bengal will probably be ready to supply twine in any quantity.

5. It is understood that the company which is working the petroleum wells on the island of Borongo (Akyab) has produced oil in every respect equal in quality to American kerosine oil.

6. In regard to the other articles mentioned in the list, the Director General's attention is invited to the series of Resolutions recently issued by this Department.

ORDERED, that the foregoing Resolution be communicated to the Director General of the Post Office of India, the Military and Public Works Departments, and to all Local Governments and Administrations, for information and guidance.

Also, that it be published in the *Gazette of India*.

List of Articles referred to in Resolution No. 3092, dated 23rd September 1881.

Names of Articles.	1879-80.			1880-81.			Total.	
	Rate.	No. or Quantity.	Amount.	Rate.	No. or Quantity.	Amount.	No. or Quantity.	Amount.
			Rs. A. P.			Rs. A. P.		Rs. A. P.
Aligarh Postal Workshop.								
Tin	...	25 maunds 25 seers 4 chittacks.	418 1 6	...	27 maunds 17 seers 14 chittacks.	567 3 9	53 maunds 3 seers 2 chittacks.	985 5 3
Iron hinges	...	256 number ...	27 12 0	...	271 number ...	26 9 3	527 number ...	54 5 3
Sail cloth	...	...	...	...	24,866 yards ...	21,937 7 7	24,866 yards ...	21,937 7 7
American drill	...	27,077 yards ...	8,074 8 3	...	23,585 „ ...	9,431 9 2	50,662 „ ...	17,506 1 5
Railway Mail Service.								
English ball twine ...	Rs. 0-2-6 each ...	12,284 balls ...	...	Rs. 0-2-6 each ...	26,961 balls ...	...	39,245 balls.	
Carriage-candles ...	„ 0-7-0 per lb. ...	21,860 lbs. ...	...	„ 0-7-0 per lb. ...	27,942 lbs. ...	...	49,802 lbs.	
General Postal Service.								
Hand-saw	Rs. 1-8-0 each ...	1 number.						
Brass lock	„ 1-12-0 „ ...	1 „						
Iron safe	„ 285-0-0 „ ...	1 „ ...	...	Rs. 63-0-0 each ...	4 number ...	...	55 number.	
„	„ 200-0-0 „ ...	1 „ ...	...	„ 60-0-0 „ ...	1 „ ...			
„	„ 65-4-0 „ ...	1 „ ...	...	„ 50-0-0 „ ...	28 „ ...			
„	„ 60-8-0 „ ...	2 „ ...	...	„ 12-2-0 „ ...	1 „ ...			
„	„ 50-8-0 „ ...	1 „ ...	...	...	...			
„	„ 40-0-0 „ ...	15 „ ...	...	...	...			
Padlocks	„ 13-8-0 „ ...	5 „ ...	...	Rs. 13-8-0 each ...	3 number ...	...	98 „	
„	„ 11-8-0 „ ...	2 „ ...	...	„ 12-8-0 „ ...	2 „ ...			
„	„ 10-0-0 „ ...	1 „ ...	...	„ 11-0-0 „ ...	2 „ ...			
„	„ 4-0-0 „ ...	3 „ ...	...	...	...			
„	„ 1-13-6 „ ...	80 „ ...	...	...	...			
Blotting paper	„ 1-8-0 per quire .	1¼ quires ...	...	Rs. 1-8-0 per quire ...	1 quire ...	...	13 quires.	
„ „	„ 1-4-0 „ „ ...	6 „ ...	...	„ 1-4-0 „ ...	1¾ quires ...			
„ „	...	...	...	„ 1-1-0 „ ...	2 „ ...			
„ „	...	...	...	„ 1-0-0 „ ...	1 quire ...			
Penholders	Rs. 0-6-0 per dozen ...	2⅔ dozen ...	...	„ 1-0-0 per dozen ...	1 dozen ...	...	6½ dozens.	
„	...	...	...	„ 0-7-6 „ ...	2½ „ ...			
„	...	...	...	„ 0-3-0 „ ...	⅓ „ ...			
Scissors	Rs. 0-12-0 per pair ...	1 pair ...	...	„ 0-12-0 per pair ...	2 pairs ...	...	3 pairs.	
Foot rules	...	...	...	„ 1-4-0 each ...	24 number.			
Candles	Rs. 0-10-6 per packet ...	7 packets ...	...	„ 0-12-0 per packet ...	8 packets ...	...	1,491 packets.	
„	„ 0-10-0 „ ...	2 „ ...	...	„ 0-9-0 „ ...	106 „ ...			
„	„ 0-9-0 „ ...	160 „ ...	...	„ 0-8-6 „ ...	2 „ ...			
„	„ 0-8-6 „ ...	11 „ ...	...	„ 0-8-0 „ ...	64 „ ...			
„	„ 0-8-0 „ ...	157 „ ...	...	...	...			
„	„ 0-7-8 „ ...	15 „ ...	...	Rs. 0-7-6 per packet ...	3 packets ...			
„	„ 0-7-0 „ ...	377 „ ...	...	„ 0-7-0 „ ...	574 „ ...			
„	„ 0-7-6 „ ...	3 „ ...	...	...	...			
„	„ 0-6-0 „ ...	2 „ ...	...	...	...			
Packing knife	Rs. 0-10-0 each ...	2 number ...	...	Rs. 1-4-0 each ...	4 number ...	...	7 number.	
„ „	...	...	...	„ 1-1-0 „ ...	1 „ ...			
Brown paper	„ 11-9-0 per ream ...	10 quires ...	...	...	...			
„ „	„ 8-0-0 „ „ ...	3 „ ...	...	„ 8-0-0 per ream ...	2 reams ...	...	1,228 quires.	
„ „	„ 1-0-0 „ quire ...	399 „ ...	...	„ 1-0-0 „ „ ...	4 „ 3 qrs.			
„ „	„ 10-0-0 „ „ ...	1 quire ...	...	„ 0-15-0 „ „ ...	34 „ 12 „			
Kerosine oil	„ 0-12-0 „ gallon	95 gallons ...	...	„ 0-12-0 „ gallon	15 gallons ...	...	110 gallons.	
„ „	„ 3-4-0 „ tin ...	1 tin ...	...	„ 3-3-0 „ tin ...	2 tins ...			
„ „	„ 3-2-0 „ „ ...	1 „ ...	...	„ 3-2-0 „ „ ...	8 „ ...			
„ „	„ 3-1-0 „ „ ...	2 „ ...	...	„ 3-1-0 „ „ ...	1 „ ...	...	32 tins.	
„ „	„ 2-15-0 „ „ ...	3 „ ...	...	„ 3-0-0 „ „ ...	3 „ ...			
„ „	„ 2-13-0 „ „ ...	3 „ ...	...	„ 2-12-6 „ „ ...	4 „ ...			
„ „	„ 2-13-6 „ „ ...	2 „ ...	...	„ 2-10-0 „ „ ...	2 „ ...			
„ „	„ 0-5-0 „ bottle	6 bottles ...	...	„ 0-3-3 „ bottle ...	2 bottles ...	...	20 bottles.	
„ „	„ 0-3-0 „ „ ...	11 „ ...	...	„ 0-3-0 „ „ ...	1 bottle ...			
Flannel	„ 1-3-0 „ yard ...	103 yards ...	...	„ 1-3-0 „ yard ...	56 yards ...	...	159 yards.	
Broad cloth	„ 3-0-0 „ „ ...	23 „ ...	...	„ 5-0-0 „ „ ...	5 „ ...			
„	...	...	...	„ 4-0-0 „ „ ...	1¾ „ ...	...	51¾ yards.	
„	...	...	...	„ 3-0-0 „ „ ...	20 „ ...			
„	...	...	...	„ 2-0-0 „ „ ...	2 „ ...			
Baize cloth	Rs. 3-8-0 per yard ...	1 yard, 1 inch	...	„ 2-9-0 „ „ ...	1¾ „ ...			
„	...	...	...	„ 2-1-4 „ „ ...	3 „ ...	...	26 yds. 10 inches.	
„	„ 2-0-0 „ „ ...	15½ yards ...	...	„ 1-10-0 „ „ ...	5 „ ...			
Turkey red cloth	...	...	...	„ 0-2-3 „ „ ...	15 „			
Hurricane lantern	„ 9-0-0 each ...	2 number ...	...	„ 9-0-0 each ...	49 number ...			
„ „	„ 5-8-0 „ ...	6 „ ...	...	„ 6-8-0 „ ...	4 „ ...			
„ „	„ 4-8-0 „ ...	7 „ ...	...	„ 5-0-0 „ ...	1 „ ...			
„ „	...	...	...	„ 4-0-0 „ ...	4 „ ...	...	81 number.	
„ „	...	...	...	„ 3-8-0 „ ...	1 „ ...			
„ „	...	...	...	„ 3-0-0 „ ...	1 „ ...			
„ „	...	...	...	„ 2-12-0 „ ...	6 „ ...			
Canvas	Rs. 0-4-0 to Rs. 1-8-0 per yard.	2,039¾ yards ...	...	„ 0-4-0 to Rs. 1-2-0 per yard.	3,189 yards ...	...	5,228¾ yards.	
Varnish	„ 2-8-0 „ bottle ...	1 bottle.					...	
Leather writing case ...	„ 13-8-0 each ...	1 number.					...	
Twine	„ 0-2-0 to Rs. 0-9-6 per lb.	4,043 lbs. ...	...	„ 0-2-0 to Rs. 0-9-6 per lb.	4,499 lbs. ...	...	8,542 lbs.	
Fishing line	„ 0-12-0 „ bundle ...	642 bundles ...	...	„ 0-12-0 „ bundle...	1,151 bundles ...	...	1,793 number.	
Leather	„ 7-0-0 „ piece ...	1 piece.					...	
„	„ 3-8-0 „ „ ...	12 pieces.					...	
Sweet oil	„ 0-10-0 „ bottle ...	4 bottles.					...	
Potash	„ 0-3-0 to Rs. 0-6-0 per lb.	255½ lbs. ...	...	„ 0-2-0 to Rs. 0-5-0 per lb.	405⅓ lbs. ...	...	661 lbs.	

The 20th September 1881.

No. 3114.

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

Read—

The Administration Reports of the Calcutta and Bombay Mints for the year 1880-81, with the Senior Mint Master's review thereof.

From Mint Master, Bombay, No. 136, dated 6th July, and No. 211, dated 20th August 1881.

From Mint Master, Calcutta, No. 618, dated 30th July 1881.

RESOLUTION.—The coinage of silver at the Indian Mints in 1880-81 was 425 lakhs. 105 lakhs in Calcutta and 320 lakhs in Bombay. The net imports of silver in the same period were 389 lakhs. These figures compare as follows with the corresponding figures of previous years :—

	Net imports. Lakhs.	Coinage. Lakhs.
1874-75	454	490
1875-76	155	255
1876-77	720	627
1877-78	1,468	1,618
1878-79	397	721
1879-80	787	1,025
1880-81	389	425

2. The quantity of country silver in the shape of ornaments, &c., received in the Bombay Mint is considerably reduced, as will be seen from the following figures :—

	In lakhs.	
	Country silver.	Native coins.
1877-78	124	...
1878-79	116	67
1879-80	92	45
1880-81	10	25

3. The silver coinage of the Calcutta Mint includes 4 lakhs of rupees coined under the monetary convention with the Government of Portuguese India. The Calcutta Mint also coined copper of the nominal value of Rs. 1,85,600.

4. The Bombay Mint worked steadily except in the last four or five months; the Calcutta Mint was in full work for only four months, July to October.

5. The coinage and the receipts and charges of each Mint, including *pro formâ* charges for interest on the capital sunk, and for pensions, leave allowances, &c., for the last three years, are given below :—

	Calcutta.			Bombay.		
	1878-79.	1879-80	1880-81.	1878-79.	1879-80.	1880-81.
I.—Coinage—						
Tale of pieces of all kinds...	76,504,971	74,181,243	24,408,796	48,862,807	81,215,596	31,986,936
Value—Gold Rs.	...	1,46,040	1,38,545	850	1,255	...
Silver „	2,32,44,954	2,13,54,161	1,05,09,824	4,88,62,750	8,12,15,511	3,19,86,936
Copper „	6,66,475	7,07,900	1,85,600	...	...	...
Total Rs. ...	2,39,11,429	2,22,08,104	1,08,28,969	4,88,63,600	8,12,16,766	3,19,86,936
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
II.—Receipts and Charges—						
Receipts	5,41,985	5,17,277	2,32,365	11,59,614	18,51,834	6,41,703
Charges—						
Operative losses ...	1,44,764	63,214	38,580	55,912	95,254	89,608
Salaries and Establishment.	2,50,369	2,56,494	2,59,369	2,73,370	2,71,187	2,43,985
Stores	76,196	61,505	55,077	96,594	1,52,523	68,059
Other charges ...	80,222	1,07,199	51,369	45,813	21,698	20,262
Pro formâ charges ...	4,47,701	4,52,431	4,50,829	3,05,443	3,42,878	3,46,024
	9,99,252	9,40,843	8,55,224	7,77,132	8,83,540	7,67,938
Balance in favour of (+) or against (—) the Mint.	—4,57,267	—4,23,566	—6,22,859	+3,82,482	+ 9,68,294	—1,26,235
Ditto ditto, excluding *pro formâ* charges ...	— 9,566	+ 28,865	—1,72,030	+6,87,925	+13,11,172	+2,19,789

6. The bulk of the receipts being the seignorage duty of Two per cent. on the coinage of rupees, they vary with the amount of the coinage.

7. The item *operative losses* on the charge side includes, in addition to the actual loss in coinage operations, the loss on the withdrawal and recoinage of worn-out and uncurrent coins. The percentage of operative losses, properly so called, has been as follows :—

	1878-79, 1879-80, 1880-81. (Pies per cent.)		
In melting—			
Calcutta	18	9·8	9·2
Bombay	5	5	5
In coining—			
Calcutta	22	17	15·5
Bombay	11	12	14

8. The striking difference in the rates of these losses in the two Mints has been dwelt upon in previous reviews, and the Governor General in Council is glad to observe that the Mint Masters have given special attention to the subject. The Senior Mint Master in his present report points out that there are certain points of difference in the procedure of the Melting Departments of the two Mints, such as the one using plumbago pots and the other iron pots; the one casting one inch thick standard bars, the other $\frac{3}{5}$ inch bars; the one delivering to the melter an exact weight of bullion from the Bullion Department, the other making over the same weight that is received from the tenderer; from which a greater loss might be expected in Calcutta than in Bombay. He further observes that melting losses are heavier with London bars and sycee silver than with any other classes, and that the proportion of these classes is generally larger at Calcutta than at Bombay. He continues—"such points as these must be taken into consideration in comparing the system of two Mints, and though I do not say they will account for all the difference of losses, I feel sure that they will tend to approximate them more closely."

9. The fact that it has been found possible without any change of system to reduce the losses in Calcutta in the last two years by about 50 per cent. in the melting process and 30 per cent. in the coining process, tends to show that there were good grounds for the special attention paid to the subject. The Governor General in Council has no doubt that the same attention will continue to be paid to it in both Mints that it has received during the last two years.

10. Under the head Salaries and Establishments, there is in the Calcutta Mint an increase each year over the last. The charge for extra operative establishments shows a steady increase, which is not satisfactory, considering the small amount coined in the last year. In the Bombay Mint there is a satisfactory saving in 1880-81, in extra operative establishments, corresponding to the falling-off in the coinage.

11. In the capital account of the Calcutta Mint the land occupied by the Mint is valued at Rs. 1,41,335. The Mint Master will be requested to explain on what principle the valuation has been made.

12. The sum of Rs. 43,495 was added to the capital expenditure on the Bombay Mint in finishing the weighing room to receive the new automaton

machines and in other improvements. The capital expenditure on the Calcutta Mint during the year was Rs. 47,276. The necessary alterations to the machinery of the copper mint at Calcutta for making cartridge metal for the Small Arms Ammunition Factory at Dum-Dum were nearly completed during the year, and some metal was manufactured in the last two months.

13. By the electro-plating process of adjusting coins adopted in the Bombay Mint a saving of about Rs. 3,000 has been effected in the charges.

14. The Governor General in Council has much pleasure in acknowledging the services of the Mint Masters, Colonel Tennant and Colonel White.

ORDERED, that this Resolution be published in the *Gazette of India*, and communicated to the Mint Masters, Calcutta and Bombay.

The 21st September 1881.

No. 3170.

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

Read again the undermentioned papers regarding the supply of stores required for public service in India :—

Financial Resolution No. 3574, dated 3rd November 1880.
„ „ „ 953, „ 10th June 1881.
„ Circular No. 220, dated 28th April 1881.
„ „ „ 621, „ 14th May 1881.

Read also the undermentioned correspondence with the Government of Bombay regarding the stores procured by certain officers in that Presidency during the last two years :—

Letter from the Government of Bombay, No. 2628, dated 20th July 1881.
„ to „ „ „ „ 2145, „ 3rd August „
„ from „ „ „ „ 2972, „ 13th „ „

RESOLUTION.—From the returns received from the Government of Bombay a list has been prepared, and is appended to this Resolulion, of the articles which, on the information now before the Government of India, it is possible to procure of Indian manufacture. Many of the articles enumerated seem to be required by individual officers in small quantities at a time; but in the aggregate the quantity annually required for the public service in the Bombay Presidency and in other parts of India will probably be sufficient to induce local manufacturers to undertake the supply; and as it is expedient to encourage local industries by every legitimate means, the Governor General in Council requests that His Excellency the Governor of Bombay in Council will cause definite instructions to be issued to all the officers concerned to institute enquiries as to the cheapest and most convenient way of obtaining in future regular supplies of such goods of Indian manufacture as well as of any other goods which on enquiry it may be found feasible to add to the list. The Governor General in Council will be prepared to approve of contracts made by the Local Government with Indian manufacturers for the supply, for a term of years, of any of the articles if, in any case, such a course be found necessary in order to give to the manufacturers an assurance of the existence of a permanent and steady demand for goods which they would not otherwise undertake to make. Ordinarily such contracts need not be for more than five years in the first instance, and should be based on the average cost of the imported articles.

2. The existing sources of supply of most of the articles mentioned (so far as they are as yet known to the Government of India) have already been noticed in the Resolutions on the subject of the supply of stores published in the *Gazette of India* since the 23rd July last, and they need not be repeated here.

3. The manufacture of brown paper, cartridge paper, blotting-paper, and some other articles of stationery, as also various descriptions of cotton and woollen cloth and ironware, is now established in India. The Governor General in Council directs that wherever possible, with due regard to economy, such articles of Indian manufacture shall, in future, be substituted for European articles in the Presidency of Bombay as everywhere else in India.

ORDERED, that the foregoing Resolution be communicated to the Government of Bombay, with the request that the submission of the other returns promised may be expedited.

Ordered also, that the Resolution be communicated to the other Local Governments and Administrations, and be published in the *Gazette of India* for general information.

List of Articles referred to in Resolution No. 3170, dated 21st September 1881.

Name of Articles.	1879-80.			1880-81.			Total.		
	Rate.	No. or Quantity.	Total cost.	Rate.	No. or Quantity.	Total cost.	Rate.	No. or Quantity.	Total cost.
			Rs. A. P.			Rs A. P.			Rs. A. P.
District Superintendent of Police, Kurrachee.									
Brown paper	...	4 quires 7 sheets ...	2 13 0	...	3 qr. 7 sheets ...	2 3 10	...	7 qrs. 14 sheets ...	5 0 10
Blotting paper	...	61 sheets ...	2 5 3	...	75 sheets ...	2 13 0	...	136 „ ...	5 2 3
Penholders	...	6 number ...	0 3 0						
File strings	...	88 „ ...	2 4 8						
Twine	...	11 bundles ...	0 7 3	...	1 bundle ...	0 6 0	...	12 bundles ...	0 13 3
Waxcloth	...	5 yards ...	0 5 0	...	57 yards ...	1 9 0	...	62 yards ...	1 14 0
Broad woollen cloth for Sind, Punjab and Delhi Railway Police.	Rs. 1-12-0 a yard ...	153½ „ ...	268 10 0	Rs. 2-0-0 a yard ...	244½ „ ...	489 0 0	...	398 „ ...	757 10 0
Table-cloth	...	...	...	...	2 „ ...	4 8 0			
District Superintendent of Police, Hyderabad.									
Blotting paper	Rs. 0-12-0 a quire ...	2⅓ quires ...	1 14 0	Rs. 0-12-0 per quire ...	2 quires ...	1 8 0	...	4½ quires ...	3 6 0
Locks	„ 0-8-0 each ...	2 number ...	1 0 0	„ 0-5-0 each ...	4 number ...	1 4 0	...	6 number ...	2 4 0
Woollen cloth	„ 1-12-0 a yard ...	707 yards ...	1,237 4 0						
White drill for light clothing ...	„ 0-4-0 „ ...	4,952 „ ...	1,238 0 0	„ 0-4-0 per yard ...	6,131 yards ...	1,532 12 0	...	11,083 yards ...	2,770 12 0
Commissioner, Northern Division.									
Brown paper for covers ...	Rs. 0-9-6 per quire ...	6 quires ...	3 9 0	„ 0-9-3 to 12 a quire	31 quires ...	20 15 0	...	60 quires ...	41 12 0
Ditto ditto ...	„ 0-12-0 „ ...	23 „ ...	17 4 0						
Cartridge paper ...	„ 0-7-3 „ ...	2 reams 15 quires	24 12 0						
Locks	„ 0-6-0 each ...	15 number ...	5 10 0	„ 0-4-0 each ...	5 number ...	1 4 0	...	25 number ...	9 7 0
„	„ 0-2-6 „ ...	2 „ ...	0 5 0	„ 0-12-0 „ ...	3 „ ...	2 4 0			
Twine	„ 0-4-0 a bundle ...	4 bundles ...	1 0 0	...	4 bundles ...	1 0 0	...	8 bundles ...	2 0 0
									£ s. d.
Cloth, blue, woollen, pattern No. VII.	...	...	...	...	...	...	5*s.* 3½*d.* per yard ...	209½ yards ...	56 8 6
Cloth, blue, woollen, pattern No. II.	...	...	...	...	...	...	3*s.* 1*d.* „ ...	5,424 „ ...	859 11 4
Political Agent, Mahikanta.									
Scissors	Rs. 0-5-0 each ...	1 number ...	5 0 0						
Padlocks	...	...	...	...	1 number ...	0 2 0			
Red tape	...	...	...	...	...	0 5 0			
Political Superintendent, Pahlanpore.									
European vinegar	Rs. 0-11-6 a bottle ...	1 number ...	0 11 6	.....	1 bottle ...	0 11 0	.....	2 bottles ...	1 6 6
Brown paper	.....	.....	.....	Rs. 5-8-0 a ream ...	6 reams ...	37 4 0			
Court of the Assistant Judge, F. P., Nassick.									
Blotting paper	Rs. 1-2-0 a quire ...	2 number ...	2 4 0						
Brown paper	„ 0-0-11 a sheet ...	2 quires 18 sheets	2 6 6						
Vinegar	„ 0-8-0 a bottle ...	2 bottles ...	1 0 0						
Tape	„ 0-2-0 a bundle ...	2 bundles ...	0 4 0						
Glass inkstands	„ 0-6-0 each ...	2 number ...	0 12 0						
Padlocks	„ 0-5-0 „ ...	1 „ ...	0 5 0						
Inspector General of Prisons.									
Blue cloth, broad, supplied to 14 jails.	Rs. 3-6-7 a yard ...	330¼ yards ...	1,126 14 0						
Superintendent of Sind Revenue Survey.									
Padlocks	Rs. 3-0-0 each ...	3 number ...	9 0 0	...	1 ...	3 0 0	.....	4 number ...	12 0 0
Collector of Nassik.									
Brown paper	Rs. 15-0-0 to Rs. 16 per ream.	2 reams 19 qrs. ...	45 0 0	Rs. 0-10-0 to Rs. 1-2-0 a quire.	4 reams ...	52 11 4	.....	6 reams 19 quires...	97 11 4
Blotting paper	„ 0-10-0 to 12 annas per quire.	2 qrs. 13 sht. ...	2 0 0	Ditto ...	3 quires 2 sheet	2 15 9	.....	5 quires 15 sheets...	4 15 9
Vinegar	„ 0-8-0 to 10 annas a bottle.	8 bottles ...	4 0 0	„ 0-6-0 to 8 annas a bottle.	12 bottles ...	5 10 0	.....	20 bottles ...	9 10 0
Scales	.....	.....	.....	.....	1 number ...	3 8 0			
Weights	.....	.....	.....	.....	2 sets ...	2 0 0			
Collector of Hyderabad.									
Waxcloth	Rs. 0-7-0 a yard ...	24 yards ...	10 8 0	Rs. 1-2-0 per thán ...	5 thans ...	5 10 0			
				„ 0-5-0 a piece ...	8 pieces ...	2 8 0			
Penholders	„ 0-6-0 a dozen ...	2 dozens ...	0 12 0	„ 0-6-0 a doz. ...	9 doz. ...	3 6 0	.....	11 dozens ...	4 2 0
Blotting paper	„ 0-12-0 a quire ...	1 qr. 18 sheets ...	1 5 0	„ 0-12-0 to Rs. 1-8-0 a quire.	3 quires 8 sheets	4 1 0	.....	5 quires 2 sheets...	5 6 0
Cartridge do.	„ 0-10-2 „ ...	6 quires ...	3 13 0	„ 0-9-0 to Rs. 1-8-0 a quire.	34 quires 20 sheets	22 8 0	.....	40 „ 20 „ ...	26 5 0

List of Articles—contd.

Name of Articles.	1879-80. Rate.	1879-80. No. or Quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or Quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or Quantity.	Total. Total cost.
Political Agent, Kattiwar.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Blotting paper	Rs. 0-12-0 a quire ...	4 quires ...	3 0 0	Rs. 0-12-0 a quire ...	4 quires ...	3 0 0	.....	8 quires ...	6 0 0
Blank books, foolscap size ...	„ 0-12-0 each ...	40 number ...	30 0 0						
Vinegar	„ 0-8-0 a bottle ...	32 bottles ...	16 0 0	„ 0-8-0 a bottle ...	32 bottles ...	16 0 0	.....	64 bottles ...	32 0 0
Penholders	„ 0-12-0 a dozen ...	4 doz. ...	3 0 0	„ 0-12-0 a dozen ...	4 doz. ...	3 0 0	.....	8 doz. ...	6 0 0
Padlocks	„ 0-10-0 each ...	30 number ...	18 12 0	„ 0-10-0 each ...	30 number ...	18 12 0	.....	60 number ...	37 8 0
Ribbon or tape	„ 0-4-0 a bundle ...	16 bundles ...	4 0 0	„ 0-4-0 a bundle ...	16 bundles ...	4 0 0	.....	32 bundles ...	8 0 0
Archæological Survey Department.									
Cartridge paper	Rs. 5-0-0 a quire ...	1 quire ...	5 0 0						
Acid, acetic	„ 1-8-0 per 8 oz. bottle	2 bottles ...	3 0 0						
„ citric	„ 0-5-0 per oz. ...	2 oz. ...	0 10 0						
„ nitric	„ 0-4-0 „ oz. ...	2 „ ...	0 8 0						
Alcohol	„ 1-12-0 „ bottle ...	1 bottle ...	1 12 0						
Ammoniæ liquor	„ 1-4-0 „ lb. ...	½ lb. ...	0 10 0						
Nitrate of silver	„ 43-0-0 „ „ ...	1 „ ...	43 0 0						
Spirits of wine	„ 1-6-0 „ qt. ...	3 qts. ...	4 2 0						
District Judge, Canara.									
Cartridge paper	Rs. 0-12-0 per quire ...	9 qrs. 16 sheets	7 4 0	.....	9 qrs. 16 sheets...	7 4 0	.....	29 qrs. 20 sheets	27 4 0
„ „	„ 0-8-0 „ „ ...	6 sheets ...	0 2 0	.....	6 sheets ...	0 2 0			
„ „	„ 1-4-0 „ „ ...	5 qrs. ...	6 4 0	.....	5 qrs. ...	6 4 0			
Blotting paper	„ 0-8-0 to Re. 1 per qr.	3 „ ...	2 4 6	.....	3 quires ...	2 4 6	.....	6 quires ...	4 9 0
Scissors	„ 0-9-0 each ...	8 number ...	4 8 0	.....	8 number ...	4 8 0	.....	16 number ...	9 0 0
Pasteboards	„ 0-4-10 each ...	24 „ ...	7 15 3	.....	24 „ ...	7 15 3	.....	48 „ ...	15 14 6
Twine, coloured	„ 0-5-0 per ball ...	4 balls ...	1 4 0	.....	4 balls ...	1 4 0	.....	8 balls ...	2 8 0
Penholders	„ 0-1-6 each ...	10 number ...	1 0 4	.....	10 number ...	1 0 4	.....	20 number ...	2 0 8
Chalk	„ 0-0-6 per seer ...	½ seer ...	0 0 3	.....	½ seer ...	0 0 3	.....	1 seer ...	0 0 6
Longcloth	„ 0-2-8 per yard ...	6 yards ...	1 0 0	.....	6 yards ...	1 0 0	.....	12 yards ...	2 0 0
Collector of Colaba.									
Cartridge paper	Rs. 0-10-0 „ qrs. ...	168 quires ...	105 0 0	Rs. 0-10-0 a quire ...	180 quires ...	112 8 0	.....	348 quires ...	217 8 0
Scissors	„ 0-12-0 each ...	40 number ...	30 0 0	„ 0-12-0 each ...	36 number ...	27 0 0	.....	76 number ...	57 0 0
Bottles of vinegar ...	„ 0-8-0 per bottle ...	9 bottles ...	4 8 0	„ 0-8-0 a bottle ...	12 bottles ...	6 0 0	.....	21 bottles ...	10 8 0
Holders	„ 0-3-0 each ...	12 number ...	2 4 0	„ 0-3-0 a dozen ...	9 dozen ...	1 11 0	.....	10 dozens ...	3 15 0
Soap	„ 0-1-0 a piece ...	54 pieces ...	3 6 0	„ 0-1-0 a piece ...	36 pieces ...	2 4 0	.....	90 pieces ...	5 10 0
Blotting paper	„ 0-12-0 per quire ...	24 quires ...	18 0 0	„ 0-12-0 a quire ...	24 quires ...	18 0 0	.....	48 quires ...	36 0 0
Wicks for chimneys ...	.....	.....	.....	„ 0-0-3 each ...	3 number ...	0 0 9			

District Superintendent of Police, Ratnagiri.			£ s. d.						
Cloth, dark blue, for higher grades	.....	15¾ yards ...	4 4 8						
„ „ for lower „	.....	427¾ „ ...	65 18 11						
Collector of Khandesh.			Rs. A. P.						
Brown paper	.....	4¾ reams ...	48 1 3						
Blotting paper	.....	8 quires ...	6 2 0						
Steel penholders	.....	15 doz. about ...	8 10 0						
Pewter inkstands	.....	4 number ...	3 6 0						
Scissors	.....	32 „ ...	15 9 0						
Tape	.....	100 yards ...	1 7 0						
Padlocks	.....	28 number ...	5 6 0						
Vinegar	.....	13 bottles ...	4 10 0						
Conservator of Forests, Northern Division.									
Brown paper	Rs. 15-0-0 per ream ...	10 reams ...	150 0 0	Rs. 15-0-0 a ream ...	10 reams ...	150 0 0	.....	20 reams ...	300 0 0
Collector of Canara.									
Cartridge paper	„ 9-0-0 per ream ...	4 reams ...	36 0 0	Rs. 12-1-0 to Rs. 13-2-0 per ream.	3 reams ...	38 5 0	.....	7 reams ...	74 5 0
„ „	„ 0-12-0 „ quire ...	6 quires ...	4 8 0	„ 0-12-0 per quire ...	6 quires ...	4 8 0	.....	12 quires ...	9 0 0
„ „	„ 0-0-5 „ sheet ...	140 sheets ...	3 8 0	„ 0-0-3 to 6 pies a sht.	280 sheets ...	6 12 0	.....	420 sheets ...	10 4 0
Penholders, wooden ...	„ 0-2-0 to 8 As. per doz.	34 dozens ...	10 12 9	„ 2-0-0 per dozen ...	6 dozens ...	12 0 0	.....	40 dozens ...	22 12 9
Gum	.....	.....	.....	„ 0-2-0 „ seer ...	6 seers ...	0 12 0			
Inkstands	.....	.....	.....	.....	1 ...	0 12 0			
Waxcloth	Rs. 0-3-6 per yard ...	20 yards ...	4 6 0	„ 0-4-0 per yard ...	25 yards ...	6 4 0	.....	45 yards ...	10 10 0
File strings	„ 0-4-6 „ dozen ...	12 dozens ...	3 6 0						
„ „	„ 0-12-0 „ „ ...	2 „ ...	1 8 0	„ 0-3-0 to 12 As. a doz.	25 dozens ...	7 14 0	.....	43 dozens ...	14 0 0
„ „	„ 0-5-0 „ „ ...	4 „ ...	1 4 0						
Blotting paper	„ 16-4-0 „ ream ...	½ ream ...	8 2 0	„ 20-0-0 a ream ...	½ ream ...	10 0 0	.....	1 ream 2 qrs. 22 shts.	20 5 0
				„ 0-0-6 per sheet ...	70 sheets ...	2 3 0			
Blackwood rules	.....	.....	.....	„ 0-12-0 each ...	1 dozen ...	9 0 0			
Twine	.....	.....	.....	„ 0-5-0 a ball ...	12 balls ...	3 12 0			
Rumals, cloth	Rs. 2-7-0 per piece ...	1 piece ...	2 7 0	...	...	6 8 0			
File boards	„ 0-6-0 „ pair ...	12 pairs ...	4 8 0						
Khadi cloths	„ 1-8-0 „ piece ...	1 piece ...	1 8 0						
Broadcloth	„ 2-5-6 „ yard ...	2 yards ...	4 11 0						
Scissors	.....	.....	.....	Rs. 7-0-0 each ...	12 number ...	5 4 0			
Agent for Sirdars in the Deccan—Poona.									
Scissors	Rs. 0-8-0 each ...	3 number ...	1 8 0						

List of Articles—contd.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Collector of Dharwar.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Brown paper	.....	.....	18 3 3	.....	.....	24 1 6	.....	.....	42 4 9
Blotting paper	.....	.....	0 11 9	.....	.....	0 4 9	.....	.....	1 0 6
Penholders	.....	.....	0 4 0	.....	.....	0 2 0	.....	.....	0 6 0
Scissors	.....	.....	1 0 0	.....	.....	1 8 0	.....	.....	2 8 0
Inkstands	.....	.....	0 5 0	.....	.....	.....	.....	.....	...
Tape	.....	.....	0 0 6	.....	.....	2 6 0	.....	.....	2 6 6
Commissioner of Sind.									
Twine, Europe	Rs. 0-10-6 per lb. ...	2 lbs. ...	1 5 0	Rs. 0-14-0 per lb. ...	1 lb. ...	0 14 0	.....	3 lbs. ...	2 3 0
Vinegar	„ 0-8-0 „ bottle ...	8 bottles ...	4 0 0	„ 0-7-5 „ bottle ...	7 bottles ...	3 3 11	.....	15 bottles ...	7 3 11
Calico	.....	.....	.....	„ 0-8-0 „ yard ...	2 yards ...	1 0 0	.....	.....	...
Commissioner, Southern Division.									
Scissors	.....	.....	.....	.....	6 number ...	3 0 0	.....	.....	...
Brown paper	.....	1 rm. 3 qrs. 12 shts.	12 9 6	.....	1 rm. 19 qrs. 12 shts.	20 7 6	.....	3 rms. 3 qrs. ...	33 1 0
Broad cloth for tables ...	.....	.....	... ..	.....	12 yards ...	24 0 0	.....	.....	...
Red tape	.....	.....	0 2 0	.....	.....	1 6 0	.....	.....	1 8 0
						£ s. d.			
Woollen cloth, dark blue, for higher grades of police.	.....	.....	.....	.....	85 yards 32 ...	13 5 0	.....	.....	...
Woollen cloth, dark blue, for lower grades of police.	.....	.....	.....	.....	4,335 „ 21 ...	677 15 4	.....	.....	...
District Judge, Satara.									
Brown paper	Rs. 15-0-0 per ream ...	1 rm. 1 qr. 9 shts.	16 0 6	Rs. 0-12-4 per quire...	5½ quires ...	4 4 0	.....	1 rm. 6 qrs. 21 shts.	20 4 6
Scissors	„ 0-8-6 each ...	19 number ...	10 1 9	„ 0-8-1½ each ...	20 number ...	10 2 6	.....	39 number ...	20 4 3
Longcloth	„ 0-2-11 per yard ...	218 yards ...	39 11 0	„ 0-2-10½ a yard ...	160 yards ...	29 0 6	.....	378 yards ...	68 11 6
Vinegar	„ 0-8-0 „ bottle ...	2 bottles ...	1 0 0	„ 0-8-0 a bottle ...	5 bottles ...	2 8 0	.....	7 bottles ...	3 8 0
Judge, Poona District Court.									
Brown paper	Rs. 0-12-0 per quire ...	18⅓ quires ...	13 14 0	Rs. 0-12-0 a quire ...	24¾ quires ...	18 9 0	.....	43¼ quires ...	32 7 0
Blotting paper	„ 0-0-6 „ sheet ...	12 sheets ...	0 6 0	.....	.....	.....	.....	.....	...
Scissors	„ 0-8-0 each ...	12 number ...	6 0 0	.....	.....	.....	.....	.....	...
Padlocks	„ 0-5-0 „ ...	2 „ ...	0 10 0	Rs. 0-6-0 each ...	3 number ...	1 2 0	.....	5 number ...	1 12 0
Cloth for screens	„ 0-3-0 per yard ...	1 yard ...	0 3 0	.....	.....	.....	.....	.....	...

Commissioner of Customs, Opium, and Abkari.									
Coal	Rs. 22-0-0 per ton ...	25 tons ...	1,112 8 0						
	„ 22-8-0 „ „ ...	25 „ ...							
Blotting paper	„ 0-9-0 to Re. 1 per qr.	9 quires ...	8 14 0	Rs. 0-9-0 to Re. 1 per qr.	8 quires ...	6 12 0	...	17 quires ...	15 10 0
Cartridge, Europe ...	„ 1-8-0 per quire ...	1 quire ...	1 8 0	„ 1-4-0 per quire ...	1 „ ...	1 4 0	...	2 „ ...	2 12 0
Collector of Salt Revenue.									
Half-bleached paper ...	Rs. 3-5-3 per ream ...	14 reams ...	46 10 0						
Blotting paper	„ 0-13-0 „ quire ...	23 quires ...	18 12 0						
Cartridge paper	„ 11-8-3 „ ream ...	22 reams ...	253 6 6						
Locks	„ 0-7-9 each ...	32 number ...	15 9 6						
Scissors	„ 0-11-11 „ ...	37 „ ...	27 9 2						
Europe twine	„ 1-3-0 per lb. ...	1 lb. ...	1 3 0						
White calico	„ 0-2-4 „ yard ...	250 yards ...	37 7 6						
Rulers, round	„ 0-10-6 each ...	6 number ...	3 15 0						
Oil, boiled	„ 2-8-0 per gallon ...	142 gallons ...	355 0 0						
Marline	„ 0-8-0 each ...	196 number ...	98 0 0						
Crowbars	„ 2-8-0 „ ...	3 „ ...	7 8 0						
Oil, raw	„ 2-8-0 per gallon ...	31 gallons ...	77 8 0						
Oakum	„ 14-0-0 per cwt. ...	2½ cwt. ...	35 0 0						
Spun yarn	„ 0-4-0 „ lb. ...	85 lbs. ...	21 4 0						
Tape wicks	„ 0-12-0 „ roll ...	6 rolls ...	4 8 0						
Hammers	„ 1-9-0 each ...	4 number ...	6 4 0	Details as in 1879-80. But quantity and cost are not given.					
Wire rope	„ 0-4-0 per lb. ...	134 lbs. ...	33 8 0						
Marline spikes	„ 1-2-0 each ...	2 number ...	2 4 0						
Manilla rope	„ 0-5-0 per lb. ...	2,828 lbs. ...	883 12 0						
Bolt rope	„ 0-5-0 „ ...	975 „ ...	304 11 0						
Chalk	„ 0-1-0 „ ...	85 „ ...	5 5 0						
Iron hinges	.....	1 pair ...	0 3 0						
„ hooks	„ 0-12-0 each ...	16 number ...	12 0 0						
„ chains	„ 12-8-0 per cwt. ...	63 cwt. ...	787 8 0						
„ „	„ 6-0-0 „ ...	35 cwt. 2 qrs. 4 lbs.	213 12 0						
„ „	„ 10-0-0 „ ...	14 „ 3 „ 14 „	148 12 0						
Brown paper	„ 0-1-0 each ...	475 number ...	29 11 0						
Brass hinges	„ 1-6-0 per pair ...	7 pairs ...	9 10 0						
Seaming twine	„ 0-12-0 „ lb. ...	71 lbs. ...	53 4 0						
Sheeting cloth	„ 0-5-0 „ yard ...	70 yards ...	21 14 0						
Roping twine	„ 0-12-0 „ lb. ...	24 lbs. ...	18 0 0						
Head Master, High School, Karwar.									
Russian twine	Rs. 0-6-0 a bundle ...	1 bundle ...	0 6 0	Rs. 0-6-0 a bundle ...	1 bundle ...	0 6 0	...	2 bundles ...	0 12 0
Chalk	.....	.....	0 4 0	„ 0-1-4 per lb. ...	3 lbs. ...	0 4 0			
Chlorate of potass and bottle ...	.....	3 lbs. ...	4 2 0						
Black oxide of manganese and bottle.	.....	2 „ ...	0 12 0						

List of Articles—contd.

Name of Articles.	1879-80. Rate.	No. or quantity.	Total cost.	1880-81. Rate.	No. or quantity.	Total cost.	Total. Rate.	No. or quantity.	Total cost.
			Rs. A. P.			Rs. A. P.			Rs. A. P.
Head Master, High School, Karwar,—contd.									
Caustic potass and bottle ...	.....	8 oz. ...	1 2 0						
Sulphuric acid, comc. and bottle	.....	10 lbs. ...	5 10 0						
Nitric acid, pure, and bottle ...	.....	3 „ ...	7 4 0						
Hydrochloric acid, comc. and bottle.	.....	2 „ ...	2 0 0						
Nitrate of silver and bottle ...	.....	1 oz. ...	3 8 0						
Bioxide of potass „ „ ...	.....	1 lb. ...	2 4 0						
Spirit of wine	.....	3 qts. ...	3 0 0						
Sulphuric ether and bottle ...	.....	4 oz. ...	1 0 0						
Liquor ammonia P. L. and bottle.	.....	1 lb. ...	1 4 0						
Sal ammoniac and bottle ...	.....	1 „ ...	1 0 0						
Persulphate of iron and bottle	.....	1 oz. ...	0 10 0						
Perchloride and bottle ...	.....	1 „ ...	0 10 0						
Borax and bottle	.....	1 „ ...	0 10 0						
Nitrate of copper and bottle ...	.....	1 „ ...	0 10 0						
Sulphate of ammonia and bottle	.....	1 „ ...	0 10 0						
Oxalic acid and bottle ...	.....	1 „ ...	0 4 0						
District Judge, Surat.									
Brown paper	Rs. 15-0-0 per ream ...	$1\frac{1}{4}$ quires ...	0 15 0						
Cartridge paper	„ 7-8-0 „ „ ...	$2\frac{11}{12}$ „ ...	1 1 6	.....	$2\frac{1}{2}$ quires ...	1 5 0	.....	5 quires 10 sheets	2 6 6
Blotting paper	„ 0-12-0 „ quire ...	$3\frac{19}{24}$ „ ...	2 13 6	Rs. 0-6-0 and 0-10-0 per dozen sheets.	4 quires 4 sheets	3 4 0	.....	7 „ 23 „	6 1 6
		Doz. No.							
Steel penholders	„ 1-2-0 „ dozen ...	0 1 ...	0 1 6	„ 1-8-0 a dozen ...	1 dozen 1 No. ...	1 10 0			
„ ditto	.....	.....	...	„ 0-15-0 „ ...	$\frac{1}{2}$ „ ...	0 7 6			
„ ditto	„ 0-12-0 „ „ ...	2 11 ...	2 3 0	.....	$1\frac{1}{3}$ „ ...	1 0 0			
„ ditto	.....	.....	...	„ 0-10-0 a dozen ...	$\frac{1}{6}$ „ ...	0 1 8			
„ ditto	„ 0-9-0 „ „ ...	0 2 ...	0 1 6	.....	$\frac{1}{2}$ „ ...	0 4 6	.....	$15\frac{7}{12}$ dozens ...	7 12 9
„ ditto	„ 0-6-0 „ „ ...	0 7 ...	0 3 6	.....	$1\frac{1}{2}$ „ ...	0 9 0			
„ ditto	„ 0-4-0 „ „ ...	1 1 ...	0 4 4	.....	$\frac{1}{3}$ „ ...	0 2 0			
„ ditto	„ 0-3-0 „ „ ...	0 2 ...	0 0 6	.....	1 „ ...	0 3 0			
„ ditto	„ 0-2-9 „ „ ...	1 0 ...	0 2 9	.....	.....	.....			
„ ditto	.....	.....	...	„ 0-2-0 a dozen ...	3 „ ...	0 6 0			
Scissors	„ 0-12-0 each ...	1	0 12 0	„ 0-12-0 each ...	2 number ...	1 8 0	.....	6 number ...	3 8 0
„	„ 0-6-0 „ ...	0 1 ...	0 6 0	„ 0-7-0 „ ...	2 „ ...	0 14 0			
Strings for files	„ 0-6-0 per dozen ...	5 7 ...	2 1 6	„ 0-6-0 a dozen ...	$5\frac{1}{2}$ dozens ...	2 1 0	.....	Doz. 22 No. 8	7 12 7
„ „	„ 0-5-0 „ „ ...	4 7 ...	1 6 11	„ 0-5-0$\frac{1}{2}$ „ ...	3 „ ...	1 0 6			
„ „	„ 0-3-0 „ „ ...	0 8 ...	0 2 0	„ 0-5-0 „ ...	$3\frac{1}{2}$ „ ...	1 0 8			
Inkstands	„ 1-4-0 each ...	0 2 ...	2 8 0						
„	„ 1-2-0 „ ...	0 2 ...	2 4 0	„ 0-10-0 to 1-12-0 each	9 number ...	9 15 0	.....	0 15	16 11 0
„	„ 1-0-0 „ ...	0 2 ...	2 0 0						
Padlocks	„ 1-8-0 „ ...	0 1 ...	1 8 0	„ 3-0-0 each ...	1 ...	3 0 0			
„	„ 1-4-0 „ ...	0 1 ...	1 4 0	„ 1-10-0 „ ...	1 ...	1 10 0			
„	„ 0-11-0 „ ...	0 4 ...	2 12 0	„ 0-9-0 „ ...	2 ...	1 2 0			
„	„ 0-4-0 „ ...	0 1 ...	0 4 0	„ 0-6-0 „ ...	2 ...	0 12 0	.....	4 1	18 11 11
„	.....	.....	...	„ 0-5-0 „ ...	2 ...	0 10 0			
„	„ 0-2-8 each ...	2 7 ...	5 2 8	„ 0-3-9 „ ...	3 ...	0 11 3			
Woollen Tape	.....	.....	...	„ 0-5-0 a bundle ...	1 ...	0 5 0			
Locks and keys	„ 0-10-0 each ...	0 1 ...	0 10 0	„ 0-6-0 „ ...	1 ...	0 6 0			
„ „	„ 0-8-0 „ ...	0 1 ...	0 8 0	.....	1 ...	0 9 3	.....	0 3	1 11 3
Longcloth	„ 2-4-0 a piece ...	$\frac{1}{2}$ piece ...	1 2 0	.....	...	...	.....	$3\frac{3}{4}$ pieces ...	11 1 0
„	„ 2-2-0 „ ...	1 „ ...	2 2 0	„ 2-2-0 to 8-0-0 a piece	$2\frac{1}{4}$ pieces ...	7 13 0	.....		
Broadcloth	„ 1-12-0 a yard ...	2 yards ...	3 8 0	„ 1-12-0 a yard ...	2 yards ...	3 8 0	.....	$7\frac{1}{4}$ yds. ...	14 5 0
„ red	.....	.....	...	„ 1-8-0 to 3-0-0 ...	$3\frac{1}{4}$ „ ...	7 5 0			
Iron safe	.....	.....	...	.....	1 ...	130 0 0			
Red cotton cloth	.....	.....	...	„ 0-2-9 a yard ...	2 yards ...	0 5 6			
„ turbans	.....	.....	...	„ 1-2-8 each ...	3 ...	3 8 0			
Prothonotary, High Court.									
Silk ribbon	.....	95 bundles ...	29 11 0						
Twine	.....	6 „ ...	1 8 0						
Blank books	.....	2 „ ...	44 14 0						
Longcloth for covering books ...	.....	2 yards ...	0 8 0						
Dungery for dusters ...	.....	.....	1 8 0						
Registrar, P. and I. I. High Court.									
Blotting paper	.....	6 quires ...	4 8 0						
Silk ribbons	.....	30 bundles ...	9 13 0						
White tape	.....	18 „ ...	2 4 0						
Red tape	.....	48 „ ...	4 0 0						
Blank book	.....	1 number ...	10 10 0						
Longcloth for covering books ...	.....	3 yards ...	0 12 0						
High Court Establishment.									
Blank books	.....	7 number ...	55 10 0						
Pewter inkstands	.....	12 „ ...	14 12 0						
Long cloth for covering books...	.....	6 yards ...	1 8 0						
Galvanized buckets ...	.....	2 number ...	2 8 0						

List of Articles—contd.

Names of Articles.	1879-80.			1880-81.			Total.		
	Rate.	No. or quantity.	Total cost.	Rate.	No. or quantity.	Total cost.	Rate.	No. or quantity.	Total cost.
High Court Establishment—(continued).			Rs. A. P.			Rs. A. P.			Rs. A. P.
Linseed oil	.....	2 bottles ...	1 0 0						
Iron padlocks	.....	6 number ...	3 12 0						
Towel cloth for dusters ...	.....	.....	9 0 0						
Principal and Sub-Courts, Kaladgi District.									
Pen-holders	.....	9 number ...	0 15 0						
Blotting paper	Rs. 0-2-0 per sheet ...	19 sheets ...	2 6 0						
Scissors	„ 0-6-0 „ pair ...	6 pairs ...	2 4 0						
Huzur and Taluka Offices in Ratnagiri Collectorate.									
Cartridge paper	Rs. 0-11-0 per quire ...	1 quire ...	0 11 0						
„ „	„ 0-12-0 „ „ ...	10½ quires ...	7 14 0						
„ „	„ 0-0-6 per sheet ...	693 sheets ...	21 10 6						
Brown paper	„ 0-12-0 „ quire ...	6 quires ...	4 8 0						
Inkstands	„ 0-1-0 each ...	28 number ...	1 12 0						
„	„ 0-8-6 „ ...	2 „ ...	1 1 0						
„	„ 0-14-0 „ ...	3 „ ...	2 10 0						
„	„ 1-0-0 „ ...	1 „ ...	1 0 0						
Scissors	„ 0-6-0 „ ...	1 „ ...	0 6 0						
„	„ 0-8-0 „ ...	13 „ ...	6 8 0						
„	„ 0-10-0 „ ...	3 „ ...	1 14 0						
Paste board	„ 0-6-0 „ ...	29¾ „ ...	11 2 6						
„ „	„ 0-8-0 „ ...	1 „ ...	0 8 0						
Padlocks	„ 0-3-0 „ ...	3 „ ...	0 9 0						
„	„ 0-5-6 „ ...	1 „ ...	0 5 6						
„	„ 0-6-0 „ ...	4 „ ...	1 8 0						
Pen-holders	„ 0-0-3 „ ...	28 „ ...	0 7 0						
Cloth	„ 0-2-0 per yard ...	3 yards ...	0 6 0						
„	„ 0-7-0 „ „ ...	6 „ ...	2 10 0						
„	5½ yards per rupee ...	27½ „ ...	5 0 0						
„	Contract	23 „ ...	3 12 6						
Cotton twist	Rs. 0-5-0 per seer ...	½ seer ...	0 2 6						
„ „	„ 1-0-0 „ lb. ...	5 lbs. ...	5 0 0						
Vinegar	„ 0-6-0 „ bottle ...	12 bottles ...	4 8 0						
Tape	„ 0-0-9 „ yard ...	3 yards ...	0 2 3						
Inspector General of Registration and Stamps.									
Brown paper	„ 1-0-0 per quire ...	1 quire ...	1 0 0	.....	...	...			
Paper for envelopes ...	„ 0-7-4 „ „ ...	¾ „ ...	0 5 6	.....	...	...			
Paper for envelopes ...	„ 0-1-6 per quire ...	6½ quires ...	0 10 0	.....	2 reams ...	1 6 0	...	7 reams 9¼ quires	6 4 6
„ „ ...	„ 0-12-0 „ ream ...	5 reams ...	3 12 0	Rs. 0-1-6 a quire ...	2 quires ...	0 3 0			
Scissors	„ 0-8-0 each ...	1 number ...	0 8 0	.....	1 ...	0 8 0	.....	2 number ...	1 0 0
Padlocks	„ 0-4-0 „ ...	2 „ ...	0 8 0	.....	3 ...	0 13 0	.....	5 „ ...	1 5 0
Brown paper	.....	2 quires ...	1 5 0	.....	18 sheets ...	0 6 0	.....	2 quires 18 sheets	1 11 0
Perry Professor of Jurisprudence, Bombay.									
Blotting paper for examination	.....	1 quire and 9 sheets.	0 14 0	„ 0-12-0 per quire ...	1 quire 8 sheets ...	1 0 0	.....	2 quires 17 sheets	1 14 0
Penholders	„ 0-2-0 per dozen ...	1 dozen ...	0 2 0						
Kurrachee Narayen J. High School.									
Chalk	„ 0-1-3 per lb. ...	6 lbs. ...	0 7 6						
File strings	„ 0-5-0 „ dozen ...	1½ dozen ...	0 8 0						
Penholders	.....	½ „ ...	0 2 6						
Blotting paper	.....	1¼ quires ...	1 5 0						
Inkstands	.....	4⅓ dozs. ...	1 11 0						
Potash, chlorate	.....	7 oz. ...	0 14 0						
Zinc, granulated	.....	1¼ lb. ...	0 11 0						
Methylated spirit of wine ...	.....	1 bottle ...	1 4 0						
Distilled water	.....	1 „ ...	0 4 0						
Iodine crystal	.....	½ oz. ...	1 8 0						
Rectified ether	.....	2 „ ...	0 8 0						
Hydrochloric acid	.....	1 „ ...	0 4 0						
Nitric acid	.....	2 „ ...	0 8 0						
Potassium	.....	1 „ ...	0 8 0						
Sodium	.....	1 „ ...	0 12 0						
Red oxide of mercury ...	.....	1 „ ...	0 8 0						
Phosphorus	.....	½ „ ...	0 4 0						
Mercury	.....	4 lbs. ...	9 12 0						
Sulphuric acid	.....	4 oz. ...	0 8 0						
Ahmednagar High School.									
Blotting paper	Rs. 0-5-0 per quire ...	2 quires ...	0 10 0	Rs. 0-6-0 a quire ...	2 quires ...	0 12 0	.....	4¼ quires ...	1 9 0
Cloth for bangy	.....	...	6 2 9	„ 0-12-0 „ ...	¼ quire ...	0 3 0			
Cord	.....	...	0 2 6						
Twine for bangy	.....	...	0 1 0						
Peroxide of manganese ...	„ 0-4-0 per lb. ...	1 lb. ...	0 4 0						
Black oxide of copper ...	„ 2-4-0 „ ...	¼ „ ...	0 9 0						
Ferric oxide	„ 1-0-0 „ ...	¼ „ ...	0 4 0						

List of Articles—contd.

Names of Articles.	1879-80. Rate.	No. or quantity.	Total cost.	1880-81. Rate.	No. or quantity.	Total cost.	Total. Rate.	No. or quantity.	Total cost.
***Ahmednagar High School*—continued.**			Rs. A. P.						Rs. A. P.
Indigo	Rs. 7-0-0 per lb. ...	½ lb. ...	0 14 0						
Fluor spar	„ 0-8-0 „ ...	1 „ ...	0 8 0						
Potassium (ferro) ...	„ 1-4-0 „ ...	¼ „ ...	0 5 0						
Nitrate of copper (dry) ...	„ 0-10-0 per oz. ...	1 oz. ...	0 10 0						
Ammonia solution ...	„ 1-8-0 per lb. ...	1 lb. ...	1 8 0						
Marble	„ 0-12-0 „ ...	½ „ ...	0 6 0						
Iron filings	„ 1-0-0 „ ...	⅓ „ ...	0 8 0						
Spirit of wine	.....	1 quart bottle ...	1 0 0						
Acid oxylis	„ 0-10-0 per lb. ...	½ lb. ...	0 5 0						
Nitric acid	„ 4-8-0 „ ...	½ „ ...	2 4 0						
Hydrochloric acid	„ 1-0-0 „ ...	2 „ ...	2 0 0						
Aqua, distilled	„ 1-4-0 per gallon ...	½ gallon ...	0 10 0						
Potash, caustic	„ 2-8-0 per lb. ...	½ lb. ...	1 4 0						
Silver, nitrate solution ...	„ 0-2-0 per oz. ...	4 oz. ...	0 8 0						
Potash, iodide	„ 0-12-0 „ ...	1 „ ...	0 12 0						
Soda, caustic	„ 0-2-0 „ ...	2 „ ...	0 4 0						
Æther, pure	„ 0-3-0 „ ...	4 „ ...	0 12 0						
Soda, carbonas	„ 0-1-0 „ ...	4 „ ...	0 4 0						
Chlorate of potash ..	„ 0-8-0 per lb. ...	½ lb. ...	0 4 0	Rs. 1-2-0 per lb. ...	1 lb. ...	1 2 0	...	1½ lbs. ...	1 6 0
Bichromatic of potash ...	„ 0-1-6 per oz. ...	4 oz. ...	0 6 0						
Soda, sulphas	„ 0-4-0 per lb. ...	1 lb. ...	0 4 0						
Sulphur (in bottle) ...	„ 0-6-0 „ ...	1 „ ...	0 6 0						
Iodine „ ...	„ 1-8-0 per oz. ...	1 oz. ...	1 8 0						
Phosphorus	„ 0-8-0 „ ...	1 „ ...	0 8 0						
Mercury	„ 2-0-0 per lb. ...	5 lbs. ...	10 0 0						
Potassium	„ 1-4-0 „ ...	1 lb. ...	1 4 0						
Zinc, granulated	„ 1-0-0 „ ...	5 lbs. ...	5 0 0						
Animal charcoal	„ 0-4-0 per oz. ...	1 oz. ...	0 4 0						
Tartaric acid	„ 0-4-0 „ ...	1 „ ...	0 4 0						
Bicarbonate of soda ...	„ 0-6-0 per lb. ...	1 lb. ...	0 6 0						
Chalk packing	„ 1-8-0 „ ...	2 boxes ...	1 8 0						
Blank books	„ 2-0-0 each ...	1 No. ...	2 0 0						
Cloth	.....	...	...	.....	...	0 4 0			
Cloth, coarse	„ 0-3-4 per yard ...	5½ yards. ...	1 2 0	.....	...	...			
„ duster	.....	...	...	Rs. 0-1-6 per yard ...	6 yards ...	0 9 0			
Cloth, fine, for magic lantern ...	.....	2 „ ...	1 0 0	.....	...	...			
Ring (iron) for holding keys ...	„ 0-0-3 each ...	1 No. ...	0 0 3						
Towels	„ 0-2-6 „ ...	2 „ ...	0 5 0						
Twine	.....	...	0 2 0	.....	...	0 5 9			
Chalk	.....	...	...	Rs. 0-2-6 per seer ...	8 seers ...	1 4 0			
Collector of Kaira.									
Paper, Portuguese ...	From Rs. 1-7-0 to Rs. 3-0-0 per ream.	106 reams 13 quires	198 15 0	Rs. 1-4-0 to Rs. 3-8-0 per ream.	112 reams 5 quires	206 2 0	...	220 reams 18 quires	405 1 0
Blotting paper	.....	...	...	.....	1 ream 1½ „	4 9 6			
Inkstands	Rs. 0-1-0 each ...	13 number ...	0 13 0	Rs. 0-1-0 each ...	11 No. ...	0 11 0	...	27 number ...	2 13 0
Ditto	„ 0-7-0 „ ...	3 „ ...	1 5 0						
Scissors	„ 0-11-0 „ ...	1 „ ...	0 11 0	.....	1 „ ...	0 5 0	...	2 „ ...	1 0 0
District Judge of Khandesh.									
Portuguese paper ...	Rs. 1-10-8 per ream ...	125 reams ...	208 13 0						
Blotting paper	„ 0-12-0 per quire ...	206 sheets ...	6 3 0						
Brown paper	„ 0-12-0 „ ...	210 „ ...	6 7 0						
Holders	„ 0-6-0 per dozen ...	45 number ...	1 6 6						
Scissors	„ 0-7-7⅖ each ...	30 „ ...	14 4 6						
Black tape	19⅝ yards per rupee ...	22 yards ...	1 2 0						
Cloth	At 12⅘ cubits a rupee...	8 cubits ...	0 10 0						
„	„ 0-2-8 per yard ...	21 yards ...	3 8 0						
„	One in the lump ...	...	7 0 0						
Narinel High School.									
Chlorate of potash... ...	Rs. 1-0-0 per lb. ...	1 lb.							
Phosphorus	„ 1-2-6 „ „ ...	5 lbs.							
Soda caustic	„ 0-4-0 „ oz. ...	2 oz.							
Mercury	„ 1-0-0 „ pint ...	4 pints	28 2 0						
Granulated zinc	„ 3-0-0 „ lb. ...	1 lb.							
Rectified spirit of wine ...	„ 1-8-0 „ oz. ...	1 oz.							
Sodium	„ 10-8-0 „ „ ...	1 „							
Dhulia High School.									
Twine	Rs. 0-6-0 per bundle ...	1 bundle ...	0 6 0	....	...	0 11 0			
Vinegar	„ 0-10-0 „ bottle ...	2 bottles ...	1 4 0	Rs. 0-10-0 per bottle ...	2 bottles ...	1 4 0	...	6 bottles ...	3 6 0
				„ 0-7-0 „ „ ...	2 „ ...	0 14 0			
Acid, sulphuric	.....	3 lbs. ...	...	Common Rs. 0-3-0 per lb.	4 lbs. ...	...	...	7 lbs. 4 oz.	
				Pure „ 0-1-0 „ oz.	4 ozs. ...	...			
Acid, nitric	.....	2 „ ...	...	Common „ 0-12-0 „ lb.	4 lbs. ...	...	...	6 „ 4 „	
				Pure „ 0-1-6 „ oz.	4 oz. ...	...			
Mercury	.....	2 „							
Iodine, recrystalized ...	.....	4 drams.							
Zinc, granulated	.....	1 lb.							
Potash, chlorate, pure ...	.....	3 lbs.							
Spirits of wine, rectified ..	.....	1½ quarts ...	...	Rs. 0-2-0 an oz. ...	4 oz. ...	0 8 0			
„ „ methylated ...	.....	.....	...	„ 1-0-0 a quart ...	1 quart				
Binoxide of manganese ...	.....	2 lbs.	...						
Cupree Oxide	.....	4 oz.	...						
Calcis, sulphur	.....	8 „	...						
Pair of bellows	.....	.....	...	Re. 1-0-0 each ...	1 ...	1 0 0			

List of Articles—contd.

Names of Articles.	1879-80. Rate.	1879-80. No. or Quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or Quantity.	1880-81. Total cost.	Total Rate.	Total No. or Quantity.	Total Total cost.
Dhulia High School—continued.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Coal	.....	.....	0 1 0						
String for files	Rs. 0-0-6 each ...	4 number ...	0 2 0	Rs. 0-0-6 each ...	7 number ...	0 3 6	...	11 number ...	0 5 6
Chalk	.....	.....	0 8 0	.....	5½ lbs. ...	0 6 0			
Ring for keys	Rs. 0-0-6 each ...	1 number ...	0 0 6	„ 0-0-9 each ...	1 ...	0 0 9	...	2 „ ...	0 1 3
Paper-cutter	.....	.....	...	„ 0-2-0 „ ...	1 ...	0 2 0			
Locks	.....	3 number ...	3 0 0						
Broad cloth	.....	.....	1 8 0						
Weights	.....	.....	1 2 0						
Acid, muriatic	.....	.....	...	Common Rs. 0-8-0 per lb. / Pure „ 0-1-0 „ oz.	1 lb. / 4 oz.				
Choloride of lime ...	.....	.....	...	Rs. 1-8-0 a lb. ...	¼ lb.				
Potassium with bottle ...	.....	.....	...	„ 2-0-0 a lb. ...	½ „				
Alcohol	.....	.....	...	„ 0-4-0 an oz. ...	4 oz.				
Dharwar High School.									
Vinegar	Rs. 0-9-0 per bottle ...	1 bottle ...	0 9 0	.....	3 bottles ...	1 11 0	...	4 bottles ...	2 4 0
Brown paper	„ 0-0-6 „ sheet ...	2 sheets ...	0 1 0						
Blotting	„ 0-1-0 „ „	4 „	0 4 0	.....	...	0 1 6			
Red tape	.....	.....	0 0 6						
Penholders	.....	.....	0 1 0						
Chemicals purchased from Messers. Kemp & Co.	.....	.....	17 0 0						
Chalk	.....	.....	...	.....	...	2 8 0			
Twine	.....	.....	...	.....	...	0 12 0			
Mercury	.....	.....	...	.....	½ lb. ...	1 2 0			
Sulphide of mercury ...	.....	.....	...	.....	...	0 0 9			
Camphor	.....	.....	...	.....	...	0 0 3			
Saltpetre	.....	.....	...	.....	...	1 8 0			
Sulphuric acid	.....	.....	...	.....	...	4 0 0			
Nitrate of silver	.....	.....	...	.....	1 oz. ...	3 2 0			
Methylated spirit	.....	.....	...	.....	¼ gallon ...	2 10 0			
Chlorate of potash ...	.....	.....	...	.....	2 lbs. ...	2 11 0			
Nitric acid, commercial ...	.....	.....	...	.....	2½ „ ...	3 0 0			
„ „ pure	.....	.....	...	.....	1 oz. ...	0 6 0			
Black oxide of manganese ...	.....	.....	...	.....	2 lbs. ...	1 0 0			
Liquor Ammonia	.....	.....	...	.....	¼ lb. ...	0 14 0			
Hydrochloric acid ...	.....	.....	...	.....	1 „ ...	1 12 0			
Cynide of silver	.....	.....	...	.....	...	1 8 0			
Spirit of wine	.....	.....	...	.....	...	1 4 0			
Candle stand	.....	.....	...	.....	...	0 3 0			

Training College, Dharwar.									
Sulphuric acid, pure ...	.....	.....	...	Rs. 0-1-6 an oz. ...	8 oz. ...	1 6 0			
Nitric acid „ ...	.....	.....	...	„ 0-2-0 „ „ ...	4 „ ...	1 2 0			
Tartaric acid	.....	.....	...	„ 0-2-0 „ „ ...	8 „ ...	1 2 0			
Nitrate of cobalt ...	.....	.....	...	„ 2-0-0 „ „ ...	1 „ ...	2 8 0			
„ of potash ...	.....	.....	...	„ 0-2-0 „ „ ...	1 „ ...	0 4 0			
„ of Barytee ...	.....	.....	...	„ 0-2-0 „ „ ...	1 „ ...	0 4 0			
Spirit of wine, rectified ...	.....	.....	...	„ 1-8-0 a lb. ...	1 lb. ...	1 12 0			
Sulphuric acid, commercial ...	.....	.....	...	„ 0-8-0 „ ...	2 lbs. ...	2 0 0			
Nitric „ „ ...	.....	.....	...	„ 1-0-0 „ ...	1 lb. ...	1 12 0			
Head Master, High School, Kurrachi.									
Chalk	.....	.....	...	Rs. 0-1-3 per lb. ...	22 lbs. ...	1 11 9			
Twine (coloured)	.....	.....	...	„ 0-4-0 per bundle ...	4 bundles ...	1 0 3			
Tape	.....	.....	...	„ 0-1-6 „ ...	3 „ ...	0 4 6			
File strings	.....	.....	...	.....	1 dozen ...	0 5 0			
Blotting paper	.....	.....	...	„ 0-10-0 a quire ...	2 quires ...	1 4 0			
Potash chlorate	.....	.....	...	„ 0-2-0 per oz. ...	8 oz. ...	1 0 0			
Sulphuric ether	.....	.....	...	„ 0-4-0 „ ...	2 „ ...	0 8 0			
Rectified „	.....	.....	...	.....	1 „ ...	0 8 0			
Nitric acid	.....	.....	...	„ 0-4-0 per oz. ...	3 „ ...	0 12 0			
Phosphorus	.....	.....	...	.....	1 „ ...	0 8 0			
Mercury	.....	.....	...	.....	1 lb. ...	1 14 0			
Acid, sulphuric (Dil.) ...	.....	.....	...	.....	1 „ ...	0 8 0			
Conservator's Office, Southern Division.									
File boards	Rs. 12-0-0 per dozen ...	2 dozen ...	29 8 0	Rs. 12-0-0 a dozen ...	2 dozens ...	28 0 0	...	4½ dozens ...	69 8 0
„ „	„ 24-0-0 „ „ ...	¼ „ ...	6 0 0	„ 24-0-0 „ ...	¼ dozen ...	6 0 0			
Dungri cloth	„ 0-4-0 „ yard ...	12 yards ...	3 0 0	„ 2-14-0 a piece ...	11 pieces ...	31 10 0	...	11 pieces 24 yards	37 3 8
„ „	„ 0-2-5 „ „ ...	4 „ ...	0 9 8	„ 0-4-0 a yard ...	8 yards ...	2 0 0			
Wax „	„ 1-0-0 „ „ ...	5 „ ...	5 0 0	„ 0-12-0 „ ...	6 „ ...	4 8 0	...	11 yards ...	9 8 0
Gum Arabic	„ 0-2-0 „ lb. ...	3 lbs. ...	0 6 0	„ 0-4-0 a seer ...	3 seers ...	0 12 0			
„ „	„ 0-3-0 „ „ ...	½ lb. ...	0 1 6						
Blotting paper	„ 1-8-0 „ quire ...	3 quires ...	4 8 0	„ 1-8-0 a quire ...	3 quires ...	4 8 0	...	6 quires ...	9 0 0
Cartridge „	„ 1-0-0 „ „ ...	3 „ ...	3 0 0	„ 1-0-0 „ ...	3 „ ...	3 0 0	...	6 „ ...	6 0 0
Cotton wicks	„ 0-6-0 „ dozen ...	1 dozen ...	0 6 0						
Cloth for lining peons' coats ...	„ 12-2-0 „ piece ...	1 piece ...	12 2 0						
Tape for coats	„ 0-0-6 „ yard ...	15 yards ...	0 7 6				...	2 dozens ...	1 0 0
Penholders	„ 0-6-0 „ dozen ...	1 dozen ...	0 6 0	Rs. 0-10-0 a dozen ...	1 dozen ...	0 10 0	...	2 number ...	0 4 0
Coir ropes	„ 0-2-0 each ...	1 number ...	0 2 0	„ 0-2-0 each ...	1 number ...	0 2 0	...	2 maunds ...	3 12 0
Sand	„ 2-2-0 per maund	1 maund ...	2 2 0	„ 1-10-0 a maund ...	1 maund ...	1 10 0			
Leather	.....	...	...	„ 0-6-0 a piece ...	1 piece ...	0 6 0			
Brooms	.....	...	...	.....	1 number ...	0 0 6			
Twine, Europe	.....	...	...	„ 0-5-4 to 0-6-0 a bundle.	3 bundles ...	1 0 8			

List of Articles—contd.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Forest Settlement Officer, Southern Division.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Waxcloth, gum, sand, lac, vinegar, thread, &c.									
Tin cases for maps ...	Rs. 3-12-0 each ...	2 number ...	7 8 0						
Map covers	„ 5-4-0 „ ...	2 „ ...	10 8 0						
Cloth for tent repairs ...	„ 2-10-4 per piece ...	3 pieces ...	7 15 0						
Wooden cases	„ 12-6-0 each ...	2 number ...	24 12 0						
Dungri cloth	.....	... ...	...	Rs. 3-5-3 a piece ...	2 pieces ...	6 10 6			
Tin cans	.....	.....	...	„ 1-7-0 each ...	4 number ...	5 12 0			
Deputy Conservator of Forests, Kanara District, Northern Division.									
Brown paper for covers ...	Rs. 1-8-0 per ream ...	4½ reams ...	6 12 0	Rs. 1-8-0 a ream ...	2 reams ...	3 0 0	.....	6½ reams ...	9 12 0
Cartridge paper do. ...	„ 0-0-7 „ sheet ...	7 sheets ...	0 4 1	„ 0-0-6 a sheet ...	19 sheets ...	0 9 6	.....	26 sheets ...	0 13 7
File board sticks	„ 0-0-6 each ...	123 number ...	3 13 6						
Do. strings	„ 0-0-6 „ ...	91 „ ...	2 13 6	„ 0-0-6 to 7½ pie each	79 number ...	2 8 6	.....	170 number ...	5 6 0
File boards	„ 0-12-0 „ ...	6 „ ...	4 8 0	„ 1-0-0 each ...	1 ...	1 0 0	.....	7 „ ...	5 8 0
				„ 0-12-8 a pair ...	33 pairs ...	26 2 0		39 pairs ...	30 10 0
				„ 0-12-0 „ ...	6 „ ...	4 8 0			
Blotting paper	.....	.....	.....	„ 0-0-6 a sheet ...	12 sheets ...	0 6 0			
Portfolios	„ 1-0-0 each ...	1 number ...	1 0 0						
Inkstands	„ 0-1-0 „ ...	6 „ ...	0 6 0	„ 0-1-0 each ...	19 ...	1 3 0	.....	25 number ...	1 9 0
Sand boxes, tin	„ 0-0-6 „ ...	2 „ ...	0 1 0	„ 0-0-9 „ ...	5 ...	0 3 9	.....	7 „ ...	0 4 3
Gum	„ 0-1-6 seer ...	15 seers ...	1 6 6	„ 0-1-8 per lb. ...	11 lbs. ...	1 2 4			
Do.	.....	1½ lbs. ...	0 3 3						
Dungri cloth	„ 0-15-3 per piece ...	1 piece ...	0 15 3						
Chalk	„ 0-1-6 „ seer ...	1 seer ...	0 1 6						
Lamp oil	„ 0-1-5 „ „ ...	2½ seers ...	2 2 8						
Straw mat	„ 0-5-0 each ...	1 number ...	0 5 0	„ 0-1-9 each ...	6 number ...	0 10 6	.....	7 „ ...	0 15 6
Cocoanut oil	„ 0-2-0 seer ...	1 seer ...	0 2 0						
Mulmul	„ 0-3-0 per yard ...	½ yard ...	0 1 6						
Wooden box	„ 7-0-0 each ...	1 number ...	7 0 0						
Do.	„ 0-14-0 „ ...	1 „ ...	0 14 0						
Coir rope	„ 0-3-6 a ball ...	1 ball ...	0 3 6	„ 0-2-0 bundle ...	1 bundle ...	0 2 0			
Carpets	„ 1-9-0 each ...	2 number ...	3 2 0						
Chairs	„ 5-2-0 „ ...	2 „ ...	10 4 0						
Table	„ 13-0-0 „ ...	1 „ ...	13 0 0						
Writing desk	„ 6-8-0 „ ...	1 „ ...	6 8 0						
Padlocks	„ 0-3-8 „ ...	4 „ ...	0 14 8	Rs. 0-6-0 each ...	4 number ...	1 8 0	.....	8 number ...	2 6 8
Wooden rulers	.....	.....	.....	„ 0-2-0 „ ...	12 „ ...	1 8 0			
Khadi cloth, for dufter ...	.....	.....	.....	„ 8-5-6 a piece ...	1 piece ...	8 5 6			
„ „ „ ...	.....	.....	.....	.....	.....	0 5 6			
Vinegar	.....	.....	.....	„ 0-2-0 a bottle ...	1 bottle ...	0 2 0			
Bamboo mat	.....	.....	.....	„ 0-8-0 each ...	1 nnmber ...	0 8 0			
Brass lamp	.....	.....	.....	„ 3-0-0 „ ...	2 „ ...	6 0 0			
Twine	„ 0-2-0 a seer ...	3¼ seers ...	0 6 6	„ 0-2-0 a lb. ...	4¾ lb. ...	0 9 6			
File sticks	.....	.....	.....	„ 0-0-8 a pair ...	57 pairs ...	2 0 6			
Quinine	.....	.....	.....	.....	.....	72 0 0			
Kanara Central Division, Assistant Conservator of Forests, and Kanara Saw Mill Account.									
Brown cartridge paper ...	Rs. 0-0-6 each ...	62 number ...	1 15 0	Rs. 0-0-6 a sheet ...	28 sheets. ...	0 14 0	.....	90 sheets ...	2 13 0
Gum	„ 0-4-8 per lb. ...	4lbs. ...	1 2 6	„ 0-3-10 a lb. ...	5 lbs. ...	1 3 4	.....	9 lbs. ...	2 5 10
Khadi cloth	„ 1-10-8 „ piece ...	9 pieces ...	31 0 0	„ 1-4-6 a piece ...	11 pieces ...	13 14 3	.....	20 pieces ...	44 14 3
Scissors	„ 0-5-0 each ...	1 number ...	0 5 0	„ 0-5-0 each ...	1 number ...	0 5 0	.....	2 number ...	0 10 0
Padlocks	„ 0-3-0 „ ...	1 „ ...	0 3 0	„ 0-4-0 „ ...	3 „ ...	0 12 0	.....	4 „ ...	0 15 0
Sand boxes	„ 0-0-9 „ ...	2 „ ...	0 1 6	.....	.....	...	.....	.....	...
Wooden battens for files ...	„ 0-0-3 „ ...	157 „ ...	3 1 5	„ 0-0-4 each ...	179 „ ...	3 11 11	.....	336 number ...	6 13 4
Inkstands, common ...	„ 0-0-10 „ ...	4 „ ...	0 3 6	„ 0-1-6 „ ...	7 „ ...	0 10 9	.....	11 „ ...	0 14 3
Blotting paper	„ 0-1-0 per sheet ...	2 sheets ...	0 2 0						
Oil, cocoanut	„ 10-7-8 per maund...	20 maunds ...	209 3 0	„ 6-4-4 a maund ...	24 maunds ...	150 8 0	.....	44 mds. ...	359 11 0
Twine	„ 0-5-0 „ lb. ...	4lbs. ...	1 4 0	„ 0-6-4 a lb. ...	6 lbs. ...	2 6 3	.....	10 lbs. ...	3 10 3
Coir rope	„ 0-0-10 each ...	3 number ...	0 2 6	„ 0-14-3 a maund ...	8 maunds ...	7 1 0	.....	...	...
Baskets	„ 0-1-4 „ ...	13 „ ...	1 2 0						
Castor oil	„ 11-9-0 per maund...	16 maunds ...	185 0 0						
Cotton yarn	„ 0-14-11 „ lb. ...	3¼lbs. ...	3 4 0	„ 0-10-2 a lb. ...	1¼ lb. ...	0 12 9	.....	4¾ lbs. ...	4 0 9
Blank books	„ 4-4-0 each ...	2 number ...	8 8 0						
Hides...	„ 4-13-8 „ ...	1¾ „ ...	8 8 0	„ 4-10-8 each ...	3 „ ...	14 0 0	.....	4¾ number ...	22 8 0
Leather laces	„ 1-2-0 doz. ...	4 doz. ...	4 8 0						
Lead	„ 0-4-0 lb. ...	3lbs. ...	0 12 0						
Brooms	„ 0-0-4 each ...	1 number ...	0 0 4						
Earthen pots	„ 0-2-0 „ ...	2 „ ...	0 4 0						
Cinchona	„ 1-12-0 per bottle ...	1 bottle ...	1 12 0						
Castor oil, medical ...	„ 0-8-0 „ ...	3 „ ...	1 8 0						
Sal ammoniac	„ 0-0-4 per tola ...	12 tolas ...	0 4 0						
Petaras	.....	.....	.....	.....	1 number ...	9 0 0			
Desk	.....	.....	.....	.....	1 „ ...	9 4 7			
Table	.....	.....	.....	.....	1 „ ...	15 11 10			
Spun yarn	.....	.....	.....	Rs. 0-8-0 a lb. ...	56 lbs. ...	36 2 0			
Borax	.....	.....	.....	„ 1-2-8 a lb. ...	19 tolas ...	0 7 0			
Brass lamp	.....	.....	.....	„ 5 each ...	1 „ ...	5 0 0			
Vinegar	.....	.....	.....	.....	1 bottle ...	0 10 0			

List of Articles—contd.

Name of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Kanara, Central Division, Assistant Conservator of Forests, and Kanara Saw Mill Account,—contd.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Hemp	Rs. 3-14-10 per maund.	$1\frac{1}{2}$ maunds ...	5 14 4						
Linseed oil	„ 0-12-0 „ bottle	2 bottles ...	1 8 2						
Oil, boiled	.....	.....	.....	Rs. 2-8-0 a gallon ...	2 gallons.				
Gadi and load	.....	.....	.....	.....	1 set ...	6 10 0			
Tools and Plant.									
Almirah	„ 16-12-0 each ...	1 number ...	16 12 0						
Record stand	„ 62-10-6 „ ...	1 „ ...	62 10 6						
Cane chairs	„ 6-0-0 „ ...	2 „ ...	12 0 0						
Cast-iron pulley ... 30″ × 40″	.....	.....	.....	.....	1 ...	58 2 0			
Ditto ... 28″ × 12″	.....	.....	.....	.....	1 ...	66 0 0			
Kanara, South Division, Assistant Conservater of Forests.									
Padlocks	.....	.....	.....	Rs. 0-6-0 to 9 annas each	4 number ...	1 11 0			
Rough paper	Rs. 0-0-6 per sheet ...	10 sheets ...	0 5 0						
Ditto	„ 0-0-8 „ ...	7 „ ...	0 4 8						
Cartridge paper	„ 0-0-6 „ ...	31 „ ...	0 15 6	„ 0-0-6 each ...	88 „ ...	2 12 0	.....	119 sheets ...	3 11 6
Bodkin	.....	.....	.....	„ 0-0-6 „ ...	2 „ ...	0 1 0			
Twine ball	„ 0-7-0 per ball ...	1 ball ...	0 7 0	„ 0-3-6 to 5 annas 6 pie a ball.	5 balls ...	1 4 6	.....	6 balls ...	1 11 6
Ditto small	„ 0-1-3 „ „ ...	1 „ ...	0 1 3						
Ditto do.	„ 0-4-0 „ seer ...	4 seers ...	1 0 0						
Ditto do.	„ 0-0-4 „ tola ...	2 tolas ...	0 0 8						
File strings	„ 0-1-0 each ...	1 number ...	0 1 0	„ 0-3-0 a seer ...	1 seer ...	0 3 0			
Ditto	„ 0-8-0 „ seer ...	$\frac{1}{4}$ seer ...	0 2 0	„ 0-0-6 a tola ...	4 tolas ...	0 2 0			
Ditto	„ 0-1-0 „ „ ...	1 „ ...	0 1 0	„ 0-2-0 a seer ...	$4\frac{1}{2}$ seers ...	0 9 0			
Ditto	.....	.....	.....	4 pie to 1 anna each	35 number ...	0 12 4			
Inkstand	„ 0-1-0 each ...	6 number ...	0 6 0						
Dufter rumals	„ 0-2-8 „ ...	12 „ ...	2 10 0						
Ditto	„ 0-3-0 „ ...	32 „ ...	6 0 0	.....	1 „ ...	0 14 0	.....	2 number ...	1 2 0
Scissors	„ 0-4-0 „ ...	1 „ ...	0 4 0						
Lock and key	„ 0-8-0 „ ...	1 „ ...	0 8 0						
Ditto	„ 0-6-0 „ ...	1 „ ...	0 6 0						
Ditto	„ 0-2-0 „ ...	1 „ ...	0 2 0						
Gum	„ 0-2-0 seer ...	$8\frac{3}{4}$ seer ...	1 1 6	„ 0-2-0 to 4 annas 8 pie a lb.	1 lb. 15 tolas ...	0 4 8			
Do.	„ 0-4-0 „ ...	$1\frac{1}{4}$ „ ...	0 5 0	„ 0-2-0 a seer ...	8 seers ...	1 0 0			
Dufter rumals	„ 0-2-0 each ...	1 number ...	0 2 0	„ 0-2-0 to 4 annas each	34 number ...	5 9 9			
				„ 1-0-0 to Rs. 1-8 a piece	2 pieces ...	2 8 0			
Ruler	„ 1-0-0 „ ...	1 „ ...	1 0 0						
Vinegar	„ 0-12-0 bottle ...	2 bottles ...	1 8 0						
Khadi cloth	.....	.....	.....	.....	2 pieces ...	1 14 9			
Mat	.....	.....	.....	.....	1 number ...	0 5 0			
Portfolios	„ 1-0-0 each ...	2 number ...	2 0 0						
Sand	.....	.....	0 3 0						
„ boxes	.....	.....	.....	„ 0-0-9 to 1 anna each	3 „ ...	0 2 9			
Postal bag	„ 1-0-0 each ...	3 number ...	3 0 0						
Hinges, brass	.....	.....	.....						
Office shelf	„ 7-8-10 each ...	1 number ...	7 8 10						
Waste-paper basket ...	„ 2-0-0 „ ...	2 „ ...	4 0 0						
Tin case for map ...	„ 0-12-0 „ ...	1 „ ...	0 12 0						
Quinine	„ 6-0-0 per oz. ...	1 oz. ...	6 0 0						
Blotting-paper	.....	.....	.....	„ 0-0-9 per sheet ...	2 sheets ...	0 1 6			
Coir rope	.....	.....	.....	„ 0-0-4 each ...	12 number ...	0 4 0			
				„ 0-1-4 to 3 annas 2 pie a seer.	$18\frac{1}{2}$ seers ...	2 1 8			
Oil	.....	.....	.....	„ 0-2-0 to 2 annas 6 pie per lb.	$7\frac{1}{2}$ lbs. ...	1 2 3			
Dharwar District, Deputy Conservator of Forests.									
Vinegar	Rs. 0-9-0 per bottle ...	2 bottles ...	1 2 0						
Catridge paper	„ 0-5-5 „ quire ...	11 quires 22 sheets	4 0 9	.....	19 quires ...	5 1 3	.....	30 quires 22 sheets	9 2 0
Pen-holders	„ 0-1-6 each ...	2 number ...	0 3 0	Rs. 0-0-6 each ...	4 number ...	0 2 0	.....	6 number ...	0 5 0
Twine	„ 0-2-0 per lb. ...	1 lb. ...	0 2 0	„ 0-0-6 „ ...	$1\frac{1}{2}$ „ ...	0 0 9			
Ditto	„ 0-0-3 per seer ...	3 seers ...	0 0 9						
Gum	.....	.....	.....	„ 0-4-0 a lb. ...	2 lbs. ...	0 8 0			
				„ 0-1-11 a seer ...	26 seers ...	3 1 10			
Bag	.....	.....	.....	.....	1 number ...	0 1 6			
Quinine	.....	.....	.....	.....	1 bottle ...	1 0 0			
Sand	.....	.....	.....	„ 0-1-9 per lb. ...	15 lbs. ...	1 10 8			
Tools and Plants.									
Padlocks	Rs. 2-6-0 each ...	2 number ...	4 12 0	Rs. 0-4-8 each ...	3 number ...	0 14 0	.....	5 number ...	5 10 0
Deal-wood box	.....	.....	.....	.....	1 „ ...	1 13 0			
Iron numbers	.....	.....	.....	„ 0-14-0 each ...	36 „ ...	31 8 0			
„ hammers	.....	.....	.....	„ 2-0-0 „ ...	4 „ ...	8 0 0			
Tent	.....	.....	.....	.....	1 „ ...	130 0 0			

List of Articles—contd.

Name of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Belgaum District, Deputy Conservator of Forests.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Inkstands	Rs. 0-0-6 each ...	30 number ...	0 15 0						
Twine	.....	.....	.....	Rs. 0-1-0 to 0-1-6 a seer	3 seers ...	0 4 0			
Dufter rumals	„ 0-3-0 „ ...	1 number ...	0 3 0	„ 0-3-0 each ...	2 number ...	0 6 0			
Ditto	„ 0-4-0 „ ...	67 „ ...	16 12 0	„ 0-4-0 „ ...	10 „ ...	2 8 0	...	149 number ...	34 14 0
Ditto	„ 0-3-6 „ ...	18 „ ...	3 15 0	„ 0-3-6 „ ...	48 „ ...	10 8 0		2 pieces ...	3 11 0
Ditto	„ 0-3-4 „ ...	3 „ ...	0 10 0	„ 1-8-0 & 2-3-0 a piece	2 pieces ...	3 11 0			
Rulers	„ 0-4-0 „ ...	1 „ ...	0 4 0						
Blotting papers	„ 0-0-6 per sheet ...	3 sheets ...	0 1 6						
Oil	.....	.....	.....	„ 0-1-10 to 2 annas 6 pie a lb.	36 lbs. ...	5 2 10			
				„ 0-1-0 a seer ...	44 seers ...	2 12 0			
Khadi cloth	.....	.....	.....	„ 0-1-5 & 0-1-9 a yard	22 & 24 yards ...	4 8 0			
Tools and Plant.								2 number ...	0 13 0
Scissors	Rs. 0-7-0 each ...	1 number ...	0 7 0	.....	1 number ...	0 6 0	...	6 „ ...	1 12 0
Locks	„ 0-6-0 „ ...	1 „ ...	0 6 0	Rs. 0-2-0 to 6 annas each	5 „ ...	1 6 0	...		
Scale, large	„ 2-8-0 „ ...	1 „ ...	2 8 0						
„ small	„ 1-12-0 „ ...	4 „ ...	7 0 0						
Pickaxes	„ 1-8-0 „ ...	35 „ ...	52 8 0						
Spades	„ 0-12-0 „ ...	35 „ ...	26 4 0						
Branding iron figures from 1 to 10.	.....	.....	.....	.....	1 set ...	20 8 0			
Kaladgi District, Sub-Assistant Conservator of Forests.									
Vinegar	Rs. 0-10-0 per bottle ...	1 bottle ...	0 10 0	.....	1 bottle ...	0 10 0	...	2 bottles ...	1 4 0
Dufter rumals	.....	.....	.....	Rs. 0-3-6 each ...	7 pieces ...	1 8 6			
				„ 0-2-6 „ ...	4 „ ...	0 10 0			
Tools and Plant.									
Axes	Rs. 1-0-0 each ...	22 number ...	22 0 0	.....	.....	.....			
Pickaxes	„ 1-8-0 „ ...	10 „ ...	15 0 0	.....	.....	.....			
Bill hooks	„ 1-8-0 „ ...	4 „ ...	6 0 0	.....	.....	.....			
Superintendent, Government Observatory.			£ s. d.			£ s. d.			£ s. d.
Nitrate of silver	£ 3 4 0 per lb. ...	2 lbs. ...		£ 3 4 0 per lb. ...	2 lbs. ...				
Iodide of potassium ...	0 18 0 „ ...	4 „ ...		.....	.....				
Alcohol, 20 oz. bottle ...	0 3 6 per bottle ...	5 bottles ...		0 3 6 per bottle ...	4 bottles ...				
Glacial acetic acid ...	0 3 0 „ ...	5 „ ...	16 0 6	0 3 0 „ ...	4 „ ...	9 15 5			
Bromide of potassium ...	0 3 0 per lb. ...	2 lbs. ...		0 3 0 per lb. ...	1 lb. ...				
Hyposulphate of soda ...	0 0 3 „ ...	112 „ ...		.....	.....				
Gallic acid	0 6 0 „ ...	1 „ ...		0 6 0 per lb. ...	1 lb. ...				
Tannic „	0 4 0 „ ...	1 „ ...		0 4 0 „ ...	3 „ ...				
Sanitary Commissioner, Bombay.									
Rain gauges	.....	15 small gauges complete, 5 large gauges complete, 100 spare measure glasses.	68 13 6	.....	11 large gauges complete, 42 small gauges complete, 15 spare measure glasses.	101 7 6			
Government Central Press.			Rs. A. P.						
Buckets, zinc, large ...	Rs. 0-8-0 each ...	5 number ...	2 8 0						
„ „ small ...	„ 0-4-0 „ ...	*Nil*	.....						
Chalk	„ 0-0-3 per lb. ...	*Nil*	.....						
Hammers	„ 0-1-0 each ...	1 number ...	0 1 0						
Pot, glue, large	„ 1-0-0 „ ...	3 „ ...	3 0 0						
„ small	„ 0-8-0 „ ...	*Nil*	.....						
Scissors, large	„ 0-4-0 „ ...	*Nil*	.....						
„ small	„ 0-2-0 „ ...	*Nil*	.....						
Potash, American ...	„ 10-0-0 per cwt ...	*Nil*	.....						
Silk tape	„ 0-0-6 per yard ...	*Nil*	.....						
„ ½" broad	„ 0-0-6 „ ...	*Nil*	.....						
Soap, English	„ 0-2-0 per lb. ...	*Nil*	.....						
Tape, red	„ 0-0-6 per bundle ...	*Nil*	.....						
Twine, English	„ 0-6-0 per lb. ...	4 lbs. ...	1 8 0						
Wicks, large and small ...	„ 0-0-3 per dozen ...	9 dozen ...	0 2 3						
Oil, boiled, linseed... ...	„ 0-1-0 per seer ...	*Nil*	.....						
Calico, black	„ 3-8-0 per piece of 24 yards.	$335\frac{7}{9}$ yards ...	48 15 6						
„ white	„ 2-8-0 „ ...	41 „ ...	4 4 4						
„ purple	„ 2-8-0 „ ...	*Nil.*	.....						
Long cloth, brown, 8½ lbs. piece of 40 yards.	„ 5-0-0 per piece ...	*Nil.*	.....						
Long cloth, thick, 6lbs. 34" wide	„ 5-8-0 per piece ...	4 pieces ...	22 0 0						
„ „ white 8½ lbs. ...	„ 5-12-0 per piece of 40 yards.	3 „ ...	17 4 0						
Muslin cloth	„ 2-4-0 per piece of 20 yards.	4 „ ...	9 0 0						

List of Articles—contd.

Name of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Government Central Press,—continued.						Rs. A. P.			Rs. A. P.
	£ s. d.		£ s. d.						
Glue, best, English, for book-binding.	1 16 0 per cwt. ...	1 cwt. ...	1 16 0						
Brass dotted rules 8 to pica 16″	0 3 10 per dozen ...	2 dozen ...	0 7 8						
Waved rules	0 3 10 „ ...	1 „ ...	0 3 10						
Teak wood cases	0 6 3 per pair ...	24 pairs ...	7 10 0						
Case racks for 28 cases ...	1 11 0 each ...	2 number ...	3 2 0						
Headbands, silk	0 4 6 per piece of 12 yards.	4 pieces ...	0 18 0						
Forme racks for 24 formes ...	2 14 0 each ...	4 number ...	10 16 0						
Lye trough	.....	1 „ ...	4 5 0						
Galley washing trough ...	.....	1 „ ...	5 0 0						
Lye preparation including cask	1 6 0 per cwt. ...	4 cwt. ...	5 4 0						
Galleys, large, brass bottomed, 18″ × 15″.	1 6 0 each ...	4 number ...	5 4 0						
Chases, 1 page foolscap ...	0 7 6 „ ...	12 „ ...	4 10 0						
Chases, 2 pages foolscap ...	0 12 0 „ ...	6 „ ...	3 12 0						
Galleys, brass, with wooden reins, internal measurement 24″ × 10″.	0 18 0 „ ...	50 „ ...	45 0 0						
Lye jars, portable, cast iron, with false bottom, small size.	0 5 6 „ ...	3 „ ...	0 16 6						
Blankets, Napier's, fine 45″ ...	0 10 3 per yard ...	20 yards ...	10 5 0						
Scissors, pressman's ...	0 1 6 each ...	12 number ...	0 18 0						
Mallets, book, best ...	0 2 0 „ ...	24 „ ...	2 8 0						
Planers	0 1 0 „ ...	24 „ ...	1 4 0						
Collector of Broach.			Rs. A. P.						
Steel penholders	Rs. 0 0 3 each ...	1 number ...	0 0 3	Rs. 0-0-5 each ...	3 number ...	0 1 3	.....	14 number ...	0 7 9
„ „	„ 0 0 6 „ ...	5 „ ...	0 2 6	...	...	...			
„ „	„ 0 0 9 „ ...	5 „ ...	0 3 9	...	...	...			
Scissors	„ 0 12 0 „ ...	1 „ ...	0 12 0	...	...	...			
Padlock, (brass), small ...	„ 0 3 0 „ ...	1 „ ...	0 3 0	...	...	...			
„ „ large ...	„ 0 10 0 „ ...	1 „ ...	0 10 0	...	...	...			
„ (iron) „ ...	„ 0 9 0 „ ...	2 „ ...	1 2 0	„ 0-2-6 to 12 annas each.	11 number ...	3 7 0	.....	14 number ...	5 3 0
„ „ „ ...	„ 0 10 0 „ ...	1 „ ...	0 10 0	...	...	...			
Keys	...	...	...	„ 0-2-0 each ...	3 number ...	0 6 0			
Collector of Kaladgi.									
Scissors	Rs. 0 7 0 to „ 0 13 6 „ ...	15 „ ...	7 12 0	7 to 12 annas each ...	6 „ ...	3 0 0	.....	21 number ...	10 12 0
Inkstand	„ 0 1 0 „ ...	3 „ ...	0 3 0	...	...	...			
Vinegar	...	...	...	...	1 bottle ...	0 10 0			
Blotting paper	...	...	...	...	1 quire ...	0 14 0			
Locks	„ 0 1 3 to 0 6 0 each.	12 number ...	2 14 0	Rs. 0-1-3 to 8 annas each.	16 number ...	5 0 5	.....	28 number ...	7 14 5
Inkstand, glass	„ 0 3 6 each ...	1 number ...	0 3 6	...	...	...			
Twine	„ 0 5 1½ per bundle	2 bundles ...	0 10 3	...	...	...			
Woolen cloth, black ...	„ 1 9 0 per yard...	1 yard ...	1 9 0	„ 2-10-0 per yard ...	½ yard ...	1 5 0	.....	2 yards ...	4 4 0
„ „ red ...	„ 2 12 0 „ ...	½ „ ...	1 6 0						
Calico	„ 0 3 6¾ to 0 9 0 per yard.	68¼ yards ...	19 3 3	„ 0-4-3 a yard ...	103¼ yards ...	21 6 7½	.....	171½ yards ...	40 9 10½
Cloth (sain)	...	...	...	„ 0-13-0 „ ...	½ yard ...	0 6 6			
Manchester cloth	Contract ...	33 hands ...	2 12 6						
„ „	Rs. 0 2 0 per yard...	32 yards ...	4 0 0	Rs. 0-2-8 to „ 0-4-0 per yard ...	110½ yards ...	24 3 9	.....	181¾ yards ...	35 15 9
„ „	„ 0 3 6 „ ...	17 „ ...	3 11 6						
„ „	Contract ...	11½ hands ...	1 4 0						
Thread, Europe	Rs. 0 0 2 per bundle	51 bundles ...	0 8 6						
„ „	„ 0 0 3½ „ „ ...	40 „ ...	0 11 8						
„ „	„ 0 0 3 „ „ ...	73 „ ...	1 2 3						
	„ 0 0 6 „ „ ...	8 „ ...	0 4 0						
Political Superintendent, Thar and Parkar.									
Jeypore paper	Rs. 0-12-0 a quire ...	47 quires ...	35 4 0	Rs. 0-12-0 per quire ...	47 quires ...	35 4 0	.....	94 quires ...	70 8 0
Cloth, drill, green, for higher grades, pattern V.	.....	.....	.....	£ s. d. 0 5 3½ a yard ...	8 yards ...	21 2 8			
Cloth, drill, green, for higher grades, pattern VII.	.....	.....	.....	.....	14 „ ...	37 0 8			
Cloth, drill, green, for higher grades, pattern II.	.....	.....	.....	0 4 3 per yard ...	1,040 „ ...	2,210 0 0			
Cloth, drill, green, for, lower grades, pattern II.	.....	.....	.....	0 3 1 „ ...	13 „ ...	20 0 8			
Head Master High School, Satara.									
Lock	Re. 0-6-9 each ...	1 number ...	0 6 9	0 3 9 each ...	2 number ...	0 7 6	.....	3 number ...	0 14 3
Vinegar	„ 0-6-0 per bottle ...	1 bottle ...	0 6 0	0 7 0 per bottle ...	1 bottle ...	0 7 0	.....	2 bottles ...	0 13 0
Chalk	„ 0-0-11 per lb. ...	8⅕ lbs. ...	0 7 6	0 0 11 per lb. ...	7⅓ lb. ...	0 6 9	.....	15 8/15 lbs. ...	0 14 3
Iron ring for holding keys ...	.....	.....	.....	0 0 6 each ...	1 numbea ...	0 0 6			

List of Articles—contd.

NAME OF ARTICLES.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	TOTAL. Rate.	TOTAL. No. or quantty.	TOTAL. Total cost.
Head Master, High School, Satara—contd.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Twine	.....	.....	.....	Rs. 0 4 0 per bundle	1 bundle ...	0 4 0			
Cynide of potassium ...	.....	.....	.....	„ 1 10 0 per lb. ...	½ lb. ...	0 13 0			
Acid, sulphuric (pure) ...	.....	.....	.....	„ 1 8 0 „ ...	4 lbs. ...	6 0 0			
Caustic potash	.....	.....	.....	„ 0 2 0 per oz. ...	3 oz. ...	0 6 0			
Potassee chloras	.....	.....	.....	„ 1 4 0 per lb. ...	3 lbs. ...	3 12 0			
Peroxide of magnanese ...	.....	.....	.....	„ 0 4 0 „ ...	2 „ ...	0 8 0			
Sulphur	.....	.....	.....	„ 0 1 0 per oz. ...	2 oz. ...	0 2 0			
Animal charcoal	.....	.....	.....	„ 1 8 0 per lb. ...	½ lb. ...	0 12 0			
Phosphorus	.....	.....	.....	„ 0 4 0 per oz. ...	1 oz. ...	0 4 0			
Black oxide of copper ...	.....	.....	.....	„ 0 2 6 „ ...	2 „ ...	0 5 0			
Mercury	.....	.....	.....	„ 2 8 0 per lb. ...	4 lbs. ...	10 0 0			
Sulphate of soda	.....	.....	.....	„ 0 4 0 „ ...	1 „ ...	0 4 0			
Nitric acid, pure	.....	.....	.....	„ 2 0 0 „ ...	3 „ ...	6 0 0			
Ammonium nitrate ...	.....	.....	.....	„ 1 8 0 „ ...	½ „ ...	0 12 0			
Hydrochloric acid, pure ...	.....	.....	.....	„ 1 4 0 „ ...	2 „ ...	2 8 0			
Oxalic acid	.....	.....	.....	„ 0 14 0 „ ...	1 „ ...	0 14 0			
Caustic soda	.....	.....	.....	„ 2 8 0 „ ...	¼ lb. ...	0 10 0			
Rectified spirit of wine ...	.....	.....	.....	„ 2 8 0 per qt. ...	1 qt. ...	2 8 0			
Methylated spirit of wine ...	.....	.....	.....	„ 1 0 0 „ ...	4 qts. ...	4 0 0			
Set of scales	.....	.....	.....	„ 2 0 0 each ...	1 number ...	2 0 0			
Set of weights	.....	.....	.....	„ 0 12 0 „ ...	1 „ ...	0 12 0			
Sholapur High School.									
Nitric acid and bottle ...	.....	½ lb. ...	1 10 0	.....	½ lb. ...	1 10 0	.....	1 lb. ...	3 4 0
Sulphuric acid and bottle ...	.....	1 „ ...	2 4 0	.....	1 „ ...	2 4 0	.....	2 „ ...	4 8 0
Muriatic „ „ ...	.....	1 „ ...	2 0 0	.....	1 „ ...	2 0 0	.....	2 „ ...	4 0 0
Citric „ „ ...	.....	3 oz. ...	0 11 0	.....	3 oz. ...	0 11 0	.....	6 oz. ...	1 6 0
Liquor ammonia „ ...	.....	6 „ ...	0 14 0	.....	6 „ ...	0 14 0	.....	12 „ ...	1 12 0
Spirit of wine „ ...	.....	8 „ ...	6 10 0	.....	8 „ ...	6 10 0	.....	1 lb. ...	13 4 0
Chlorate of potash „ ...	.....	1 lb. ...	1 8 0	.....	1 lb. ...	1 8 0	.....	2 „ ...	3 0 0
Nitrate of potash „ ...	.....	½ „ ...	0 8 0	.....	½ „ ...	0 8 0	.....	1 „ ...	1 0 0
Solid potash „ ...	.....	2 lbs. ...	0 6 0	.....	2 lbs. ...	0 6 0	.....	4 „ ...	0 12 0
Black oxide of manganese & bottle	.....	6 oz. ...	0 4 0	.....	6 oz. ...	0 4 0	.....	12 oz. ...	0 8 0
Phosphorus and bottle and tin	.....	6 „ ...	2 4 0	.....	6 „ ...	2 4 0	.....	12 „ ...	4 8 0
Nitrate of silver and bottle ...	.....	½ „ ...	1 12 0	.....	½ „ ...	1 12 0	.....	1 „ ...	3 8 0
Nitrate of ammonia „ ...	.....	6 „ ...	0 11 0	.....	6 „ ...	0 11 0	.....	12 „ ...	1 6 0
Salamonia „ ...	.....	6 „ ...	0 7 0	.....	6 „ ...	0 7 0	.....	12 „ ...	0 14 0

Fragments of marble ...	...	...	0 8 0	...	...	0 8 0	...	...	1 0 0
„ of zinc and bottle	...	...	0 10 0	...	...	0 10 0	...	...	1 4 0
Antimony metalic and bottle ...	...	6 oz. ...	0 7 0	...	6 oz. ...	0 7 0	...	12 oz. ...	0 14 0
Head Master, Byramjee Jejeebhoy's High School.									
Methylated spirit	...	1 lb. ...	1 0 0	...	...	...			
Sulphuric acid	...	...	0 6 0	...	...	...			
Chemicals	...	...	...	...	...	17 12 0			
Collector of Ahmednagar.	Rs. A. P.								
Razor for table	...	...	...	...	1 yard ...	4 13 0			
Scissors	0 6 0 to 1 Re. each	5 number ...	3 2 0	7 to 11 annas each ...	14 number ...	4 9 0	...	19 number ...	7 11 0
Brown paper	0 0 6 ...	12 „ ...	0 6 0	...	80 quires 15 sheets	61 2 2			
Cloth for dufters	...	...	...	...	...	2 0 0	...	81 quires 3 sheets	61 8 2
Blotting paper	...	...	...	...	...	7 1 6			
Twine	...	...	...	...	46 sheets ...	1 7 6			
„	...	...	...	...	...	0 4 0			
„	...	...	...	...	51½ tolas ...	0 15 0			
Tape	...	...	...	...	1 bundle ...	0 4 0			
„	...	...	...	...	27 chittacks ...	2 8 6			
Cloth	...	...	...	1 8 0 per seer ...	26 yards ...	0 9 0			
„ for tables	...	...	...	...	...	0 2 0			
„ for rumals	...	3 towels ...	0 12 0	...	44¼ yards ...	8 7 6			
„ „	...	6 cubits ...	0 10 0	...	...	2 4 0			
Penholders	...	...	18 13 0	...	24 towels ...	3 14 6	...	27 towels ...	4 10 6
Paste-board	...	...	...	...	255 cubits ...	26 4 0	...	261 cubits ...	26 14 0
Leather	...	...	...	...	...	32 3 4	...	.....	51 0 4
Locks	...	...	...	0 8 0 each ...	14 number ...	0 7 6			
Padlocks	...	...	...	0 15 0 & 0 2 0 each	1 „ ...	0 4 0			
Bodkin	...	...	...	0 10 0 & 0 7 0 „	16 pieces ...	8 0 0			
Waxcloth	...	...	...	0 0 6 each ...	2 number ...	1 1 0			
				0 3 6 per piece ...	2 „ ...	1 1 0			
				0 1 6 per cubit ...	3 „ ...	0 1 6			
					2 pieces ...	0 7 0			
					6 cubits ...	0 9 0			
Superintendent of Stationery.	s. d.		£ s. d.	s. d.					£ s. d.
Blotting paper	8 10 per ream ...	264 reams ...	116 12 0	9 1 per ream ...	281 reams ...	127 12 5	...	545 reams ...	244 4 5
Country brown paper ...	9 11 „ ...	557 „ ...	276 3 7	10 5 „ ...	795 „ ...	414 1 3	...	1,352 „ ...	690 4 10
Europe cartrige paper, thick ...	23 6 „ ...	130 „ ...	152 15 0	20 0 „ ...	216 „ ...	216 0 0	...	346 „ ...	368 15 0
Ditto thin ...	13 6 „ ...	355 „ ...	239 12 6	10 11 „ ...	100 „ ...	54 11 8	...	455 „ ...	294 4 2

List of Articles—contd.

Name of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Superintendent of Stationery, contd.									
	s. d.		£ *s. d.*			£ *s. d.*			£ *s. d.*
Penholders, long ...	2 6 per gross ...	450 dozen ...	4 13 9	2 6 per gross ...	752 dozen ...	7 16 8	...	1,202 dozens ...	12 10 5
Ditto short ...	2 4 „ ...	450 „ ...	4 7 6	2 4 „ ...	752 „ ...	7 6 3	...	1,202 „ ...	11 13 9
Ditto (magnum bonum) ...	1 0 „ ...	297 „ ...	1 4 9	....	...	...			
Paste boards	17 9 per cwt. ...	726 number or 150 cwt 2 qrs. 4 lbs.	133 12 0	17 9 per cwt. ...	460 number or 97 cwt 1 qr. 5 lbs.	86 6 11	...	1,186 number ...	219 18 11
Tape, red, bundles ...	0 11½ per dozen ...	896 dozen ...	42 18 8	0 11½ per dozen ...	1,165 dozen ...	55 16 6	...	2,061 dozens ...	98 15 2
Scissors, large	18 6 „ ...	31 „ ...	28 13 6	18 6 „ ...	31 „ ...	28 13 6	...	62 „ ...	57 7 0
Ditto small	10 6 „ ...	31 „ ...	16 5 6	10 6 „ ...	23 „ ...	12 1 6	...	54 „ ...	28 7 0
Round pewter inkstands ...	10 0 „ ...	128 „ ...	64 0 0	10 0 „ ...	116 „ ...	58 0 0	...	244 „ ...	122 0 0
Red ink glasses	3 1 „ ...	124 „ ...	19 2 4	3 1 „ ...	104 „ ...	16 0 8	...	228 „ ...	35 3 0
Compasses	7 6 each ...	4 „ ...	18 0 0	4 9 each ...	2 „ ...	5 14 0	...	6 „ ...	23 14 0
Spare glasses for round pewter inkstands.	0 10½ per dozen ...	152 „ ...	6 13 0	.....	...	...			
Paste boards for Central Press	146 8 per ton ...	180 cwt. ...	66 0 0	.....	...	...			
Blue superfine cloth ...	7 9 per yard ...	182 yards ...	70 10 6	8 3 per yard ...	292 yards ...	120 9 0	...	474 yards ...	190 19 6
Scarlet ditto	5 9 „ ...	108 „ ...	31 1 0	7 6 „ ...	52 „ ...	16 18 0	...	160 „ ...	47 19 0
Blue coarse cloth	7 3 „ ...	1,496 „ ...	542 6 0	7 6 „ ...	2,358 „ ...	884 5 0	...	3,854 „ ...	1,426 11 0
Scarlet ditto	7 5 „ ...	178¾ „ ...	66 5 9	8 0 „ ...	323½ „ ...	129 8 0	...	502¼ „ ...	195 13 9
Ditto extra superfine cloth ...	12 6 „ ...	104 „ ...	65 0 0	....	...	...			
Green „ „ ...	6 6 „ ...	38 „ ...	12 7 0	....	...	...			
Ditto coarse cloth ...	7 6 „ ...	77 „ ...	28 17 6	8 0 per yard ...	20 yards ...	8 0 0	...	97 „ ...	36 17 6
Blotting paper, red and white, 32 lbs.	24 0 per ream ...	8 reams ...	9 12 0	24 0 per ream ...	8 reams ...	9 12 0	...	16 reams ...	19 4 0
Slips, ivory	.....	1 number ...	0 7 6	.....	1 number ...	0 7 6	...	2 number ...	0 15 0
						Rs. A. P.			
Blotting paper	.....	...	...	Rs. 9-8 a ream ...	9 reams ...	85 8 0			
Country brown paper ...	.....	...	...	„ 6-4 to Rs. 7-6 a ream	169 „ ...	1,216 12 0			
Ditto ditto ...	.....	...	...	„ 7-7 to Rs. 9 „	77 „ ...	618 0 0			
Europe cartridge, thick ...	.....	...	...	„ 9-6 to Rs. 10 „	62 „ ...	585 10 0			
Penholders	.....	...	...	„ 0-5 a dozen ...	150 dozen ...	46 14 0			
Red tape bundles	.....	...	...	„ 1-2 per bundle ...	348 per bundle ...	391 8 0			
White tape	.....	...	...	.....	...	...			
Screw-top inkstands ...	.....	...	...	„ 7-8 per dozen ...	3 per dozen ...	22 8 0			
Earthen „ ...	.....	...	...	„ 0-4 „ ...	225 „ ...	56 4 0			
District Superintendent of Police, Shikarpur.									
Woollen cloth, pattern No. VIII.	.....	...	...	.....	54¼ yards ...	175 1 8			
Ditto ditto No. II ...	.....	...	...	.....	1,641 „ ...	3,073 13 6			
Educational Inspector, North-East Division.									
Brown paper	...	...	...	10 to 12 annas a quire	9 qrs. 13 sheets	5 7 6			
Vinegar	...	...	...	4 to 12 annas a bottle	65 bottles ...	32 5 9			
Penholders	...	...	...	3 pie each ...	14 number ...	0 3 6			
String	...	...	...	4 & 4½ annas per bundle	27¼ bundles ...	7 1 3			
Padlocks	...	...	...	4 to 8 annas each ...	12 number ...	4 13 0			
Blotting paper	...	...	...	5 to 6 annas per quire	5 qrs. 5 sheets	1 10 3			
Paper-cutter	...	...	...	8 annas each ...	1 number ...	0 8 0			
Principal, Deccan College.									
Borax	...	...	...	...	1 oz. ...	0 3 0			
Absolute alcohol	...	...	...	...	1 lb. ...	2 13 0			
Chloride of gold	...	...	...	...	15 grs. ...	1 8 0			
Sulphuric acid	...	...	...	...	2 lbs. ...	1 0 0			
Nitric acid, pure	...	...	...	...	½ lb. ...	1 0 0			
Black antimony	...	...	...	...	...	...			
Sulphate of iron	...	...	...	...	...	...			
Principal, College of Science.									
Spirit of wine	...	...	...	...	...	2 0 0			
Sulphate of copper ...	...	...	...	4 annas per lb. ...	10 lbs. ...	2 8 0			
Gold	...	...	...	...	...	2 15 0			
Chemicals	...	...	...	...	...	612 15 6			
Platinum	...	...	...	Rs. 3 per dozen ...	1 dozen ...	3 0 0			
Mercury	...	...	...	...	37 lbs. ...	73 4 0			
Ammoniac	...	...	...	...	11 „ ...	3 14 3			
Sulphur	...	...	...	0 2 3 per lb. ...	13 „ ...	1 14 0			
Blotting paper, thick ...	...	...	...	13 0 0 per ream ...	1½ reams ...	19 8 0			
Superintendent, Sir Jamsetjee Jejeebhoy's School of Art.									
Boiled oil	...	...	...	Rs. 2-8 a gallon ...	2 galls. ...	5 0 0			
Curator, Government Central Book Depôt.									
Blotting paper	...	...	...	13 to 14 annas a quire...	3 quires ...	2 9 0			
Penholders	...	...	...	7 annas a dozen ...	1 dozen ...	0 7 0			
Cartridge paper	...	...	...	12 annas a quire ...	2 quires ...	1 8 0			
Ditto	...	...	...	Rs. 16 a ream ...	½ ream ...	8 0 0			

List of Articles—contd.

Name of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Principal, Elphinstone High School.						Rs. A. P.			
Twine	...	...	...	4 annas per bundle ...	13 bundles ...	3 4 0			
Sulphuric acid	...	...	...	Re. 1 per lb. ...	4 lbs. ...	4 0 0			
Ditto, commercial ...	...	...	...	8 annas per lb. ...	9 „ ...	4 8 0			
Potash chloras	...	...	...	Re. 1 per lb. ...	2 „ ...	2 0 0			
Nitrate of silver	...	...	...	.....	1 dram ...	0 6 0			
Black oxide of copper ...	...	...	...	Rs. 0-6-0 per oz. ...	6 oz. ...	2 4 0			
„ of manganese ...	...	...	...	„ 0-4-0 „ lb. ...	½ lb. ...	0 2 0			
Spirits of wine	...	...	...	„ 0-1-0 „ bottle ...	2 bottles ...	2 0 0			
Lime water	...	...	...	„ 0-6-0 „ „ ...	1½ „ ...	0 9 0			
Oxalic acid	...	...	...	„ 0-10-0 „ lb. ...	⅓ lb. ...	0 5 0			
Animal charcoal	...	...	...	„ 0-2-0 „ oz. ...	2 oz. ...	0 4 0			
Nitric acid	...	...	...	„ 0-12-0 „ lb. ...	1 lb. 4 oz. ...	0 15 0			
Tartaric acid	...	...	...	„ 0-2-0 „ oz. ...	1 oz. ...	0 2 0			
Hydrochloric acid	...	...	...	„ 0-12-0 „ lb. ...	2 lb. ...	1 8 0			
Methylated spirit	...	...	...	„ 1-0-0 „ bottle ...	3 bottles ...	3 0 0			
Iodine, pure	...	...	...	.....	1 dram ...	0 4 0			
Head Master, Poona High School.									
Chalk	...	...	...	„ 0-2-0 per seer ...	84 seers ...	10 8 0			
Twine	...	...	...	„ 0-4-0 „ bundle	7¼ bundles ...	1 13 6			
Brown paper	...	...	...	„ 0-12-0 „ quire ...	3¼ quires ...	2 8 0			
Blotting paper	...	...	...	...	1 quire ...	0 12 0			
Locks	...	...	...	...	16 number ...	7 5 0			
Scissors	...	...	...	...	1 „ ...	0 8 0			
Carbonate of potash ...	...	...	...	„ 0-4-0 per oz. ...	1 oz. ...	0 4 0			
Acid muriatic	...	...	...	„ 0-4-0 „ ...	2 „ ...	0 8 0			
Sulphate of iron	...	...	...	„ 0-3-0 „ ...	2 „ ...	0 6 0			
Nitrate of copper	...	...	...	„ 0-6-0 „ ...	2 „ ...	0 12 0			
				...	...	0 2 6			
Sulphur	...	...	...	...	...	0 1 0			
Acetic acid	...	...	...	...	...	0 4 0			
Spirits of wine	...	...	...	...	...	1 4 0			
Sulphuric acid	...	...	...	„ 0-8-0 per lb. ...	13½ lbs. ...	6 12 0			
Acid tartaric	...	...	...	„ 0-1-9 „ oz. ...	4 oz. ...	0 7 0			
Ammonia nitras	...	...	...	„ 0-1-6 „ „ ...	2 „ ...	0 3 0			
Pot. chloras	...	...	...	„ 0-1-4 „ „ ...	6 „ ...	0 8 0			
Acid, hydrochloric	...	...	...	„ 0-3-0 „ „ ...	1 „ ...	0 3 0			
„ oxalic	...	...	...	„ 0-14-0 „ lb. ...	2 lb. ...	1 12 0			
„ boracic	...	...	...	„ 1-8-0 „ „ ...	1 „ ...	1 8 0			
Soda carbonas	...	...	...	„ 0-1-0 „ oz. ...	4 oz. ...	0 4 0			
Liquor ammonia acetatus ...	...	...	...	„ 0-1-0 „ „ ...	4 „ ...	0 4 0			
Acid acetic	...	...	...	„ 0-0-6 „ „ ...	12 „ ...	0 6 0			
Pot. nitras	...	...	...	„ 0-0-8 „ „ ...	6 „ ...	0 4 0			
Chloroformum	...	...	...	„ 0-8-0 „ „ ...	7 „ ...	3 8 0			
Liquor ammonia	...	...	...	„ 0-0-10 „ „ ...	8 „ ...	0 7 0			
Liquid „	...	...	...	...	...	0 12 0			
Spirit chloroform	...	...	...	„ 0-2-0 „ „ ...	5 „ ...	0 10 0			
Sodium	...	...	...	„ 1-0-0 „ „ ...	2 oz. ...	2 0 0			
Soda bicarbonas	...	...	...	„ 0-4-0 „ lb. ...	1 lb. ...	0 4 0			
Cupri oxidum nig. ...	...	...	...	„ 0-2-0 „ oz. ...	1 oz. ...	0 2 0			
Acid citricum	...	...	...	„ 0-4-0 „ „ ...	6 „ ...	1 8 0			
				„ 0-3-0 „ „ ...	1 „ ...	0 3 0			
Hydrargyri	...	.....	...	3 annas 7 pie per oz. ...	2 oz. ...	0 7 0			
Acid, carbolic	...	.....	...	3 annas per oz. ...	1 „ ...	0 3 0			
Phosphorus	...	.....	...	4 „ „ ...	4 „ ...	1 0 0			
Hydrochloric acid, pure ...	...	.....	...	1 anna 4 pie per oz. ...	3 „ ...	0 4 0			
Nitric acid commercial ...	...	.....	...	Re. 1 per lb. ...	8¾ lbs. ...	8 12 0			
Ditto, pure ...	...	.....	...	2 annas per oz. ...	4 oz. ...	0 8 0			
Tartaric acid, pure ...	...	.....	...	1 anna 8 pie per oz. ...	4 oz. ...	0 7 0			
Potassium	...	.....	...	Re. 1 per grain ...	1 grain ...	1 0 0			
Spirit, methylated ...	...	.....	...	„ 1 per lb. ...	1 lb. ...	1 0 0			
Head Master, High School, Ratnagiri.									
Vinegar	...	.....	...	6 and 7 annas per bottle	13 bottles ...	5 8 0			
Chalk	...	.....	...	9 annas per lb. ...	14¼ lbs. ...	8 2 0			
Spirit rectified	...	.....	...	Rs. 2-8 per bottle ...	1 bottle ...	2 8 0			
				„ 1-8 „ ...	4 bottles ...	6 0 0			
Granulated zinc	...	.....	...	.....	2 lbs. ...	1 8 0			
Soap, cakes	...	.....	...	1 anna each ...	12 cakes ...	0 2 0			
Bees wax	...	.....	...	14 annas per lb. ...	½ lb. ...	0 7 0			
Hydrochloric acid ...									
Sulphuric acid									
Nitric acid									
Soda carbonate									
Chlorate of potash ...	...	.....	...	Not separately shown.					
Sodium									
Mercury									
Iodine									
Sulphur									

List of Articles—contd.

Name of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Head Master, Ahmedabad High School.									
Nitric acid	.....	...	...	Rs. 2 per lb. ...	3 lbs. ...				
Hydrochloric acid	.....	...	...	„ 1-4 per lb. ...	2 „ ...				
Ether	.....	...	...	„ 1-2 per oz. ...	1 oz. ...				
Spirit of wine	.....	...	...	„ 1-8 each ...	2 pints ...	3 0 0			
Sulphuric acid	.....	...	...	„ 1-8 per lb. ...	6 lbs. ...	9 0 0			
Wooden retort stand ...	.....	...	...	.....	1 number ...	6 0 0			
Antimony	.....	...	...	.....	1 lb. ...	0 3 0			
Alcohal	.....	...	...	.....	1 „ ...	3 2 0			
Chlorate of potash ...	.....	...	...	.....	1 „ ...	0 14 0			
Potash bromide	.....	...	...	3 annas per oz. ...	4 oz. ...	0 12 0			
Muriate of ammonia ...	.....	...	...	.....	1 lb. ...	0 14 0			
Nitrate of „ ...	.....	...	...	.....	½ „ ...	0 14 0			
Caustic potash	.....	...	...	.....	½ „ ...	1 6 0			
„ soda	.....	...	...	.....	½ „ ...	1 6 0			
Quicksilver	.....	...	...	Rs. 1-8 per seer ...	2 seers ...	3 0 0			
Head Haster, High School, Surat.									
Spirit of wine	.....	...	...	.....	1 lb. ...	0 10 0			
Cloth for dusters	.....	...	...	2 annas per yard ...	48 yards ...	6 0 0			
Padlocks	.....	...	...	3 annas 8 pie each ...	3 number ...	0 11 0			
				6 „ 5 „ ...	5 „ ...	2 0 6			
Twine	.....	...	...	4 annas a bundle ...	14 bundles ...	3 7 4			
Vinegar	.....	...	...	8 „ a bottle ...	4 bottles ...	2 6 0			
Chalk	.....	...	...	1 anna to 1 anna 1 pie per lb.	40 lbs. ...	2 0 0			
Disinfecting powder ...	...	...	...	Rs. 0-8-0 per lb ...	1½ lb ...	0 12 0			
Hammer	...	...	...	...	1 number ...	0 7 0			
Chemicals	...	...	...	...	...	7 4 6			
Antimony	...	...	...	...	...	0 7 6			
Caustic potas	...	...	...	„ 3-0-0 per bottle ...	1 bottle ...	3 0 0			
				„ 0-3-0 „ oz. ...	4 oz. ...	0 12 0			
Sulphuric acid	...	...	...	...	...	0 4 0			
				„ 1-0-0 per lb ...	4 lb ...	4 0 0			
Manganese	...	...	...	...	...	0 8 0			
				„ 0-6-0 ...	1 lb ...	0 6 0			
Paste	...	...	...	...	...	0 2 3			

Acid, nitric	...	...	...	„ 1-0-8 per lb ...	3 lb ...	3 2 0			
„ hydrochloric ...	...	...	...	„ 1-0-0 „ ...	2 „ ...	2 0 0			
Ammonia solution ...	...	...	...	„ 0-2-0 per oz. ...	4 oz. ...	0 8 0			
Soda carbonate anhydrous ...	...	...	...	...	1 „ ...	0 6 0			
„ carb, pure ...	...	...	...	„ 0-2-0 per oz. ...	4 „ ...	0 8 0			
„ crystal ...	...	...	...	„ 0-1-6 „ ...	4 „ ...	0 6 0			
Nitrate silver solution ...	...	...	...	„ 0-4-0 „ ...	2 „ ...	0 8 0			
Indigo	...	...	...	„ 0-6-6 „ ...	4 „ ...	1 10 0			
Potassium	...	...	...	„ 0-2-0 „ ...	4 „ ...	0 8 0			
Gypsum	...	...	...	„ 0-1-0 „ ...	4 „ ...	0 4 0			
Bleeching powder ...	...	...	...	„ 0-1-6 „ ...	4 „ ...	0 6 0			
Sulphur roll	...	...	...	„ 0-1-0 per oz. ...	4 oz. ...	0 4 0			
Pot, nitrate	...	...	...	„ 0-1-0 „ ...	4 „ ...	0 4 0			
Copper, sulphate	...	...	...	„ 0-2-0 „ ...	2 „ ...	0 4 0			
„ oxide	...	...	...	„ 0-3-0 „ ...	2 „ ...	0 6 0			
Antimony, black	...	...	...	„ 0-2-0 „ ...	2 „ ...	0 4 0			
Acetate of lead	...	...	...	„ 0-2-0 „ ...	2 „ ...	0 4 0			
Caustic soda	...	...	...	„ 0-4-0 „ ...	2 „ ...	0 8 0			
Phosphorus	...	...	...	„ 0-8-0 „ ...	2 „ ...	1 0 0			
„ red	...	...	...	„ 0-12-0 „ ...	½ „ ...	0 6 0			
Tin, oxide	...	...	...	„ 0-8-0 „ ...	½ „ ...	0 4 0			
Mercury, oxide	...	...	...	„ 0-8-0 „ ...	½ „ ...	0 4 0			
Potassium	...	...	...	...	1 „ ...	1 8 0			
Sodium	...	...	...	...	1 dram ...	1 8 0			
Spirit of wine	...	...	...	...	1 quart ...	1 0 0			
Pot., chlorat	...	...	...	...	1 lb ...	1 0 0			
Iodine	...	...	...	...	1 oz. ...	1 6 0			
Broach High School.									Rs. A. P.
Inkstands	Rs. 0-6-3 a dozen ...	5 dozen ...	2 0 0	Rs. 0-5-4 a dozen ...	9 dozen ...	3 0 0	.....	14 dozens ...	5 0 0
Blotting-paper	...	...	0 4 0	...	...	0 4 0			
Acid, sulphuric									
„ hydrochloric ...									
Ammonia									
Nitric acid									
Sulphur	...	...	...	...	...	0 0 3			
Acid, phosphoric	...	...	...	...	...	0 12 0			
„ hydrochloric									
„ gallic and bottle ...	...	...	...	Rs. 0-1-6 a dram ...	4 drams ...	0 6 0			
Camphor oxide, black ...	...	...	...	„ 0-4-0 „ ...	1 „ ...	0 4 0			
Cupri sulphas	...	...	...	„ 0-1-0 „ ...	4 „ ...	0 4 0			
Argentic nitras cryst-, &c. ...	...	...	...	...	½ „ ...	1 8 0			
Black oxide of manganese ...	...	...	...	„ 0-4-0 a lb ...	2 lbs. ...	0 8 0			
Potash carbonas and bottle ...	...	...	...	„ 0-12-0 „ ...	½ „ ...	0 6 0			

List of Articles—contd.

Name of Articles.	1879-80. Rate.	No. or quantity.	Total cost.	1880-81. Rate.	No. or quantity.	Total cost.	Total. Rate.	No. or quantity.	Total cost.
Broach High School,—continued.						Rs. A. P.			
Potash bichromas and bottle	...	...	...	Rs. 0-2-0 per oz.	4 oz.	0 8 0			
„ sulphas	...	...	...	„ 0-1-0 „ „	2 „	0 2 0			
Acid, sulphuric, stoppered bottle	...	...	...	„ 1-8-0 „ lb.	1 ℔	1 8 0			
„ „ comc. do.	...	...	...	„ 0-6-8 „ „	6 „	2 8 0			
„ hyarochloric	...	...	...	„ 1-0-0 „ „	1 „	1 0 0			
„ nitric	...	...	...	„ 1-4-0 „ „	1 „	1 4 0			
Ether and bottle	...	...	...	„ 0-2-0 „ oz.	8 oz.	1 0 0			
Mercury and bottle	...	...	...	„ 2-8-0 „ ℔.	1 ℔	2 8 0			
Pot. chloras and bottle	...	...	...	„ 0-15-0 „ „	2 „	1 14 0			
Cynide and bottle	...	...	...	„ 0-4-0 „ oz.	1 oz.	0 4 0			
Methylated spirit of wine	...	...	...	„ 1-0-0 „ qt.	2 quarts	2 0 0			
Sulphur flour	...	...	...	„ 0-1-0 „ oz.	6 oz.	0 6 0			
Gypsum	...	...	...	„ 0-6-0 „ ℔.	1 ℔	0 6 0			
Acid acetic and bottle	...	...	...	„ 0-6-0 „ oz.	2 oz.	0 12 0			
Iron filings	...	...	...	„ 0-6-0 „ „	4 „	1 8 0			
Calce chloride fused and bottle	...	...	...	„ 0-2-6 „ „	4 „	0 10 0			
Pot., Iodid and bottle	...	...	...	„ 1-0-0 „ „	½ „	0 8 0			
Phosphorous amoiphores	...	...	...	„ 0-12-0 „ „	½ „	0 6 0			
Potasium and stopperred bottle	...	...	...	„ 10-0-0 „ „	¼ „	2 8 0			
Indigo	...	...	...	„ 0-8-0 „ „	½ „	0 4 0			
Sulphur roll	...	...	...	„ 0-1-0 „ „	4 „	0 4 0			
Antimony metal and bottle	...	...	...	„ 0-1-0 „ „	4 „	0 4 0			
Rock salt	...	...	...	„ 0-1-0 „ „	4 „	0 4 0			
Soda, carb. cryst. and bottle	...	...	...	„ 1-4-0 „ ℔.	½ ℔	0 10 0			
„ bicarb.	...	...	...	„ 0-0-6 „ oz.	4 oz.	0 2 0			
„ sulphus, cryst. and bottle	...	...	...	„ 0-8-0 „ ℔.	1 ℔	0 8 0			
Ammonia carbonas and bottle	...	...	...	„ 0-3-0 „ oz.	2 oz.	0 6 0			
Acid tartaric	...	...	...	„ 0-3-0 „ „	2 „	0 6 0			
Liquor ammoni fert. and bottle	...	...	...	„ 1-12-0 „ ℔.	½ lb	0 14 0			
Antimony sulphuric	...	...	...	„ 0-0-6 „ oz.	4 oz.	0 2 0			
Ammonia nitras and bottle	...	...	...	„ 0-2-0 „ „	4 „	0 8 0			
Revenue Survey, Poona and Nasik.									
Brown paper	...	...	...	Rs. 11-8-0 per ream	8 reams 12 quires	99 6 5			
Silk tape	...	...	...	„ 0-1-7 a yard	93 yards	9 1 0			
Nitric aid	...	...	...	...	...	3 4 0			
Revenue Survey, Southern Mahratta Country.									
Brown paper	...	...	...	...	...	3 4 0			
Scissors	...	...	...	...	...	1 0 0			
Long cloth	...	...	...	...	...	473 7 0			
Gimlets	...	...	...	...	...	26 2 0			
Revenue Survey, Ratnagiri.									
Brown paper	...	...	...	Rs. 13-12-0 per ream	6 reams 4 quires	84 15 6			
Scissors	...	...	...	„ 0-8-0 each	56 number	28 0 0			
Collector of Satara.									
Brown paper	...	...	...	Rs. 2-7-7 per ream	16 reams	39 10 2			
„ „	...	...	...	„ 0-14-0 per quire	1 quire	0 14 0			
„ „	...	...	...	„ 0-10-0 „	3 „	1 14 0			
Blotting paper	...	...	...	...	...	...			
Scissors	...	...	...	„ 0-7-10 each	21 number	10 6 0			
„	...	...	...	...	2 „	1 6 0			
„	...	...	...	...	1 „	0 8 0			
Long cloth	...	...	...	...	...	13 13 10			
„ „	...	...	...	„ 0-3-1 per yard	13 yards	2 8 0			
Locks	...	...	...	„ 0-4-9 each	10 number	3 0 0			
Vinegar	...	...	...	...	15 bottles	6 9 0			
Steel pen-holders	...	...	...	„ 0-12-0 per dozen	½ dozen	0 6 0			
Pasteboard	...	...	...	...	1	0 12 0			
Political Agent, Satara.									
Brown paper	...	...	...	Rs. 0-8-0 per quire	1 quire	0 8 0			
				„ 0-10-0 „	2 quires	1 4 0			
Blotting paper	...	...	...	...	...	0 14 6			
Collector of Tanna.									
Cartridge paper	...	...	...	Rs. 0-8-0 per quire	62 quires	31 0 0			
				„ 0-12-0 „	487 „	365 4 0			
Padlocks	...	...	...	„ 0-4-3 each	3	0 12 9			
Scissors	...	...	...	4 to 12 annas each	131	68 13 6			
Twine	...	...	...	Rs. 0-12-0 a seer of 28 tolas.	12½ seers	9 6 0			
Blotting paper	...	...	...	Rs. 0-0-9 per sheet	64 sheets	3 0 0			
Tape	...	...	...	„ 0-11-0 per bundle	5 bundles	3 7 0			
Leather (red coloured)	...	...	...	„ 0-10-0 per piece	53 pieces	33 2 0			

List of Articles—contd.

Name of Articles.	1879-80.			1880-81.			Total.		
	Rate.	No. or quantity.	Total cost.	Rate.	No. or quantity.	Total cost.	Rate.	No. or quantity.	Total cost.
District Judge, Ahmednagar.						Rs. A. P.			Rs. A. P.
Blotting paper							Rs. 0-10-7 per quire	14 quires 10 sheets	9 8 6
Brown and cartridge paper							„ 0-9-7 „ „	Reams 4-5-16	51 4 0
Penholders							„ 0-0-9 each	76 number	3 9 0
Scissors							„ 0-8-7 „	64 „	34 5 4
Rulers							„ 0-14-8 „	8 „	7 5 4
Inkstands							„ 0-11-2 „	18 „	12 9 0
Sand boxes							„ 0-9-6 „	5 „	2 0 0
Locks							„ 0-6-9 „	55 „	23 3 3
Wax cloth							„ 0-9-0 per piece	18 pieces	10 12 0
Collector of Ratnagiri.									
Cartridge paper				Rs. 0-12-0 per quire	42 quires 5 sheets	31 10 6			
„ „				Contract	126 sheets	3 9 11			
„ „				Rs. 0-0-5½ a sheet	132 „	3 12 6			
Inkstands				6 pie to 8 annas each	25 number	1 11 6			
English ink, bottles				9 „ to 1-4 each	30 „	14 5 9			
Scissors				6 to 10 annas each	15 „	7 10 0			
Padlocks				3 to 14 „ „	23 „	7 6 0			
Cotton twist					1 lb.	1 0 0 0 5 9			
Paste boards				Rs. 0-7-0 each	2	0 14 0			
Vinegar				„ 0-6-0 per bottle	18 bottles	6 12 0			
Blotting paper					1 quire	1 8 0			
Penholders				3 pie to 10½ pie each Rs. 0-4-6 per dozen	14 number 2 dozens	0 7 6 0 9 0			
Coir rope					60 yards	0 1 3			
Cloth				„ 0-2-0 per yard „ 0-2-6 „	3 „ 1½ „ 8½ „	0 6 0 0 3 9 1 14 6			
Collector, Surat.									
Cartridge paper				Rs. 11-7-6 per ream	9½ reams	106 1 7			
Red tape				„ 0-1-6 per bundle	18 bundles	1 11 0			
Locks				„ 3-8-0 per dozen	1½ dozen	4 6 0			
Paste boards				„ 0-6-9 each	37 „	15 12 0			
Superintendent of Karwar.									
Khadi cloth					1 piece	2 0 0			
Commissioner, Central Division.									
Brown paper				Rs. 0-10-0 a quire	23½ quires	14 13 6			
Blotting paper				„ 1-0-0 „	4½ „	4 12 0			
Candles				„ 0-7-0 each	6 number	2 10 0			
Blotting paper				„ 0-10-0 a quire	1½ quire	0 15 0			
Handles, wooden				„ 0-9-0 doz.	5½ dozen	3 1 6			
Ahmednagar Police.									
Brown paper	Rs. 7-8-0 per ream	1½ reams	11 4 0	Rs. 0-6-0 quire	7 quires	2 10 0	.....	1 ream 17 quires	13 14 0
Scissors	„ 0-10-0 each	6 number	3 12 0	„ 0-9-0 each	4 number	2 4 0	.....	10 number	6 0 0
Holders				„ 0-0-6 „	38 „	1 3 0			
Poona Police.									
Blotting paper	Rs. 0-15-0 per quire	16 quires 12 sheets	15 7 6	Rs. 0-15-0 per quire	3 quires	2 13 0	.....	9 quires 12 sheets	18 4 6
Brown paper	„ 0-12-0 „	120 „	90 0 0	„ 0-12-0 „	120 „	90 0 0	.....	240 number	180 0 0
Scissors		1 number	0 7 0	„ 0-7-0 each	12 number	5 4 0	.....	13 „	5 11 0
Great coat for Foot Police	„ 7-0-0 each	1,051 „	7,357 0 0	„ 7-0-0 „	17 „	119 0 0	.....	1068 „	7,476 0 0
Forage caps for ditto	„ 1-0-0 „	1,144 „	1,144 0 0						
District Superintendent of Police, Satara.									
Brown paper					1 ream 16 quires	10 7 0			
Vinegar					4 bottles	1 12 0			
Holders					12 number	0 13 6			
Blotting paper					13 sheets	0 8 9			
Collector, Ahmedabad.									
Scissors				4 to 7 annas each	9 number	2 7 0			
Candle stands				Rs 1-14 each	3 „	5 10 0			
Blotting paper					1 quire	0 12 0			
Penholders				3 pie to 1 anna each	144 number	3 8 0			
Collector, Poona.									
Locks and keys				2 to 7 annas each	4 number	1 3 0			
Cloth for bangy				9 yards per rupee	306 yards	34 0 0			
Glass inkstands				1 to 12 annas each	4 number	1 3 0			
Scissors				6 to 13 „ „	13 „	6 4 0			
Paste					.....	0 6 0			

List of Articles—concld.

Name of Articles.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. No. or quantity.	Total. Total cost.
			Rs. A. P.		
District Court, Sholapur.					
Wax paper		8 quires 22 sheets...	8 1 3		
Blotting paper		...	3 9 0		
Penholders		...	4 4 0		
Scissors		8 number	4 0 0		
Wick for lamps		3 ,,	0 0 9		
Vinegar		5 bottles	2 3 0		
Wax cloth		9 yards	3 0 0		
Locks		13 number	3 11 0		
District Judge, Ratnagiri.					
Blotting paper	6 pie to 1 anna per sheet	14 quires 18 sheets	15 1 9		
Brown ,,	Ditto ditto	18 ,, 14	14 11 3		
Inkstands	...	6 number	6 10 0		
Scissors	...	24 ,,	14 7 0		
Vinegar	Re. 0-6-0 per bottle ...	6 bottles	2 4 0		

The 23rd September 1881.

No. 3194.

The following Order of Her Majesty the Queen in Council, dated the 15th July 1881, extending the provisions of the Foreign Deserters Act, 1852, to the crews of Danish ships when within Her Majesty's Dominions, is published for general information :—

AT THE COURT AT WINDSOR,
The 15th day of July 1881.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the "Foreign Deserters Act, 1852," it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering and apprehending seamen who desert from British merchant ships in the territories of any foreign power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to a subject of such Power when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient :

And whereas it hath been made to appear to Her Majesty that due facilities for recovering and apprehending seamen (not being Danish subjects) who desert from British merchant ships in territories belonging to His Majesty the King of Denmark, will be given under an Agreement between the Governments of Great Britain and Denmark, signed at London on the 21st of June, 1881.

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette, seamen, not being slaves (and not being British subjects), who desert from merchant ships belonging to subjects of the King of Denmark within her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships; provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent Court, and until his sentence (if any) has been fully carried into effect.

And Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is further pleased to order and declare that upon and after the publication hereof in the London Gazette, the Order in Council relating to Seamen who desert from the merchant ships belonging to the subjects of the King of Denmark made, by virtue of the said Act, on the 13th day of June 1853, and published in the London Gazette on the 14th day of June 1853, shall be revoked, and the same is hereby revoked accordingly.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

C. L. PEEL.

No. 3218.—In exercise of the power conferred by Section 5 of Act XIV of 1874 (The Scheduled Districts Act), the Chief Commissioner of Assam is pleased, with the previous sanction of the Governor General in Council, to extend Act IV (B. C.) of 1881 (An Act to amend the Bengal Excise Act, 1878) to the Chief Commissionership of Assam.

No. 3222.—The Governor General in Council is pleased to abolish all mileage rates of travelling allowance for public officers for journeys by rail.

Public officers entitled under existing rules to a mileage rate for such journeys shall in lieu of such rate draw the allowances shown below :—

In lieu of a mileage of 3 annas—double first class fare.

In lieu of a mileage of less than 3 annas and not less than 1½ annas—double second class fare.

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

MILITARY DEPARTMENT.

Simla, the 23rd September, 1881.

APPOINTMENTS.

No. 521.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant Harry John Bolton, 4th Battalion King's Royal Rifle Corps, Officiating Wing Officer, 4th Goorkha Regiment,—17th August, 1878.

Lieutenant Harry Leonard Dawson, 2nd Battalion Royal West Surrey Regiment, Officiating Squadron Officer, 9th Bengal Cavalry,—19th April, 1880.

Lieutenant Frederick William Packenham Angelo, 1st Battalion Manchester Regiment, Officiating Squadron Officer, 9th Bengal Cavalry,—5th May, 1880.

No. 522.—HYDERABAD CONTINGENT—

1st Infantry.

Lieutenant F. S. Sorell, Wing Officer and Adjutant, 3rd Infantry, to be Wing Officer and Adjutant, *vice* Lieutenant C. J. Orr, who exchanges into the 3rd Infantry.

3rd Infantry.

Lieutenant C. J. Orr, Wing Officer and Adjutant, 1st Infantry, to be Wing Officer, *vice* Lieutenant F. S. Sorell.

No. 523.—MEDICAL DEPARTMENT—

The following paragraphs of a letter from the Right Hon'ble the Secretary of State for India are published for general information :—

MILITARY, INDIA OFFICE;
No. 285. *London, 25th August, 1881.*

PARA. 1.—The undermentioned candidates, having completed a course of instruction at the Army Medical School, and having been reported qualified, have been appointed Surgeons on the Bengal Establishment, their commissions as such bearing date the 2nd April, 1881 :—

Herbert Tyrrell Griffiths.
Frederick Daly Cæsar Hawkins.
John Adams Cunningham.
Harry Chalmers Hudson.
Alexander Silcock.
Patrick Mullane.
John William Rodgers.
James Farquharson Maclaren.

2. They will be entitled to count as service for full pay pension the period of their residence at the Army Medical School, from the 2nd April to the 1st August, 1881, inclusive.

No. 524.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Mr. William Egerton Foster, to be Second-Lieutenant, to complete establishment.

Behar Mounted Rifle Corps.

Captain W. J. Vousden, Bengal S. C., Squadron Officer, 5th Punjab Cavalry, to be Adjutant, *vice* Captain T. M. Maxwell, transferred to the Darjeeling and Northern Bengal State Railway Volunteer Rifle Corps.

FURLOUGH AND LEAVE.

No. 525.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant-Colonel W. A. Franks, Bengal Infantry, Commandant, 10th Native Infantry, (p. a.) for two years, under rule IX of the regulations of 1868.

Lieutenant-Colonel H. Tyndall, C.B., Bengal S. C., Commandant, 2nd Punjab Infantry, (p. a.) for two years, under rule IX of the regulations of 1868.

Major C. C. Brownlow, Bengal S. C., Wing Commander, 1st Sikh Infantry, (p. a.) for 289 days, under rule VIII, clause (2), and rule IX of the regulations of 1868.

Major J. S. Irvine, late 2nd European Light Cavalry, (p. a.) for one year, under rule IX of the regulations of 1868.

Captain S. Murray, R.A., Commissary of Ordnance, 2nd class, (m. c.) for six months, under G. G. O. No. 813 of 1876.

Lieutenant H. F. Cadell, Madras S. C., Assistant Military Accountant, (m. c.) for one year, under rule VI of the regulations of 1875.

No. 526.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India :—

Lieutenant-Colonel (Brevet Colonel) G. C. Hankin, Bengal S. C., (m. c.) for three months (this cancels the extension granted to Colonel Hankin in G. G. O. No. 510 of 1881).

Colonel F. W. Peile, R.E., (special leave) for one month.

Lieutenant-Colonel C. J. Hughes, Bengal S. C., (p. a.) for four months.

Lieutenant-Colonel R. Home, R.E., (p. a.) for twelve days.

Major C. E. Bates, Bengal S. C., (m. c.) for six months.

Major P. Lambert, R.E., (p. a.) for thirty-three days.

Major W. H. Unwin, Bengal S. C., (m. c.) for two months.

Captain (Brevet Lieutenant-Colonel) R. G. Woodthorpe, R.E., (p. a.) for one week.

Captain C. Hoskyns, R.E., (p. a.) for five months.

Lieutenant E. J. N. Fasken, Bengal S. C., (m. c.) for three months.

Surgeon E. B. Ruttledge, (p. a.) for three months.

Conductor J. J. Bennett, Ordnance Department, (m. c.) for six months.

PROMOTIONS.

No. 527.—NATIVE ARMY—

3rd Bengal Cavalry.

Jemadar Mungul Singh, to be Ressaldar, *vice* Chunda Singh, deceased; Duffadar Soondur Singh, to be Jemadar, *vice* Mungul Singh, promoted,—16th May, 1881.

1st Native Infantry.

Jemadar Chundee Tewary, to be Subadar, *vice* Bhola Sing, invalided; Jemadar Chundee Sing, to be Subadar, *vice* Mirwan Sing, invalided,—1st May, 1881.

Havildar Meer Hidayut Ally, to be Jemadar, *vice* Mookurrub Hoosain, deceased,—3rd March, 1881.

Color-Havildar Soorjoo Sing, to be Jemadar, *vice* Bhowany Persaud Sing, invalided; Color-Havildar Puljhun Sing, to be Jemadar, *vice* Bhugwan Sing, invalided; Havildar Dwarka Sing, to be Jemadar, *vice* Chundee Sing, promoted; Havildar Lall Sing, to be Jemadar, *vice* Chundee Tewary, promoted,—1st May, 1881.

15th Native Infantry.

Havildar Kowda Singh, to be Jemadar, *vice* Jewun Singh, deceased,—19th May, 1881.

2nd (Prince of Wales' Own) Goorkha Regiment.

Subadar Moteeram Thappa, to be Subadar-Major, *vice* Seebah Ghullay, invalided; Jemadar Mohun Sing Maharah, to be Subadar, *vice* Seebah Ghullay, invalided; Jemadar Moneyram Ghullay, to be Subadar, *vice* Bulbeer Sahie, invalided; Jemadar Hurkeah Ghullay, to be Subadar, *vice* Drig Sing Jhankree, invalided; Havildar Jooteah Damie, to be Jemadar, *vice* Mohun Sing Maharah, promoted; Havildar Shere Sing Khuttree, to be Jemadar, *vice* Moneyram Ghullay, promoted; Havildar Joodhbeer Thappa, to be Jemadar, *vice* Hurkeah Ghullay, promoted,—1st June, 1881.

RETIREMENTS.

No. 528.—In G. G. O. No. 489 of 1881, paragraph 3, *for* "After 24 years' service, £420," *read* "After 24 years' service, £430."

REWARDS.

No. 529.—ORDER OF BRITISH INDIA—

His Excellency the Governor General in Council is pleased to admit the undermentioned Native Officers to the 1st and 2nd classes of the Order of British India, from the dates specified :—

MADRAS.

To the 1st class, with the title of "Sirdar Bahadur."

Subadar-Major Audapah, "Bahadur," 21st Native Infantry, *vice* Pensioned Subadar Shaikh Emaum, "Sirdar Bahadur," deceased,—22nd March, 1881.

Subadar Narrainsawmy, "Bahadur," 13th Native Infantry, *vice* Pensioned Subadar-Major Khadir Hoossain, "Sirdar Bahadur," deceased,—17th April, 1881.

To the 2nd class, with the title of "Bahadur."

Subadar Moonesawmy, 1st Native Infantry, *vice* Subadar-Major Audapah, "Bahadur," promoted,—22nd March, 1881.

Subadar-Major Ramasawmy, 26th Native Infantry, *vice* Pensioned Subadar Mahomed Moideen, "Bahadur," deceased,—7th April, 1881.

Subadar-Major Abdoolah Khan, 35th Native Infantry, *vice* Narrainsawmy, "Bahadur," promoted,—17th April, 1881.

Subadar-Major Mohdeen Khan, 4th Native Infantry, *vice* Pensioned Subadar Syed Guffoor, "Bahadur," deceased,—20th June, 1881.

SPECIAL.

No. 530.—Major C. W. Murray, 2nd Battalion Gloucestershire Regiment, to be Provost Marshal at Quetta, *vice* Captain R. W. Studdy, rejoined his regiment. Dated 30th July, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 19th September, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned commissioned and warrant officers, on the dates specified, were received in the Military Department from the 6th to the 19th September, 1881 :—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Army Medical Department	Surgeon-Major R. Murphy ...	1st Sept., 1881	Fort Lahore.		
Bengal Staff Corps ...	Colonel G. J. D. Hay ...	29th Aug., 1881	Bombay.		
Bombay Staff Corps ...	Lieutenant C. B. Down ...	12th Sept., 1881	Quetta.		
Miscellaneous List ...	Sub-Conductor J. Rogers ...	24th May, 1881	Allahabad.		

Statement of Deposits on account of Estates from the 6th to the 19th September, 1881.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
Indian Military Service.					Rs. A. P.		
George Brehon (*a*) ...	Captain...	Bengal Staff Corps.	18th June, 1881.	No will found.	1,194 0 2	...	19th November, 1881.

(*a*) *Next-of-kin*—*Mother.*—Mrs. Marianne Brehon.
Brother.—Richard Colles Brehon.
Sister.—Mrs. Anne Bates, New Town House, New Ross Co., Wexford, Ireland.

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 19th September 1881.

No. 305.—His Excellency the Governor General in Council is pleased to make the following appointments:—

Lieutenant-Colonel and Brevet Colonel J. J. McL. Innes, V.C., R.E., Accountant General, Public Works Department, and Deputy Secretary to the Government of India in the Public Works Department, to be Chief Engineer, Class I, and Deputy Inspector General of Military Works, *vice* Major-General A. Cadell, R.E., appointed Inspector General.

Major A. J. Filgate, R.E., Deputy Accountant General and *ex-officio* Under Secretary to the Government of India in the Public Works Department, to be Accountant General and Deputy Secretary to the Government of India in the Public Works Department, *vice* Colonel Innes, appointed Deputy Inspector General of Military Works.

Major L. Conway-Gordon, R.E., Examiner, 2nd Class, to be Deputy Accountant General and *ex-officio* Under Secretary to the Government of India in the Public Works Department, *vice* Major A. J. Filgate, R.E., appointed Accountant General, but to continue in his present appointment of Officiating Manager, Indus Valley State Railway, until further orders.

No. 306.—The Governor General in Council is pleased to make the following promotions and reversion in the Engineer Establishment of the Military Works Branch, with effect from the dates specified:—

Name.	From	To	Permanent or Temporary.	Date.
Scott-Moncrieff, Lieut. G. K., R.E.	Assistant Engineer, 2nd Grade	Assistant Engineer, 1st Grade	Permanent	1st April 1881.
Mason, Lieut. A. H., R.E. ...	„ „ 2nd „	„ „ 1st „	„	23rd „ „
Neville, Lieut. J., R.E. ...	„ „ 1st „	Executive „ 4th „	Temporary	22nd August „
Shone, Lieut. W. T., R.E. ...	Temporary Executive Engineer, 4th Grade.	„ „ 4th „	Permanent	24th „ „
Sim, Lieut. G. H., R.E. ...	Assistant Engineer, 1st Grade	„ „ 4th „	Temporary	24th „ „
Sim, Lieut. G. H., R.E. ...	Temporary Executive Engineer, 4th Grade.	Assistant Engineer, 1st Grade	Reversion	31st „ „

The 22nd September 1881.

No. 307.—The services of Lieutenant J. A. Ferrier, R.E., Assistant Engineer, 1st Grade, Military Works Branch, are placed temporarily at the disposal of the Government of Bengal.

No. 308.—Mr. F. W. Morse, Executive Engineer, 4th Grade, temporary rank, Railway Branch, is transferred from the Establishment under the Director General of Railways to British Burma, Railway Branch.

No. 309.—In Public Works Department Notification No. 217, dated 14th June 1881, posting Babu Wopendro Nath Mookerjee to the Candidate Class of the Traffic Department of State Railways, for "*Director General of Railways*" in last line, read "*Government of Bengal.*"

The 23rd September 1881.

No. 310.—With reference to Public Works Department Notification No. 286, dated 30th August 1881, transferring Mr. J. J. Jones, Executive Engineer, 3rd Grade, to the Establishment under the Director General of Railways, that officer's services will, for the present, remain temporarily at the disposal of the Government of Bombay, Railway Branch.

W. S. TREVOR, *Colonel, R.E.,*
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 41. SIMLA, SATURDAY, OCTOBER 8, 1881.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

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The Stowaways Bill, 1881.
The Bengal Civil Courts Bill, 1881.

SUPPLEMENT No. 41.

PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATIONS.

Simla, the 4th October 1881.

His Excellency the Viceroy and Governor General will leave Simla on Tuesday, the 1st November 1881.

His Excellency will visit Delhi, Agra, Jeypore, Ajmere, Chitore and Benares, and will probably arrive at Calcutta on the 2nd December 1881.

All covers intended to reach His Excellency the Viceroy and Governor General and party* during His Excellency's journey to Delhi, Agra, Jeypore, Ajmere, Chitore, Benares, and Calcutta should be addressed "Governor General's Camp," without the addition of any post town.

* The Hon'ble C. Grant, Secretary to Government, Foreign Department.
Colonel George T. Chesney, R.E., Secretary to Government, Military Department.
H. W. Primrose, Esq., Private Secretary to the Viceroy.
Captain the Lord William Beresford, V.C., Offg. Military Secretary to the Viceroy.
(a) H. M. Durand, Esq., C.S.I., Under-Secretary, Foreign Department.
The Revd. H. S. Kerr.
Surgeon-Major J. Anderson, Surgeon to the Viceroy.
Captain C. W. Muir, Aide-de-Camp.
Lieutenant E. L. S. Brett, Aide-de-Camp.
Lieutenant A. G. A. Durand, Aide-de-Camp.
Lieutenant A. W. Perry, Aide-de-Camp.

(a) Will join at Agra.

All communications connected with business of a mere routine nature should be sent, as usual, to the head-quarters of the several Departments.

By Command,

GEO. S. WHITE, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 7th October 1881.

No. 1617.—In modification of Article IV, Clause (*a*), of Home Department Notification No. 518, dated the 6th March 1879, and in supersession of Home Department Notifications Nos. 992 and 1723, dated respectively the 14th June and 10th November 1880, the Governor General in Council is pleased to declare that licenses for the importation, possession, or transport of sulphur proved to the satisfaction of the Local Government or Administration concerned to be intended only for *bonâ fide* manufacturing or agricultural purposes may be granted without payment of any fee.

JUDICIAL.

The 7th October 1881.

No. 1325.—Under the provisions of Section 5 of Act XVII of 1877 (The Punjab Courts Act, 1877), the Governor General in Council is pleased to appoint Mr. G. R. Elsmie, C.S., Barrister-at-Law, to be an Additional Judge of the Chief Court of the Punjab for six months from the 15th instant.

MEDICAL.

The 5th October 1881.

No. 495.—The services of Surgeon D. W. D. Comins, 5th Bengal Cavalry, are placed temporarily at the disposal of the Government of Bengal.

ECCLESIASTICAL.

The 6th October 1881.

No. 144.—The Reverend J. K. Stuart, M.A., a Senior Chaplain on the Bengal Ecclesiastical Establishment, is permitted to retire from the service, with effect from the 15th ultimo.

The 7th October 1881.

No. 147.—Her Majesty's Secretary of State for India has appointed the following gentlemen to be Junior Chaplains on the Bengal Ecclesiastical Establishment to fill existing vacancies :—

The Reverend T. Borrodaile Speedy, B.A.

The Reverend Henry Wager Griffith, M.A.

FORESTS.

The 3rd October 1881.

No. 878*F.*—The services of Mr. B. H. Baden-Powell, C.S., Deputy Commissioner of the 2nd Class in the Punjab, on special duty with the Government of India, are replaced at the disposal of the Government of the Punjab, with effect from the 15th October 1881.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—METEOROLOGY.

Simla, the 5th October 1881.

No. 22.—Mr. F. Chambers, Meteorological Reporter for Western India, is granted privilege leave for 2 months and 25 days, under Section 136, Chapter X, of the Civil Leave Code, with effect from the 1st instant.

Surgeon-Major W. Nolan, Superintendent, Lunatic Asylum, Colaba, is appointed to act, in addition to his own duties, as Meteorological Reporter for Western India during the absence of Mr. F. Chambers, on privilege leave.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Simla, the 7th October 1881.

No. 86 *G.M.*—With reference to the Notification of this Department, No. 1207 G.G., dated the 23rd June 1881, Captain E. D. F. Bignell, S.C., Adjutant, Malwa Bhil Corps, is appointed to officiate as 2nd-in-Command of that regiment, in addition to his other duties, during such time as Lieutenant-Colonel Miller may officiate as Commandant.

POLITICAL.

The 4th October 1881.

No. 287 *G.P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor-General in Council is pleased to recognise the appointment of Dr. L. P. do Rozario to the temporary charge of the Portuguese Consulate-General at Bombay.

The 6th October 1881.

No. 2402 *E.P.*—Whereas the Governor General in Council has power and jurisdiction over Native Indian subjects of Her Majesty within the undermentioned territories beyond the limits of British India, that is to say, the coast line from Gwadur westward to the Persian Gulf, all the shores of the Persian Gulf and the Gulf of Oman, with the islands situated in these gulfs and the territories of the Sultan of Muscat in Arabia. In exercise of such power and jurisdiction and of the powers conferred by Sections 4 and 5 of Act XXI of 1879 (The Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following Notification :—

(1) Foreign Department Notification No. 2161P., dated 7th September 1877, is hereby cancelled.

(2) The officer holding for the time being the office of First Assistant to the Resident in the Persian Gulf shall exercise the powers of a Magistrate of the first class as described in the Code of Criminal Procedure, Act X of 1872, in respect of offences committed by Native Indian subjects of Her Majesty within the said territories.

(3) The officer holding for the time being the office of Resident in the Persian Gulf shall exercise the powers of a Court of Session as described in the Code of Criminal Procedure, Act X of 1872, in respect of offences committed by Native Indian subjects of Her Majesty within the said territories.

(4) All sentences of death passed by the said Resident in exercise of the powers of a Court of Session shall be referred for confirmation to the Governor General in Council instead of to a High Court, as required by Section 287 of the said Code. An appeal shall lie to the Governor General in Council from all orders passed by the said Resident in exercise of the said powers, when such orders are appealable under the Code of Criminal Procedure.

No. 291 *G.P.*—With reference to Notification No. 197 G.P., dated the 13th July 1881, the recognition by the Government of India of the appointment of Mr. Leopold Biedermann as Acting Vice-Consul for Italy at Rangoon, during the absence of Mr. H. Chiaves, has been confirmed by Her Majesty's Government.

The 7th October 1881.

No. 294 *G.P.*—With reference to the Military Department Notification No. 294 in the *Gazette of India* of the 28th May 1881, His Highness Nawab Mahomed Ismail Khan Bahadur Feroze Jung, of Jaora, an Honorary Major in the Army, is posted to the 1st Regiment, Central India Horse.

GENERAL.

The 7th October 1881.

No. 1814 *G.G.*—The furlough for one year granted to Mr. P. J. C. Robertson, Assistant Political Agent at Busreh, in Notification No. 830 G.G. of the 27th April 1881, is converted into furlough for eighteen months, under the terms of Section 49 of the Civil Leave Code.

No. 1817 *G.G.*—The following extract from the *London Gazette* of the 6th September 1881 is republished for general information :—

Chancery of the Order of Saint Michael and St. George.

Downing Street, September 5, 1881.

THE Queen has been graciously pleased to give directions for the following promotion in the Most Distinguished Order of Saint Michael and Saint George:

To be an Ordinary Member of the Second Class, or a Knight Commander of the said Most Distinguished Order :—

John Kirk, Esq., M.D., C.M.G., Her Majesty's Agent and Consul-General at Zanzibar.

No. 1818 *G.G.*—The services of Surgeon J. O'Neill, M.D., Officiating Medical Officer of the Meywar Bhil Corps, are replaced at the disposal of the Home Department, with effect from the date on which he may be relieved of his duties by Surgeon Dennys.

Surgeon G. W. P. Dennys, Officiating Medical Officer of the 3rd Punjab Cavalry, is appointed to officiate temporarily as Medical Officer of the Meywar Bhil Corps, with effect from the date of assuming charge.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 7th October 1881.

No. 3398.

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

Read again the undermentioned papers regarding the supply of stores required for the public service in India :—

Financial Resolution		No. 3574, dated 3rd November 1880.
,,	,,	No. 953, dated 10th June 1881.
,,	Circular	No. 220, dated 28th April 1881.
,,	,,	No. 621, dated 14th May 1881.

Read also the undermentioned communications from the Home Department :—

No. 956, dated 8th July 1881.

No. 1222, dated 23rd August 1881.

RESOLUTION.—It appears that of the offices immediately subordinate to the Home Department, only the Medical Department purchased European stores in the local market during the last two years, for which returns were called for in the Circular of May last. The stores so purchased chiefly consisted of drugs, chemicals and chemical preparations, some of which were apparently of Indian manufacture.

2. The Governor General in Council accordingly directs that in future the following articles, as also any others which on enquiry it may hereafter be found feasible to procure of local manufacture, shall be obtained of Indian manufacture if not dearer than imported goods :—

Medical Store Department, 1879-80.

		Rate.			Quantity.			Total cost.		
Acid, nitric, pure	... ... per lb.	0	12	5¼	lbs. 4	8	0	3	8	0
„ sulphuric	... ... „	0	8	6½	lbs. 30	0	0	16	0	0
Ammonia, nitrate	... ... per oz.	0	2	0	oz. 0	2	0	0	4	0
Potassium	... ... „	6	0	0	„ 0	2	0	12	0	0
Sulphate of zinc	... ... per lb.	0	8	0	lbs. 48	0	0	24	0	0
Tape, broad	... ... per piece	0	6	9	P. 366	0	0	154	6	6
„ narrow	... ... „	0	4	6	„ 456	0	0	128	4	0

3. Chemicals and chemical preparations are largely made at the Cossipore Works belonging to Dr. Waldie, and perhaps in other places; and the cotton mills in India will, no doubt, undertake the supply of tape.

ORDERED, that the foregoing Resolution be communicated to the Home and Military Departments and to all Local Governments and Administrations for information and guidance.

Ordered also, that it be published in the *Gazette of India*.

The 5th October 1881.

No. 3427.—In paragraph 19 of the Resolution in the Department of Finance and Commerce, No. 3353, dated the 30th September 1881, after the words "The above figures thus fall into the Budget Estimate of," *read* "1881-82" *for* "1880-81."

ORDERED, that the above be published in the *Gazette of India*, and also communicated to—

The several Departments of the Government of India.

The several Local Governments and Accountants General, and the Comptroller General.

The 6th October 1881.

No. 3449.—Mr. H. G. H. Keene, Assistant Comptroller, having been appointed to be in charge of the office of Comptroller, British Burma, during the absence on privilege leave of Mr. E. Rule, received charge of the said office after noon on the 27th September 1881.

No. 3463.—Under the provisions of Section 63 of the Indian Post Office Act, 1866, the Governor General in Council is pleased to prescribe the following conditions under which the Post Office Department is authorised to accept cash payments in advance on account of the postage on newspapers to be transmitted by the Inland Post :—

The proprietor, manager, or publisher of any newspaper, as defined in the Post Office Act, may, at his option, compound with the Post Office, by a cash payment made in advance, for the amount of postage payable on the number of copies of such newspaper to be posted by him, for transmission by the Inland Post, during a given period.

Under the provisions of Section 20 of the same Act, the Governor General in Council is further pleased to prescribe the following rates of postage at which cash payments in advance shall be made :—

For every copy of newspaper not exceeding three tolas in weight ... ½ anna.

For every copy of a newspaper exceeding three tolas, but not exceeding ten tolas in weight ... ½ anna.

For every additional ten tolas or fraction of ten tolas ... ½ anna.

Provided that copies of newspapers packed in bundles and transmitted through the post to agents for sale shall be charged at half the above rates :

Provided also that exchange copies of newspapers sent gratuitously to the editors or managers of other newspapers shall be exempted from postage.

The Governor General in Council is further pleased to authorise the Director General of the Post Office to issue from time to time such rules as may be necessary for carrying out this system.

The 7th October 1881.

No. 3465.

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

Read again the undermentioned papers regarding the supply of stores required for public service in India :—

Financial Resolution No. 3574, dated 3rd November 1880.
„ „ „ 953, „ 10th June 1881.
„ . Circular „ 621, „ 14th May „

Read also—

Financial Resolution No. 2776, dated 2nd September 1881.

Letter from the Government of the North-Western Provinces and Oudh, No. 935A., dated 17th September 1881, forwarding returns showing European stores purchased in the local market during the last two years.

RESOLUTION.—In the Resolution dated 2nd September 1881, cited above, as also in the series of Resolutions published in the *Gazette of India* since 23rd July last, the course to be followed for the supply of the various kinds of stores required for the public service has been generally made known. From the returns now received from the Government of the North-Western Provinces and Oudh the appended list has been prepared showing the articles which should in future be obtained of Indian manufacture. There may be others which enquiry will show may also be so obtained, and the careful attention of the Government of the North-Western Provinces and Oudh should be given to the subject.

ORDERED, that the foregoing Resolution be communicated to the Government of the North-Western Provinces and Oudh, and to the other Local Governments and Administrations for information and guidance.

Ordered also, that it be published in the *Gazette of India*.

List of Articles referred to in Resolution No. 3465, dated 7th October 1881.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Inspector General of Prisons, North-Western Provinces and Oudh.			Rs. A. P.			Rs. A. P.			Rs. A. P.
Dark lanterns ...	...	2 number ...	12 0 0	...	...	...			
Padlocks ...	...	247 „ ...	176 0 0	...	122 number ...	296 0 0	...	369 number ...	472 0 0
Handcuffs ...	...	...	...	Rs. 2-8-0 per pair ...	10 pairs ...	28 0 0			
Weighing machine ...	...	...	...	...	1 number ...	93 0 0			
Director, Department of Agriculture and Commerce, North-Western Provinces and Oudh.									
Blue-black ink ..	Rs. 1-8-0 per bottle ...	3 bottles ...	4 8 0	Rs. 1-6-0 per bottle ...	3 bottles ...	4 6 0	...	6 bottles ...	8 14 0
Superintendent, Government Press, North-Western Provinces and Oudh.									
Nitric acid ...	...	...	...	Rs. 1-4-0 per lb. ...	24 lbs. ...	30 0 0			
Turpentine ...	...	...	...	„ 6-0-0 „ bottle ...	36 bottles ...	216 0 0			
Kerosine oil ...	...	...	...	„ 3-8-0 „ canister ...	4 canisters ...	14 0 0			
Longcloth ...	...	...	...	„ 5-10-0 „ piece ...	60 pieces ...	337 8 0			
American drill ...	...	...	...	„ 9-8-0 „ „ ...	2 „ ...	19 0 0			
Broadcloth ...	...	...	...	„ 1-12-0 „ yard ...	12 yards ...	21 0 0			
Turkey cloth (red) ...	...	...	...	„ 0-3-6 „ „ ...	24 „ ...	5 4 0			
Chintz, striped ...	...	...	...	„ 0-3-0 „ „ ...	12 „ ...	2 4 0			
Inkstands, glass ...	...	...	...	„ 0-5-0 each ...	24 number ...	7 8 0			
Varnish for maps ...	...	...	...	„ 2-8-0 per lb. ...	20 lbs. ...	50 0 0			
Fuller's earth ...	...	...	...	„ 4-7-0 „ 80 lbs. ...	1,600 „ ...	88 12 0			
Brass drawer locks ...	...	...	...	„ 1-0-0 each ...	6 number ...	6 0 0			
Padlocks, large ...	...	...	...	„ 0-12-0 „ ...	6 „ ...	4 8 0			
„ small ...	...	...	...	„ 0-4-0 „ ...	12 „ ...	3 0 0			
Vinegar ...	...	...	...	„ 0-7-0 per bottle ...	24 bottles ...	10 8 0			
Spirits of wine ...	...	...	...	„ 1-4-0 „ „ ...	12 „ ...	15 0 0			
Penholders ...	...	...	...	„ 0-0-6 each ...	24 number ...	0 12 0			
Sperm candles ...	...	...	...	„ 0-5-0 per packet ...	60 packets ...	18 12 0			
Silk ribbon ...	...	...	...	„ 1-8-0 „ roll ...	48 rolls ...	72 0 0			
English twine for sewing books ...	...	...	...	„ 1-0-0 „ lb. ...	60 lbs. ...	60 0 0			
Sulphuric acid ...	...	...	...	„ 0-12-0 „ lb. ...	6 „ ...	4 8 0			
Gum bottles ...	...	...	...	„ 0-3-0 each ...	18 bottles ...	3 6 0			

Judicial Commissioner of Oudh.									
District Judge, Sitapur.									
Blotting-paper ...	...	...	...	Rs. 1-2-0 per quire ...	5 quires ...	5 10 0			
Black ink ...	...	...	...	„ 0-2-0 „ bottle ...	120 bottles ...	15 0 0			
Conservator of Forests, School Circle.									
Sulphuric acid, chemically pure.	...	...	...	Rs. 1-0-0 per lb. ...	2 lbs. ...	2 0 0			
Sulphuric acid (sp. grav. 1840).	...	...	...	„ 0-2-6 „ „ ...	30 „ ...	4 11 0			
Sulphuric acid, best ...	...	...	...	„ 0-3-0 „ „ ...	8 „ ...	1 8 0			
Nitric acid chemically pure ...	...	...	...	„ 0-12-0 „ „ ...	6 „ ...	4 8 0			
Ditto, com. white ...	...	...	...	„ 0-9-0 „ „ ...	10 „ ...	5 10 0			
Muriatic acid, com. ...	...	...	...	„ 0-5-0 „ „ ...	24 „ ...	7 8 0			
Ditto, chemically pure ...	...	...	...	„ 1-0-0 „ „ ...	10 „ ...	10 0 0			
Rectified ether, pure ...	...	...	...	„ 4-0-0 „ „ ...	4 „ ...	16 0 0			
Nitrate of silver, crystals ...	...	...	...	„ 2-8-0 „ oz. ...	16 ozs. ...	40 0 0			
„ „ fused ...	...	...	...	„ 2-9-0 „ „ ...	16 „ ...	41 0 0			
Methylated spirits of wine (quarts).	...	...	...	„ 10-0-0 „ doz. ...	2 doz. ...	20 0 0			
Rectified spirits of wine (quarts)	...	...	...	„ 2-0-0 „ quart	1 „ ...	24 0 0			
In bottles, „ „	...	...	...	„ 0-6-0 each ...	4 number ...	1 8 0			
Inspector General of Police, N. W. Provinces and Oudh.									
Clothing.									
Blue serge coats ...	...	...	...	Rs. 3-10-0 each ...	11,981 number ...				
Blue drill coats ...	...	...	...	„ 1-7-8 „ ...	21,316 „ ...				
Khaki drill coats ...	...	...	...	„ 1-15-7½ „ ...	183 „ ...				
Blue drill pyjamas ...	...	...	...	„ 1-0-8 „ ...	32,164 „ ...				
Khaki drill „ ...	...	...	...	„ 1-8-9 „ ...	285 „ ...				
Red salu turbans ...	...	...	...	„ 1-5-8 „ ...	29,416 „ ...	1,71,957-5-4			
Khaki tassel turbans ...	...	...	...	„ 0-15-6 „ ...	200 „ ...				
Blue serge blouses ...	...	...	...	„ 3-15-6 „ ...	320 „ ...				
Blue drill „ ...	...	...	...	„ 1-14-0 „ ...	631 „ ...				
Yellow drill pyjamas ...	...	...	...	„ 1-2-2 „ ...	1,132 „ ...				
Great coats for mounted and foot constables.	...	...	...	„ 4-11-0 „ ...	4,118 „ ...				

List of Articles—contd.

Names or Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
Horse and Camel Saddlery.						
Complete set of horse saddlery consisting of saddle, reins, stirrup-iron, &c.	Rs. 24-15-0 per set					
Complete set of camel saddlery consisting of saddle, stirrup-iron, stirrup-leather, &c.	„ 25-0-0 „					
Accoutrements for men.						
Waist belts for Civil Police head constables with sling for sword.	Rs. 1-8-0 each				80 sets	2,263 4 0
Waist belts for constables	0-9-0 „				6 „	
Batons	0-4-0 „				628 number	11,079 8 0
Bayonet scabbard	0-12-0 „				3,814 „	
„ frog	0-4-0 „				1,387 „	
Baton „	0-2-0 „				938 „	
Talwar „	0-4-0 „				1,655 „	
Cap pouches	0-3-0 „				2,773 „	
On duty badge with strap	0-4-0 „				1,947 „	
Ammunition pouch	1-2-0 „				1,967 „	
Badges for head constables	0-6-0 „				1,951 „	
„ for foot „	0-7-0 „				1,064 „	
Waist belts for mounted constables with sling for sword.	2-2-0 „				354 „	
Badges for mounted constables	0-6-0 „				2,168 „	
Slings for muskets	0-6-0 „				130 „	
Sowars' pouch belts	1-11-0 „				62 „	
Revolver belts for Inspectors	2-5-0 „				1,914 „	
Hooks for carbines	0-3-0 „				63 „	
Cap pouches for mounted constables.	0-3-0 „				2 „	
Pads and buckets	0-12-0 „				77 „	
Haversacks	0-8-0 „				60 „	
Carbine sling	0-7-0 „				106 „	
					2,117 „	
					105 „	

No. 3470.—Mr. W. T. Piercy, having on return from leave on private affairs been appointed to officiate as Assistant Accountant General, Bombay, received charge of the office before noon on the 20th September 1881.

No. 3471.—The following Addendum to the Codes of the Financial Department is published for general information:—

P. & A. A. C.

SECTION 40, CLAUSE (*a*) (ii).

Pages 279 and 280.

Insert the following Note under this Clause:—

[NOTE.—Reduction to a lower grade or appointment cancels all title to count for increments previous service in the grade or appointment from which the reduction was made, or in a similar appointment.]

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

MILITARY DEPARTMENT.

Simla, the 7th October, 1881.

APPOINTMENTS.

No. 543.—PUNJAB FRONTIER FORCE.

5th Punjab Cavalry.

Lieutenant C. G. F. Edwards, 1st Battalion Dorsetshire Regiment, a candidate for the Bengal Staff Corps, to be Officiating Wing Officer, on probation, *vice* Captain W. J. Vousden, seconded on appointment as Adjutant to the Behar Mounted Rifle Corps.

FURLOUGH AND LEAVE.

No. 544.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) C. J. Godby, Bengal S. C., (Honorary Aide-de-Camp to the Governor General) Commandant, 4th Punjab Cavalry, (p. a.) for one year and 243 days, under rule IX of the regulations of 1868, embarking on or after the 6th November 1881.

Major E. Newbery, Bengal S. C., Personal Assistant to the Inspector General of Police, and District Superintendent of Police, 1st grade, Punjab, (p. a.) for one year, under rule IX of the regulations of 1868.

Captain C. C. C. Barlow, R.E., Executive Engineer, 3rd grade, British Burmah, Public Works Department, (m. c.) for one year, under rule XIV, clause 1 of the regulations of 1868.

Lieutenant A. Adye, Bengal S. C., Wing Officer and Adjutant, 5th Infantry, Hyderabad Contingent, (u. p. a.) for one year, under rule I of the regulations of 1875.

Lieutenant H. T. G. Burne, Bengal S. C., (m. c.) for one year, under rule I of the regulations of 1875.

Lieutenant A. Masters, Bengal S. C., Squadron Officer and Adjutant, 2nd Regiment, Central India Horse, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Lieutenant G. H. More-Molyneux, Bengal S. C., Wing Officer and Adjutant, 1st Native Infantry, (m. c.) for one year 106 days, under rule VIII, clause 2, and the remaining period under rules IX and XV of the regulations of 1868.

FUNDS.

No. 545.—With reference to notification of the Department of Finance and Commerce, No. 3339, dated the 30th September 1881, increasing the rates of contributions payable in India on account of Indian Service Family Pensions, the following corrections are made in the Pay Code for India, volume I.

The revised rates will have effect from the 1st October 1881.

Article 2368.—After the words "Lieutenant-Colonels" in "Class II" *insert* the words "(see article 2372)."

Article 2376, page 461, "Table III."—In the columns headed "In India," *for* the figures—

Rs.		Rs.
4,000	*Substitute*	4,320
2,000	„	2,160
1,000	„	1,080
500	„	540
250	„	270

and *for* the figures—

Rs.		Rs.
750	*Substitute*	810
375	„	405
250	„	270
125	„	135

Article 2377, page 463, "Table V."—In the column headed "In India," *for* the figures—

Rs.		Rs.
156	*Substitute*	168
250	„	270

In "Table VI," in the columns headed "In India," *for* the figures—

Rs.		Rs. A.
50	*Substitute*	54 0
40	„	43 8
30	„	32 6
20	„	21 10
10	„	10 13

and *for* the figures—

Rs.		Rs. A.
25	*Substitute*	27 0
16	„	17 4
12	„	12 15
7	„	7 9
4	„	4 5

In "Table VII," after the words "For a son" *add* "until 21"; and after the words "For a daughter" *add* "until marriage." In the column "In India" *for* the figures—

Rs. A.		Rs. A.
1 0	*Substitute*	1 1
2 8	„	2 11

Article 2379.—Expunge the word "Military" in the last line.

Article 2388, Table VIII.—In the fourth column *for* "79" *substitute* "75."

Article 2400.—Expunge the word "Military" in the second line.

PROMOTIONS.

No. 546.—The following promotions are made subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels,

Major (Brevet Lieutenant-Colonel) Alexander Graham Owen,—4th October, 1881.

Major (Brevet Lieutenant-Colonel) Robert Adam Wauchope,—4th October, 1881.

Major Hugh Arthur Lewes,—4th October, 1881.

To be Major.

Captain (Brevet Lieutenant-Colonel) Alexander Robert Badcock, C.B.,—1st October, 1881.

BENGAL ARMY.

To be Majors.

Captain Alfred James Stead, General List, Infantry,—4th October, 1881.

Captain Henry Wylie, C.S.I., General List, Infantry,—4th October, 1881.

No. 547.—COMMISSARIAT DEPARTMENT.

Major W. G. Smith, Assistant Commissary General, 2nd class, and Officiating Deputy Commissary General, to be Assistant Commissary General, 1st class.

Major N. F. Parker, Deputy Assistant Commissary General, 1st class, and Officiating Assistant Commissary General, 1st class, to be Assistant Commissary General, 2nd class.

Major F. H. Thomas, Deputy Assistant Commissary General, 2nd class, and Officiating Deputy Assistant Commissary General, 1st class, to be Deputy Assistant Commissary General, 1st class.

Captain G. L. Eliot, Sub-Assistant Commissary General, 1st class, (on furlough) to be Deputy Assistant Commissary General, 2nd class.

Lieutenant H. R. Marrett, Sub-Assistant Commissary General, 2nd class, and Officiating Deputy Assistant Commissary General, 2nd class, to be Sub-Assistant Commissary General, 1st class.

With effect from the 11th August 1881, *vice* Colonel H. A. Taylor, Assistant Commissary General, 1st class, retired.

No. 548.—PUNJAB FRONTIER FORCE.

3rd Sikh Infantry.

Havildar Ujjub Gul, to be Jemadar, *vice* Abbas Khan, deceased,—5th May, 1881.

VOLUNTEER CORPS.

No. 549.—His Excellency the Governor General in Council is pleased to sanction the augmentation of the Calcutta Volunteer Rifle Corps by a company of mounted Infantry.

No. 550.—The medal for good shooting sanctioned in India Army Circulars, 1880, Clause 100, has been awarded to Volunteer P. W. Lenahan, 1st Punjab Volunteer Rifle Corps, for the season of 1880-81.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 7th October, 1881.

APPOINTMENTS.

No. 39.—Mr. E. H. Fenn, Marine Storekeeper, Bombay Dockyard, on probation, is confirmed in his appointment, with effect from the 27th July, 1880.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 5th October 1881.

No. 320.—Lieutenant G. H. B. Gordon, R.E. is appointed to the Public Works Department as Assistant Engineer, 2nd Grade, and posted to the Military Works Branch.

No. 321.—Mr. A. T. Goodfellow, Deputy Examiner, 2nd Grade, temporary rank, is transferred from the Northern Bengal State Railway to the Public Works Accounts Office, Punjab.

The 6th October 1881.

No. 322.—To fill vacancies existing in the Railway Branch, the following permanent promotions are made, with effect from 17th September 1881:—

Name.	From	To
Mr. W. H. P. Sherman	Ex. Engr., 3rd Grade	Ex. Engr., 2nd Grade.
Mr. P. P. Dease ...	,, ,, 4th ,,	,, ,, 3rd ,,
Babu Mutty Lall Dey ...	Asst. ,, 1st ,,	,, ,, 4th ,,
Mr. W. S. Haig ...	,, ,, 2nd ,,	Asst. ,, 1st ,,
Mr. R. W. L. Tooze ...	,, ,, 2nd ,,	,, ,, 1st ,,
Mr. H. G. F. Smith ...	,, ,, 2nd ,,	,, ,, 1st ,,

W. S. TREVOR, *Colonel, R.E.,*
Offg. Secy. to the Govt. of India.

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

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SUPPLEMENT No. 42.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 14th October, 1881.

No. 46.—The following Statute is published for general information:—

44 & 45 VIC., CAP. 69.

ARRANGEMENT OF SECTIONS.

SECTION.
1. Short title.

PART I.

RETURN OF FUGITIVES.

2. Liability of fugitive to be apprehended and returned.
3. Endorsing of warrant for apprehension of fugitive.
4. Provisional warrant for apprehension of fugitive.
5. Dealing with fugitive when apprehended.
6. Return of fugitive by warrant.
7. Discharge of person apprehended if not returned within one month.
8. Sending back of persons apprehended if not prosecuted within six months or acquitted.
9. Offences to which this part of this Act applies.
10. Powers of superior Court to discharge fugitive when case frivolous or return unjust.
11. Power of Lord Lieutenant in Ireland.

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INTER-COLONIAL BACKING OF WARRANTS, AND OFFENCES.

Application of Part of Act.

12. Application of part of Act to group of British possessions.

Backing of Warrants.

13. Backing in one British possession of warrant issued in another of same group.
14. Return of prisoner apprehended under backed warrant.
15. Backing in one British possession of summons, &c., of witnesses issued in another possession of same group.
16. Provisional warrant in group of British possessions.
17. Discharge of prisoner not returned within one month to British possession of same group.
18. Sending back of prisoner not prosecuted or acquitted to British possession of same group.
19. Refusal to return prisoner where offence too trivial.

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26. Endorsement of warrant.
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30. Provisions as to exercise of jurisdiction by Magistrates.
31. Power as to making and revocation of Orders in Council.
32. Power of legislature of British possession to pass laws for carrying into effect this Act.

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33. Application of Act to offences at sea or triable in several parts of Her Majesty's dominions.
34. Application of Act to convicts.
35. Application of Act to removal of person triable in more than one part of Her Majesty's dominions.
36. Application of Act to foreign jurisdiction.
37. Application of Act to, and execution of warrant in, United Kingdom, Channel Islands and Isle of Man.
38. Application of Act to past offences.

Definitions and Repeal.

39. Definition of terms.
40. Commencement of Act.
41. Repeal of Act in Schedule.

SCHEDULE.

An Act to amend the Law with respect to Fugitive Offenders in Her Majesty's Dominions, and for other Purposes connected with the Trial of Offenders. [*27th August, 1881*].

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows (that is to say) :—

1. This Act may be cited as the Fugitive Offenders Act, 1881.

Short title.

PART I.

RETURN OF FUGITIVES.

2. Where a person accused of having committed an offence (to which this part of this Act applies) in one part of Her Majesty's dominions has left that part, such person (in this Act referred to as a fugitive from that part), if found in another part of Her Majesty's dominions, shall be liable to be apprehended and returned in manner provided by this Act to the part from which he is a fugitive.

Liability of fugitive to be apprehended and returned.

A fugitive may be so apprehended under an endorsed warrant or a provisional warrant.

3. Where a warrant has been issued in one part of Her Majesty's dominions for the apprehension of a fugitive from that part, any of the following authorities in another part of Her Majesty's dominions in or on the way to which the fugitive is or is suspected to be (that is to say),—

Endorsing of warrant for apprehension of fugitive.

(1) A Judge of a superior Court in such part, and

(2) In the United Kingdom a Secretary of State and one of the Magistrates of the Metropolitan Police Court in Bow Street, and

(3) In a British possession the Governor of that possession,

if satisfied that the warrant was issued by some person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act; and the warrant so endorsed shall be a sufficient authority to apprehend the fugitive in the part of Her Majesty's dominions in which it is endorsed, and bring him before a Magistrate.

4. A Magistrate of any part of Her Majesty's dominions may issue a provisional warrant for the apprehension of a fugitive who is or is suspected of being in or on his way to that part on such information, and under such circumstances, as would in his opinion justify the issue of a warrant if the offence of which the fugitive is accused had been committed within his jurisdiction; and such warrant may be backed and executed accordingly.

Provisional warrant for apprehension of fugitive.

A Magistrate issuing a provisional warrant shall forthwith send a report of the issue, together with the information or a certified copy thereof, if he is in the United Kingdom, to a Secretary of State, and if he is in a British possession, to the Governor of that possession; and the Secretary of State or Governor may, if he think fit, discharge the person apprehended under such warrant.

5. A fugitive when apprehended shall be brought before a Magistrate, who (subject to the provisions of this Act) shall hear the case in the same manner and have the same jurisdiction and powers, as near as may be (including the power to remand and admit to bail), as if the fugitive were charged with an offence committed within his jurisdiction.

Dealing with fugitive when apprehended.

If the endorsed warrant for the apprehension of the fugitive is duly authenticated, and such evidence is produced as (subject to the provisions of this Act), according to the law ordinarily administered by the Magistrate, raises a strong or probable presumption that the fugitive committed the offence mentioned in the warrant, and that the offence is one to which this part of this Act applies, the Magistrate shall commit the fugitive to prison to await his return, and shall forthwith send a certificate of the committal and such report of the case as he may think fit, if in the United Kingdom to a Secretary of State, and if in a British possession to the Governor of that possession.

Where the Magistrate commits the fugitive to prison he shall inform the fugitive that he will not be surrendered until after the expiration of fifteen days, and that he has a right to apply for a writ of *habeas corpus*, or other like process.

A fugitive apprehended on a provisional warrant may be from time to time remanded for such reasonable time, not exceeding seven days at any one time, as under the circumstances seems requisite for the production of an endorsed warrant.

6. Upon the expiration of fifteen days after a fugitive has been committed to prison to await his return, or if a writ of *habeas corpus* or other like process is issued with reference to such fugitive by a superior Court, after the final decision of the Court in the case,

Return of fugitive by warrant.

(1) if the fugitive is so committed in the United Kingdom, a Secretary of State, and

(2) if the fugitive is so committed in a British possession, the Governor of that possession,

may, if he thinks it just, by warrant under his hand order that fugitive to be returned to the part of Her Majesty's dominions from which he is a fugitive, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or some one or more of them, and to be held in custody, and conveyed by sea or otherwise to the said part of Her Majesty's dominions, to be dealt with there in due course of law as if he had been there apprehended; and such warrant shall be forthwith executed according to the tenor thereof.

The Governor or other chief officer of any prison, on request of any person having the custody of a fugitive under any such warrant, and on payment or tender of a reasonable amount for expenses, shall receive such fugitive and detain him for such reasonable time as may be requested by the said person for the purpose of the proper execution of the warrant.

7. If a fugitive who, in pursuance of this part of this Act, has been committed to prison in any part of Her Majesty's dominions to await his return, is not conveyed out of that part within one month after such committal, a superior Court, upon application by or on behalf of the fugitive, and upon proof that reasonable notice of the intention to make such application has been given, if the said part is the United Kingdom to a Secretary of State, and if the said part is a British possession to the Governor of the possession, may, unless sufficient cause is shown to the contrary, order the fugitive to be discharged out of custody.

Discharge of person apprehended if not returned within one month.

8. Where a person accused of an offence and returned in pursuance of this part of this Act to any part of Her Majesty's dominions, either is not prosecuted for the said offence within six months after his arrival in that part, or is acquitted of the said offence, then if that part is the United Kingdom a Secretary of State, and if that part is a British possession the Governor of that possession, may, if he think fit, on the request of such person, cause him to be sent back free of cost and with as little delay as possible to the part of Her Majesty's dominions in or on his way to which he was apprehended.

Sending back of persons apprehended if not prosecuted within six months or acquitted.

9. This part of this Act shall apply to the following offences, namely, to treason and piracy, and to every offence, whether called felony, misdemeanour, crime, or by any other name, which is for the time being punishable in the part of Her Majesty's dominions in which it was committed, either on indictment or information, by imprisonment with hard labour for a term of twelve months or more, or by any greater punishment; and for the purposes of this section, rigourous imprisonment, and any confinement in a prison combined with labour, by whatever name it is called, shall be deemed to be imprisonment with hard labour.

Offences to which this part of this Act applies.

This part of this Act shall apply to an offence notwithstanding that by the law of the part of Her Majesty's dominions in or on his way to which the fugitive is or is suspected of being it is not an offence, or not an offence to which this part of this Act applies; and all the provisions of this part of this Act, including those relating to a provisional warrant and to a committal to prison, shall be construed as if the offence were in such last-mentioned part of Her Majesty's dominions an offence to which this part of this Act applies.

10. Where it is made to appear to a superior Court that by reason of the trivial nature of the case, or by reason of the application for the return of a fugitive not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities for communication, and to all the circumstances of the case, be unjust or oppressive or too severe a punishment to return the fugitive, either at all or until the expiration of a certain period, such Court may discharge the fugitive, either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the Court seems just.

Powers of superior Court to discharge fugitive when case frivolous or return unjust.

11. In Ireland the Lord Lieutenant or Lords Justices or other Chief Governor or Governors of Ireland, also the Chief Secretary of such Lord Lieutenant, may, as well as a Secretary of State, execute any portion of the powers by this part of this Act vested in a Secretary of State.

Power of Lord Lieutenant in Ireland.

PART II.

INTER-COLONIAL BACKING OF WARRANTS, AND OFFENCES.

Application of Part of Act.

12. This part of this Act shall apply only to those groups of British possessions to which, by reason of their contiguity or otherwise, it may seem expedient to Her Majesty to apply the same.

Application of part of Act to group of British possessions.

It shall be lawful for Her Majesty from time to time by Order in Council to direct that this

part of this Act shall apply to the group of British possessions mentioned in the Order, and by the same or any subsequent Order to except certain offences from the application of this part of this Act, and to limit the application of this part of this Act by such conditions, exceptions and qualifications as may be deemed expedient.

Backing of Warrants.

Backing in one British possession of warrant issued in another of same group.

13. Where in a British possession of a group to which this part of this Act applies a warrant has been issued for the apprehension of a person accused of an offence punishable by law in that possession, and such person is or is suspected of being in or on the way to another British possession of the same group, a Magistrate in the last-mentioned possession, if satisfied that the warrant was issued by a person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act; and the warrant so endorsed shall be a sufficient authority to apprehend, within the jurisdiction of the endorsing Magistrate, the person named in the warrant, and bring him before the endorsing Magistrate or some other Magistrate in the same British possession.

Return of prisoner apprehended under backed warrant.

14. The Magistrate before whom a person so apprehended is brought, if he is satisfied that the warrant is duly authenticated as directed by this Act and was issued by a person having lawful authority to issue the same, and is satisfied on oath that the prisoner is the person named or otherwise described in the warrant, may order such prisoner to be returned to the British possession in which the warrant was issued, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or any one or more of them, and to be held in custody and conveyed by sea or otherwise into the British possession in which the warrant was issued, there to be dealt with according to law as if he had been there apprehended. Such order for return may be made by warrant under the hand of the Magistrate making it, and may be executed according to the tenor thereof.

A Magistrate shall, so far as is requisite for the exercise of the powers of this section, have the same power, including the power to remand and admit to bail a prisoner, as he has in the case of a person apprehended under a warrant issued by him.

Backing in one British possession of summons, &c., of witness issued in another possession of same group.

15. Where a person required to give evidence on behalf of the prosecutor or defendant on a charge for an offence punishable by law in a British possession of a group to which this part of this Act applies, is or is suspected of being in or on his way to any other British possession of the same group, a Judge, Magistrate or other officer who would have lawful authority to issue a summons requiring the attendance of such witness, if the witness were within his jurisdiction, may issue a summons for the attendance of such witness; and a Magistrate in any other British possession of the same group, if satisfied that the summons was issued by some Judge, Magistrate or officer having lawful authority as aforesaid, may endorse the summons with his name; and the witness, on service in that possession of the summons, so endorsed, and on payment or tender of a reasonable amount for his expenses, shall obey the summons, and in default shall be liable to be tried and punished either in the possession in which he served or in the possession in which the summons was issued, and shall be liable to the punishment imposed by the law of the possession in which he is tried for the failure of a witness to obey such a summons. The expression "summons" in this section includes any subpœna or other process for requiring the attendance of a witness.

Provisional warrant in group of British possessions.

16. A Magistrate in a British possession of a group to which this part of this Act applies, before the endorsement in pursuance of this part of this Act of a warrant for the apprehension of any person, may issue a provisional warrant for the apprehension of that person, on such information and under such circumstances as would in his opinion justify the issue of a warrant if the offence of which such person is accused were an offence punishable by the law of the said possession, and had been committed within his jurisdiction; and such warrant may be backed and executed accordingly: Provided that a person arrested under such provisional warrant shall be discharged unless the original warrant is produced and endorsed within such reasonable time as may under the circumstances seem requisite.

Discharge of prisoner not returned within one month to British possession of same group.

17. If a prisoner in a British possession whose return is authorized in pursuance of this part of this Act is not conveyed out of that possession within one month after the date of the warrant ordering his return, a Magistrate or superior Court, upon application by or on behalf of the prisoner, and upon proof that reasonable notice of the intention to make such application has been given to the person holding the warrant and to the chief officer of the police of such possession or of the province or town where the prisoner is in custody, may, unless sufficient cause is shown to the contrary, order such prisoner to be discharged out of custody.

Any order or refusal to make an order of discharge by a Magistrate under this section shall be subject to appeal to a superior Court.

Sending back of prisoner not prosecuted or acquitted to British possession of same group.

18. Where a prisoner accused of an offence is returned in pursuance of this part of this Act to a British possession, and either is not prosecuted for the said offence within six months after his arrival in that possession or is acquitted of the said offence, the Governor of that possession, if he thinks fit, may, on the requisition of such person, cause him to be sent back, free of cost, and with as little delay as possible, to the British possession in or on his way to which he was apprehended.

Refusal to return prisoner where offence too trivial.

19. Where the return of a prisoner is sought or ordered under this part of this Act and it is made to appear to a Magistrate or to a superior Court that by reason of the trivial nature of the case, or by reason of the application for the return of such prisoner not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities of communication and to all the circumstances of the case, be unjust or oppressive, or too severe a punishment, to return the prisoner either at all or until the expiration of a certain period, the Court or Magistrate may discharge the prisoner either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the Magistrate or Court seems just.

Any order or refusal to make an order of discharge by a Magistrate under this section shall be subject to an appeal to a superior Court.

PART III.

TRIAL, &c., OF OFFENCES.

Offences committed on boundary of two adjoining British possessions.

20. Where two British possessions adjoin, a person accused of an offence committed on or within the distance of five hundred yards from the common boundary of such possessions may be apprehended, tried and punished in either of such possessions.

Offences committed on journey between two British possessions.

21. Where an offence is committed on any person or in respect of any property in or upon any carriage, cart or vehicle whatsoever employed in a journey, or on board any vessel whatsoever employed in a navigable river, lake, canal or inland navigation, the person accused of such offence may be tried in any British possession through a part of which such carriage, cart, vehicle or vessel passed in the course of the journey or voyage during which the offence was committed; and where the side, bank, centre or other part of the road, river, lake, canal or inland navigation along which the carriage, cart, vehicle or vessel passed in the course of such journey or voyage is the boundary of any British possession, a person may be tried for such offence in any British possession of which it is the boundary:

Provided that nothing in this section shall authorise the trial for such offence of a person who is not a British subject, where it is not shown that the offence was committed in a British possession.

Trial of offence of false swearing or giving false evidence.

22. A person accused of the offence (under whatever name it is known) of swearing or making any false deposition, or of giving or fabricating any false evidence, for the purposes of this Act, may be tried either in the part of Her Majesty's dominions in which such deposition or evidence is used, or in the part in which the same was sworn, made, given or fabricated, as the justice of the case may require.

Supplemental provision as to trial of person in any place.

23. Where any part of this Act provides for the place of trial of a person accused of an offence, that offence shall, for all purposes of and incidental to the apprehension, trial and punishment of such person, and of and incidental to any proceedings and matters preliminary, incidental to, or consequential thereon, and of and incidental to the jurisdiction of any Court, constable, or officer with reference to such offence, and to any person accused of such offence, be deemed to have been committed in any place in which the person accused of the offence can be tried for it; and such person may be punished in accordance with the Courts (Colonial) Jurisdiction Act, 1874.

Issue of search-warrant.

24. Where a warrant for the apprehension of a person accused of an offence has been endorsed in pursuance of any part of this Act in any part of Her Majesty's dominions, or where any part of the Act provides for the place of trial of a person accused of an offence, every Court and Magistrate of the part in which the warrant is endorsed or the person accused of the offence can be tried shall have the same power of issuing a warrant to search for any property alleged to be stolen or to be otherwise unlawfully taken or obtained by such person, or otherwise to be the subject of such offence, as that Court or Magistrate would have if the property had been stolen or otherwise unlawfully taken or obtained, or the offence had been committed wholly within the jurisdiction of such Court or Magistrate.

Removal of prisoner by sea from one place to another.

25. Where a person is in legal custody in a British possession either in pursuance of this Act or otherwise, and such person is required to be removed in custody to another place in or belonging to the same British possession, such person, if removed by sea in a vessel belonging to Her Majesty or any of Her Majesty's subjects, shall be deemed to continue in legal custody until he reaches the place to which he is required to be removed; and the provisions of this Act with respect to the retaking of a prisoner who has escaped, and with respect to the trial and punishment of a person guilty of the offence of escaping or attempting to escape, or aiding or attempting to aid a prisoner to escape, shall apply to the case of a prisoner escaping while being lawfully removed as aforesaid, in like manner as if he were being removed in pursuance of a warrant endorsed in pursuance of this Act.

PART IV.

SUPPLEMENTAL.

Warrants and Escape.

Endorsement of warrant.

26. An endorsement of a warrant in pursuance of this Act shall be signed by the authority endorsing the same, and shall authorise all or any of the persons named in the endorsement, and of the persons to whom the warrant was originally directed, and also every constable, to execute the warrant within the part of Her Majesty's dominions or place within which such endorsement is by this Act made a sufficient authority, by apprehending the person named in it, and bringing him before some Magistrate in the said part or place, whether the Magistrate named in the endorsement or some other.

For the purposes of this Act every warrant, summons, subpœna, and process, and every endorsement made in pursuance of this Act thereon, shall remain in force, notwithstanding that the person signing the warrant or such endorsement dies or ceases to hold office.

Conveyance of fugitives and witnesses.

27. Where a fugitive or prisoner is authorised to be returned to any part of Her Majesty's dominions in pursuance of Part One or Part Two of this Act, such fugitive or prisoner may be sent thither in any ship belonging to Her Majesty or to any of her subjects.

For the purpose aforesaid, the authority signing the warrant for the return may order the master of any ship belonging to any subject of Her Majesty bound to the said part of Her Majesty's dominions to receive and afford a passage and subsistence during the voyage to such fugitive or prisoner, and to the person having him in custody, and to the witnesses, so that such master be not required to receive more than one fugitive or prisoner for every hundred tons of his ship's registered tonnage, or more than one witness for every fifty tons of such tonnage.

The said authority shall endorse or cause to be endorsed upon the agreement of the ship such particulars with respect to any fugitive, prisoner or witness sent in her as the Board of Trade from time to time require.

Every such master shall, on his ship's arrival in the said part of Her Majesty's dominions, cause such fugitive or prisoner, if he is not in the custody of any person, to be given into the custody of some constable, there to be dealt with according to law.

Every master who fails on payment or tender of a reasonable amount for expenses to comply with an order made in pursuance of this section, or to cause a fugitive or prisoner committed to his charge to be given into custody as required by this section, shall be liable on summary conviction to a fine not exceeding fifty pounds, which may be recovered in any part of Her Majesty's dominions in like manner as a penalty of the same amount under the Merchant Shipping Act, 1854, and the Acts amending the same.

Escape of prisoner from custody.

28. If a prisoner escape, by breach of prison or otherwise, out of the custody of a person acting under a warrant issued or endorsed in pursuance of this Act, he may be retaken in the same manner as a person accused of a crime against the law of that part of Her Majesty's dominions to which he escapes may be retaken upon an escape.

A person guilty of the offence of escaping or of attempting to escape, or of aiding or attempting to aid a prisoner to escape, by breach of prison or otherwise, from custody under any warrant issued or endorsed in pursuance of this Act, may be tried in any of the following parts of Her Majesty's dominions, namely, the part to which and the part from which the prisoner is being removed, and the part in which the prisoner escapes, and the part in which the offender is found.

Evidence.

Depositions to be evidence, and authentication of depositions and warrants.

29. A Magistrate may take depositions for the purposes of this Act in the absence of a person accused of an offence in like manner as he might take the same if such person were present and accused of the offence before him.

Depositions (whether taken in the absence of the fugitive or otherwise) and copies thereof, and official certificates of or judicial documents stating facts, may, if duly authenticated, be received in evidence in proceedings under this Act:

Provided that nothing in this Act shall authorise the reception of any such depositions, copies, certificates, or documents in evidence against a person upon his trial for an offence.

Warrants and depositions, and copies thereof, and official certificates of or judicial documents stating facts, shall be deemed duly authenticated for the purposes of this Act if they are authenticated in manner provided for the time being by law, or if they purport to be signed by or authenticated by the signature of a Judge, Magistrate, or officer of the part of Her Majesty's dominions in which the same are issued, taken, or made, and are authenticated either by the oath of some witness, or by being sealed with the official seal of a Secretary of State, or with the public seal of a British possession, or with the official seal of a Governor of a British possession, or of a Colonial Secretary, or of some Secretary or Minister administering a department of the Government of a British possession.

And all Courts and Magistrates shall take judicial notice of every such seal as is in this section mentioned, and shall admit in evidence without further proof the documents authenticated by it.

Miscellaneous.

Provision as to exercise of jurisdiction by Magistrates.

30. The jurisdiction under Part I of this Act to hear a case and commit a fugitive to prison to await his return shall be exercised—

(1) In England, by a chief Magistrate of the Metropolitan Police Courts or one of the other Magistrates of the Metropolitan Police Court at Bow Street; and

(2) In Scotland, by the Sheriff or Sheriff Substitute of the county of Edinburgh; and

(3) In Ireland, by one of the police Magistrates of the Dublin Metropolitan Police District; and

(4) In a British possession, by any Judge, Justice of the Peace, or other officer having the like jurisdiction as one of the Magistrates of the Metropolitan Police Court in Bow Street, or by such other Court, Judge, or Magistrate as may be from time to time provided by an Act or Ordinance passed by the legislature of that possession.

If a fugitive is apprehended and brought before a Magistrate who has no power to exercise the jurisdiction under this Act in respect of that fugitive, that Magistrate shall order the fugitive to be brought before some Magistrate having that jurisdiction, and such order shall be obeyed.

Power as to making and revocation of Orders in Council.

31. It shall be lawful for Her Majesty in Council from time to time to make Orders for the purposes of this Act, and to revoke and vary any Order so made; and every Order so made shall while it is in force have the same effect as if it were enacted in this Act.

An Order in Council made for the purposes of this Act shall be laid before Parliament as soon as may be after it is made if Parliament is then in session, or if not, as soon as may be after the commencement of the then next session of Parliament.

Power of legislature of British possession to pass laws for carrying into effect this Act.

32. If the legislature of a British possession pass any Act or Ordinance—

(1) For defining the offences committed in that possession to which this Act or any part thereof is to apply, or

(2) For determining the Court, Judge, Magistrate, officer or person by whom and the manner in which any jurisdiction or power under this Act is to be exercised, or

(3) For payment of the costs incurred in returning a fugitive or a prisoner, or in sending him back if not prosecuted or if acquitted, or otherwise in the execution of this Act, or

(4) In any manner for the carrying of this Act or any part thereof into effect in that possession,

it shall be lawful for Her Majesty by Order in Council to direct, if it seems to Her Majesty in Council necessary or proper for carrying into effect the objects of this Act, that such Act or Ordinance, or any part thereof, shall with or without modification or alteration be recognised and given effect to throughout Her Majesty's dominions and on the high seas as if it were part of this Act.

Application of Act.

Application of Act to offences at sea or triable in several parts of Her Majesty's dominions.

33. Where a person accused of an offence can, by reason of the nature of the offence, or of the place in which it was committed, or otherwise, be, under this Act or otherwise, tried for or in respect of the offence in more than one part of Her Majesty's dominions, a warrant for the apprehension of such person may be issued in any part of Her Majesty's dominions in which he can, if he happens to be there, be tried; and each part of this Act shall apply as if the offence had been committed in the part of Her Majesty's dominions where such warrant is issued; and such person may be apprehended and returned in pursuance of this Act, notwithstanding that in the place in which he is apprehended a Court has jurisdiction to try him:

Provided that if such person is apprehended in the United Kingdom a Secretary of State, and if he is apprehended in a British possession, the Governor of such possession, may, if satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case, it would be conducive to the interests of justice so to do, order such person to be tried in the part of Her Majesty's dominions in which he is apprehended; and in such case any warrant previously issued for his return shall not be executed.

Application of Act to convicts.

34. Where a person convicted by a Court in any part of Her Majesty's dominions of an offence committed either in Her Majesty's dominions or elsewhere, is unlawfully at large before the expiration of his sentence, each part of this Act shall apply to such person, so far as is consistent with the tenor thereof, in like manner as it applies to a person accused of the like offence committed in the part of Her Majesty's dominions in which such person was convicted.

Application of Act to removal of person triable in more than one part of Her Majesty's dominions.

35. Where a person accused of an offence is in custody in some part of Her Majesty's dominions, and the offence is one for or in respect of which, by reason of the nature thereof or of the place in which it was committed or otherwise, a person may under this Act or otherwise be tried in some other part of Her Majesty's dominions, in such case a superior Court, and also if such person is in the United Kingdom a Secretary of State, and if he is in a British possession the Governor of that possession, is satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case, it would be conducive to the interests of justice so to do, may by warrant direct the removal of such offender to some other part of Her Majesty's dominions in which he can be tried, and the offender may be returned, and, if not prosecuted or acquitted, sent back free of cost in like manner as if he were a fugitive returned in pursuance of Part One of this Act, and the warrant were a warrant for the return of such fugitive; and the provisions of this Act shall apply accordingly.

Application of Act to foreign jurisdiction.

36. It shall be lawful for Her Majesty from time to time by Order in Council to direct that this Act shall apply as if, subject to the conditions, exceptions, and qualifications (if any) contained in the Order, any place out of Her Majesty's dominions in which Her Majesty has jurisdiction, and which is named in the Order, were a British possession, and to provide for carrying into effect such application.

Application of Act to, and execution of warrant in United Kingdom, Channel Islands, and Isle of Man.

37. This Act shall extend to the Channel Islands and Isle of Man as if they were part of England and of the United Kingdom; and the United Kingdom and those islands shall be deemed for the purpose of this Act to be one part of Her Majesty's dominions; and a warrant endorsed in pursuance of Part One of this Act may be executed in every place in the United Kingdom and the said islands accordingly.

Application of Act to past offences.

38. This Act shall apply where an offence is committed before the commencement of this Act, or, in the case of Part Two of this Act, before the application of that part to a British possession or to the offence, in like manner as if such offence had been committed after such commencement or application.

Definitions and Repeal.

Definition of terms.

39. In this Act, unless the context otherwise requires,—

"Secretary of State": The expression "Secretary of State" means one of Her Majesty's Principal Secretaries of State:

"British possession": The expression "British possession" means any part of Her Majesty's dominions, exclusive of the United Kingdom, the Channel Islands, and Isle of Man; all territories and places within Her Majesty's dominions which are under one legislature shall be deemed to be one British possession and one part of Her Majesty's dominions:

"Legislature": The expression "legislature," where there are local legislatures as well as a central legislature, means the central legislature only:

"Governor": The expression "Governor" means any person or persons administering the government of a British possession, and includes the Governor and Lieutenant-Governor of any part of India:

The expression "constable" means, out of England, any policeman or officer having the like powers and duties as a constable in England:

"Constable":

The expression "Magistrate" means, except in Scotland, any Justice of the Peace, and in Scotland means a Sheriff or Sheriff Substitute, and in the Channel Islands, Isle of Man, and a British possession means any person having authority to issue a warrant for the apprehension of persons accused of offences and to commit such persons for trial:

"Magistrate":

The expression "offence punishable on indictment" means, as regards India, an offence punishable on a charge or otherwise:

"Offence punishable on indictment":

The expression "oath" includes affirmation or declaration in the case of persons allowed by law to affirm or declare instead of swearing; and the expression "swear" and other words relating to an oath or swearing shall be construed accordingly:

"Oath":

The expression "deposition" includes any affidavit, affirmation, or statement made upon oath as above defined:

"Deposition":

The expression "superior Court" means—

"Superior Court."

(1) In England, Her Majesty's Court of Appeal and High Court of Justice; and

(2) In Scotland, the High Court of Justiciary; and

(3) In Ireland, Her Majsty's Court of Appeal and Her Majesty's High Court of Justice at Dublin; and

(4) In a British possession, any Court having in that possession the like criminal jurisdiction to that which is vested in the High Court of Justice in England, or such Court or Judge as may be determined by any Act or Ordinance of that possession.

40. This Act shall come into operation on the first day of January, one thousand eight hundred and eighty-two, which date is in this Act referred to as the commencement of this Act.

Commencement of Act.

41. The Act specified in the Schedule to this Act is hereby repealed as from the commencement of this Act:

Repeal of Act in Schedule.

Provided that this repeal shall not affect—

(*a*) Any warrant duly endorsed or issued, nor anything duly done or suffered before the commencement of this Act; nor

(*b*) Any obligation or liability incurred under an enactment hereby repealed; nor

(*c*) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; nor

(*d*) Any legal proceeding or remedy in respect of any such warrant, obligation, liability, penalty, forfeiture, or punishment as aforesaid; and any such warrant may be endorsed and executed, and any such legal proceeding and remedy may be carried on, as if this Act had not passed.

SCHEDULE.

Year and Chapter.	Title.
6 & 7 Vict., c. 34 ...	An Act for the better apprehension of certain offenders.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—EXAMINATIONS.

Simla, the 11th October 1881.

No. 55.—The following addition to Rule VI of the Rules for the examination of Junior Civil Servants in Oriental languages, published with the Notification of the Home Department No. 1, dated the 2nd January 1880, has received the sanction of the Governor General in Council:—

"Civil Servants may be permitted to attend the examinations after the expiration of the periods specified in this Rule, but no reward will be granted to them if they pass; and their leave must be limited to such time as may be necessary to enable them to attend the examination, and no extra expense must, under any circumstances, be caused to the State. In such cases it will be within the competence of Local Governments to refuse applications for permission to attend any particular examination when compliance with such applications would involve inconvenience to the public service."

FORESTS.

The 11th October 1881.

No. 927*F.*—Mr. D. Brandis, C.I.E., Inspector General of Forests to the Government of India, is deputed on special duty to the Madras Presidency, with effect from the date on which he may report his departure for that Presidency.

Dr. W. Schlich, Conservator of Forests of the 1st Grade in the Punjab, is appointed to officiate as Inspector General of Forests to the Government of India, during the absence of Mr. Brandis, or until further orders.

Major F. Bailey, R.E., Conservator of Forests of the School Circle in the North-Western Provinces, officiating in the 2nd Grade of Conservators, also Director of the Forest School and Superintendent of Forest Surveys, is appointed, as a temporary arrangement, to officiate as Conservator of Forests in the Punjab, during the absence of Dr. Schlich, or until further orders. Major Bailey will continue to be Superintendent of Forest Surveys.

Major G. J. vanSomeren, Supernumerary Conservator of Forests of the 3rd Grade in the Punjab, is appointed, as a temporary arrangement, to officiate as Conservator of Forests of the School Circle in the North-Western Provinces, and as Director of the Forest School, during the absence of Major Bailey, or until further orders.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—SURVEYS.

Simla, the 12th October 1881.

No. 156.—Mr. C. L. Griesbach, Assistant of the 3rd Grade in the Geological Survey of India, is granted privilege leave of absence for three months under Section 71, Chapter V, of the Civil Leave Code, from the 1st proximo, or any subsequent date on which he may avail himself of it.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—MILITARY.

Simla, the 14th October 1881.

No. 88 *G.M.*—Lieutenant G. K. Daly, Squadron Officer, 1st Regiment, Central India Horse, is appointed to officiate as Adjutant in addition to his other duties, with effect from the date of assuming charge, *vice* Lieutenant A. G. Durand, appointed to the staff of His Excellency the Viceroy.

No. 90 *G.M.*—The following Brigade Order by the Commandant of the Central India Horse, dated the 12th September 1881, is confirmed:—

Lieutenant E. E. Robertson, Officiating Squadron Officer, 1st Regiment, Central India Horse, to officiate as 3rd Squadron Commander, *vice* Captain H. A. Vincent, on general leave from the 23rd March 1881.

No. 92 *G.M.*—The following Brigade Order issued by the Commandant, Central India Horse, dated the 17th September 1881, is confirmed:—

Consequent on the departure of Lieutenant A. Masters to England on medical certificate, Captain G. E. Money, Officiating Adjutant, 2nd Regiment, Central India Horse, to be Staff Officer, from the 27th August 1881.

No. 94 *G.M.*—Lieutenant H. W. Hughes, Squadron Officer, (Queen's Own) Corps of Guides, is appointed to officiate as Squadron Officer and Adjutant, 2nd Regiment, Central India Horse, *vice* Lieutenant A. Masters, proceeded on furlough to Europe.

GENERAL.

The 14th October 1881.

No. 1843 *G.G.*—The following appointment has been made in the Berar Commission:—

Bandhuji Janardun Chaobal, Superintendent, Civil Department, High Court (Appellate Side), Bombay, to be an Extra Assistant Commissioner, 5th grade, with effect from date of taking up his duties as Clerk of the Court and Government Translator to the Resident at Hyderabad.

POLITICAL.

The 14th October 1881.

No. 299 *G.P.*—His Excellency the Viceroy and Governor-General in Council is pleased to recognise the appointment of Mr. Hugo Von der Hellen as Consul for the German Empire at Rangoon.

No. 300 *G.P.*—His Excellency the Viceroy and Governor-General in Council is pleased to recognise the appointment of Mr. Julius Schultze as Acting Consul for the German Empire at Rangoon, during the absence of Mr. Hugo Von der Hellen.

JUDICIAL.

The 13th October 1881.

No. 206 *I.J.*—In exercise of the power conferred by Section 3 of Act XIV of 1874 (The Scheduled Districts Act), the Hon'ble the Lieutenant-Governor of the Punjab is pleased, with the previous sanction of the Governor-General in Council, to declare that Act XIII of 1855 (An Act to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong) is in force in the Scheduled Districts of the Punjab.

GENERAL.

The 13th October 1881.

No. 1266 *I.G.*—The following description showing alterations in portion of the boundaries of the Nowgong Cantonment is published for general information:—

Description.	Bearings.	Direct distance in yards.
From pillar No. 46 on east of road leading to Pipree village, the boundary runs parallel with the road to pillar No. 45.	183° 57′	228½
From pillar No. 45 on the east of road leading to Pipree village, the boundary runs parallel with the road till at the junction of above with main road, where it crosses to pillar No. 45A at north-east corner of Political Agent's compound and a yard from the gate leading into the compound.	212° 21′	83
From pillar No. 45A the boundary skirts the east hedge of the Political Agent's compound, and runs parallel with the main road to pillar No. 45B, situated at south-east corner of the compound and at junction of Stratton with Main road, and on the north of former.	135° 35′	216½
From pillar No. 45B the boundary runs along the south hedge of Political Agent's compound in a south-west direction and parallel with Stratton road to pillar No. 44, situated at south-east corner of Political Agent's garden and on the north side of junction of Stratton with Avenue road.	225° 51′	178
From pillar No. 44 the boundary skirts the south of the Political Agent's garden and runs parallel with Stratton road in a south-west direction to pillar No. 44A, situated at south-west of Political Agent's garden and at junction of Stratton with the Chutterpore and Jhansi road to the left.	226°23′30″	179½
From pillar No. 44A the boundary runs on the east of row trees, west of main drain and parallel with the Chutterpore and Jhansi road in a north-west direction to pillar No. 43 placed at north-west corner of Political Agent's garden and at junction of boundary with Chutterpore and Jhansi road to the south of latter.	316°22′30″	216
From pillar No. 43 the boundary line takes a south-west direction and after crossing the Chutterpore and Jhansi road and Dhoorea Nallah it passes on to pillar No. 42 situated 39 yards of the west of above-named Nallah.	214° 6′30″	240

POLITICAL.

The 5th October 1881.

2333 *E.-P.*—The following extract from the *London Gazette* of the 2nd September 1881 is published for general information:—

At the Court at *Holyrood Palace*, the 26th day of *August* 1881.

PRESENT:

The QUEEN'S Most Excellent Majesty.

His Royal Highness the Duke of Connaught and Strathearne. | Earl of Rosebery.
Lord President. | Mr. Secretary Childers.

WHEREAS by an Act passed in the 37th year of Her Majesty's reign, chapter 88, intituled "The Slave Trade Act, 1873," it was, amongst other things, provided that, where any Treaty in relation to the Slave Trade is made after the passing of that Act, by or on behalf of Her Majesty with any Foreign State, Her Majesty may, by Order in Council, direct that as from such date, not being earlier than the date of the Treaty, as may be specified in the Order, such Treaty shall be deemed to be an existing Slave Trade Treaty within the meaning of the Act, and it was further provided that thereupon (as from the said date, or, if no date should be specified, as from the date of such Order) all the provisions of the Act should apply and be construed accordingly.

And whereas on the 25th day of January 1880, a Treaty or Convention for the suppression of the African Slave Trade was concluded between Her Majesty and His Majesty the Emperor of the Ottomans, in the following terms, that is to say:—

"Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the Ottomans, being mutually animated by a sincere desire to co-operate for the extinction of the traffic in African slaves, have resolved to conclude a Convention for the purpose of attaining this object, and with this view have named as their Plenipotentiaries, that is to say:—

"Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Austen Henry Layard, Her Majesty's Ambassador Extraordinary and Plenipotentiary at the Sublime Porte;

"And His Majesty the Empéror of the Ottomans, Sawas Pasha, His Majesty's Minister for Foreign Affairs;

"Who, having communicated to each other their respective full powers found in good and due form, have agreed upon and concluded the following Articles:—

"ARTICLE I.

"His Imperial Majesty the Emperor of the Ottomans, whilst renewing absolutely the prohibition of the Slave Trade, engages to forbid from henceforward the importation of African slaves into any part of the Ottoman dominions or its dependencies, or their transit through Ottoman territories by sea; and to punish, in the manner provided by Ottoman law, and in conformity with the provisions of the Firman of the year A.H. 1273 (A.D. 1857), any person or persons amenable to Ottoman jurisdiction who may be found engaged, directly or indirectly, in the traffic in African slaves. His Majesty further engages to prohibit the exportation of black slaves from the Ottoman Empire to foreign parts, except when accompanying their masters or mistresses as domestic servants, in which case each slave, man or woman, shall be furnished with a certificate stating his or her age, and otherwise describing them, and stating the particular capacity in which they accompany their master or mistress; and in the event of their not being furnished with such certificates they shall be set free, and the parties attempting to export them shall be liable to punishment; and all free blacks leaving the Ottoman territories shall, on application to the Ottoman authorities, be furnished with passports certifying that they are free and at liberty to dispose of themselves without restriction or reserve.

"ARTICLE II.

"Any person or persons not being Ottoman subjects, who may be found engaged in the African Slave Traffic, either directly or indirectly, within the Ottoman dominions, or on board Ottoman vessels, shall, together with their accomplices, if any, be handed over for trial according to the laws of the country with the depositions (*procès-verbaux*) drawn up by the Ottoman superior authority of the place where the traffic has been proved; and all other documents or evidence ('éléments de conviction') handed over by the said authority, and destined to serve as proofs at the trial of the

"Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté l'Empereur des Ottomans, étant animés mutuellement du désir sincère de coopérer à la cessation du trafic des esclaves d'Afrique, ont résolu de conclure une Convention avec l'intention d'atteindre cet objet. Dans ce but ils ont nommé comme leurs Plénipotentiaires:—

"Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très-Honorable Sir Austen Henry Layard, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté près la Sublime Porte;

"Et Sa Majesté l'Empereur des Ottomans, Sawas Pacha, son Ministre des Affaires Etrangères;

"Lesquels se sont communiqués mutuellement leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, et ont convenu et arrêté les Articles suivants:—

"ARTICLE I.

"Sa Majesté l'Empereur des Ottomans, renouvelant d'une manière absolue la défense du trafic des nègres, s'engage à prohiber l'importation des esclaves d'Afrique dans toutes les parties de l'Empire Ottoman ou ses dépendances, leur passage à travers le territoire Ottoman par mer, et à punir, suivant les dispositions prévues par la loi Ottomane et conformément aux dispositions du Firman de l'Année 1273 (A.D. 1857), toute personne ou toutes personnes justiciables des Tribunaux Ottomans qui se trouveraient, mêlées soit directement, soit indirectement, au trafic des noirs. Sa Majesté s'engage aussi à interdire l'exportation des esclaves noirs du territoire Ottoman à l'étranger, sauf le cas où ils auraient à accompagner leurs maîtres ou maîtresses en qualité de domestiques attachés à leurs personnes. Dans ce cas, chaque esclave, homme ou femme, sera muni d'un certificat constatant son age, ainsi que tout autre signe distinctif, et mentionnant tout particulièrement en quelle qualité il accompagne son maître ou sa maîtresse. Dans le cas où il ne sera pas muni de pareil certificat, il sera affranchi, et ceux qui tenteraient de l'exporter seront passibles de punition.

"Tous les noirs affranchis qui quitteront l'Empire Ottoman recevront des autorités Ottomanes des passeports constatant qu'ils sont affranchis et libres, et qu'ils disposent de leurs personnes sans restriction ou réserve.

"ARTICLE II.

"Toute personne ou toutes personnes non-sujettes Ottomanes qui peuvent être mêlées du trafic des noirs, soit directement, soit indirectement, dans les limites de l'Empire Ottoman ou à bord d'un navire Ottoman seront saisies, ainsi que leurs complices, si elles en ont, pour subir leur jugement conformément aux lois du pays.

"Elles seront accompagnées des procès verbaux dressés par l'autorité supérieure Ottomane, de l'endroit où le trafic aura été constaté, et de tous les autres éléments de conviction, fournis par la susdite autorité, destinés à servir de preuves, lors

offenders, so far as those laws may admit of such proof.

"All African slaves found in the possession of a dealer in slaves shall be liberated and dealt with in conformity with the provisions of Article III of the present Convention.

"ARTICLE III.

"Taking into consideration the impossibility of sending back to their homes African slaves who may be captured from slave dealers and liberated, without exposing them to the risk of perishing from fatigue or want, or from falling again into slavery, the Ottoman Government engages to adopt adequate measures to insure the freedom of such captured Africans, and to see that they are properly cared for.

"ARTICLE IV.

"His Imperial Majesty engages to pursue as criminals all persons who may be found engaged in the mutilation of, or traffic in, children. If such persons are amenable to Ottoman jurisdiction they shall be handed over to the Ottoman Tribunals and punished according to Ottoman law; if they are not amenable to Ottoman jurisdiction, that is to say, if the criminals are not Ottoman subjects and the crime has not been committed on Ottoman territory, then they shall be handed over to the competent Tribunals, to be dealt with according as the law of their country directs, together with the depositions (*procès-verbaux*) and other documents or evidence ('éléments de conviction'), as laid down in Article II.

"ARTICLE V.

"With the view to the more effectual suppression of the Traffic in African Slaves in the Red Sea, His Majesty the Emperor of the Ottomans agrees that British cruizers may visit, search, and, if necessary, detain, in order to hand over to the nearest or most convenient Ottoman authority or to the competent authorities according to Article IV, for trial, any Ottoman vessel which may be found engaged in the traffic in African slaves, as well as any Ottoman vessel which may fairly be suspected of being intended for that traffic, or which may have been engaged in it on the voyage during which she has been met with.

"This right of visit and detention may be exercised in the Red Sea, in the Gulf of Aden, on the coast of Arabia, in the Persian Gulf, and on the East Coast of Africa, and in Ottoman maritime waters where no constituted authorities exist; and any vessel which may be detained by a British cruizer under the provisions of this Convention shall, together with her cargo and crew, be handed over for trial to the nearest or most convenient Ottoman authority, or to the competent authorities according to Article IV.

"Should there be good reason for believing that vessels sailing under the Ottoman flag which may be found in Ottoman harbours or waters have African slaves on board for purposes of traffic, or have been employed in the African

du procès des inculpés, en tant que ces lois admettent de pareilles preuves.

"Tous les noirs trouvés en la possession de marchands d'esclaves seront affranchis, et on agira à leur égard conformément aux dispositions de l'Article III de la présente Convention.

"ARTICLE III.

"Prenant en considération l'impossibilité de renvoyer dans leurs foyers les esclaves d'Afrique qui seraient capturés des marchands d'esclaves et affranchis, sans les exposer au risque de périr de fatigue et de faim ou de tomber de nouveau sous le joug de l'esclavage, le Gouvernement Ottoman s'engage à prendre les mesures convenables pour assurer la liberté des noirs qui viendraient à être capturés, et à veiller à ce qu'ils soient convenablement soignés.

"ARTICLE IV.

"Sa Majesté Impériale s'engage à poursuivre comme criminels toutes les personnes qui se trouveraient compromises dans des actes de mutilation ou de trafic d'enfants. Si ces personnes sont justiciables des Tribunaux Ottomans elles seront livrées aux Tribunaux Ottomans et punies suivant la loi Ottomane. Dans le cas contraire, c'est à dire, dans le cas où le criminel n'est pas sujet Ottoman et le crime n'a pas été perpétré sur le territoire Ottoman, elles seront consignées entre les mains du Tribunal compétent, qui agira à leur égard suivant les lois du pays dont elles relèvent. Elles seront accompagnées de procès-verbaux et d'autres éléments de conviction, comme il est dit dans l'Article II.

"ARTICLE V.

"Dans le but d'opérer d'une manière réelle la suppression du trafic des nègres dans la Mer Rouge, Sa Majesté l'Empereur des Ottomans consent à ce que les croiseurs Anglais soumettent à la visite et aux recherches, et s'il est nécessaire à la détention, pour en faire la remise à l'autorité Ottomane la plus proche ou la plus compétente ou bien à qui de droit conformément à l'Article IV, et lui faire subir son jugement tout navire Ottoman qui se trouverait impliqué dans le trafic des noirs comme aussi tout navire Ottoman qui pourrait à juste titre être suspect d'être destiné à opérer ce traffic ou qui l'aurait exercé dans le cours du voyage où il a été rencontré.

"Ce droit de visite et de détention pourra être exercé dans la Mer Rouge, dans le Golfe d'Aden, sur la côte Arabique, dans le Golfe Persique, sur la Côte Orientale de l'Afrique ainsi que dans toutes les eaux maritimes Ottomanes, même dans l'absence d'autorité constituée. Tout navire qui serait détenu par un croiseur Anglais à teneur des dispositions de cette Convention, sera consigné, ainsi que son chargement et son équipage, à l'autorité Ottomane la plus proche ou la plus compétente, ou bien à qui de droit conformément à l'Article IV pour qu'il soit procédé à son jugement.

"Dans le cas où l'on aurait lieu de croire que des navires sous pavillon Ottoman, rencontrés dans les ports ou eaux Ottomans, ont des noirs à bord dans le but d'en faire le commerce, ou bien des navires dont dont serait servi pour le trafic des

Slave Traffic during the voyage on which they have been last engaged, such vessels, on being denounced by the Commander or other commissioned officer of a British cruizer, or by a British Consular Officer, shall be immediately searched by the Ottoman authorities, and any slaves who may be found on board shall be released and manumitted, and the vessel, her master, officers, and all persons who shall be proved to have acted in connivance with them, handed over to the competent Ottoman authorities, to be dealt with in accordance with Ottoman laws for the suppression of Slave Traffic.

"All African slaves captured by a British cruizer on board an Ottoman vessel shall be at the disposal of the Ottoman authorities, or of the nearest authorities in the event of there being no Ottoman authorities in the vicinity, with a view of securing to such slaves their freedom; and the vessel and her cargo shall be handed over for trial to the nearest or most convenient Ottoman authority, or to the competent authorities according to Article IV.

"Her Majesty the Queen of Great Britain and Ireland agrees, on her part, that all vessels navigating under the British flag in the Red Sea, in the Gulf of Aden, on the coast of Arabia, in the Persian Gulf, and on the East Coast of Africa, or in the inland waters of the Ottoman Empire and its dependencies, which may be found engaged in the traffic in African slaves, or which may fairly be suspected of being intended for that traffic, or which may have been engaged in it on the voyage during which she has been met with, may be visited, seized, and detained by the Ottoman authorities or cruizers; but it is agreed that the vessel and its cargo shall, together with its crew, be handed over to the nearest British authority for trial.

"The captured slaves shall be released by the Ottoman authorities, and shall remain at their disposal.

"If the competent Tribunal should decide that the seizure, detention, or prosecution was unjustifiable, the Government of the cruizer making the capture will be liable to pay to the Government of the prize a compensation appropriate to the circumstances of the case.

"It is expressly and formally understood that none of the foregoing provisions apply to the ships of war of either country, which cannot in any case, nor under any pretext, be searched.

"ARTICLE VI.

"With the view to avoid any undue interference on the part of British cruizers engaged in the suppression of the Slave Trade with Ottoman vessels whose crews may be composed in whole or in part of African slaves, it is hereby agreed that every Ottoman vessel manned wholly or partly by African slaves shall be furnished with papers stating the voyage or employment on which she is engaged, and the number and description of the slaves on board, and any larger number of African slaves found on board than is authorised by the ship's papers shall render the vessel liable to detention and to be sent for adjudication before a competent Tribunal.

noirs durant le dernier voyage qu'ils auraient accompli, sur la dénonciation faite par le Commandant ou tout autre officier commissionné d'un croiseur Anglais, ou par un fonctionnaire Consulaire Britannique, les autorités Ottomanes opéreront immédiatement des recherches. Tous les esclaves trouvés à bord de ces navires seront mis en liberté et affranchis; le navire, le capitaine, les officiers, et tous ceux qui seront convaincus d'avoir été de connivance avec eux seront consignés aux autorités compétentes Ottomanes, qui agiront à leur égard à teneur des dispositions de la loi Ottomane concernant la suppression du trafic des nègres.

"Tous les esclaves d'Afrique capturés par un croiseur Anglais à bord d'un navire Ottoman seront placés à la disposition des autorités Ottomanes, et dans le cas où il n'y aurait pas d'autorité Ottomane à proximité, aux autorités les plus rapprochées, à l'effet de les proclamer libres. Le navire et son chargement seront consignés pour être jugés à l'autorité Ottomane la plus proche ou la plus compétente, ou á qui de droit conformément aux prescriptions de l'Article IV.

"Sa Majesté la Reine de la Grande Bretagne consent de son côté à ce que tous les navires naviguant sous Pavillon Anglais dans la Mer Rouge, le Golfe d'Aden, sur la côte Arabique, dans le Golfe Persique, et sur la Côte Orientale d'Afrique, ou dans les eaux intérieures de l'Empire Ottoman et de ses dépendances qui se trouveraient mêlés dans le trafic des nègres, comme aussi tout navire qui pourrait à juste titre être suspecté d'être destiné à opérer ce trafic, ou qui l'aurait exercé dans le cours du voyage où il a été rencontré, soient visités, saisis, et détenus par les autorités ou les croiseurs Ottomans. Mais il est entendu que ces navires et leurs chargements ainsi que leurs équipages seront consignés à l'autorité Britannique la plus proche pour subir leur jugement.

"Les esclaves capturés seront mis en liberté par les autorités Ottomanes et resteront à leur disposition.

"Si le Tribunal compétent décidera que la saisie, détention, et la poursuite n'étaient pas fondées et justifiées, le Gouvernement dont dépend le croiseur qui a opéré la capture payera au Gouvernement auquel appartient la prise une indemnité adaptée à la circonstance.

"Il est expressément et formellement entendu que les stipulations précédentes ne s'appliquent pas aux bâtiments de guerre des deux Etats, qui ne peuvent en aucun cas et sous aucun prétexte être visités.

"ARTICLE VI.

"Dans le but d'éviter que les croiseurs Anglais, chargés de la suppression du commerce des esclaves ne s'ingèrent indûment dans les navires Ottomans dont les équipages seraient formés en totalité ou en partie d'esclaves d'Afrique, il est convenu par le présent Acte que tout navire Ottoman équippé en totalité ou en partie par d'esclaves d'Afrique devra être munis de papiers constatant le voyage ou service auquel il est affecté, ainsi que le nombre et la description des esclaves qui se trouvent à bord. Si le nombre d'esclaves d'Afrique qui se trouveraient à bord était plus considérable que celui autorisé par les papiers de bord, le navire sera susceptible d'être détenu et renvoyé par devant un Tribunal compétent pour y être jugé

"ARTICLE VII.

"His Majesty the Emperor of the Ottomans engages to take the necessary measures and to issue the necessary orders for giving effect to the present Convention.

"ARTICLE VII.

"Sa Majesté l'Empereur des Ottomans s'engage à prendre les mesures et de donner les ordres nécessaires afin que la présente Convention soit rigoureusement exécutée.

"ARTICLE VIII.

"The present convention shall be ratified, and the ratifications shall be exchanged at Constantinople as soon as possible.

"The present convention shall come into operation six months after the date of its signature.

"ARTICLE VIII.

"La présente Convention sera ratifiée, et les ratifications seront échangées à Constantinople le plus tôt que faire se pourra.

"La présente Convention entrera en vigueur six mois après le jour de la signature.

"In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

"Done at Constantinople this twenty-fifth day of January, one thousand eight hundred and eighty."

"En foi de quoi les Plénipotentiaires respectifs ont signé le même et y ont apposé les sceaux de leurs armes.

"Fait à Constantinople ce jourd'hui 25 Janvier, mille huit cent quatre-vingt."

And whereas it is expedient that the said Treaty or Convention should be brought within the operation of "The Slave Trade Act, 1873."

Now therefore, Her Majesty by virtue and in exercise of the powers in this behalf as aforesaid is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

The said Treaty or Convention hereinbefore recited shall, from the said 25th day of January 1880, being the day of the date thereof, be deemed to have been and to be an existing Slave Trade Treaty within the meaning of "The Slave Trade Act, 1873."

And the Lords Commissioners of Her Majesty's Treasury, the Right Honourable the Earl Granville, one of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. Peel.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 11th October 1881.

No. 3511.

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

Read again the undermentioned papers regarding the supply of stores for the public service in India:—

Financial Resolution No. 3574, dated 3rd November 1880.
" " " 953, " 10th June 1881.
Accounts Abstract, June 1879, Nos. 1021 to 1023.

Read also—

Letter from the Government of the Punjab, No. 304S., dated 21st September 1881, forwarding an indent upon the Secretary of State for clothing materials required for the Punjab Police Force.

RESOLUTION.—In his despatch No. 418, dated 13th December 1877, the Secretary of State directed that materials for the clothing of the Police should

be procured locally. Subsequently, in April 1879, the Government of the Punjab represented that suitable materials for Police clothing could not be so procured, and therefore requested permission to continue the practice of sending home indents for them. This was sanctioned in May 1879. The rules then in force regarding the supply of stores allowed the purchase of European articles either in the local market, or direct from the manufacturers in England. Those rules have since been modified; and by Resolution No. 953, dated 10th June 1881, the Government of India declared its policy that, wherever practicable, articles of Indian manufacture shall be substituted for imported goods, and that in cases in which this is impracticable, European stores shall be obtained only through the Secretary of State and through no other agency.

2. The Government of the Punjab has now submitted for transmission to England an indent for clothing materials required for the Provincial Police Force. The Government of India has reason to believe from the information now before it that the Indian woollen mills will be able to supply all but the finest cloths demanded in the indent.

3. The Governor General in Council accordingly requests that His Honour the Lieutenant-Governor of the Punjab will cause careful enquiries to be instituted as to how far it may be possible to procure articles of Indian origin for the clothing of the Punjab Police. In this view the indents are returned for revision.

4. The Government of India expects the heads of Departments to take special pains to carry out the policy declared in the Resolutions cited above, and hopes that the Local Governments will insist that they shall do so. The Local Governments should pass no indent for stores upon the Secretary of State without satisfying themselves in each case that the articles entered in the indent cannot be procured of Indian manufacture at a price not higher than that of imported goods of the same class.

ORDERED, that a copy of the foregoing Resolution, together with the original indent, be forwarded to the Government of the Punjab.

Ordered also, that the Resolution be communicated to the Public Works and Military Departments and to the other Local Governments and Administrations for information and guidance, and that it be published in the *Gazette of India*.

PROVINCIAL.

POLICE DEPARTMENT. PUNJAB.

Annual Indent on England for Stores (uniform cloth, &c.) required for the Police Department.

1	2	3	4	5	6	7	8			9	10		11	12	13	14
Division.	District.	Names of Articles.	Revenue to which cost is chargeable (Imperial, Provincial or Local).	Grant to which chargeable.	Established proportion.	How established proportion is calculated.	Number or quantity			Rate.	Value of number or quantity		Remarks.	Shipped or under provision.	Proposed to be provided.	Remarks by Director General of Stores.
							In store.	Due on previous indent.	Now indented for.		Due on previous indent.	Now indented for.				
AMBALLA.	AMBALLA ...	Blue cloth, 1st quality, for officers	Imperial	Police grant for clothing.	31 yards	1½ yards per man ...	9½ yards	...	20 yards							
	LUDHIANA ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	49 ,,	1½ ,, ,, ...	2½ ,,	...	49 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	106 ,,	1¾ ,, ,, ...	...	...	106 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	718 ,,	1½ ,, ,, ...	...	...	819 ,,							
		Scarlet cloth, 2nd ,, ,, sergeants ...	Ditto	Ditto	32 ,,		...	...	32 ,,							
		Corduroy for breeches	Ditto	Ditto	35 ,,	2½ yards per man ...	...	...	35 ,,							
		Cloth for great coats	Ditto	Ditto	61 ,,	3¼ ,, ,, ...	...	...	61 ,,							
	SIMLA ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	18 ,,	1½ ,, ,, ...	...	...	18 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	45 ,,	1½ ,, ,, ...	...	...	45 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	270 ,,	1½ ,, ,, ...	...	...	270 ,,							
		Scarlet cloth ... 1st ,, ,, officers ...	Ditto	Ditto	2 ,,	1½ inch ,, ...	...	...	2 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	12 ,,	1½ ,, ,, ...	...	...	12 ,,							
		Corduroy for breeches	Ditto	Ditto	12 ,,	3 yards ,, ...	...	...	12 ,,							
		Jerseys	Ditto	Ditto	181 No.	.....	...	...	181 No.	...	...	...	65 Jerseys for men 5′ 9″ in height and remainder for men 5′ 7″.			
		Capes	Ditto	Ditto	92 ,,	.....	...	...	118 ,,							
	DELHI ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	50 yards	1½ yards per man ...	...	...	50 yards							
		2nd ,, ,, sergeants ...	Ditto	Ditto	203 ,,	1½ ,, ,, ...	...	...	203 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	1,557 ,,	1½ ,, ,, ...	140 yards	...	1,117 ,,							
		Scarlet cloth, 2nd ,, ,, sergeants ...	Ditto	...	...	.....	16 ,,	...	54 ,,							
		Corduroy for breeches	Ditto	Ditto	...	.....	...	...	25 ,,							
	GURGAON ...	Cloth for great coats	Ditto	Ditto	40 yards	3½ yards per man ...	...	...	40 ,,							
	KARNAL ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	27 ,,	1½ ,, ,, ...	...	...	27 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	56 ,,	1½ ,, ,, ...	...	...	56 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	26 ,,	1½ ,, ,, ...	...	...	26 ,,							
	ROHTAK ...	Blue cloth ... 2nd quality, for sergeants ...	Ditto	Ditto	91 ,,	1¼ ,, ,, ...	...	...	91 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	613 ,,	1½ ,, ,, ...	...	...	613 ,,							
		Scarlet cloth, 2nd ,, ,, sergeants ...	Ditto	Ditto	28 ,,	.....	...	...	28 ,,							
		Cloth for great coats	Ditto	Ditto	...	.....	...	...	7 ,,							
	[illegible] ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	7 yards	1½ yards per man ...	...	...	7 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	28 ,,	1¾ ,, ,, ...	...	...	88 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	448 ,,	1½ ,, ,, ...	...	...	448 ,,							
		Scarlet cloth ... 2nd ,, ,, sergeants ...	Ditto	Ditto	4 ,,	1 inch ,, ...	...	...	4 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	19 ,,	1 ,, ,, ...	...	...	19 ,,							
		Cloth for great coats	Ditto	Ditto	...	3½ yards ,, ...	...	...	13 ,,							
	FEROZEPORE ...	Cloth for great coats	Ditto	Ditto	20 yards	3½ ,, ,, ...	...	...	20 ,,							
LAHORE.	LAHORE ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	88 ,,	3½ ,, ,, ...	...	...	90 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	225 ,,	1½ ,, ,, ...	...	...	225 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	1,737 ,,	1½ ,, ,, ...	...	...	1,737 ,,							
		Scarlet cloth, 3rd ,, ,, ,, ...	Ditto	Ditto	62 ,,	.....	...	...	62 ,,							
		Cloth for great coats	Ditto	Ditto	88 ,,	3½ yards per man ...	...	...	88 ,,							
	GURDASPUR ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	19 ,,	3½ ,, ,, ...	...	...	19 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	110 ,,	1½ ,, ,, ...	...	...	110 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	775 ,,	1½ ,, ,, ...	...	...	775 ,,							
		Scarlet cloth ... 2nd ,, ,, sergeants ...	Ditto	Ditto	3 ,,	2 inches ,, ...	...	...	3 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	20 ,,	2 ,, ,, ...	...	...	20 ,,							
		Corduroy for breeches	Ditto	Ditto	20 ,,	.....	...	...	20 ,,							
		Cloth for great coats	Ditto	Ditto	26 ,,	3½ yards per man ...	...	...	26 ,,							
		Jerseys	Ditto	Ditto	17 No.	.....	...	...	17 No.	...	...	...	6 Jerseys for men 5′ 9″ in height and remainder for men 5′ 7″.			
		Capes	Ditto	Ditto	8 ,,	.....	...	...	8 ,,							
	KANGRA ...	Blue cloth, 1st quality, for officers	Ditto	Ditto	24 yards	3 yards per man ...	...	...	24 yards							
		Jerseys	Ditto	Ditto	156 No.	.....	...	...	106 No.	...	...	...	37 Jerseys for men 5′ 9″ in height and remainder for men 5′ 7″.			
		Capes	Ditto	Ditto	53 ,,	.....	...	...	53 ,,							
	MUZAFFARGARH ...	Blue cloth, 2nd quality, for sergeants ...	Ditto	Ditto	48 yards	1½ yards per man ...	...	...	48 yards							
		Cloth for great coats	Ditto	Ditto	56 ,,	3½ ,, ,, ...	...	...	56 ,,							
	JHANG ...	Blue cloth ... 1st quality, for officers ...	Ditto	Ditto	30 ,,	3 ,, ,, ...	...	...	30 ,,							
		2nd ,, ,, sergeants ...	Ditto	Ditto	102 ,,	1½ ,, ,, ...	...	...	102 ,,							
		3rd ,, ,, constables ...	Ditto	Ditto	542 ,,	1½ ,, ,, ...	...	...	542 ,,							
		Scarlet cloth, 2nd ,, ,, sergeants ...	Ditto	Ditto	8 ,,	1 inch ,, ...	...	...	8 ,,							
		Corduroy for breeches	Ditto	Ditto	4 ,,	.....	...	...	4 ,,							
		Cloth for great coats	Ditto	Ditto	46 ,,	3½ yards per man ...	...	...	46 ,,							
RAWALPINDI.	RAWALPINDI ...	Jerseys	Ditto	Ditto	61 No.	.....	...	...	61 No.	...	...	...	22 Jerseys for men 5′ 9″ in height and remainder for men 5′ 7″.			
		Capes	Ditto	Ditto	30 ,,	.....	...	...	30 ,,							
	SIALKOT ...	Blue cloth, 1st quality, for officers	Ditto	Ditto	9 yards	3 yards per man ...	...	...	9 yards							
		Cloth for great coats	Ditto	Ditto	10 ,,	3½ ,, ,, ...	...	...	10 ,,							
	SHAHPUR ...	Cloth for great coats	Ditto	Ditto	61 ,,	4½ yards per man ...	...	...	61 ,,							
DERAJAT. PESHAWAR.	HAZARA ...	Jerseys	Ditto	Ditto	462 No.	.....	...	...	462 No.							
		Capes	Ditto	Ditto	241 ,,	.....	...	...	241 ,,							
	D. I. KHAN ...	Blue cloth, 1st quality, for officers	Ditto	Ditto	10 yards	1½ yards per man ...	...	...	10 yards							
		Cloth for great coats	Ditto	Ditto	50 ,,	3½ ,, ,, ...	...	...	50 ,,							
	[illegible] BUTTONS	Full buttons (white metal, silver plated) ...	Ditto	Ditto	...	.....	...	...	100 doz.							

Abstract.

1	2	3	4
Serial number.	Names of Articles.	Total quantity indented for.	Remarks.
1	Blue cloth ... 1st quality ...	353 yards ...	Samples sent.
2	Blue cloth ... 2nd „ ...	1,074 „ ...	Samples sent.
3	Blue cloth ... 3rd „ ...	6,647 „ ...	Samples sent.
4	Scarlet cloth ... 1st quality ...	2 „ ...	Samples sent.
5	Scarlet cloth ... 2nd „ ...	141 „ ...	Samples sent.
6	Scarlet cloth ... 3rd „ ...	101 „ ...	Samples sent.
7	Corduroy for breeches	96 „ ...	Samples sent.
8	Cloth for great coats	426 „ ...	Samples sent.
9	Jerseys	850 No. ...	Dark blue woollen, same as worn by seamen. 300 should be for men of 5′ 9″ in height and the remainder for men of 5′ 7″.
10	Capes, waterproof	450 „ ...	Same as worn by London police and of good quality, that will not get sticky in hot weather.
11	Ball buttons (small) of best white metal and silver plated.	100 dozen ...	Of same pattern and device as on the large button now sent.
12	Revolvers, Irish constabulary pattern ...	15 No. ...	As before supplied.
13	Holsters for ditto ditto ...	15 „ ...	As before supplied.

The 14th October 1881.

No. 3596.

C. P. C.

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Add the following Section :—

49A. The pension of the family of a pilot who was in service on the 15th September 1881, if drawn in England, is paid at the rate of 1*s.* 11*d.* the Government rupee. The pensions of the families of pilots appointed to the service after that date will be paid at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and Indian Governments.

The 13th October 1881.

No. 3622.—The following letter and extracts are published for general information :—

Letter to the Secretary to the Government of Bengal, No. 3513, dated 10th October 1881.

I am directed to submit, for the consideration of His Honour the Lieutenant-Governor, the following remarks, in continuation of paragraph 11 of the Resolution of the Government of India in this Department, No. 3353, dated the 30th ultimo, on the subject of the further extension of Local Self-Government.

2. The Provincial expenditure which may at the present time be transferred with greatest advantage to local control appears in the accounts under the heads of Medical, Education, and Public Works, but the Government of India is anxious that no artificial restriction should be imposed on such transfers; and if, in the opinion of His Honour the Lieutenant-Governor, there should be other items of expenditure under Minor Departments, Miscellaneous, or any other head of the accounts which can without loss of efficiency be transferred to Local Bodies, the Governor General in Council will be glad to consider favourably any recommendation to that effect which His Honour may wish to make.

3. His Excellency in Council specially desires that the case of each minor head of Provincial expenditure under Education or Medical Services should

be separately considered, and that the reasons for or against transferring it to local management should be distinctly stated. The various heads under Minor Departments and Miscellaneous need not be considered in detail; but the Governor General in Council will be glad to be favoured with an expression of the views of His Honour the Lieutenant-Governor as regards any items under these heads which it might *primâ facie* seem practicable to transfer to local management and control, even though it may not be deemed expedient to make the transfer at present. All expenditure now charged as Local, but not locally administered, should also be considered in detail, and the reasons stated which render it inexpedient, if the case be so, to transfer it to local control. It should also be considered whether any, and what, further expenditure on sanitation, drainage, water-supply, and Public Works might now be made Local.

4. His Excellency in Council observes that at present the total annual amount spent on Police by Municipalities in British India amounts to about 27½ lakhs of rupees. The only function which the Municipalities discharge in regard to Police is the provision of funds for the purpose of meeting the whole, or a portion, of the cost of the Municipal Police Force. They practically exercise no control over the Police, and cannot, therefore, be expected to take any special interest in the efficiency of the force, or to look with sympathy on a provision of the Law which treats them as a machinery for raising taxes to be spent on a department over which they have no control, and in the efficient and economical expenditure of which they have but little direct interest and no immediate responsibility. The Governor General in Council would, therefore, be glad to see Municipal Bodies relieved altogether of the charge for Police, an equal amount of expenditure on Education, Medical Charity, and, if possible, Public Works of local interest, being transferred to them with as full control as may be practically expedient over the details of such expenditure.

5. It is not the intention of the Government of India that the proposed transfer of the control of expenditure of a specially local character to Local Bodies should involve any addition to existing local burdens, and it will therefore be necessary to arrange for the simultaneous transfer of receipts sufficient to meet any net balance of additional expenditure which in any instance may arise. The nature of the receipts to be transferred requires careful consideration. They should, where possible, be of such a character as to afford a reasonable prospect that by careful administration, with all the advantages due to local sympathy, experience and watchfulness, they will so increase as to afford the means of meeting any additional expenditure which may be rendered necessary by the growing wants of each locality. In cases where a larger augmentation may be needed than is yielded by receipts of a specially local character, it may perhaps be found possible to assign to Local Bodies the receipts from Pounds, or a share of Assessed Taxes collected within the area of their jurisdiction. All receipts connected with any head of expenditure transferred to local control would, of course, be also transferred at the same time. For instance, all fees paid in Schools under local control would be treated as local receipts. The Governor General in Council is anxious, however, in this matter, as in all other questions connected with the proposed system of Local Self-Government, which must to a great extent be decided on considerations of local expediency, to meet, as far as may be possible, the wishes of the local authorities.

6. The practicability of the transfer of items of Provincial expenditure to local management and control cannot be profitably considered apart from the question of the Local Bodies to whom such transfers should be made.

The existing Local Bodies of greatest importance are the Municipalities and District Committees, and the Governor General in Council will be glad if, in any proposals which His Honour the Lieutenant-Governor makes, advantage be taken as far as possible of the existence of these bodies, their powers being, where necessary, extended by means of legislation.

7. In the case of Municipalities, all Provinces in British India are now provided with legislative enactments sufficient for their constitution and working. But these enactments are, in some, of a much more elementary and incomplete character than in others, and it may be advantageous, while providing for any changes necessarily entailed by the transfers of receipts and charges now contemplated, for each Province to review all contemporary Indian legislation on the subject, and consider what improvements of a general nature are desirable.

8. With reference to District Committees, I am desired to state that His Excellency in Council is disposed *primâ facie* to consider the most desirable and effective policy to be that of concentrating all the local administration, other than that embraced by Municipalities, in the hands of one Committee for each District, having ancillary subordinate Sub-Committees for each tahsil or subdivision (as the case may be). Of the former the Magistrate and Collector would be President, of the latter the Assistant or Deputy in charge of the sub-division would be Chairman, and in each case the local body should comprise persons not in the service of Government, and elected or nominated, as may seem best, in a proportion not less than from one-half to two-thirds. In districts where more than one Committee now exists for different objects the possibility of their amalgamation should be considered; where no such Committees have yet been formed their constitution is evidently desirable.

9. In view of one or other of the purposes which have been alluded to in the preceding paragraphs, it appears probable that in most provinces, though perhaps not in all, legislation will be necessary; and I am therefore to request that, should this be so in the case of Bengal, the general outline of the nature of the legislation by which it is proposed to effect the necessary changes may be stated in your reply. Special attention will be required in settling the relations between the various Local Bodies and the officers of the general administration, and in providing for a certain measure of control and inspection on the part of the Government. It would be hopeless to expect any real development of self-government, if Local Bodies were subject to check and interference in matters of detail; and the respective powers of Government and of the various Local Bodies should be clearly and distinctly defined by statute, so that there may be as little risk of friction and misunderstanding as possible. Within the limits to be laid down in each case, however, the Governor General in Council is anxious that the fullest possible liberty of action should be given to Local Bodies.

10. The preceding remarks are more or less of general application. In the case of Bengal in particular the distinctive features would appear to be—

(*a*) That the mofussil Municipal organisation, comprising 1st and 2nd class Municipalities, Unions, and Stations, is fairly complete, but that Municipalities are saddled with nearly six lakhs of rupees of police charges, while their total expenditure on Education, and Sanitary and Charitable Establishments falls short of one lakh of rupees.

(*b*) That District Committees exist in most districts for the administration of the Road Cess, and of schools or hospitals and dispensaries, but that the Public Works Cess and the District Post Cess are under Provincial management.

(*c*) That the expenditure on Education and on Medical Charity is drawn almost entirely from the Provincial revenues, and the assistance given to primary education is small. Municipal contributions for Police, however, amount in all to nearly nine lakhs of rupees per annum.

(*d*) That the gross Provincial expenditure in 1881-82 is estimated at Rs. 26,90,000 for Education and Rs. 11,63,000 for Medical Services, of which about two-thirds is of a nature similar to that which is in some other Provinces administered almost entirely by Local Bodies, while only a much smaller proportion is so administered in Bengal by means of the grant-in-aid system.

(*e*) That the Provincial and Local charges for Public Works are, for the same year, Rs. 53,43,000 and Rs. 47,31,000 respectively, but that the whole of the former, and some portion of the latter, are practically, at least, beyond the control of Local Bodies.

11. His Honour the Lieutenant-Governor will, no doubt, take into consideration whether the organisation of the District Road Cess Committees and their Branches, which appears excellent, might not be applied to a more extended sphere, embracing Education, Medical Services, the administration of grants-in-aid, and other objects, subject to suitable inspection under the orders of the Local Government, and especially whether, in the now greatly improved condition of the Provincial revenues, a much enlarged grant might not be made towards primary education, and entrusted to these Committees. The possibility of relieving Municipalities from nearly nine lakhs of rupees (including Calcutta) now contributed for Police, and the substitution of some more appropriate Educational, Sanitary, or other burdens, will also not escape notice.

12. In conclusion, I am to add that the Government of India is confident that His Honour the Lieutenant-Governor fully appreciates the importance of the extension of Local Self-Government; that the proposals now put forward will receive the most careful consideration from the Government of Bengal; and that no efforts will be spared to ensure the success of a scheme which will relieve the Provincial authorities from some portion of the ever-growing details of the work of administration, will tend to reconcile the public to the burden of local taxation, and will lead to the more extended employment of the Natives of India in the administration of public affairs, while conferring on them higher powers of control over all expenditure on objects of local importance.

The discussion and settlement of the details of the measures to which this communication refers will impose a considerable burden on the Local Government and its officers, but the Governor General in Council is so deeply impressed with the importance of allowing no delay, that can possibly be avoided, to occur in their introduction, that he trusts that His Honour the Lieutenant-Governor will find himself in a position to report on the whole question in sufficient time to permit of the necessary arrangements being made before the close of the current financial year.

*Extract paragraphs 10 and 11 of letter to the Secretary to the Government of the North-Western Provinces and Oudh, No. 3514, dated 10th October 1881.**

10. The preceding remarks are more or less of general application. In the case of the North-Western Provinces and Oudh, the distinctive features would appear to us as follows:—

(*a*) That the Municipal organisation is fairly complete, but that Municipalities are saddled with nearly six lakhs of rupees on account of Police charges, while their total expenditure on Education and Sanitary and Charitable Establishments falls short of one and a half lakhs of rupees.

(*b*) That District Committees already exist, which possess powers of supervision and control over the expenditure of the amount allotted yearly to each district by His Honour the Lieutenant-Governor from the proceeds of the Local Rates on land.

(*c*) That although there is a considerable amount of expenditure on Education from Local Funds, which, possibly, could not with advantage be increased, the expenditure from Local Funds on Medical and Charitable and Sanitary Establishments is small, and that there appears to be room for the transfer to local control and management of a considerable amount of the Provincial expenditure which is now incurred in connection with Vaccination and Hospitals and Dispensaries.

(*d*) That the estimate of Provincial and Local expenditure on Public Works for 1881-82 is Rs. 26,61,000 and Rs. 20,64,000 respectively. Of the local expenditure on Public Works only Rs. 3,21,000 is in charge of civil officers, and it is believed that no portion is entrusted to the Committees.

11. His Honour the Lieutenant-Governor will no doubt take into consideration the question of transferring additional expenditure to the supervision and control of the District Committees, subject to such suitable inspection as the Local Government deem necessary, and the Government of India will be glad to be furnished with a copy of the rules defining the functions and authority of the Committees.

The relief of Municipalities from the contributions which they now make for the support of the Police, and the substitution of more appropriate Educational, Medical or other burdens will also not escape notice.

* Paragraphs 1—9 and 12 correspond *mutatis mutandis* with the paragraphs bearing the same number in the above letter to the Secretary to the Government of Bengal.

*Extract paragraphs 10 and 11 of letter to the Secretary to the Government of Madras, Financial Department, No. 3515, dated 10th October 1881.**

10. The preceding remarks are more or less of general application. In the case of Madras in particular, the distinctive features would appear to be as follows:—

(*a*) That the mofussil municipal organisation appears to be fairly complete, and that the charge on Municipalities for Police, though it amounted to less than one lakh of rupees in 1879-80, may be greatly increased at the discretion of the Government of Madras. That the municipal expenditure on Education, and Sanitary and Charitable Establishments during the same year amounted to only three lakhs of rupees.

(*b*) That Local Fund Boards already exist for the administration of all funds comprised under the Madras Local Fund Act of 1871.

(*c*) That a considerable portion of the expenditure on Education is already met from Local Funds, and is locally administered, but that this amount appears to be capable of considerable augmentation, and that the same remarks apply to Medical expenditure. In particular, there appears to be no reason why a large proportion of the total Provincial expenditure on Hospitals and Dispensaries should not now be de-provincialised.

(*d*) That the estimate of Provincial and Local expenditure on Public Works is Rs. 15,34,000 and Rs. 38,76,000, and that the bulk of the latter, but no portion of the former, is in charge of District Committees.

11. His Excellency the Governor of Madras will no doubt take into consideration the question of entrusting a still larger proportion of the expenditure on Education, Medical Services, &c., to the management of the Local Fund Boards, subject to such Provincial supervision as may be deemed necessary, and the Governor General in Council would be glad if Municipalities could be relieved altogether of the cost of Municipal Police, some more appropriate Educational, Sanitary, or other burden being substituted.

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*Extract paragraphs 10 and 11 of letter to the Secretary to the Government of Bombay, Financial Department, No. 3516, dated 10th October 1881.**

10. The preceding remarks are more or less of general application. In the case of Bombay the distinctive features would appear to be as follows:—

(*a*) That the mofussil Municipal organisation is complete, and the Municipal law the best, perhaps, in India, but that Municipalities are saddled with more than five lakhs of rupees of Police charges, while their expenditure on Education and Sanitary Establishments does not much exceed $2\frac{1}{2}$ lakhs of rupees.

(*b*) That Local Fund Committees, with Taluka Sub-Committees, already exist in all districts for the administration of all the funds embraced under Bombay Acts VIII of 1865 and VII of 1869, and are in good working order.

(*c*) That more than half the total expenditure on Education is now met from Local Funds, but that the Educational expenditure which is locally controlled may, perhaps, admit of still further increase.

(*d*) That only a small portion of the total Medical expenditure is Local, and that it seems possible to transfer a large portion of the Provincial Medical expenditure, especially under the heads of Vaccination and Sanitation and Hospitals and Dispensaries, to local control and management.

* Paragraphs 1—9 and 12 correspond *mutatis mutandis* with the paragraphs bearing the same number in the above letter to the Secretary to the Government of Bengal.

(*e*) That the estimate of Provincial and Local expenditure on Public Works in 1881-82 amounts to Rs. 25,80,000 and Rs. 21,20,000 respectively. Of the latter amount, however, nearly the whole is expended through the Public Works Department.

11. His Excellency the Governor of Bombay will no doubt take into consideration the question of entrusting to the control and management of the Local Fund Committees a larger portion of the present Provincial expenditure subject to such Provincial supervision as may be deemed necessary, and the Government of India would be glad if it were found possible to relieve Municipalities altogether from the charge which they now bear on account of Police, some more appropriate Educational, Sanitary, or other burdens, being substituted.

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*Extract paragraphs 10 and 11 of letter to the Chief Commissioner of the Central Provinces, No. 3517, dated 10th October 1881.**

10. The preceding remarks are more or less of general application. In the case of the Central Provinces in particular, the distinctive features would appear to be—

(*a*) That the existing municipal organisation is fairly complete, but that Municipalities are saddled with about one lakh of rupees of Police charges, while their expenditure on Education and on Sanitary and Charitable Establishments is only about half that amount.

(*b*) That there is no provision of the law requiring the appointment of Local District Committees.

(*c*) That the expenditure on Education and Medical Services is almost entirely Provincial, but that there appears no reason why a considerable portion of it should not be entrusted to local management and control.

(*d*) That the estimate of Provincial and Local expenditure on Public Works for 1881-82 is Rs. 8,12,000 and Rs. 3,55,000 respectively; of the latter amount Rs. 3,08,000 is in charge of civil officers.

11. The Governor General in Council desires that you will carefully consider the expediency of creating Local District Committees to be vested with powers over expenditure on local objects, which should be defined by legislation, and to which the control and management of expenditure on Education, Medical Charity, Sanitation, the construction and repair of certain roads, and other Public Works could be entrusted, subject to suitable supervision by the Local Government. The Government of India would also be glad if it were found possible to relieve Municipalities from the charges which they at present bear on account of Police, some more appropriate Educational, Sanitary, or other burden being substituted therefor.

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*Extract paragraphs 10 and 11 of letter to the Chief Commissioner of British Burma, No. 3518, dated 10th October 1881.**

10. The preceding remarks are of a general nature, and will not be applicable in every case to the circumstances of the Province of Burma, in regard to which the distinctive features would appear to be—

(*a*) That the Municipal organisation is fairly complete in a few large towns, but that the Municipalities are saddled with an expenditure of about $1\frac{1}{2}$ lakhs of rupees on Police, while the total Municipal expenditure on Education and Sanitary and Charitable Establishments is less than one lakh.

(*b*) That there is no provision of the law for the appointment of Local District Committees, though committees exist in certain places for the management of schools or dispensaries.

* Paragraphs 1—9 and 12 correspond *mutatis mutandis* with the paragraphs bearing the same number in the above letter to the Secretary to the Government of Bengal.

(*c*) That a considerable portion of the Medical expenditure is Provincial, and that while about half the Educational expenditure is Local, it does not appear to be under the control and management of Local Bodies.

(*d*) That the estimate of Provincial and Local expenditure on Public Works for 1881-82 is Rs. 37,73,000 and Rs. 11,05,000 respectively, Rs. 2,51,000 of the latter amount being in charge of Civil Officers.

11. The Governor General in Council desires that you will carefully consider the expediency of creating Local District Committees vested with powers over expenditure on local objects (to be defined by legislation) to which the control and management of expenditure on Education, Medical Charity, Sanitation, the construction and repair of certain roads, and other public works could be entrusted under suitable and sufficient provincial supervision. The Government of India would also be glad if it were found possible to relieve Municipalities altogether from the charges which they at present bear on account of Police, some more appropriate Educational, Sanitary or other burdens, being substituted therefor.

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*Extract paragraphs 10 and 11 of letter to the Chief Commissioner of Assam, No. 3519, dated 10th October 1881.**

10. The preceding remarks are of a general nature, and will not be applicable in every case to the circumstances of the province of Assam, in regard to which the distinctive features would appear to be—

(*a*) That the Municipal system is fairly complete, though the circumstances of the Province are not such as to present any considerable sphere for the introduction of Municipal Institutions. The total Municipal expenditure in 1879-80 was only Rs. 89,973, of which Rs. 11,133 was spent on Police, and Rs. 1,023 on Education, and Sanitary and Charitable Establishments.

(*b*) That a District Committee exists in each district, but with functions and authority entirely subject to the executive discretion of the Local Administration.

(*c*) That only about one-fourth of the total expenditure on Education is Local, but that a higher proportion might advantageously be made so, and entrusted to local control and management.

(*d*) That there is at present no Local medical expenditure, but that a portion of the present Provincial expenditure on Medical Services might be similarly de-provincialised.

(*e*) That the estimate of Provincial and Local Public Works expenditure for 1881-82 is Rs. 12,51,000 and Rs. 3,37,000, the latter expenditure only being under the charge of District Committees.

11. The Governor General in Council desires that you will now consider the expediency of entrusting to the District Committees and Municipalities the management of a portion of the present Provincial expenditure, subject to such Provincial inspection as may be deemed necessary, and the Government of India will be glad if it be found possible to relieve Municipalities altogether of the present charge for Police, an equivalent amount of expenditure on Education, Sanitary Establishments, or the like, being substituted therefor.

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*Extract paragraphs 10 and 11 of letter to the Secretary to the Government of the Punjab, No. 3589, dated 13th October 1881.**

10. The preceding remarks are more or less of general application. In the case of the Punjab in particular, the distinctive features would appear to be—

(*a*) That the municipal organisation appears to be fairly complete, but that Municipalities are saddled with nearly five lakhs of rupees

* Paragraphs 1—9 and 12 correspond *mutatis mutandis* with the paragraphs bearing the same number in the above letter to the Secretary to the Government of Bengal.

on account of Police charges, while the expenditure on account of Education, and Sanitary and Charitable Establishments is only about three lakhs of rupees.

(*b*) That District Committees already exist but with functions and authority subject, within the scope of the Act, to the executive discretion of the Local Government.

(*c*) That educational expenditure under local control and management is capable of considerable increase.

(*d*) That a large proportion of the Medical expenditure is already local, but that the proportion might, perhaps, be increased with advantage.

(*e*) That the estimate of Provincial and Local expenditure on Public Works for 1881-82 is Rs. 23,38,000 and Rs. 7,55,000 respectively, the whole of the amount being under the charge of Public Works Officers, and the portion at the disposal of District Committees being, perhaps, susceptible of increase.

11. His Honour the Lieutenant-Governor will, no doubt, take into consideration the expediency of entrusting to the control and management of District Committees a still larger share of the expenditure on Education and Medical Services, subject to such Provincial supervision as may seem desirable; and the Government of India will be glad if it be found possible to relieve Municipalities altogether of the charge on account of Police, some more appropriate Educational, Sanitary, or other burden being substituted.

The 14th October 1881.

No. 3625.—Colonel J. F. Tennant, R.E., C.I.E., Mint Master, Calcutta, having returned from privilege leave, resumed charge of his office before noon on the 10th October 1881.

No. 3639.—The following Addenda and Corrigenda to the Codes of the Financial Department are published for general information:—

DEFINITIONS.

PAGE VII.

In the definition of "GENERAL REVENUES" *substitute the following for* "Mysore and Berar":—

"Berar, and—as regards service of officers of Government rendered in that State before the 25th March 1881, or, in respect of those officers who were lent to that State under orders in the Foreign Department No. 659G.G., dated 5th April 1881, before the 30th September 1882—of Mysore."

C. P. C.

PAGE 35.

Section 79.

For "Mysore or Berar" *substitute the following*:—

"Berar, and—as regards service of officers of Government rendered in that State before the 25th March 1881, or, in respect of those officers who were lent to that State under orders in the Foreign Department No. 659G.G., dated 5th April 1881, before the 30th September 1882—of Mysore."

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

MILITARY DEPARTMENT.

Simla, the 14th October, 1881.

APPOINTMENTS.

No. 551.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Walter Ernest Phillips, 2nd Battalion North Lancashire Regiment, Officiating Wing Officer, 28th Native Infantry,—14th July, 1880.

No. 552.—ADJUTANT GENERAL'S DEPARTMENT—

Major J. E. Goodwyn, 1st Battalion East Lancashire Regiment, Officiating Deputy Assistant Adjutant General, to be Deputy Assistant Adjutant General, *vice* Lieutenant-Colonel H. H. F. Gifford, who vacates on promotion to the second Lieutenant-Colonelcy of the 13th Hussars. Dated 30th September, 1881.

No. 553.—ARMY REMOUNT DEPARTMENT—

Lieutenant-Colonel B. Williams, Bengal S. C., Commandant, 5th Punjab Cavalry, to officiate as Director of Army Remount Operations for India, *vice* Colonel J. K. Couper, on furlough.

No. 554.—BRIGADE STAFF—

Captain H. A. Cherry, 2nd Battalion Northumberland Fusiliers, to be a Brigade-Major on the establishment, *vice* Captain W. G. Thomas, whose term of staff service has expired. Dated 1st October, 1881.

FURLOUGH AND LEAVE.

No. 555.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant G. A. Money, Bengal S. C., Squadron Officer and Adjutant, 18th Bengal Cavalry, (m. c.) for one year, under rule 1 of the regulations of 1875.

Lieutenant C. B. Porter, Bengal S. C., Wing Officer, 4th Native Infantry, (m. c.) under the regulations of 1875.

No. 556.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India:—

Major W. J. Boyes, h. p., late 12th Foot, Adjutant General's Department, (u. p. a.) for twelve days without pay.

Major C. G. Cautley, General List, Cavalry, (m. c.) for three months.

Captain A. J. Corse-Scott, Bengal S. C., (m. c.) for six months.

Surgeon-Major J. J. Durant, (m. c.) for six months.

Sub-Conductor T. Smith, Ordnance Department, (m. c.) for six months.

No. 557.—G. G. O. No. 471 of 1881, granting the late Major J. Eckford, R.E., furlough out of India, is cancelled.

LONDON GAZETTE.

No. 558.—The following extracts are published for general information:—

"London Gazette," dated the 13th September, 1881, page 4689.

THE Queen has approved of the retirement from the Service of the undermentioned Officers of Her Majesty's Indian Forces:—

Lieutenant-Colonel and Brevet Colonel Henry Alexander Taylor, of the Bengal Staff Corps. Dated 10th August, 1881.

Lieutenant-Colonel and Brevet Colonel Charles Frederick Keays, of the Bombay Staff Corps. Dated 1st September, 1881.

Major Albert Dawson Phelps, of the Madras Staff Corps. Dated 1st July, 1881.

Deputy Surgeon-General Henry Robert Oswald, M.D., of the Madras Army. Dated 15th August, 1881.

Surgeon-Major Henry John Beach, of the Madras Army. Dated 31st August, 1881.

Surgeon-Major Harry Octavius Thorold, of the Bombay Army. Dated 15th August, 1881.

BREVET.

The undermentioned Officers are granted a step of honorary rank on retirement:—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel Henry Alexander Taylor, of the Bengal Staff Corps. Dated 10th August, 1881.

Lieutenant-Colonel and Brevet Colonel Charles Frederick Keays, of the Bombay Staff Corps. Dated 1st September, 1881.

To be Lieutenant-Colonel.

Major Albert Dawson Phelps, of the Madras Staff Corps. Dated 1st July, 1881.

To be Deputy Surgeon-Generals.

Brigade-Surgeon William John Palmer, M.D., of the Bengal Army. Dated 10th January, 1881.

Brigade-Surgeon Archibald Macdonald Garden, of the Bengal Army. Dated 26th January, 1881.

Brigade-Surgeon Robert Bird, M.D., of the Bengal Army. Dated 12th May, 1881.

PENSIONS.

No. 559.—Honorary Surgeon Robert Duncan Logg has been transferred to the Pension establishment, with effect from the 2nd September, 1881.

PROMOTIONS.

No. 560.—PUBLIC WORKS DEPARTMENT—

Sub-Conductor Robert Chalmers, to be Conductor, with effect from the 1st September, 1880, and to be borne as a supernumerary on the Public Works Department warrant list next above Conductor J. Keenan.

REWARDS.

No. 561.—ORDER OF BRITISH INDIA—

His Excellency the Governor General in Council is pleased to admit the undermentioned Native Officer to the 1st Class of the Order of British India from the date specified:—

MADRAS.

To the 1st class with the title "Sirdar Bahadur."

Subadar-Major Em Singh "Bahadur," 28th Native Infantry, *vice* pensioned Subadar Mahomed Cassim Syud, "Sirdar Bahadur," deceased,—20th August, 1881.

SPECIAL.

No. 562.—Captain E. R. H. Torin, 13th Hussars, to be Provost Marshal at Quetta, *vice* Major C. W. Murray, appointed Deputy Assistant Quartermaster General, Quetta Division. Dated 27th August, 1881.

VOLUNTEER CORPS.

No. 563.—With reference to G. G. O. No. 121 of 1878, and in conformity with War Office Army Circular of 1881, clause 209, it is notified that the rank of 2nd-Lieutenant in the Volunteer Force in India is abolished from this date.

Officers serving in that rank on this date will be styled Lieutenants, but will continue to hold their appointments subject to passing the prescribed examinations under existing regulations.

First appointments to the rank of Subaltern Officer will, in future, be made to that of Lieutenant.

The present establishment of 2nd-Lieutenants will, in future, form part of the establishment of Lieutenants, which will be increased by the previous authorised number of 2nd-Lieutenants now added to it.

The tables of establishments in the Volunteer Regulations will be amended accordingly.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 10th October, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned commissioned officer, on the date specified, was received in the Military Department from the 27th September to the 10th October, 1881:—

Corps.	Rank and Name.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Madras Staff Corps ...	Brevet Colonel F. J. Millar ...	11th Sept. 1881	Goojranwalla.		

Statement of Deposits on account of Estates from the 27th September to the 10th October, 1881.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. A. P.		
James Mainwaring Douglas(a)	Major	Royal Artillery.	12th February, 1881.	Intestate	1,845 8 11	...	10th December, 1881.

(a) *Next-of-kin—Mother.*—Mrs. C. Douglas, "The Close," Winchester.

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 10th October 1881.

No. 324.—The Governor General in Council is pleased to make the following promotions in the Superior Account Establishment, with effect from the 20th September 1881:—

Names.	From	To	Nature of promotion.
Major L. Conway-Gordon, R.E.	Examiner, 2nd Class ...	Examiner, 1st Class ...	Permanent.
Mr. T. Moss ...	„ 3rd „ ...	„ 2nd „ ...	
Major D. H. Trail, R.E.	„ 3rd „ ...	„ 2nd „ ...	
Major P. Lambert, R.E.	„ 4th „ 1st Grade ...	„ 3rd „ ...	
Captain W. I. LeBreton, R.E.C.	„ 4th „ 2nd „ ...	„ 4th „ 1st Grade ...	
Major A. G. Begbie, R.E.	„ 4th „ 2nd „ ...	„ 4th „ 1st „ ...	
Mr. J. W. Fordham ...	„ 4th „ 3rd „ ...	„ 4th „ 2nd „ ...	
Captain C. H. P. Christie, R.E.	„ 4th „ 3rd „ ...	„ 4th „ 2nd „ ...	
Captain J. S. Biscoe, R.E.	„ 4th „ 3rd „ tempy. rank	„ 4th „ 3rd „ ...	
Mr. F. P. Quinlan ...	„ 4th „ 3rd „ „ „	„ 4th „ 3rd „ ...	
Mr. F. Hutchinson ...	Depy. Examiner, 1st „ ...	„ 4th „ 3rd „ ...	
Mr. H. Rainier ...	„ „ 2nd „ tempy. rank	Depy. Examiner, 2nd „ ...	
Mr. D. W. McPherson	„ „ 2nd „ „ „	„ „ 2nd „ ...	
Mr. W. Ogden ...	Asst. „ 1st „ „ „	Asst. „ 1st „ ...	
Lieut.-Col. C. M. Moberly, R.E.C.	Examiner, 3rd Class ...	Examiner, 2nd Class ...	Temporary.
Mr. J. Li Macpherson	Depy. Examiner, 1st Grade ...	„ 4th „ 3rd Grade ...	

No. 325.—Mr. W. C. Hickie, Accountant, 2nd Grade, temporary rank, is appointed Assistant Examiner, 2nd Grade, temporary rank, and posted to the Holkar and Neemuch Railway.

No. 326.—*Erratum.*—In Public Works Department Notification No. 316, dated the 28th September 1881, for "*Hobhouse*" read "*Holehouse.*"

No. 327.—Mr. H. L. Tilly, Assistant Engineer, 1st Grade, British Burma, is temporarily promoted to Executive Engineer, 4th Grade, with effect from the 15th September 1881.

The 11th October 1881.

No. 328.—The services of Mr. T. G. Pudan, Class III of the State Railway Revenue Establishment, Traffic Department, are transferred from the Establishment under the Director General of Railways to that of the Resident at Hyderabad.

The 12th October 1881.

No. 332.—The Government of India is pleased to accept the resignation of his appointment in the Public Works Department tendered by Mr. A. Sulivan, Assistant Engineer, 1st Grade, Railway Branch, with effect from the 1st October 1881.

No. 333.—In continuation of Notification No. 324, dated 10th October 1881, Mr. A. Grant, Assistant Examiner, 2nd Grade, with temporary rank of Deputy Examiner, 2nd Grade, is permanently promoted to Assistant Examiner, 1st Grade, with effect from the 28th September 1881.

The 13th October 1881.

No. 334.—Lieutenant H. J. W. Jerome, R.E., is appointed to the Public Works Department as an Assistant Engineer, 1st Grade, and is posted to the Military Works Branch.

The 14th October 1881.

No. 335.—Mr. J. McGuinness, Temporary Assistant Examiner, 2nd Grade, Punjab, is permitted to resign his appointment, with effect from the 1st November 1881.

TELEGRAPH.

The 10th October 1881.

No. 323.—The following officiating appointments in the Indian Telegraph Department are made, with effect from the dates specified and until further orders :—

Names.	From	To	From what date.
Mr. R. C. Laughlin ...	Asst. Supdt., 1st Grade.	Supdt., 3rd Grade.	15th Sept. 1881.
Mr. K. E. Symons ...	Ditto	Ditto	20th " "

W. S. TREVOR, *Colonel, R.E.,*
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 43. } SIMLA, SATURDAY, OCTOBER 22, 1881.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General :—

Nothing for publication.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 23 :—

The Stowaways Bill, 1881.
The Bengal Civil Courts Bill, 1881.
The Powers-of-Attorney Bill, 1881.

SUPPLEMENT No. 43.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—EXAMINATIONS.

Simla, the 21st October 1881.

No. 74.—The services of Major A. C. Toker, Bengal Staff Corps, are replaced at the disposal of the Military Department, with effect from the forenoon of the 7th instant.

SANITARY.

The 18th October 1881.

No. 241.—The services of Surgeon J. O'Neill, M.D., Officiating Medical Officer, Meywar Bheel Corps, are replaced at the disposal of the Government of the Punjab, with effect from the date on which he may be relieved of his duties by Surgeon G. W. P. Dennys.

JUDICIAL.

The 20th October 1881.

No. 1388.—The services of Lieutenant C. E. W. Macdonald, of the 6th Bengal Cavalry, are placed temporarily at the disposal of the Government of Bengal, with effect from the 16th instant, for employment as Cantonment Magistrate, Dum-Dum.

The 21st October 1881.

No. 1393.—In exercise of the powers conferred by section 3 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to declare that the said Act is in force in the Kolhan, in the district of Singbhoom, in the Chota Nagpore Division.

No. 1394.—In exercise of the powers conferred by section 3 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to declare that the enactments mentioned in the schedule hereto annexed are in force in the districts of Hazaribagh, Lohardugga and Manbhoom, and in pergunnah Dhulbhoom and the Kolhan, in the district of Singbhoom, to the extent to which they are at present in force in any part of Bengal not included in any scheduled district.

2. Nothing herein contained shall be deemed to affect the operation of any enactment in force in the said portions of the Chota Nagpore Division, and not included in the said schedule.

SCHEDULE.

Bengal Regulations and Acts of the Supreme Council.

Year and number of Enactment.				Subject.
1793,	Regulation	XXXVIII	...	Prohibition of loans by covenanted servants.
1800	,,	X	...	To prevent division of landed estates.
1806	,,	XI	...	Passage of troops.
1810	,,	XX	...	Camp-followers, bazar, cantonments.
1822	,,	XI	(section 38) ...	Non-liability of Government for errors of courts.
1823	,,	VII	...	Prohibitions of loans to covenanted Civil Servants.
1825	,,	VI	...	Passage of troops.
,,	,,	XX	...	Court Martial and Military Courts of Requests.
1829	,,	XVII	...	Sati.
1834	Act	II	...	Secretaries to Government.
1836	,,	X	...	Indigo contracts, Lower Provinces and North-Western Provinces.
,,	,,	XXI	...	Creating zillahs.
,,	,,	XXVI	...	Governor General's camp police.
1838	,,	XXV	...	Wills made between 1st February 1839 and 1st January 1866.
1839	,,	XXIX	...	Dower.
,,	,,	XXX	...	Inheritance.
1840	,,	VI	...	Bills of exchange.
1841	,,	XXIV	...	Illusory appointments: Infants' property.
,,	,,	XXVII	...	Unclaimed dividends in Insolvents' estates.
1842	,,	IX	...	Extending 4 and 5 Vic., cap. 21 (lease and release).
1843	,,	V	...	Slavery.
1847	,,	IX	...	Assessment of new lands, Lower Provinces.
,,	,,	XX	...	Copyright.
1848	,,	XX	...	Enforcement of attendance of landholders.

Year and number of Enactment.				Subject.
1850	Act	XII	...	Public accountants.
,,	,,	XVIII	...	Protection of judicial officers.
,,	,,	XIX	...	Binding of apprentices.
,,	,,	XXI	...	Non-forfeiture of rights by loss of caste.
,,	,,	XXV	...	Forfeiture of deposits on land sales.
,,	,,	XXXIV	...	State prisoners.
,,	,,	XXXVII	...	Inquiries into the behaviour of public servants.
,,	,,	XLIV	...	Board of Revenue.
1851	,,	VIII	...	Tolls on roads and bridges.
1852	,,	VIII	...	Sheriff's fees.
,,	,,	XXX	...	Naturalization of aliens.
,,	,,	XXXIII	...	Enforcement of judgments.
1853	,,	II	...	Public charges on landholders.
,,	,,	VI	...	Summary suits for arrears of rents, &c.
1854	,,	XXXI	...	Real actions: Conveyance of land.
1855	,,	XI	...	Mesne profits: Improvements.
,,	,,	XII	...	Suits for wrongs: Executors and Administrators.
,,	,,	XIII	...	Compensation for loss occasioned by death.
,,	,,	XXIII	...	Administration of mortgage estates.
,,	,,	XXIV	...	Penal servitude.
1856	,,	IX	...	Bills of lading.
,,	,,	XI	...	Desertion by European soldiers.
,,	,,	XV	...	Marriage of Hindu widows.
1857	,,	XI	...	State offences.
,,	,,	XIII	...	Opium.
,,	,,	XXV	...	Forfeitures.
1858	,,	III	...	State prisoners.
,,	,,	XXXI	...	Alluvial land.
,,	,,	XXXV	...	Lunacy: Mofussil courts.
,,	,,	XXXVI	...	Lunatic Asylums.
,,	,,	XL	...	Minors.
1859	,,	III	...	Cantonment Joint Magistrates.
,,	,,	XIII	...	Fraudulent breaches of contract by workmen.
,,	,,	XV	...	Patents.
1860	,,	IX	...	Disputes between workmen and employers.
,,	,,	XXI	...	Registration of societies.
,,	,,	XXXIV	...	Indemnity for acts during mutiny.
,,	,,	XLV	...	Penal Code.
1861	,,	V	...	Police.
,,	,,	XVI	...	Stage carriages.
1862	,,	III	...	Government seal.
1863	,,	XVI	...	Excise on spirits used exclusively in manufactures.
,,	,,	XX	...	Religious endowments.
,,	,,	XXIII	...	Claims to waste lands.
,,	,,	XXXI	...	Official Gazette.
1864	,,	III	...	Foreigners.
,,	,,	VI	...	Whipping.
,,	,,	XV	...	Tolls on public roads and bridges.
1865	,,	III	...	Common carriers.
,,	,,	X	...	Intestate and testamentary succession.
,,	,,	XI	...	Small Cause Courts, Mofussil.
,,	,,	XV	...	Parsi marriages and divorces.
,,	,,	XXI	...	Intestate succession, Parsis.
1866	,,	V	...	Bills of exchange, Commercial law.
,,	,,	X	...	Trading companies.
,,	,,	XIV	...	Post Office.
,,	,,	XXI	...	Dissolution of marriages of Native converts.
,,	,,	XXVII	...	Conveyance of property vested in mortgagees and trustees.
,,	,,	XXVIII	...	Powers of mortgagees and trustees.
1867	,,	VII	...	Purchasing arms, &c., from soldiers.
,,	,,	XVI	...	Acting Judges.
,,	,,	XXII	...	Serais and puraos.
,,	,,	XXV	...	Printing presses.
1868	,,	I	...	General clauses.
,,	,,	XIV	...	Contagious diseases.

Year and number of Enactment.				Subject.
1868	Act	XXVI	...	Municipal lock hospitals.
1869	,,	II	...	Justice of the Peace.
,,	,,	IV	...	Divorce.
,,	,,	V	...	Native Articles of War.
,,	,,	XV	...	Evidence of prisoners.
,,	,,	XX	...	Volunteers.
1870	,,	VIII	...	Murder of female infants.
,,	,,	X	...	Acquisition of land for public purposes.
,,	,,	XXI	...	Wills of Hindus, &c.
,,	,,	XXII	...	European British subjects.
1870	,,	XXIII	...	Coinage and the Mint.
,,	,,	XXVII	...	Amending Penal Code.
1871	,,	I	...	Cattle trespass.
,,	,,	III	...	Paper currency.
,,	,,	V	...	Prisoners.
,,	,,	VII	...	Emigration.
,,	,,	XIX	...	Sessions Judges, Bengal and North-Western Provinces.
,,	,,	XXIII	...	Pensions.
,,	,,	XXVI	...	Advances for agricultural improvements.
,,	,,	XXVII	...	Criminal tribes and eunuchs.
1872	,,	I	...	Evidence.
,,	,,	III	...	Marriage.
,,	,,	IX	...	Contract law.
,,	,,	X	...	Criminal procedure.
,,	,,	XIII	...	Patents and designs protection.
,,	,,	XV	...	Marriage of Christians.
,,	,,	XVIII	...	Amending Evidence Act.
,,	,,	XIX	...	Definition of coin, Penal Code.
1873	,,	V	...	Savings Bank.
,,	,,	X	...	Judicial oaths.
,,	,,	XIV	...	Lunatic soldiers' property.
1874	,,	II	...	Administrator General.
,,	,,	III	...	Married woman's property.
,,	,,	IV	...	Foreign recruiting.
,,	,,	IX	...	European vagrancy.
,,	,,	XI	...	Amending Code of Criminal Procedure.
1875	,,	V	...	Unattested sepoys.
,,	,,	VIII	...	Inland customs.
,,	,,	IX	...	Majority.
,,	,,	XIII	...	Probates and letters of administration.
,,	,,	XVIII	...	Law reports.
1876	,,	I	...	Telegraphs.
,,	,,	V	...	Reformatory schools.
,,	,,	VII	...	Extending and amending Act XXVII of 1871.
,,	,,	IX	...	Native coinage.
,,	,,	XI	...	Presidency Banks.
,,	,,	XVI	...	Amending Stage Carriages Act.
,,	,,	XIX	...	Dramatic performances.
,,	,,	XXI	...	Amending Land Improvement Act.
1877	,,	III	...	Registration.
,,	,,	XI	...	Military lunatics.
,,	,,	XV	...	Limitation.
,,	,,	XVIII	...	Salt.
,,	,,	XIX	...	Ministerial officers.
1878	,,	VI	...	Treasure trove.
,,	,,	VII	...	Forests.
,,	,,	IX	...	Native Press.
,,	,,	XI	...	Arms.
,,	,,	XVI	...	Amending Act IX of 1878.
1879	,,	III	...	Destruction of records.
,,	,,	IV	...	Railway.
,,	,,	V	...	Amending Presidency Banks Act.
,,	,,	XI	...	Local authorities' loan.
,,	,,	XII	...	Amending Civil Procedure Code, Registration Act, 1877, and Limitation Act, 1877.*

* So far only as this Act amends the Indian Registration Act, 1877, and the Indian Limitation Act, 1877.

Year and number of Enactment.				Subject.
1879	Act	XVIII	...	Legal practitioners.
,,	,,	XX	...	Glanders and farcy.
,,	,,	XXI	...	Extradition.
1880	,,	I	...	Religious societies.
,,	,,	III	...	Cantonments.
,,	,,	VIII	...	Correcting a clerical error in the Indian Limitation Act, 1877.
1881	,,	III	...	Indian securities.
,,	,,	V	...	Probate and Administration.
,,	,,	VI	...	District Delegates Act.
,,	,,	IX	...	Amending Administrator General's Act.

Acts of the Bengal Council.

1862	Act	VIII	...	Zemindari dâks.
1864	,,	II	...	Regulation of jails.
,,	,,	IV	...	Limits of zillahs.
,,	,,	V	...	Canal tolls.
,,	,,	VII	...	Salt Act.
1865	,,	V	...	Amending Act II of 1864 (Jails).
1866	,,	III	...	Witnesses before Legislative Council.
1867	,,	II	...	Gambling.
,,	,,	V	...	General Clauses Act.
1868	,,	III	...	Appeals under Regulation VII of 1822.
,,	,,	IV	...	Assessment of new lands.
1869	,,	V	...	Sessions.
,,	,,	VII	...	Police.
1871	,,	XI	...	Census.
1873	,,	I	...	Amending Salt Act, 1864.
,,	,,	IV	...	Registration of births and deaths.
,,	,,	VI	...	Embankments.
,,	,,	VII	...	The Labour District Emigration Act.
1875	,,	V	...	Survey and demarcation of land.
1876	,,	I	...	Registration of Mahomedan marriages and divorces.
,,	,,	III	...	Irrigation.
,,	,,	V	...	Mofussil Municipalities.
,,	,,	VI	...	Agricultural disturbances.
,,	,,	VII	...	Registration of revenue-paying estates.
,,	,,	VIII	...	Partition.
1878	,,	V	...	Amending Bengal Act VII of 1876.
,,	,,	VI	...	Latrines in first class Municipalities.
,,	,,	VII	...	Excise revenue.
1879	,,	VIII	...	Powers of Settlement Officers.
,,	,,	IX	...	Court of Wards.
1880	,,	II	...	Licenses.
1881	,,	III	...	Court of Wards.
,,	,,	IV	...	Bengal Excise Act Amendment Act, 1881.

No. 1395.—In exercise of the powers conferred by section 3 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to declare that the enactments mentioned in the Schedule hereto annexed are in force in the district of Hazaribagh, in the Chota Nagpore Division, to the extent to which they are now in force in any part of Bengal not included in any scheduled district.

2. Nothing herein contained shall be deemed to affect the operation of any enactment in force in the said district, and not included in the said schedule.

SCHEDULE.

Bengal Regulations and Acts of the Supreme Council.

Year and number of Enactment.				Subject.
1793, Regulation		I	...	Perpetual settlement.
,,	,,	II	...	Collection of land revenue.

Year and number of Enactment.				Subject.
1793, Regulation		VIII	...	Rules for decennial settlement.
,,	,,	XI	...	Native laws of inheritance to revenue-paying land.
,,	,,	XIX	...	Title of land exempt from revenue.
1794	,,	III	...	Arrears of revenue.
1798	,,	I	...	Conditional sales of land.
1799	,,	V	...	Wills and intestacies of Natives.
1800	,,	VIII	...	Pergunnah register of lands.
1804	,,	X	...	Punishment by Court Martial of certain State offences.
1806	,,	XVII (secs. 7 and 8)	...	Mortgages and conditional sales.
1810	,,	XIX	...	Maintenance of bridges.
1812	,,	V	...	Collection of land revenue.
1817	,,	XX	...	Various rules for the guidance of police.
1818	,,	III	...	State prisoners.
1819	,,	II	...	Resumption of revenue-free lands.
,,	,,	VI	...	Ferries.
1821	,,	IV	...	Powers of Collectors and Magistrates.
1822	,,	VII	...	Settlements.
1825	,,	IX	...	Defaulting malguzars.
,,	,,	XIII	...	Settlement of resumed lakhiraj land.
,,	,,	XIV	...	Authority to confirm lakhiraj tenures.
1827	,,	III	...	Extortion by Native officers.
,,	,,	V	...	Management of estates under attachment.
1828	,,	IV	...	Collectors.
1833	,,	IX	...	Deputy Collectors.
1837	Act	IV	...	Power to acquire land.
1839	,,	XXXII	...	Interest.
1841	,,	XI	...	Military Courts of Requests.
,,	,,	XII	...	Sales of land for revenue arrears.
,,	,,	XIX	...	Curators in cases of succession.
1842	,,	XII	...	Military bazars.
1853	,,	XIX	...	Recusant witness.
1855	,,	XXVIII	...	Interest.
1856	,,	XII	...	Civil Court Amins.
1859	,,	IX	...	Forfeiture (sections 16, 17, 18 and 20).
1860	,,	XXVII	...	Collection of debts on succession.
1861	,,	IX	...	Minors.
1870	,,	VII	...	Court-fees.
,,	,,	XX	...	Amending Court-fees Act.
1871	,,	VI	...	Civil Courts, Bengal.
1879	,,	I	...	Stamps.
1881	,,	VII	...	Amending Bengal Cess Act.
Acts of the Bengal Council.				
1865	Act	VIII	...	Amending the law for the sale of under-tenures.
1866	,,	I	...	Amending Regulation VI of 1819 (Ferries).
1880	,,	IX	...	Cess Act.
1881	,,	II	...	Amending Cess Act, 1880.

No. 1396.—In exercise of the powers conferred by section 3 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to declare that the enactments mentioned in the schedule hereto annexed are in force in the district of Lohardugga, in the Chota Nagpore Division, to the extent to which they are now in force in any part of Bengal not included in any scheduled district.

2. Nothing herein contained shall be deemed to affect the operation of any enactment in force in the said district, and not included in the said schedule.

SCHEDULE.

Bengal Regulations and Acts of the Supreme Council.

Year and number of Enactment.				Subject.
1793, Regulation		II	...	Collection of land revenue.
,,	,,	XI	...	Native laws of inheritance to revenue-paying land.

Year and number of Enactment.				Subject.
1793, Regulation		XIX	...	Title of land exempt from revenue.
1794	,,	III	...	Arrears of revenue.
1798	,,	I	...	Conditional sales of lands.
1799	,,	V	...	Wills and intestacies of Natives.
1800	,,	VIII	...	Pergunnah register of lands.
1804	,,	X	...	Punishment by Court Martial of certain State offences.
1806	,,	XVII (secs. 7 and 8)	...	Mortgages and conditional sales.
1810	,,	XIX	...	Maintenance of bridges.
1817	,,	XX	...	Various rules for the guidance of police.
1818	,,	III	...	State prisoners.
1819	,,	II	...	Resumption of revenue-free land.
,,	,,	VI	...	Ferries.
1821	,,	IV	...	Powers of Collectors and Magistrates.
1822	,,	VII	...	Settlements.
1827	,,	III	...	Extortion by Native officers.
,,	,,	V	...	Management of estates under attachment.
1828	,,	IV	...	Collectors.
1833	,,	IX	...	Deputy Collectors.
1837	Act	IV	...	Power to acquire land.
1839	,,	XXXII	...	Interest.
1841	,,	XI	...	Military Courts of Requests.
,,	,,	XII	...	Sales of land for revenue arrears.
,,	,,	XIX	...	Curators in cases of succession.
1842	,,	XII	...	Military bazars.
1853	,,	XIX	...	Recusant witness.
1855	,,	XXVIII	...	Interest.
1856	,,	XII	...	Civil Court Amins.
1859	,,	IX	...	Forfeiture (sections 16, 17, 18 and 20).
1860	,,	XXVII	...	Collection of debts on succession.
1861	,,	IX	...	Minors.
1870	,,	VII	...	Court-fees.
,,	,,	XX	...	Amending Court-fees Act.
1871	,,	VI	...	Civil Courts, Bengal.
1879	,,	I	...	Stamps.
1881	,,	VII	...	Amending Bengal Cess Act.
Acts of the Bengal Council.				
1862	Act	VII	...	Giving Civil Courts jurisdiction in cases under section 30, Regulation II of 1819.
1865	,,	VIII	...	Amending the law for the sale of under-tenures.
1866	,,	I	...	Ferries.
1880	,,	IX	...	Cess Act.
1881	,,	II	...	Amending Cess Act, 1880.

No. 1397.—In exercise of the powers conferred by section 3 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to declare that the enactments mentioned in the schedule hereto annexed are in force in the district of Manbhoom, in the Chota Nagpore Division, to the extent to which they are now in force in any part of Bengal not included in any scheduled district.

2. Nothing herein contained shall be deemed to affect the operation of any enactment in force in the said district, and not included in the said schedule.

SCHEDULE.

Bengal Regulations and Acts of the Supreme Council.

Year and number of Enactment.				Subject.
1793, Regulation		I	...	Perpetual settlement.
,,	,,	II	...	Collection of land revenue.
,,	,,	VIII	...	Rules for decennial settlement.
,,	,,	XI	...	Native laws of inheritance to revenue-paying land.

Year and number of Enactment.				Subject.
1793,	Regulation	XIX	...	Title of land exempt from revenue.
1794	„	III	...	Arrears of revenue.
1798	„	I	...	Conditional sales of lands.
1799	„	V	...	Wills and intestacies of Natives.
1800	„	VIII	...	Purgunnah register of lands.
1804	„	X	...	Punishment by Court Martial of certain State offences.
1806	„	XVII (secs. 7 and 8)	...	Mortgages and conditional sales.
1810	„	XIX	...	Maintenance of bridges.
1812	„	V	...	Collection of land revenue.
1817	„	XX	...	Various rules for the guidance of police.
1818	„	III	...	State prisoners.
1819	„	II	...	Resumption of revenue-free lands.
„	„	VI	...	Ferries.
„	„	VIII	...	Patni taluks.
1821	„	IV	...	Powers of Collectors and Magistrates.
1822	„	VII	...	Settlements.
1825	„	IX	...	Defaulting malguzars.
„	„	XIII	...	Settlement of resumed lakhiraj land.
„	„	XIV	...	Authority to confirm lakhiraj tenures.
1827	„	III	...	Extortion by Native officers.
„	„	V	...	Management of estates under attachment.
1828	„	IV	...	Collectors.
1833	„	IX	...	Deputy Collectors.
1837,	Act	IV	...	Power to acquire land.
1839	„	XXXII	...	Interest.
1841	„	XI	...	Military Courts of Requests.
„	„	XII	...	Sales of land for revenue arrears.
„	„	XIX	...	Curators in cases of succession.
1850	„	XXXIII	...	Sale of patni tenures, Bengal.
1853	„	XIX	...	Recusant witness.
1855	„	XXVIII	...	Interest.
1856	„	XII	...	Civil Court Amins.
1859	„	IX	...	Forfeiture (sections 16, 17, 18 and 20).
„	„	X	...	Rent Act.
1860	„	XXVII	...	Collection of debts on succession.
1861	„	IX	...	Minors.
1870	„	VII	...	Court-fees.
„	„	XX	...	Amending Court-fees Act.
1871	„	VI	...	Civil Courts, Bengal.
1879	„	I	...	Stamps.
1881	„	VII	...	Amending Bengal Cess Act.
		Acts of the Bengal Council.		
1862,	Act	VI	...	Amending Act X of 1859.
„	„	VII	...	Giving Civil Courts jurisdiction in cases under section 30, Regulation II of 1819.
1865	„	VIII	...	Amending the law for the sale of under-tenures.
1866	„	I	...	Ferries.
1867	„	IV	...	To explain and amend Act VI of 1862.
1870	„	VI	...	Village chowkidars.
1871	„	I	...	Amending the Village Chowkidari Act.
1880	„	IX	...	Cess Act.
1881	„	II	...	Amending Cess Act, 1880.

No. 1398.—In exercise of the powers conferred by section 3 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to declare that the enactments mentioned in the schedule hereto annexed are in force in pergunnah Dhulbhoom, in the district of Singbhoom, in the Chota Nagpore Division, to the extent to which they are now in force in any part of Bengal not included in any scheduled district.

2. Nothing herein contained shall be deemed to affect the operation of any enactment in force in the said pergunnah, and not included in the said schedule.

SCHEDULE.

Bengal Regulations and Acts of the Supreme Council.

Year and number of Enactment.				Subject.
1793,	Regulation	I	...	Perpetual settlement.
„	„	II	...	Collection of land revenue.
„	„	VIII	...	Rules for decennial settlement.
„	„	XI	...	Native laws of inheritance to revenue-paying land.
„	„	XIX	...	Title of land exempt from revenue.
1794	„	III	...	Arrears of revenue.
1798	„	I	...	Conditional sales of lands.
1799	„	V	...	Wills and intestacies of Natives.
1800	„	VIII	...	Pergunnah register of lands.
1804	„	X	...	Punishment by Court Martial of certain State offences.
1806	„	XVII (secs. 7 and 8)	...	Mortgages and conditional sales.
1810	„	XIX	...	Maintenance of bridges.
1812	„	V	...	Collection of land revenue.
1817	„	XX	...	Various rules for the guidance of police.
1818	„	III	...	State prisoners.
1819	„	II	...	Resumption of revenue-free lands.
„	„	VI	...	Ferries.
„	„	VIII	...	Patni taluks.
1821	„	IV	...	Powers of Collectors and Magistrates.
1822	„	VII	...	Settlements.
1825	„	IX	...	Defaulting malguzars.
„	„	XIII	...	Settlement of resumed lakhiraj land.
„	„	XIV	...	Authority to confirm lakhiraj tenures.
1827	„	III	...	Extortion by Native officers.
„	„	V	...	Management of estates under attachment.
1828	„	IV	...	Collectors.
1833	„	IX	...	Deputy Collectors.
1837,	Act	IV	...	Power to acquire land.
1839	„	XXXII	...	Interest.
1841	„	XI	...	Military Courts of Requests.
„	„	XII	...	Sales of land for revenue arrears.
„	„	XIX	...	Curators in cases of succession.
1853	„	XIX	...	Recusant witness.
1855	„	XXVIII	...	Interest.
1856	„	XII	...	Civil Court Amins.
1859	„	IX	...	Forfeiture (sections 16, 17, 18 and 20).
1860	„	XXVII	...	Collection of debts on succession.
1861	„	IX	...	Minors.
1870	„	VII	...	Court-fees.
„	„	XX	...	Amending Court-fees Act.
1871	„	VI	...	Civil Courts, Bengal.
1879	„	I	...	Stamps.
1881	„	VII	...	Amending Bengal Cess Act.
		Acts of the Bengal Council.		
1862,	Act	VII	...	Giving Civil Courts jurisdiction in cases under section 30, Regulation II of 1819.
1865	„	VIII	...	Amending the law for the sale of under-tenures.
1866	„	I	...	Ferries.
1870	„	VI	...	Village chowkidars.
1871	„	I	...	Amending Village Chowkidari Act.
1880	„	IX	...	Cess Act.

No. 1399.—In exercise of the powers conferred by section 3 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to declare that section 15 of Act XIV of 1859 (Limitation of suits) is in force in the Kolhan, in the district of Singbhoom, in the Chota Nagpore Division.

No. 1400.—In exercise of the powers conferred by section 5 of Act XIV of 1874 (The Scheduled Districts Act), His Honour the Lieutenant-Governor of Bengal is pleased, with the previous sanction of the Governor General in Council, to extend Act XI of 1859 (to improve the law relating to sales of land for arrears of revenue in the Lower Provinces under the Bengal Presidency) and Bengal Acts III of 1862 (An Act to amend Act XI of 1859) and VII of 1868 (to make further provision for the recovery of arrears of land revenue and public demands recoverable as arrears of land revenue) to the following portions of the Chota Nagpore Division, namely, the districts of Hazaribagh, Lohardugga, and Manbhoom, and pergunnah Dhulbhoom and the Kolhan in the district of Singbhoom.

ECCLESIASTICAL.

The 21st October 1881.

No. 161.—The services of the Reverend M. Lamert, Senior Chaplain, Bengal Ecclesiastical Establishment, are placed at the disposal of the Chief Commissioner of the Central Provinces.

FORESTS.

The 20th October 1881.

No. 976*F.*—With reference to Notification No. 927F., dated the 11th instant, Mr. D. Brandis, C.I.E., Inspector General of Forests to the Government of India, reported his departure on special duty on the 15th October 1881, on the afternoon of which date Dr. W. Schlich assumed charge of his duties as Officiating Inspector General of Forests.

Mr. G. Greig, Conservator of Forests, 2nd Grade, in charge of the Central Circle in the North-Western Provinces, is appointed to officiate in the 1st Grade of Conservators of Forests, with effect from the 16th October 1881, during the absence on deputation of Dr. Schlich, or until further orders.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—SURVEYS.

Simla, the 20th October 1881.

No. 172.—The three months' special leave of absence on urgent private affairs granted to Mr. R. Lydekker, Assistant, 3rd Grade, Geological Survey of India, in Notification No. 94, dated the 2nd ultimo, is cancelled.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 20th October 1881.

No. 209 *I.J.*—In continuation of so much of Foreign Department Notification No. 212, dated 24th October 1873, as relates to Act X of 1870 (The Land Acquisition Act, 1870), the Governor-General in Council is pleased to declare that for the definition of "Court" in Section 3 of the said Act the following definition shall be substituted:—

"The expression 'Court' means the Court of the Judicial Commissioner of the Hyderabad Assigned Districts, unless when the Resident at Hyderabad appoints (as he is hereby empowered to do) a judicial officer to perform, in any special case, the functions of a Judge under this Act, and then the expression 'Court' means the Court of such officer."

"2. For Section 59 of the said Act X of 1870 the following shall be substituted, namely,—

59. The Local Government may from time to time make rules consistent with this Act for the guidance of officers in all matters connected with its enforcement, and may from time to time cancel, alter, or add to the rules so made. All such rules, cancellations, alterations, and additions shall, when sanctioned by the Governor-General in Council, be published in the local official Gazette, and shall thereupon have the force of law."

GENERAL.

The 21st October 1881.

No. 1880 *G.G.*—Consequent on the death of Colonel J. W. W. Osborne, C.B., the following appointments are made in the Political Department, with effect from the 5th October 1881:—

Lieutenant-Colonel P. W. Bannerman, Officiating Resident of the 2nd Class, and Resident in the Eastern States of Rajputana, is confirmed in that appointment.

Colonel Mowbray Thomson, Political Agent, 2nd Class (on furlough), is promoted to be Political Agent, 1st Class, *vice* Lieutenant-Colonel Bannerman.

Major C. A. Baylay, Political Agent, 3rd Class, and Additional Political Agent at Kotah, to be Political Agent, 2nd Class, but to continue in his present appointment.

Captain D. W. K. Barr, Officiating Political Agent, 2nd Class, to be Political Agent, 2nd Class, substantive *pro tempore*, *vice* Major Baylay.

Major F. A. Wilson, Supernumerary Political Agent, 3rd Class, is brought on the permanent strength of that grade.

No. 1885 *G.G.*—Major A. L. Playfair, Cantonment Magistrate at Morar, is appointed to officiate temporarily as a Resident of the 2nd Class and as Resident at Gwalior, with effect from the date of taking charge, in addition to his other duties.

No. 1888 *G.G.*—The following officiating promotions are made in the Political Department, with effect from the date of the departure of Sir J. Kirk, K.C.M.G., on furlough:—

Captain C. B. Cooke, Officiating Political Agent, 2nd Class, to officiate as a Political Agent of the 1st Class.

Captain E. A. Fraser, Officiating Political Agent, 3rd Class, to officiate as a Political Agent, 2nd Class.

No. 1891 *G.G.*—The following posting is made, with effect from the date of assuming charge:—

Captain N. C. Martelli, Officiating Political Agent, 3rd Class, to be Assistant, for Banswara and Pertabgurh, to the Governor-General's Agent in Rajputana and Superintendent of Operations for the Control of the Mooghyas, *vice* Major R. G. E. Dalrymple.

Major R. G. E. Dalrymple, Cantonment Magistrate at Nowgong, to officiate as Cantonment Magistrate at Neemuch, *vice* Major C. Grant.

Major J. R. McK. Homfray, Boundary Settlement Officer in Bundelkhand, to officiate as Cantonment Magistrate at Nowgong, *vice* Major Dalrymple.

No. 1894 *G.G.*—Lieutenant J. B. Edwards, 2nd Battalion, The King's (Liverpool Regiment), a probationer for the Bengal Staff Corps, is appointed to officiate as a Squadron Officer, 2nd Regiment, Central India Horse, with effect from the date of assuming charge, *vice* Lieutenant N. F. F. Chamberlain.

No. 1897 *G.G.*—Consequent on the departure on privilege leave of Lieutenant-Colonel C. Martin, C.B., Major A. H. S. Neill, 2nd Regiment, Central India Horse, is appointed to officiate as Political Agent in Western Malwa, with effect from the date of assuming charge.

No. 1898 *G.G.*—Consequent on the departure of Lieutenant-Colonel H. M. Buller on privilege leave, Captain H. A. Vincent, 1st Regiment, Central India Horse, is appointed to officiate as Political Assistant at Goona, with effect from the date of assuming charge.

No. 1900 *G.G.*—Mr. W. R. Lawrence, C.S., Officiating Political Assistant of the 3rd Class and Assistant Commissioner of Merwara, is appointed to officiate temporarily as Political Agent of the 3rd Class and Assistant Commissioner of Ajmere, with effect from the date of assuming charge, *vice* Major J. H. C. G. Lassalle, on privilege leave.

Pundit Bhag Ram, Officiating Judicial Assistant, Ajmere, is appointed to officiate temporarily as Political Assistant of the 3rd Class and Assistant Commissioner of Merwara, with effect from the date of assuming charge, *vice* Mr. Lawrence.

POLITICAL.

The 21st October 1881.

No. 308 *G.P.*—His Excellency the Viceroy and Governor-General in Council is pleased to recognise the appointment of Mr. Victor Bienenfeld as Vice-Consul for Italy at Aden.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 18th October 1881.

No. 3659.

Read again the undermentioned papers regarding the supply of stores required for the public service:—

Financial Resolution	No. 3574,	dated	3rd November 1880.
„	„	„	953,	„	10th June 1881.
„	Circular	„	220,	„	28th April 1881.
„	„	„	621,	„	14th May 1881.
„	Resolution	„	2562,	„	2nd September 1881.

Read also the undermentioned correspondence with the Government of Madras:—

Letter to the Government of Madras,	No. 2596,	dated	24th August 1881.
„ from	„	„	1735,	„	16th September 1881.

RESOLUTION.—With the letter dated 16th September cited above, the Government of Madras has forwarded a return showing the quantity and price of each kind of cloth of European manufacture procured locally during the last two years for the Police Department in Madras. From this return a list has been prepared, and is appended to this Resolution, of the articles for the future regular supply of which, of Indian manufacture, the Governor General in Council directs that the course indicated in the Resolution No. 2562 of 2nd September shall be followed.

2. The Cawnpore Woollen Mills, the Egerton Mills, Punjab, and the Bangalore Woollen Mills will probably be able to supply most, if not all, of the cloths mentioned.

ORDERED, that the foregoing Resolution be communicated to the Government of Madras, and to the other Local Governments and Administrations for information and guidance, and that it be published in the *Gazette of India*.

List of articles referred to in Resolution No. 3659, dated 18th October 1881.

Names of articles.	1879-80.			1880-81.			Total.	
	Rate.	Number or quantity.	Total cost.	Rate.	Number or quantity.	Total cost.	Number or quantity.	Total cost.
Police Department, Madras.	Rs. A. P.	Yds. ft. in.	Rs. A. P.	Rs. A. P.	Yds. ft. in.	Rs. A. P.	Yds. ft. in.	Rs. A. P.
Cloth, infantry, blue grey (54 inch wide).	3 2 0 per yard.	572 0 9	1,865 4 6	.....	...	.....	.....	...
Cloth, blue woollen (54 inch wide).	2 12 0 „	12,265 0 18	35,177 8 0	3 0 0 per yard.	11,562 0 0	36,410 8 8	23,827 0 18	71,588 0 8
Cloth, blue serge (54 inch wide).	2 2 0 „	438 0 27	969 5 6	2 6 0 „	444 0 9	1,106 11 4	883 0 0	2,076 0 10
Cloth, blue flannel (28¼ inch wide).	1 8 0 „	187 0 18	292 4 0	1 8 0 „	188 0 0	295 12 0	375 0 18	588 0 0
Turkey red cambric, for turbans (28 yards long 24 inch wide).	3 8 9 per piece.	5,000 pieces.	17,734 6 0	3 1 0 per piece.	4,988 pieces.	15,275 12 0	9,988 0 0	33,010 2 0

No. 3660.

Read again the undermentioned papers regarding the supply of stores required for the public service in India:—

Financial Resolution No. 3574, dated 3rd November 1880.

„ „ „ 953, „ 10th June 1881.

„ Circular „ 220, „ 28th April 1881.

„ „ „ 621, „ 14th May 1881.

„ Resolution „ 2777, „ 1st September 1881.

Read also—

An endorsement from the Government of Bengal, No. 885, dated 19th September 1881, forwarding returns of European stores annually purchased in the local market by the Police and Jail Departments.

RESOLUTION.—As regards stores required for the Police Department, the orders of the Government of India have already been issued in the Resolution No. 2777, dated 1st September 1881, and in the series of Resolutions published in the *Gazette of India*. For the Jail Department a list of articles is appended to this Resolution. The Governor General in Council desires that for the future supply of the articles enumerated in this list the course indicated in the Resolution No. 2777 of the 1st September last should be followed in Bengal and in all other Provinces.

ORDERED, that the foregoing Resolution be communicated to the Government of Bengal and to the other local Governments and Administrations for information and guidance, and that it be published in the *Gazette of India*.

List of articles referred to in Resolution No. 3660, dated 18th October 1881.

Names of articles.	Rate.	No. or quantity.	Total cost.
FOR THE JAIL DEPARTMENT.	ANNUALLY.		
Cotton goods.			Rs. A. P.
Muslin cloth	Rs. 0-4-0 per yard	27 yards	6 12 6
Sheeting „	„ 0-4-6 „ „	50 „	17 1 0
Drill cloth	„ 0-4-0 „ „	560 „	140 0 0
	„ 0-3-6 „ „	400 „	87 8 0
„ (fine)	...	14,500 „	...
„ (common)	...	15,000 „	...
„ (khaki)	...	6,000 „	...
Sheeting	...	50,000 „	...
Turkey (red)	...	80,500 „	...
American cloth	Rs. 0-9-0 per yard	40 „	22 8 0
Sheeting	„ 0-12-0 „ „	4 „	3 0 0
Calico (black)	„ 0-6-6 „ „	16 „	6 8 0
Mule twist, thread	„ 4-6-0 „ 10 lbs.	80 lbs.	36 0 0
„ „	„ 4-2-0 „ „	800 „	334 0 0
„ (red)	„ 11-7-0 „ 14 lbs.	28 „	23 14 0
Green thread	„ 4-3-0 „ roll	10 „	8 6 0
Yellow „	„ 3-15-0 „ „	5 „	3 15 0
English „	„ 1-6-0 „ packet	32 packets	61 10 6
Packing „	„ 1-0-0 „ seer	2 seers	2 0 0
Oil.		Mds. Srs. Chs.	
Batching oil	Rs. 6-7-0 per maund	267 39 12	1,866 3 0
Lubricating oil	„ 10 to 11 „ „	36 16 14	390 0 7
Turpentine „	„ 2-8-0 „ gallon	0 19 12½	15 3 4
„ „	„ 1-12-0 „ „	3 gallons	5 4 0
„ „	„ 1-6-0 „ „	22 „	30 4 0
Kerosine „	„ 3-0-0 „ „	10 „	30 0 0
„ „	„ 5-0-0 „ case	1,125 cases	5,625 0 0
Brassware.			
Brass casters	Rs. 0-5-0 each	12 number	3 12 0
„ hinges	„ 0-3-0 „	143 „	26 13 0
„ box locks	„ 1-4-0 „	22 „	27 8 0
Hardware, &c.			
Hammers	Rs. 1-8-0 each	5 number	7 8 0
Shovels	...	1 „	2 0 0
Vice	Rs. 0-5-6 per lb.	2 „	28 7 0
Scissors	„ 0-12-0 „ pair	1 pair	0 12 0
Stores for Carpenters and Smith's Shop.			
Sandpaper	...	...	37 0 0
„	Rs. 0-5-0 per dozen	66 dozen	21 10 0
French polish	...	...	149 8 0
„ „	„ 6-0-0 per gallon	5½ gallons	33 0 0
Glue	...	50 lbs.	38 0 0
Carriage varnish	„ 10-4-0 per gallon	½ gallon	5 2 0
Spirits of wine	„ 1-4-0 „ bottle	4 bottles	5 0 0
Sal ammoniac	„ 0-10-0 „ lb.	2 lbs.	1 4 0
Sandpaper	„ 0-4-6 „ dozen	24 sheets	0 9 0
Saucer for colour	„ 0-4-0 each	2 number	0 8 0
Miscellaneous Articles.			
Portland cement	Rs. 12-0-0 per barrel	4½ barrels	54 0 0
Soap	„ 0-1-0 „ cake	7 cakes	0 7 0
Bar soap	„ 4-6-0 „ bar	13 bars	3 10 6
Sulphate of iron	„ 6-4-0 „ md.	7 seers	1 1 6
„ „	„ 0-0-6 „ oz.	8 oz.	0 4 0
		Md. Srs. Chs.	
Block tin	„ 34-0-0 „ maund	14 3 6	478 8 10
„ „	„ 65-0-0 „ cwt.	3 36 5	188 4 0
Vinegar	„ 0-10-0 „ bottle	6 bottles	3 12 0
Belting	„ 2-14-0 „ foot	32′ 7″	93 10 2
Candles	„ 0-8-0 „ lb.	12 lbs.	6 0 0
Grindstone	„ 22-0-0 each	1 number	22 0 0
Log line	„ 0-8-0 per seer	10 seers	5 0 0
Muriatic acid	„ 0-5-0 „ lb.	10 lbs.	3 2 0
Muriate of tin	...	1 lb.	0 12 0
Sulphuric acid	„ 0-1-6 per lb.	1,050 lbs.	98 7 0
Twine, English	„ 0-7-9 „ „	180 „	87 3 0
Zinc sol. chloride	„ 0-6-0 „ „	5 „	1 14 0

The 21st October 1881.

No. 3665.—The following Addenda to the Codes of the Financial Department are published for general information:—

C. P. C.

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Section 72.

Add the following Rule to this Section:—

4. An officer, who is by general or special orders issued by competent authority prevented from availing himself of a part only of a periodical vacation, may during his next privilege leave draw his full salary for a period bearing the same proportion, if the vacation be annual to a month, or, if it be half-yearly, to half a month, as the time spent on duty during the vacation bears to the whole vacation.

The 20th October 1881.

No. 3681.—In exercise of the powers conferred by Section 35 of the Court Fees Act, 1870, the Governor General in Council remits in the whole of British India the fees payable under Article I, clause (*b*), paragraph 2, of Schedule II annexed to the said Act on applications for orders for the payment of civil deposits in cases in which the deposits do not exceed Rs. 25 in amount.

The 21st October 1881.

No. 3701.—Mr. W. H. Dobbie, Assistant Comptroller General, having returned from privilege leave, resumed charge of his office before noon on the 10th October 1881.

No. 3715.—Surgeon-Major H. W. Graham, Assay Master, Bombay Mint, having been appointed to officiate as Mint Master, Bombay, in addition to his own duties, during the absence on privilege leave of Colonel J. H. White, R.E., received charge of that office before noon on the 11th October 1881.

No. 3746.—Notification of the Financial Department, No. 2144, dated the 21st July 1869, regarding the grant to a chaplain, who may receive, while out of Europe, his nomination to Her Majesty's Indian service, of travelling allowance for his journey to the station to which he may first be posted, is hereby cancelled.

No. 3765.

Read the following:—

FINANCIAL.

No. 292.

INDIA OFFICE;

London, 22nd September 1881.

To His Excellency the Most Hon'ble the Governor General of India in Council.

MY LORD MARQUIS,

I forward herewith a copy of the Report of the Deputy Master of the Royal Mint, dated the 29th of August 1881, on the pyx coins of the Calcutta and Bombay Mints issued in 1880, from which you will observe that the "Standard weight and fineness of the coins have been maintained with accuracy."

I have, &c.,

(Signed) HARTINGTON.

Dated 29th August 1881.

From—C. W. FREMANTLE, Esq., Deputy Master and Comptroller of the Royal Mint,

To—The Secretary, Treasury, London.

The examination of the pyx coins of the Indian Mints transmitted to me by direction of the Lords Commissioners of Her Majesty's Treasury on the 22nd July last being completed, I have the honour to forward herewith a Report on the weight and fineness of the coins, and to return the bullion remaining.

No. 12538.

Calcutta Mint.

	oz.
Gold—	
Fine	0·043
Standard	0·328
Total ...	0·371
Silver—	oz.
Fine	7·768
Standard	8·820
Total ...	16·588

Bombay Mint.

	oz.
Silver—	
Fine	6·940
Standard	7·319
Total ...	14·259

The coins were first weighed singly by the Mint Balance, and were then handed to one of the Assayers of the Mint, by whom each coin has been separately assayed and reported upon.

The standard weight and fineness of the coins have been maintained with accuracy.

In accordance with the directions of Their Lordships, I have caused parting assays to be made of the silver coins of each presidency in order to ascertain the average proportion of gold contained in them, and the result is shown in my Report.

These assays have been made in the manner detailed in my Report of the 25th of October 1869.

Memorandum of the weight and fineness of coins issued from Indian Mints in the year 1880.

No. of pieces.	Mint.	Denomination of coin.	Average weight of a piece.	Average proportion of gold or silver in 1,000 parts.	Average proportion of gold in the silver coins, as ascertained by parting assay in 1,000 parts.
			Grains.		
1	Calcutta ...	Mohur ...	180·00	916·50	
40	,, ...	Rupee ...	180·125	915·99	
8	,, ...	Half-rupee ...	90·077	916·25	·25
19	,, ...	Two-anna piece	22·526	915·93	
40	Bombay ...	Rupee ...	179·836	915·69	·12

ROYAL MINT; *29th August 1881.*

(*Signed*) C. W. FREMANTLE, *Deputy Master and Comptroller.*

ORDER.—Ordered, that these papers be communicated to the Mint Masters, Calcutta and Bombay, for information.

Ordered also, that the papers be published in the *Gazette of India* for general information.

No. 3768.—Mr. C. E. Collings having been appointed to officiate as Chief Clerk in the Office of Comptroller, Assam, received charge of that office before noon on the 29th September 1881.

No. 3778.

C. P. C.

PAGE 40.

Section 90, Rule 1.

In the list in the Rule after "Vaccinators, including, in the Madras Presidency," *add* "and in the North-Western Provinces and Oudh."

No. 3780.

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

Read again the papers cited below regarding the supply of stores required for the public service in India:—

Financial Resolution No. 3574, dated 3rd November 1880.
,, ,, ,, 953, ,, 10th June 1881.
,, Circular ,, 220, ,, 28th April ,,
,, ,, ,, 621, ,, 14th May ,,

Read also—

Letter from the Chief Commissioner, Assam, No. 1165, dated 18th May 1881.
,, ,, ,, ,, ,, 2508, ,, 22nd September 1881, and enclosure.

RESOLUTION.—It is reported that no stores were obtained from England for the public service in Assam during the last two years. A statement is however submitted, showing the European articles purchased in the local market by certain officers; but it is not clear whether some of the articles (*e.g.*, khaki cloth) mentioned in the Return are not of Indian origin. From this return a list has been prepared, and is appended to this Resolution, showing the articles which the Governor General in Council considers should be procured of Indian manufacture, if they can be obtained at a price not higher than that of imported goods.

2. His Excellency in Council accordingly requests that the Chief Commissioner of Assam will be good enough to cause enquiries to be made as to the cheapest and most convenient way of obtaining future regular supplies of such goods of Indian manufacture; as also of any other goods which in the course of the enquiry it may be found possible to substitute for imported articles. In order to ensure the existence of a large and constant demand for goods which the manufacturers would not otherwise undertake to make, the Government of India will be prepared to approve of contracts with Indian manufacturers for a term of, say, five years if necessary.

3. In the series of Resolutions on the subject of stores recently published in the *Gazette of India*, the existing sources of supply of Indian-made goods have been indicated so far as they are as yet known to the Government of India.

4. Lanterns and swords should be procured of Indian manufacture. Lanterns are made in Calcutta by such firms as Jessop & Co. and also by native workers, and they can perhaps be locally made by natives. Swords of better quality than the swords ordinarily made for trade purposes in England are manufactured by native armourers in the Punjab and the North-Western Provinces, and the local authorities of those provinces will be able to indicate to the Chief Commissioner whence he can obtain to the best advantage the supplies he wants.

ORDERED, that the foregoing Resolution be communicated to the Chief Commissioner, Assam, and to the other local Governments and Administrations, and that it be published in the *Gazette of India*.

List of Articles referred to above.

Name of articles.	1880-81. Rate.	No. or quantity.	Amount.
			Rs. A. P.
Frontier Police.			
Khaki coats	Rs. 16-0-0 ...	56 ...	896 0 0
„ trousers	„ 10-0-0 ...	43 ...	430 0 0
„ drill jumpers	„ 2-0-0 ...	2,440 ...	4,880 0 0
„ knickerbockers	„ 2-0-0 ...	2,440 ...	4,880 0 0
„ „	„ 3-0-0 ...	13 ...	39 0 0
„ turbans	„ 3-4-0 ...	43 ...	139 12 0
„ „	„ 2-4-0 ...	2,440 ...	5,490 0 0
„ great coats	„ 10-0-0 ...	255 ...	2,550 0 0
Patees	„ 1-0-0 ...	2,440 ...	2,440 0 0
Havresacks	„ 0-8-0 ...	2,440 ...	1,220 0 0
Chevrons	„ 2-0-0 ...	212 ...	424 0 0
Ribbons	„ 1-0-0 per yard ...	1 yard ...	1 0 0
Khaki shoulder cords	„ 0-4-0 „ pair ...	11 pairs ...	2 12 0
For Civil Police.			
White drill coats	Rs. 18-0-0 ...	77 ...	1,386 0 0
„ trousers	„ 10-0-0 ...	77 ...	770 0 0
„ „	„ 1-4-0 ...	1,452 ...	1,815 0 0
Blue jumpers	„ 10-0-0 ...	180 ...	1,800 0 0
„ serge jumpers	„ 4-0-0 ...	1,272 ...	5,088 0 0
Red saloo turbans	„ 1-12-0 ...	1,272 ...	2,226 0 0
Chevrons	„ 2-0-0 ...	180 ...	360 0 0
Havresacks	„ 0-8-0 ...	1,452 ...	726 0 0
Great coats	„ 10-0-0 ...	1,452 ...	14,520 0 0
Swordbelts	„ 11-0-0 ...	2 ...	22 0 0
Belt with breast plate and whistle chain.	„ 35-0-0 ...	1 ...	35 0 0
Caps	„ 3-0-0 ...	7 ...	21 0 0
Silver rings	„ 0-12-0 ...	83 ...	62 4 0
Caps for Police Inspectors and Sub-Inspectors.	„ 5-0-0 ...	9 ...	45 0 0
	„ 6-0-0 ...	1 ...	6 0 0
	„ 7-0-0 ...	1 ...	7 0 0
Forage caps with bugle ...	„ 5-0-0 ...	1 ...	5 0 0
Kilmarnock caps with plated bugle ...	„ 3-0-0 each ...	6 ...	18 0 0
„ „ „ brass „	„ 2-2-6 „ ...	58 ...	125 1 0
Forage caps for head constables ...	„ 3-0-0 „ ...	1 ...	3 0 0
Hand-cuffs	„ 2-8-0 „ ...	41 ...	102 8 0
Swords with steel scabbards ...	„ 30-0-0 „ ...	4 ...	120 0 0
Hurricane and other lanterns ...	„ 3-8-0 „ ...	58 ...	203 0 0
Stationery.			
Nib-holders	Rs. 0-1-0 „ ...	2 ...	0 2 0
Blotting paper	„ 0-0-6 per sheet ...	48 sheets ...	1 8 0
Ink	„ 0-1 to 3 annas per bottle	117 bottles ...	10 13 0
Thread	„ 0-3-0 per bundle ...	1 bundle ...	0 3 0
Tape	„ 0-5-0 „ „ ...	4 bundles ...	1 4 0
INSPECTOR OF SCHOOLS.			
Stationery.			
Blotting paper	Rs. 15 to Rs. 22-8 a ream...	2 quires ...	1 14 0
DEPUTY COMMISSIONER OF SYLHET.			
Stationery.			
Ink-pots	.....	4 No. ...	...
Ink, English	.....	1 bottle ...	...
Waxcloth	.....	20 yards ...	...
Khasia and Jaintia Hills.			
American drill	Re. 1-0-0 per 6 yards ...	17 „ ...	2 18 0

No. 3781.

Read the following :—

No. 3776, dated 12th October 1881.

From—J. B. PEILE, Esq., C.S.I., Secretary to the Government of Bombay, Financial Department,

To—The Secretary to the Government of India, Department of Finance and Commerce.

In acknowledging receipt of the Resolution of the Government of India, Department of Finance and Commerce, No. 3353 of 30th September 1881, I am directed to say that the Right Hon'ble the Governor in Council cordially accepts the principles of the scheme of Provincial Finance therein set forth, and has taken steps to enable him to place before the Government of India at the earliest possible date such remarks on the details as it may appear to him necessary to consider before the new scheme comes into operation.

ORDER.—Ordered, that this be published in the *Gazette of India* for general information.

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

MILITARY DEPARTMENT.

Simla, the 21st October, 1881.

APPOINTMENTS.

No. 564.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Second-Lieutenant Arthur Fountaine Hogge, 2nd Battalion West Yorkshire Regiment, Officiating Wing Officer, 30th Native Infantry, now Wing Officer, 34th Native Infantry,—14th April, 1880.

Second-Lieutenant Hogge will rank as Lieutenant from the 14th April, 1880, subject to Her Majesty's approval.

No. 565.—VOLUNTEER CORPS—

1st Punjab Volunteer Rifle Corps.

Lieutenant-Colonel W. Howey, Bengal Infantry, to be Commandant.

FURLOUGH AND LEAVE.

No. 566.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant-Colonel (Brevet Colonel) W. Macdonald, Bengal S. C., Commandant, 12th Native Infantry, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Major (Brevet Lieutenant-Colonel) A. G. Ross, Bengal S. C., Wing Commander and 2nd-in-Command, 1st Sikh Infantry, (p. a.) for two years, under rule IX of the regulations of 1868.

No. 567.—In G. G. O. No. 531 of 1881, granting furlough to Lieutenant-Colonel H. A Little for "*the* remaining period under rule XIV," read *the remaining period under rule XIV, clause 2.*

PENSIONS.

No. 568.—Senior Apothecary R. Mayberry, Hyderabad Contingent, is transferred to the Pension establishment.

PROMOTIONS.

No. 569.—NATIVE ARMY—

4th Goorkha Regiment.

Havildar Lall Sing, to be Jemadar, *vice* Toolaram Thappa, seconded.

RETIREMENTS.

No. 570.—Under the authority of the Secretary of State for India and with reference to paragraph 10, G. G. O. No. 489 of 1881, His Excellency the Governor General in Council is pleased to direct the publication of the following scale of pensions for officers joining the Indian Staff Corps on probation on or after the 1st July 1881 :—

Years' Indian service.	Yearly pension. £
20	250
24	365
28	500
32	700

No Colonel's allowances will be granted to any officer coming under the provisions of this General Order.

The furlough service for the above pensions will be governed by the furlough rules of 1875.

2. Officers will be allowed to commute a portion, not exceeding one-third, of their pensions, and the commutation may take place at any time and not merely on retirement.

3. In every case the capitalized sum will be payable in rupees in India, the sterling sum being converted at the official rate of exchange for the year in which the payment is made.

4. Officers joining the Indian Staff Corps on or after the 1st July 1881 will be subject to such further conditions of retirement in the rank of Colonel and General Officer as may be hereafter laid down.

5. An officer in receipt of a good service annuity will not retain it after retirement on pension.

6. Full power is reserved to the Secretary of State for India to temporarily suspend or limit retirement, whenever it may appear to him necessary to do so in the interests of the public service.

REWARDS.

No. 571.—ORDER OF BRITISH INDIA—

In recognition of their services during the late war in Afghanistan, and with reference to G. G. O. No. 534 of 1880, His Excellency the Governor General in Council is pleased to admit the undermentioned Native officers to the 1st and 2nd Classes of the Order of British India, with effect from the 21st October, 1881:—

To the 1st Class, with the title of "Sirdar Bahadur."

Ressaldar-Major Mahomed Uslam Khan, *Bahadur*, 5th Bengal Cavalry.

Subadar Mowladad, *Bahadur*, 20th Bengal Native Infantry.

Subadar-Major Didar Bux, *Bahadur*, 21st Bengal Native Infantry.

Subadar Allum Khan, *Bahadur*, 24th Bengal Native Infantry.

Subadar-Major Shere Sing, *Bahadur*, 25th Bengal Native Infantry.

Subadar-Major Sirdar Juggut Sing, *Bahadur*, 29th Bengal Native Infantry.

Subadar-Major Jeetbeer Khawas, *Bahadur*, 1st Goorkha Regiment (Light Infantry).

Ressaldar-Major Prem Sing, *Bahadur*, Cavalry of the Queen's Own Corps of Guides, Punjab Frontier Force.

Ressaldar-Major Mahomed Ali Khan, *Bahadur*, 1st Punjab Cavalry, Punjab Frontier Force.

Subadar-Major Chunda Sing, *Bahadur*, 3rd Sikh Infantry, Punjab Frontier Force.

Subadar-Major Pir Shah, *Bahadur*, 5th Punjab Infantry, Punjab Frontier Force.

To the 2nd Class, with the title of "Bahadur."

Ressaldar-Major Mahomed Kazim Khan, 3rd Bengal Cavalry, *vice* Ressaldar-Major Mahomed Uslam Khan, *Bahadur*, 5th Bengal Cavalry, promoted.

Ressaldar Mirza Abdulla Khan, 10th (Duke of Cambridge's Own) Bengal Lancers, *vice* Subadar Mowladad, *Bahadur*, 20th Bengal Native Infantry, promoted.

Ressaldar Anoop Sing, 11th (Prince of Wales' Own) Bengal Lancers, *vice* Subadar-Major Didar Bux, *Bahadur*, 21st Bengal Native Infantry, promoted.

Ressaldar Golab Sing, 12th Bengal Cavalry, *vice* Subadar Allum Khan, *Bahadur*, 24th Bengal Native Infantry, promoted.

Ressaldar-Major Hussan Ally Khan, 13th Bengal Lancers, *vice* Subadar-Major Shere Sing, *Bahadur*, 25th Bengal Native Infantry, promoted.

Ressaldar T. J. Harling, 14th Bengal Lancers, *vice* Subadar-Major Sirdar Juggut Sing, *Bahadur*, 29th Bengal Native Infantry, promoted.

Ressaldar Juggut Sing, 18th Bengal Cavalry, *vice* Subadar-Major Jeetbeer Khawas, *Bahadur*, 1st Goorkha Regiment, promoted.

Ressaldar-Major Abdool Kurreem Khan, 19th Bengal Lancers, *vice* Ressaldar-Major Prem Sing, *Bahadur*, Cavalry of the Corps of Guides, Punjab Frontier Force, promoted.

Subadar-Major Utter Sing, Bengal Sappers and Miners, *vice* Ressaldar-Major Mahomed Ali Khan, *Bahadur*, 1st Punjab Cavalry, Punjab Frontier Force, promoted.

Subadar-Major Zamin Shah, 19th Bengal Native Infantry, *vice* Subadar-Major Chunda Sing, *Bahadur*, 3rd Sikh Infantry, Punjab Frontier Force, promoted.

Subadar Mehtab Sing, 23rd Bengal Native Infantry (Pioneers), *vice* Subadar-Major Pir Shah, *Bahadur*, 5th Punjab Infantry, Punjab Frontier Force, promoted.

Subadar-Major Heerah Sing, 24th Bengal Native Infantry.

Subadar Dhurm Sing, 25th Bengal Native Infantry.

Subadar-Major Gholam Hossein, 28th Bengal Native Infantry.

Subadar Dull Sing, 29th Bengal Native Infantry.

Subadar-Major Nutha Sing, 30th Bengal Native Infantry.

Subadar-Major Shere Sing, 31st Bengal Native Infantry.

Subadar Ameer Sing, 45th Bengal Native Infantry.

Subadar Mahabeer Bhist, 2nd (Prince of Wales' Own) Goorkha Regiment.

Pensioned Subadar Chamoo Khuttree, late of the 3rd Goorkha Regiment.

Subadar Chamoo Raot, 4th Goorkha Regiment.

Subadar-Major Nuzzur Khan, No. 2 (Derajat) Mountain Battery, Punjab Frontier Force.

Ressaldar Mir Alam Khan, 1st Punjab Cavalry, Punjab Frontier Force.

Ressaidar Shere Sing, 2nd Punjab Cavalry, Punjab Frontier Force.

Ressaldar Mahomed Saleem Khan, 3rd Punjab Cavalry, Punjab Frontier Force.

Ressaldar Amir Alli Shah, 5th Punjab Cavalry, Punjab Frontier Force.

Subadar Sher Sing, Infantry of the Queen's Own Corps of Guides, Punjab Frontier Force.

Subadar-Major Gurbaj Sing, 2nd Sikh Infantry, Punjab Frontier Force.

Subadar Sher Mahomed, 3rd Sikh Infantry, Punjab Frontier Force.

Subadar Fyztullub, 1st Punjab Infantry, Punjab Frontier Force.

Subadar Juma Khan, 5th Punjab Infantry, Punjab Frontier Force.

Ressaldar-Major Gopal Sing, 2nd Regiment, Central India Horse.

Subadar-Major Chunda, Mhairwara Battalion.

Subadar-Major Shaik Homed, 1st Madras Light Cavalry.

Subadar-Major Oomur Khan, 29th Bombay Native Infantry.

2. Of the above, the eleven Native officers appointed to the 1st Class and the last twenty-four of those appointed to the 2nd Class will be borne as supernumerary to the establishment, until absorbed by the lapse of one appointment in every three vacancies.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 17th October, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned commissioned officer, on the date specified, was received in the Military Department from the 11th to the 17th October, 1881:—

Corps.	Rank and Name.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Madras Staff Corps ...	Brevet Colonel J. R. S. Henderson	6th October, 1881.	Kurseong ...	...	...

Statement of Deposits on account of Estates from the 11th to the 17th October, 1881.

On whose account.	Rank.	Corps.	Date of decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
British Military Service.					Rs. A. P.		
Edwin Christy (a) ...	2nd-Lieutenant	8th Hussars ...	13th Dec., 1880	Intestate	569 10 10	...	17th December, 1881.
Charles Haviland Williams (b).	Lieutenant ...	1st Battalion Dorsetshire Regiment.	8th June, 1881	Ditto	532 11 6	...	Ditto.
Indian Military Service.							
D'Arcy Wentworth Thuillier (c).	Lieutenant ...	Bengal Staff Corps.	13th June, 1881	Ditto	1,090 0 9	...	

(a) *Next-of-kin—Father.*—J. F. Christy, Esq., 32, Queen's Gate Gardens, South Kensington, London, S. W.
(b) *Next-of-kin—Father.*—Philip Williams, Clergyman, Rewe Rectory, Devonshire, England.
(c) *Next-of-kin—Father.*—Lieutenant-General Sir Henry Edward Landor Thuillier, Messrs. Grindlay & Co., 55, Parliament Street, London.
Major Isaac Peatt Westmorland, Examiner, Public Works Accounts, Bengal, administering.

W. M. LEES, *Colonel*,
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 21st October, 1881.

No. 40.—The services of Mr. J. Callahan, Assistant Engineer, 1st class, are dispensed with.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 11th October 1881.

No. 329.—The undermentioned Assistant Engineers, 2nd Grade, appointed by the Secretary of State for India in Council from the Royal Indian Engineering College, who have gone through their practical training in England, are posted as follows:—

To Madras.

Mr. C. A. Smith.

To Bombay.

Mr. S. N. Squire.
Mr. H. J. Landon.

To Bengal.

Mr. G. Mills.
Mr. R. E. Carter.
Mr. G. C. Maconchy.

To North-Western Provinces and Oudh.

Mr. M. Nethersole.
Mr. E. A. Lee.
Mr. E. G. Salter.
Mr. G. W. Sweet.
Mr. H. J. Strickland.

To Punjab.

Mr. A. J. Scratchley.
Mr. H. J. Johnston.
Mr. A. Grant.

To State Railways.

Mr. R. C. Dyson.
Mr. E. J. Alexander.
Mr. J. Manson.
Mr. W. E. Curry.
Mr. A. V. Heath.
Mr. W. R. Shaw.
Mr. W. A. Johns.
Mr. H. S. Guinness.
Mr. R. D. Percival.

No. 330.—The following students of the Royal Indian Engineering College, who have been appointed by Her Majesty's Secretary of State Assistant Engineers in the grades specified, are

posted as follows for the purpose of undergoing a course of practical training for one year:—

To Madras.

Mr. C. H. D. Marjoribanks, Assistant Engineer, 2nd Grade.
Mr. H. V. R. Kemball, Assistant Engineer, 2nd Grade.
Mr. J. H. Medlicott, Assistant Engineer, 2nd Grade.
Mr. J. J. Whiteley, Assistant Engineer, 2nd Grade.
Mr. A. T. Mackenzie, Assistant Engineer, 3rd Grade.

To Bombay.

Mr. H. V. M. Phelips, Assistant Engineer, 2nd Grade.

To Bengal.

Mr. M. H. Jackson, Assistant Engineer, 2nd Grade.

To North-Western Provinces and Oudh.

Mr. R. S. Strachey, Assistant Engineer, 2nd Grade.

To British Burma.

Mr. G. F. Handcock, Assistant Engineer, 3rd Grade.

To Assam.

Mr. R. D. Buck, Assistant Engineer, 2nd Grade.

To Central India.

Mr. R. H. Tickell, Assistant Engineer, 2nd Grade.

To Rajputana.

Mr. C. S. Rennick, Assistant Engineer, 2nd Grade.

The 19th October 1881.

No. 336.—Mr. C. A. Bull and Mr. C. H. Croudace, Executive Engineers, 1st and 2nd Grade respectively, on the Establishment of the Director General of Railways, are placed at the disposal of the Government of Bombay, Railway Branch.

The 20th October 1881.

No. 337.—The Governor General in Council is pleased to order the formation of a Special Circle of Public Works to be called the Simla Imperial Circle, and to place it under the direction of the Inspector General of Military Works.

No. 338.—With reference to the above Notification, the following officers from the Provinces specified are temporarily attached to the Simla Imperial Circle:—

From the Central Provinces.

Mr. H. Irwin, Executive Engineer, 1st Grade, with the rank of Superintendent of Works.

From the Punjab.

Mr. J. M. Campion, Executive Engineer, 3rd Grade.
Mr. T. J. Dumayne, Executive Engineer, 4th Grade, *temporary rank.*
Mr. F. B. Hebbert, Assistant Engineer, 1st Grade.
Mr. J. S. Brown, Assistant Engineer, 1st Grade.
Dharm Sing Soin, Assistant Engineer, 2nd Grade.

No. 339.—Mr. R. W. Egerton, Assistant Engineer, 2nd Grade, temporarily attached to the Punjab, is retransferred to the Railway Branch, and his services placed at the disposal of the Director General of Railways.

No. 340.—The transfer of Mr. M. S. Dooley, Executive Engineer, 2nd Grade, from the Railway Branch of the Public Works Department to the Punjab, in Notification No. 304 of 16th September 1881, is to be considered a temporary arrangement only.

No. 341.—The services of Mr. G. J. H. M. Sherman, Storekeeper, Officiating in Class III of Revenue Scale (Bengal Railway Branch), are placed at the disposal of the Director General of Railways.

The 21st October 1881.

No. 342.—The undermentioned Assistant Engineers, 1st Grade, are temporarily promoted to Executive Engineer, 4th Grade, with effect from the 31st August 1881:—

Mr. G. W. Winckler, Assam.
Mr. F. G. B. Fox, Burma.

No. 343.—The undermentioned officers are placed at the disposal of the Government of Bengal, for employment in the Railway Branch:—

Mr. F. L. Dibblee, Officiating Superintending Engineer, Class III.
Mr. F. J. E. Spring, Executive Engineer, 3rd Grade.
Mr. E. J. Keelan, Executive Engineer, 4th Grade.
Mr. G. F. Lamb, Assistant Engineer, 1st Grade.
Mr. W. E. Newham, Assistant Engineer, 2nd Grade.
Babu Mal, Assistant Engineer, 2nd Grade.

No. 344.—*Erratum.*—In Public Works Department Notification No. 333, dated 12th instant, promoting Mr. A. Grant to Assistant Examiner, 1st Grade, for "*28th September 1881*" read "*20th September 1881.*"

TELEGRAPH.

The 11th October 1881.

No. 331.—The Secretary of State for India in Council has been pleased to appoint Mr. I. C. Thomas, a passed student of the Royal Indian Engineering College, to the Telegraph Department in India as Assistant Superintendent, 4th Grade.

W. S. TREVOR, *Colonel, R.E.,*
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 44. } SIMLA, SATURDAY, OCTOBER 29, 1881.

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

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SUPPLEMENT No. 44.

PART I.

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

MILITARY (QUARTER) OFFICE.

NOTIFICATION.

Simla, the 28th October 1881.

Programme of His Excellency the Viceroy's Arrival in Calcutta.

His Excellency the Viceroy and Governor General will arrive in Calcutta by a special train on Friday, the 2nd December 1881, at 8-18 A.M. Railway time.

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

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

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

The Body-Guard will form the escort.

A royal salute will be fired from the ramparts of Fort William as His Excellency passes the Hooghly Bridge.

Guards of Honor of British Infantry and of the Calcutta Volunteer Rifles will be drawn up in front of the grand staircase of Government House.

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

By Command,

GEO. S. WHITE, *Lieut.-Colonel,*
Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 24th October 1881.

No. 317.—Mr. R. B. Chapman, C.S.I., is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 27th August 1881.

The 26th October 1881.

No. 323.—Mr. William Waterfield is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 5th September 1881.

The 28th October 1881.

No. 334.—*Appointments.*—Lieutenant-Colonel M. P. Ricketts, Deputy Commissioner, 2nd Class, in the Central Provinces, to be Deputy Commissioner, 1st Class, *vice* Colonel C. L. R. Glasfurd, retired.

Major W. S. Brooke, Deputy Commissioner, 3rd Class, to be Deputy Commissioner, 2nd Class, *vice* Lieutenant-Colonel Ricketts.

Mr. H. J. MacGeorge, Deputy Commissioner, 4th Class, to be Deputy Commissioner, 3rd Class, *vice* Major Brooke.

Mr. J. W. Tawney, C.S., Assistant Commissioner, 1st Class, to be Deputy Commissioner, 4th Class, *vice* Mr. MacGeorge.

Mr. T. E. Ellison, C.S., Assistant Commissioner, 2nd Class, to be Assistant Commissioner, 1st Class, *vice* Mr. Tawney.

Mr. J. P. Goodridge, C.S., Assistant Commissioner, 3rd Class, to be Assistant Commissioner, 2nd Class, *vice* Mr. Ellison.

Mr. R. H. Finch, C.S., Supernumerary Assistant Commissioner, to be Assistant Commissioner, 3rd Class, *vice* Mr. Goodridge.

No. 336.—The following temporary promotions are made in the British Burma Commission during the absence on leave of Mr. F. W. Fox, C.S., Assistant Commissioner, 3rd (Officiating 1st) Grade, or until further orders:—

Captain W. F. H. Grey, Assistant Commissioner, 3rd (Officiating 2nd) Grade, to officiate as Assistant Commissioner, 1st Grade.

Mr. P. C. H. Snow, C.S., Assistant Commissioner, 4th (Officiating 3rd) Grade, to officiate as Assistant Commissioner, 2nd Grade.

Mr. H. G. Batten, Assistant Commissioner, 4th Grade, to officiate as Assistant Commissioner, 3rd Grade.

No. 337.—The following temporary promotions are made in the British Burma Commission during the absence on leave of Major R. C. Evanson, Deputy Commissioner, 4th (Officiating 3rd) Grade, or until further orders:—

Major M. C. Poole, Deputy Commissioner, 4th Grade, to officiate as Deputy Commissioner, 3rd Grade.

Captain C. H. E. Adamson, Assistant Commissioner, 2nd (Officiating 1st) Grade, to officiate as Deputy Commissioner, 4th Grade.

Captain T. M. Jenkins, Assistant Commissioner, 4th (Officiating 2nd) Grade, to officiate as Assistant Commissioner, 1st Grade.

Mr. A. M. B. Irwin, C.S., Assistant Commissioner, 4th (Officiating 3rd) Grade, to officiate as Assistant Commissioner, 2nd Grade.

Mr. W. T. Hall, C.S., Assistant Commissioner, 4th Grade, to officiate as Assistant Commissioner, 3rd Grade.

MEDICAL.

The 26th October 1881.

No. 542.—The services of Surgeon W. Coates, M.D., are temporarily placed at the disposal of the Government of the Punjab.

PORT BLAIR.

The 28th October 1881.

No. 292.—The Governor General in Council is pleased to appoint Major M. Protheroe, C.S.I., Deputy Superintendent of Port Blair and the Nicobars, to officiate as Chief Commissioner of the Andaman and Nicobar Islands and Superintendent of Port Blair and the Nicobars, during the absence on furlough of Lieutenant-Colonel T. Cadell, V.C., or until further orders.

Lieutenant-Colonel Cadell and Major Protheroe respectively made over and received charge of the office of Chief Commissioner of the Andaman and Nicobar Islands and Superintendent of Port Blair and the Nicobars on the afternoon of the 17th instant.

ECCLESIASTICAL.

The 25th October 1881.

No. 167.—The Reverend T. Borrodaile Speedy, B.A., a Junior Chaplain on the Bengal Establishment, reported his arrival at Calcutta on the forenoon of the 15th instant.

Mr. Speedy's services are placed at the disposal of the Government of the North-Western Provinces and Oudh.

PATENTS.

The 24th October 1881.

No. 865.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency, to public inspection upon payment of a fee of one rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying:—

No. 39 of 1881.—Richard Oliberts, of Ardee, Ireland, Esquire, for improvements in indigo presses.

No. 58 of 1881.—Gavin Sibbald Jones, of Cawnpore, for constructing a cheap and effective plough "called Kasthkar's plough."

No. 64 of 1881.—John Dixon, of 866, Church Street, Richmond, in the County of Bourke, in the Colony of Victoria, but at present also of 15, Water Street, Liverpool, in England, Gas Engineer, for the manufacture of an improved gas, and the apparatus and method therein employed.

No. 82 of 1881.—Frederick Campbell, of 67, Strand, London, for improvements in apparatus for the amalgamation of gold.

No. 102 of 1881.—Charles Alfred Edgar Banks, of Balladhan Tea Estate, Cachar, Tea Planter, for improvements in the method of drying, firing, or roasting tea, and apparatus therefor.

No. 103 of 1881.—Daniell Mills, of Philadelphia, Pennsylvania, United States of America, for improvements in sewing machines, chiefly designed for leather work.

No. 106 of 1881.—Frederick Noel Mackay, of Liverpool, in the County of Lancaster, England, Engineer, for improvements in means and apparatus for the manufacture of snow.

No. 107 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, Electrician, for improvements in electric lamps, and the manufacture thereof, and in systems thereof.

No. 108 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, Electrician, for improvements in electric lights and fittings and fixtures therefor.

No. 109 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, Electrician, for improvements in magneto and dynamo electric machines or motors, and means and methods for controlling their generative force.

No. 110 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, Electrician, for improvements in electric arc lights.

No. 111 of 1881.—Count Antoine Apraxine, of the City of Saint Petersburg, in the Empire of Russia, for improvements in aërial balloons.

No. 112 of 1881.—Friedrich Petri, of Berlin, Germany, Doctor of Philosophy, for improved processes for the preparation and utilisation of materials for the disinfection of fecal and other like matter, which, when disinfected, may serve as manure or fuel.

No. 113 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, Electrician, for improvements in magneto or dynamo electric machines or electric engines.

No. 114 of 1881.—George William Brown, of the Reading Iron Works, Limited, of Reading, in the County of Berks, England, for improvements in the arrangement and construction of horse or bullock gear for driving agricultural and other machines.

No. 117 of 1881.—Thomas Anthony Connolly, of Washington, District of Columbia, United States of America, for improvements in telephonic and telegraphic apparatus.

No. 121 of 1881.—Sydney Pitt, of Sutton, in the County of Surrey, England, for improvements in telegraphy.

No. 122 of 1881.—Thomas Alva Edison, of Menlo Park, in the State of New Jersey, United States of America, Electrician, for improvements in commutators for dynamo or magneto electric machines or electro motors.

FORESTS.

The 25th October 1881.

No. 988F.—Mr. J. Copeland, Probationer in the Forest Department of the Punjab, is appointed a Sub-Assistant Conservator of Forests, with effect from the 1st April 1881.

Mr. Copeland will continue to be employed in the Punjab.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 28th October 1881.

No. 15 *G.J.*—In continuation of Notification No. 126 G.P., dated 28th April 1881, and in exercise of the powers conferred by Sections 4 and 5 of Act XXI of 1879 (The Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following Notification:—

"All powers or jurisdiction vested in the Judicial Commissioner of Mysore or in his Court by any laws, regulations, or rules in force within the civil and military station of Bangalore shall, from the date on which the said Notification No. 126 G.P., dated 28th April 1881, comes into force, be deemed to have been vested in the Chief Judge of Mysore or in his Court."

No. 16 *G.J.*—The Governor-General in Council is pleased to notify the following addition to the Notification in the Foreign Department, No. 126 G.P., dated 28th April 1881, regarding the jurisdiction of the Courts in the civil and military station of Bangalore, which shall have effect from the date of the said Notification:—

"In the case of all decrees and orders passed before the 25th day of March 1881, by the Munsiff or Subordinate Judge of Bangalore or the District Judge of Nundydroog, in exercise of the civil jurisdiction possessed by them over the aforesaid lands, an appeal, when the same is allowed by law, shall lie,—

(*a*) in the case of original decrees or orders of the Munsiff or Subordinate Judge of Bangalore, to the Court of the Civil Judge;

(*b*) in the case of original decrees or orders of the District Judge of Nundydroog or of appellate decrees of the Subordinate Judge of Bangalore or the District Judge of Nundydroog, to the Chief Judge of Mysore."

The 27th October 1881.

No. 213 *J.*—The Governor-General in Council is pleased, under the provisions of Section 37 of the Code of Criminal Procedure, to invest Lieutenant-Colonel M. M. Procter with the powers of a Magistrate of the 2nd Class, to be exercised within the limits of the Murar Cantonment.

No. 215 *I.J.*—Lieutenant-Colonel M. M. Procter, Assistant Cantonment Magistrate, Morar, is invested with the powers of a Judge of a Court of Small Causes, as provided in Section 6 of Act III of 1880.

POLITICAL.

The 26th October 1881.

No. 314 *G.P.*—His Excellency the Viceroy and Governor-General in Council is pleased to recognise the appointment of Mr. Friederich Müller as Acting Consul for the German Empire at Bombay.

The 27th October 1881.

No. 317 *G.P.*—With reference to Notification No. 233 G.P., of the 17th August 1881, Mr. A. B. Cobb, Vice-Consul-General for the United States of America at Calcutta, resumed charge of his office on the 5th October 1881.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 28th October 1881.

No. 3327.—The following Resolution, recorded by the Government of Madras on the orders of the Government of India, No. 2562, dated 2nd September 1881, directing the substitution of Indian for English stores, is published for general information:—

Proceedings of the Government of Madras, Financial Department, No. 1828, dated 29th September 1881.

Read—

Proceedings of the Government of India in the Department of Finance and Commerce (Stores), dated Simla, 2nd September 1881, No. 2562 (published in the *Gazette of India*, Part I, page 352, dated 2nd September 1881).

ORDER.—Communicated to the officers specially concerned, and to all other heads of Departments.

2. The Hon'ble the Governor in Council directs that lists be prepared of all articles required, excepting only such articles as it is certain can only be obtained in Europe, and that all heads of Departments advertise their needs, stating their annual requirements on average and five years' average of expenditure, including carriage, and request information from all who can undertake to supply.

3. The advertisements should be published in the chief newspapers of Bombay, Madras, and Bengal within one month of the receipt of this order, which, together with the Resolution of the Government of India and the enclosure thereto, will be published in the *Fort St. George Gazette*.

4. Copy of these proceedings will be forwarded to the Government of India.

The 25th October 1881.

No. 3343.—Mr. T. C. Hope, C.S.I., Bombay Civil Service, is confirmed in the office of the Secretary to the Government of India, Department of Finance and Commerce, with effect from the 27th August 1881.

The 26th October 1881.

No. 3359.—Mr. Stephen Jacob, B.C.S., is appointed to officiate as Accountant General, Bengal.

Mr. R. Logan, B.C.S., is appointed to officiate as Under-Secretary to the Government of India in the Department of Finance and Commerce.

The 28th October 1881.

No. 3895.

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

Read again the undermentioned papers regarding the supply of stores required for the public service in India:—

Financial Resolution No. 3574, dated 3rd November 1880.
„ „ „ 953, dated 10th June 1881.
„ Circular No. 220, dated 28th April 1881.
„ „ „ 621, dated 14th May 1881.
„ Resolution No. 3170, dated 21st September 1881.

Read also—

Letter from the Government of Bombay, No. 3469, dated 21st September 1881, forwarding supplementary returns of European stores purchased locally by certain officers in the Presidency of Bombay during the last two years.

RESOLUTION.—**His Excellency the Governor General in Council directs that the procedure indicated in the Resolution of the 21st ultimo shall be followed in respect of the future supply of the articles enumerated in the list appended to this Resolution, which has been prepared from the returns received from the Government of Bombay with letter No. 3469, dated the 21st September, cited above.**

ORDERED, that the foregoing Resolution be communicated to the Government of Bombay and to the other Local Governments and Administrations for information and guidance; also that it be published in the *Gazette of India*.

LIST OF ARTICLES.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
			Rs. A. P.			Rs. A. P.			Rs. A. P.
Acid, sulphuric	...	2 lbs. ...	1 0 0	Rs. 0-13-4 to Rs. 1-4-0 per lb.	6½ lbs. ...	7 8 0	...	8½ lbs. ...	8 8 0
„ „ concentrated ...	...	...	...	„ 1-8-0 per lb. ...	1 lb. ...	1 8 0			
„ hydrochloric ...	...	...	...	„ 1-4-0 „ ...	1 „ ...	1 4 0			
„ nitric	...	1 lb. ...	1 4 0	„ 1-8-0 „ ...	2 lbs. ...	3 0 0	...	3 lbs. ...	4 4 0
„ „	...	...	...	„ 1-8-0 per bottle ...	1 bottle ...	1 8 0			
Ammonia, liquor, fortis ...	...	...	...	...	...	1 8 0			
				„ 0-3-6 per oz. ...	4 oz. ...	0 14 0			
Bells	...	...	...	...	1 ...	3 8 0			
Bodkins	Rs. 0-1-6 each ...	9 ...	0 13 6	...	...				
Books, English bound ...	...	...	...	...	...	136 12 0			
„ Europe	...	...	...	...	5 ...	11 0 0			
Blotting paper	Rs. 7-8-0 to Rs. 17-8-0 per ream.	4 qrs. 3 shts....	3 1 0	Rs. 7½ to Rs. 14½ per ream.	6 quires 10 shts.	3 6 9	...	10 quires 13 shts.	6 7 9
„ „	„ 0-6-0 to Rs. 1-8-0 per quire.	40 „ 9 „ ...	31 6 0	„ 0-10-0 to Rs. 1-2-0 per quire.	18 „ 2 „	16 14 6	...	58 „ 11 „	48 4 6
„ „	„ 0-0-4 to Rs. 0-1-2 per sheet.	17 „ 12 „ ...	15 8 8	5 & 6 pie per sheet ...	75 sheets ...	2 5 0	...	20 „ 15 „	17 13 8
„ „	...	11 „ 1 „ ...	11 13 3	...	13 quires 23 shts.	18 7 0	...	25 „ ...	30 4 3
„ „	...	...	0 7 6						
Broadcloth, red, for bordering peons' coats.	„ 2-8-0 per yard ...	3 yds. 25 inches	9 4 0	...	...	0 12 11	...	...	10 12 11
	...	¼ yd. ...	0 12 0						
Broadcloth	„ 4-14-0 per yard ...	3 yds. ...	14 10 0						
Brown paper	„ 10-0-0 to Rs. 17-6-4 per ream.	6 reams 11 quires 14 sheets.	98 14 3	Rs. 10-0-0 to Rs. 16-4-0 per ream.	2 reams 18 qrs. 14 shts.	40 6 3	...	9 reams 10 qrs. 4 sheets.	139 4 6
„ „	„ 0-10-0 to Rs. 1-8-0 a quire.	3 reams 10 shts.	64 13 0	„ 0-10-0 to Rs. 1-4-0 per quire.	5 reams 2 qrs. 18 shts.	70 0 4	...	8 reams 3 quires 4 sheets.	134 13 4
„ „	...	...	...	...	6¼ quires ...	4 14 0			
Canvas	...	...	0 10 0	...	...				
	...	22¼ yards ...	10 0 0	...	6 yards ...	2 1 6	...	...	12 11 6
Candles	Rs. 0-8-0 to Rs. 1-0-0 per doz.	523⅓ dozens ...	469 9 6	Rs. 0-8-0 to Re. 1-0-0 per dozen.	284⅙ dozens ...	302 12 2	...	807⅓ dozens ...	772 5 8
„ ...	...	...	...	...	...	46 3 0			
Candlesticks	„ 0-14-0 a doz. ...	3 dozens ...	2 10 0	Rs. 0-14-0 a dozen ...	2½ dozens ...	2 3 0	...	5⅓ „ ...	4 13 0
„	...	3 number ...	10 10 0	„ 3-13-4 each ...	3 number ...	11 8 0	...	7 number ...	23 10 0
„	„ 1-8-0 each ...	1 „ ...	1 8 0						
Candle shades	„ 0-6-0 „ ...	4 „ ...	1 8 0	„ 0-4-0 „ ...	2 „ ...	0 8 0	...	6 „ ...	2 0 0
Cartridge paper	„ 0-0-4 to Rs. 0-0-7 a sheet.	526 sheets ...	15 11 6	„ 0-0-4 to Rs. 0-1-0 a sheet.	682 sheets ...	19 10 8	...	1,208 sheets ...	35 6 2

„ „	„ 0-8-0 to Rs. 1-8-0 per quire.	179 qrs. 14 shts.	100 0 0	„ 1-4-0 to Rs. 2-1-6 a quire.	10 qrs. 17 sheets	15 1 6	...	190 quires 7 sheets	115 1 6
„ „	...	...	7 8 6	...	...	4 15 0	...	...	12 7 6
Chalk ...	„ 1½ to Rs. 8 per md.	43 mds. 33½ seers	151 13 5	„ 3 to Rs. 7½ per md.	59 mds. 37½ seers	211 8 1	...	103 mds. 31 seers	363 5 6
„	...	...	...	...	1 cwt. ...	1 6 0			
„	...	...	...	...	...	8 15 0			
Cocoanut oil ...	...	...	...	„ 0-3-2 per lb. ...	461 lbs. ...	92 5 8			
Cloth	„ 0-2-0 to 0-8-0 per yard.	144½ yards ...	24 1 9	„ 0-2-3 to 1-1-2 per yard.	47 yards ...	12 3 0	...	191½ yards ...	36 4 9
	„ 1-6-0 to 2-4-0 a piece.	2 pieces ...	3 10 0						
„ lining	10 annas a yard ...	1½ yards ...	0 15 0	...	½ yard ...	0 5 0	...	2 „ ...	1 4 0
„ English, towels and cloth for dusters.	4 and 3 annas per yard.	140 „ ...	31 6 6	...	...	...			
„ for dufter	2 annas a piece ...	41 pieces ...	5 2 0	„ 0-5-3 a piece ...	4 pieces ...	1 5 0	...	45 pieces ...	6 7 0
„ kharua	...	9 yards ...	2 0 0	...	...	...	...	...	...
	6 annas a piece ...	1 piece ...	0 6 0						
„ fine, white, for vouchers...	Rs. 0-2-0 per yard ...	60 yards ...	7 8 0	...	...	...	...	...	...
„ for lappets, for mounting maps and for cushions.	„ 0-2-6 to 0-3-5 a yard.	83½ „ ...	16 0 9	4 to 8 annas a yard ...	28½ yards ...	10 2 0	...	112 yards ...	26 2 9
„ for cushion covers, &c, ...	...	...	...	Rs. 0-3-2 per yard ...	282 „ ...	56 5 3			
„ chintz	„ 0-4-0 and 0-4-9 per yard.	28 yards ...	7 8 5	4 annas per yard ...	10 „ ...	2 8 0	...	38 „ ...	10 0 5
„ coloured, for book binders	...	...	4 4 0						
	...	...	...	Rs. 0-11-2 a yard ...	10⅓ „ ...	7 5 0			
„ for rumal ...	...	...	...	„ 0-2-0 to 1-10-0 per piece.	9 pieces ...	10 2 0			
	...	...	...	...	8 yards ...	2 8 6			
Cotton, flannel, for peons' use...	...	...	3 0 0	...	...	...			
Drill, American, white ...	4 annas a yard ...	170 yards ...	42 8 0	...	...	...			
Ether	...	...	0 4 0						
„ bindings	Rs. 0-4-4 to 0-5-8 each	11 number ...	3 6 1						
„ boards	...	1 „ ...	0 12 0	...	1 number ...	0 12 0	...	19 number ...	8 8 0
„ sticks	...	...	...	4 to 8 annas each ...	17 „ ...	7 0 0			
	„ 0-0-6 to 0-0-9 a pair.	202 pairs ...	7 3 0	Rs. 0-0-6 per pair ...	162 pairs ...	3 8 0	...	364 pairs ...	10 11 0
File strings	...	1 dozen ...	0 6 0	„ 0-8-0 a dozen ...	2 dozens ...	1 0 0	...	3 dozens ...	1 6 0
	„ 0-0-6 to 0-1-6 per pair.	101 pairs ...	4 3 9	„ 0-0-4 to 0-1-0 per pair.	145 pairs ...	4 6 0	...	246 pairs ...	8 9 9
Gardening knife	„ 0-12-0 each ...	1 number ...	0 12 0						
Gum bottles	„ 2-0-0 „ ...	2 „ ...	4 0 0	„ 0-5-0 to 2-0-0 each	4 number ...	6 5 0	...	6 number ...	10 5 0
Gum Arabic	...	...	...	6 annas per lb. ...	2½ lbs. ...	0 15 0			
Galvanized iron tanks ...	...	...	...	...	2 number ...				
Gum	„ 0-1-0 to 0-4-0 a seer.	111¼ seers ...	14 7 9	Rs. 0-1-0 to Rs. 0-3-0 a seer.	58½ seers ...	8 6 6	...	169¾ seers ...	22 14 3
„	...	...	...	...	4 lbs. 25 tolas	1 0 0			
Hogslard	...	...	...	...	1 tin ...	0 2 0			

LIST OF ARTICLES—continued.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
			Rs. A. P.			Rs. A. P.			Rs. A. P.
Hammer	...	...	...	Rs. 0-8-0 each ...	1 ...	0 8 0	...	...	...
Hinges, butt brass, 4 inches ...	...	...	...	„ 1-11-2 a pair ...	6 pairs ...	10 3 0	...	...	...
Ink, black	Rs. 0-2-0 to Rs. 1-2-9 a bottle.	575 bottles ...	169 7 7	„ 0-1-0 to Rs. 1-0-0 a bottle.	538 bottles ...	213 4 9	...	1,113 bottles ...	382 12 4
„ „	...	...	0 12 0	...	...	33 2 10	...	...	33 14 10
„ blue black, fluid ...	„ 1-8-0 per bottle ...	44 bottles ...	66 0 0	„ 0-11-0 to Rs. 1-8-0 a bottle.	71 bottles ...	104 14 0	...	115 bottles ...	170 14 0
„ powder, black ...	„ 0-6-0 to Rs. 2-0-0 a bottle.	9 „ ...	7 6 0	„ 0-4-6 a tola ...	1 tola ...	0 4 6	...	...	14 14 6
„ „	„ 0-2-0 per bundle ...	24 ...	3 0 0						
„ „	...	...	4 4 0	...	...	...	...	...	...
„ for seals	„ 2-8-0 a bottle ...	1 ...	2 8 0	...	...	...	...	...	...
„ bottles	...	...	...	„ 0-0-9 each ...	3 number ...	0 2 3	...	...	...
Inkstands	„ 0-0-9 to Rs. 0-11-0 each.	115 ...	11 9 2	„ 0-0-9 to Rs. 0-2-6 each.	27 ...	1 14 11	...	142 ...	13 8 1
„ brass	...	...	...	„ 1-4-0 each ...	1 ...	1 4 0	...	...	...
Iron safe	...	1 ...	120 0 0	...	...	...	...	...	...
„ rivets	...	...	...	...	1 cwt. 84 lbs.	52 0 0	...	...	...
„ „	...	...	...	„ 15 per cwt. ...	2½ cwt. ...	37 8 0	...	...	...
Kerosine oil	Rs. 0-2-0 to 0-3-0 per bottle.	81 bottles ...	10 11 0	„ 0-2-0 to Rs. 0-3-0 per bottle.	75⅓ bottles ...	11 10 9	...	156⅓ bottles ...	22 5 9
„	...	...	...	„ 0-1-8 per lb ...	850 lbs. ...	85 5 11	...	...	...
Khadi cloth	„ 1 to 5 per piece ...	26⅓ pieces ...	41 1 6	„ 0-10-0 to Rs. 4-8-0 piece.	18 pieces ...	28 0 0	...	44⅓ pieces ...	69 1 6
„	6¼ yds. per rupee ...	13 yards ...	4 8 0	...	...	...	...	...	...
„	6 „ „ ...	15 „ ...							
Linseed oil	Rs. 0-12-0 per bottle ...	1 bottle ...	0 12 0	„ 3-0-0 a gallon ...	4½ lbs. ...	1 8 0	...	...	...
Locks, brass	„ 0-4-0 to Rs. 2-2-6 each.	5 number ...	6 12 0	„ 0-12-0 to 2-4-0 each	14 number ...	19 10 0	...	19 ...	26 6 0
Laces for files	...	...	...	„ 0-6-0 a dozen ...	1½ dozens ...	0 9 0	...	...	...
Lanterns	„ 0-8-0 to Rs. 3-0-0 each.	5 ...	5 0 0	...	...	...	...	...	...
Leather (skins)	...	...	...	„ 0-8-0 each ...	2 ...	1 0 0	...	...	...
„ covers	...	...	...	„ 0-5-4 „ ...	406 number ...	165 10 0	...	...	...
Locks, iron	„ 0-1-0 to Rs. 0-12-3 each.	192 number ...	72 6 10	„ 0-2-0 to 0-9-0 each	36 ...	15 4 0	...	228 number ...	87 10 10
Methylated spirits	...	...	2 12 0	...	...	...	...	...	...
Nitrate of silver, crystallized ...	...	...	...	„ 2-0-0 an oz. ...	1 oz. ...	2 0 0	...	...	...
„ „	„ 0-8-0 to Rs. 1-8-0 per quire.	179 qrs. 14 shts.	100 0 0	„ 1-4-0 to Rs. 2-1-6 a quire.	10 qrs. 17 sheets	15 1 6	...	190 quires 7 sheets	115 1 6
„ „	...	...	7 8 6	...	...	4 15 0	...	...	12 7 6
Chalk	„ 1½ to Rs. 8 per md.	43 mds. 33⅓ seers	151 13 5	„ 3 to Rs. 7½ per md.	59 mds. 37½ seers	211 8 1	...	103 mds. 31 seers	363 5 6
„	...	...	...	...	1 cwt. ...	1 6 0	...	...	...
„	...	...	...	...	...	8 15 0	...	...	...
Cocoanut oil	...	...	...	„ 0-3-2 per lb. ...	461 lbs. ...	92 5 8	...	...	...
Cloth	„ 0-2-0 to 0-8-0 per yard.	144½ yards ...	24 1 9	„ 0-2-3 to 1-1-2 per yard.	47 yards ...	12 3 0	...	191⅓ yards ...	36 4 9
	„ 1-6-0 to 2-4-0 a piece.	2 pieces ...	3 10 0						
„ lining	10 annas a yard ...	1½ yards ...	0 15 0	...	½ yard ...	0 5 0	...	2 „ ...	1 4 0
„ English, towels and cloth for dusters.	4 and 3 annas per yard	140 „ ...	31 6 6	...	...	...	...	...	...
„ for dufter	2 annas a piece ...	41 pieces ...	5 2 0	„ 0-5-3 a piece ...	4 pieces ...	1 5 0	...	45 pieces ...	6 7 0
„ kharua	...	9 yards ...	2 0 0	...	...	...	...	...	...
	6 annas a piece ...	1 piece ...	0 6 0	...	...	...	...	...	...
„ fine, white, for vouchers ...	Rs. 0-2-0 per yard ...	60 yards ...	7 8 0	...	...	...	...	...	...
„ for lappets, for mounting maps and for cushions.	„ 0-2-6 to 0-3-5 a yard.	83⅓ „ ...	16 0 9	4 to 8 annas a yard ...	28½ yards ...	10 2 0	...	112 yards ...	26 2 9
„ for cushion covers, &c. ...	...	...	...	Rs. 0-3-2 per yard ...	282 „ ...	56 5 3			
„ chintz	„ 0-4-0 and 0-4-9 per yard.	28 yards ...	7 8 5	4 annas per yard ...	10 „ ...	2 8 0	...	38 „ ...	10 0 5
	...	...	4 4 0						
„ coloured, for book binders	...	...	...	Rs. 0-11-2 a yard ...	10½ „ ...	7 5 0			
„ for rumal ...	...	...	...	„ 0-2-0 to 1-10-0 per piece.	9 pieces ...	10 2 0			
	...	...	...	...	8 yards ...	2 8 6			
Cotton, flannel, for peons' use ...	...	...	3 0 0	...	...	...			
Drill, American, white ...	4 annas a yard ...	170 yards ...	42 8 0	...	...	...			
Ether	...	...	0 4 0						
File bindings	Rs. 0-4-4 to 0-5-3 each	11 number ...	3 6 1						
„ boards	...	1 „ ...	0 12 0	...	1 number ...	0 12 0	...	19 number ...	8 8 0
„ sticks	...	...	...	4 to 8 annas each ...	17 „ ...	7 0 0			
	„ 0-0-6 to 0-0-9 a pair.	202 pairs ...	7 3 0	Rs. 0-0-6 per pair ...	162 pairs ...	3 8 0	...	364 pairs ...	10 11 0
	...	1 dozen ...	0 6 0	„ 0-3-0 a dozen ...	2 dozens ...	1 0 0	...	3 dozens ...	1 6 0
„ strings	„ 0-0-6 to 0-1-6 per pair.	101 pairs ...	4 3 9	„ 0-0-4 to 0-1-0 per pair.	145 pairs ...	4 6 0	...	246 pairs ...	8 9 9
Gardening knife	„ 0-12-0 each ...	1 number ...	0 12 0						
Gum bottles	„ 2-0-0 „ ...	2 „ ...	4 0 0	„ 0-5-0 to 2-0-0 each	4 number ...	6 5 0	...	6 number ...	10 5 0
Gum Arabic	...	...	...	6 annas per lb. ...	2½ lbs. ...	0 15 0			
Galvanized iron tanks ...	...	...	...	...	2 number ...				
Gum	„ 0-1-0 to 0-4-0 a seer.	111¼ seers ...	14 7 9	Rs. 0-1-0 to Rs. 0-3-0 a seer.	58½ seers ...	8 6 6	...	169¾ seers ...	22 14 3
„	...	...	...	...	4 lbs. 25 tolas	1 0 0			
Hogslard	...	...	...	...	1 tin ...	0 2 0			

LIST OF ARTICLES—continued.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
			Rs. A. P.			Rs. A. P.			Rs. A. P.
Hammer	...	...	...	Rs. 0-8-0 each ...	1 ...	0 8 0	...	...	...
Hinges, butt brass, 4 inches ...	...	...	...	„ 1-11-2 a pair ...	6 pairs ...	10 3 0	...	...	...
Ink, black	Rs. 0-2-0 to Rs. 1-2-9 a bottle.	575 bottles ...	169 7 7	„ 0-1-0 to Rs. 1-0-0 a bottle.	538 bottles ...	213 4 9	...	1,113 bottles ...	382 12 4
„ „	...	...	0 12 0	...	...	33 2 10	...	...	33 14 10
„ blue black, fluid ...	„ 1-8-0 per bottle ...	44 bottles ...	66 0 0	„ 0-11-0 to Rs. 1-8-0 a bottle.	71 bottles ...	104 14 0	...	115 bottles ...	170 14 0
„ powder, black ...	„ 0-6-0 to Rs. 2-0-0 a bottle.	9 „ ...	7 6 0						
„ „	„ 0-2-0 per bundle ...	24 ...	3 0 0	„ 0-4-6 a tola ...	1 tola ...	0 4 6	...	...	14 14 6
„ „	...	...	4 4 0						
„ for seals	„ 2-8-0 a bottle ...	1 ...	2 8 0	...	...	...	...	...	...
„ bottles	...	...	...	„ 0-0-9 each ...	3 number ...	0 2 3	...	...	...
Inkstands	„ 0-0-9 to Rs. 0-11-0 each.	115 ...	11 9 2	„ 0-0-9 to Rs. 0-2-6 each.	27 ...	1 14 11	...	142 ...	13 8 1
„ brass	...	...	...	„ 1-4-0 each ...	1 ...	1 4 0	...	...	...
Iron safe	...	1 ...	120 0 0	...	...	...	...	...	...
„ rivets	...	...	...	...	1 cwt. 84 lbs.	52 0 0	...	...	...
„ „	...	...	...	„ 15 per cwt. ...	2½ cwt. ...	37 8 0	...	...	...
Kerosine oil	Rs. 0-2-0 to 0-3-0 per bottle.	81 bottles ...	10.11 0	„ 0-2-0 to Rs. 0-3-0 per bottle.	75½ bottles ...	11 10 9	...	156½ bottles ...	22 5 9
„	...	...	...	„ 0-1-8 per lb ...	850 lbs. ...	85 5 11	...	...	...
Khadi cloth	„ 1 to 5 per piece ...	26⅓ pieces ...	41 1 6	„ 0-10-0 to Rs. 4-8-0 piece.	18 pieces ...	28 0 0	...	41⅓ pieces ...	69 1 6
„	6½ yds. per rupee ...	13 yards ...	4 8 0	...	...	...	...	...	...
„	6 „ ...	15 „ ...							
Linseed oil	Rs. 0-12-0 per bottle ...	1 bottle ...	0 12 0	„ 3-0-0 a gallon ...	4½ lbs. ...	1 8 0	...	...	...
Locks, brass	„ 0-4-0 to Rs. 2-2-6 each.	5 number ...	6 12 0	„ 0-12-0 to 2-4-0 each	14 number ...	19 10 0	...	19 ...	26 6 0
Laces for files	...	...	...	„ 0-6-0 a dozen ...	1½ dozens ...	0 9 0	...	...	...
Lanterns	„ 0-8-0 to Rs. 3-0-0 each.	5 ...	5 0 0	...	...	...	...	...	...
Leather (skins)	...	...	...	„ 0-8-0 each ...	2 ...	1 0 0	...	...	...
„ covers	...	...	...	„ 0-5-4 „ ...	496 number ...	165 10 0	...	...	...
Locks, iron	„ 0-1-0 to Rs. 0-12-3 each.	192 number ...	72 6 10	„ 0-2-0 to 0-9-0 each	96 ...	15 4 0	...	228 number ...	87 10 10
Methylated spirits... ...	...	...	2 12 0	...	...	...	...	...	...
Nitrate of silver, crystallized ...	...	...	...	„ 2-0-0 an oz. ...	1 oz. ...	2 0 0	...	...	...
Paste boards	Rs. 12-0-0 per maund...	1½ maunds ...	18 0 0						
Padlocks	4 and 5 annas each ...	13 number ...	4 0 0	Rs. 0-11-11 each ...	36 number ...	26 13 0	...	49 number ...	30 13 0
Paper, Portuguese ...	...	...	...	...	36 reams ...	69 2 0			
Peroxide of iron	...	...	...	6 & 8 annas an oz. ...	2 ozs. ...	0 14 0			
Penholders	Rs. 0-0-5 to Rs. 0-3-0 each	102 number ...	4 4 6	Rs. 0-0-3 to Rs. 0-2-0 each.	102 number ...	5 0 3	...	204 „ ...	9 4 9
„	„ 0-2-6 to Rs. 0-11-0 a dozen.	27 dozens ...	11 6 4	„ 0-1-0 to Rs. 0-2-6 a dozen.	21 dozens ...	2 0 0	...	48 dozens ...	13 6 4
„ ...	...	...	0 9 3	...	...	0 4 9	...	...	0 14 0
Quicksilver ...	...	...	...	...	1 oz. ...	0 4 0			
Red turkey cloth for pugrees ...	4 annas a yard ...	6,354 yards ...	1,588 8 0						
Red cloth ...	...	...	...	Rs. 1-10-0 a piece ...	1 ...	1 10 0			
Rope, coir ...	Rs. 0-4-0 a piece ...	1 ...	0 4 0	...	...	...			
Rope, Europe, 1½" ...	...	...	...	5 annas a lb. ...	42 lbs. ...	13 2 0			
Ditto, 2" ...	...	...	...	Rs. 26-15-0 per cwt. ...	13 „ ...	3 2 0			
Ditto, 3" ...	...	...	...	„ 29-0-0 „ ...	8 „ ...	2 1 1			
Ditto, Manilla, 2" ...	...	...	...	„ 36-0-0 „ ...	13 „ ...	4 2 10			
Rope, wire, iron, galvanized, 2½ and 2¾.	...	...	...	„ 18-5-4 „ ...	240 fathoms ...	257 13 0			
Rings for keys ...	...	...	...	...	9 number ...	0 8 0			
Rulers ...	2 to 8 annas each ...	10 number ...	3 0 0	„ 0-1-6 to 3 annas each.	13 „ ...	3 6 3	...	23 ...	6 6 3
Ribbons ...	...	...	...	...	120 yards ...	0 7 0			
Sand boxes ...	Rs. 0-1-0 to Rs. 0-1-6 each	33 ...	2 5 0	„ 0-0-6 to Rs. 0-1-0 each.	10 ...	0 7 0	...	43 ...	2 12 0
Sand ...	...	...	...	1 anna a lb. ...	2 lbs. ...	0 2 0			
Sealing wax ...	4 to 9 annas a seer ...	67 seers ...	25 14 0	4 to 12 annas a seer ...	140¾ seers ...	67 5 0	...	207¾ seers ...	93 3 0
„ ...	Rs. 0-14-0 to Rs. 1-14-0 per lb.	22 lbs. ...	35 10 0	Rs. 0-8-0 to Rs. 1-12-0 per lb.	78½ lbs. ...	66 4 3	...	100½ lbs. ...	101 14 3
„ ...	„ 0-2-0 a stick ...	25 sticks ...	3 2 0	...	...	...			
„ ...	...	...	13 13 0	...	...	2 9 6	...	...	16 6 6
Scissors ...	„ 0-4-6 to Rs. 1-4-0 per pair.	85 pairs ...	43 1 0	Rs. 0-6-0 to Rs. 2-0-0 per pair.	6 pairs ...	4 6 0	...	91 pairs ...	47 7 0
„ ...	...	...	...	Rs. 3-12-0 to Rs. 8-4-0 per doz.	2⅓ dozens ...	10 9 6			
Sheeting cloth ...	...	151½ yards ...	28 12 9	...	258 yards ...	51 14 0	...	409½ yards ...	80 10 9
Spirit of wine ...	...	...	...	„ 2-8-0 per bottle ...	2 bottles ...	5 0 0			
Soap ...	...	...	0 3 6	Rs. 0-5-0 per lb. ...	12 lbs. ...	3 12 0	...	...	3 15 6
Strings ...	...	...	...	1 pie each ...	6 ...	0 0 6			
Scales ...	Rs. 6 and 11 a pair ...	2 ...	17 0 0	3-8-0 a pair ...	1 ...	3 8 0	...	3 ...	20 8 0
Scales and weights ...	...	...	...	...	1 set ...	1 8 3			
Sulphate of copper ...	Rs. 0-9-0 per lb. ...	4 lbs. ...	2 4 0	...	...	0 6 0	...	...	2 10 0
Sulphur	...	...	...	...	½ lb. ...	0 0 9			
Sulphate of soda	...	...	...	Rs. 0-8-0 per lb. ...	1½ lbs. ...	1 0 0			
Sulphur, sublimated ...	...	...	...	„ 0-8-0 „ ...	1 lb. ...	0 12 0			
Sulphate of zinc ...	...	...	...	„ 0-12-0 „ ...	1¼ lbs. ...	1 4 0			

LIST OF ARTICLES—concluded.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or quantity.	Total. Total cost.
			Rs. A. P.			Rs. A. P.			Rs. A. P.
Table cloth ...	Rs. 1-14-0 per yard ...	4 yards ...	7 8 0	Rs. 1-8-0 a yard ...	3 yards ...	4 8 0	...	7 yards ...	12 0 0
	...	4⅓ „ ...	8 1 0	...	3¼ „ ...	5 1 0	...	7¾ „ ...	13 2 0
	„ 1-13-0 a piece ...	1 piece ...	1 13 0	...	...	...	...	...	
Tape or braid ...	Rs. 0-3-6 a yard ...	2 yards ...	0 7 0	Rs. 0-0-6 a yard ...	10 yards ...	0 5 0	...	36 yards ...	0 13 0
	...	24 „ ...	0 1 0						
„ red	„ 0-0-3 per yard ...	850 „ ...	13 4 6	„ 0-0-3 „ ...	1,275 „ ...	19 14 9	...	2,125 „ ...	33 3 3
„ white	„ 0-1-6 bundle ...	2 bundles ...	0 3 0						
Thread tickets	„ 0-8-0 per bundle ...	3 „ ...	1 8 0	...	...				
	„ 3 to 6 pie each ...	221 number ...	5 2 6	Rs. 0-0-3 to Re. 0-1-6 each.	201 number ...	4 14 9	...	422 ...	10 1 3
„ sewing	...	...	5 0 9	...	...	8 8 3	...	...	13 9 0
„ for filing letters	Rs. 0-0-6 per bundle ...	18 bundles ...	0 9 0	„ 0-0-6 per bundle ...	12 bundles ...	0 6 0	...	30 bundles ...	0 15 0
	...	...	0 9 0	...	...	0 3 0	...	...	0 12 0
„ fine, for binding books...	„ 1-5-0 per lb. ...	2 lbs. ...	2 10 0	Rs. 1-4-0 per lb. ...	2 lbs. ...	2 8 0	...	4 lbs. ...	5 2 0
„	„ 0-4-0 to Rs. 1-2-0 a seer.	13 seers 21 tolas	6 10 2	Rs. 0-5-9 and Rs. 0-8-0 a seer.	2 seers ...	0 13 9	...	15 seers 21 tolas	7 7 11
	„ 1-4-0 per lb. ...	5⅓ lbs. ...	6 14 0	Rs. 1-4-0 per lb. ...	8¾ lbs. ...	10 15 0	...	14¼ lbs. ...	17 13 0
	2 and 3 annas a dozen...	115 dozens ...	19 5 4	...	...				
	...	...	4 9 11	...	...	8 6 0	...	...	12 15 11
	...	...	...	4 to 6 annas a packet ...	5 packets ...	1 10 0			
„ balls ...	Rs. 0-6-0 to Rs. 0-10-6 per seer.	3¾ seers ...	1 11 1						
	Rs. 0-0-2 to Rs. 0-0-6 each.	728 number ...	11 7 11	Rs. 0-0-2 to Re. 0-2-6 each.	275 number ...	6 13 8	...	1,003 number ...	18 5 7
	1 Re. per packet ...	6 packets ...	6 0 0						
	...	...	6 2 9						
Tin box	...	...	...	...	1 ...	0 10 0			
Towels	...	...	...	Rs. 0-3-0 each ...	4 ...	0 12 0			
				„ 0-3-0 per yard ...	6½ yards ...	1 4 0			
Turpentine	8 to 12 annas a bottle...	17 bottles ...	9 12 0	10 to 12 annas a bottle	8 bottles ...	5 6 0	...	25 bottles ...	15 2 0
	...	...	...	...	2½ lbs. ...	0 10 0			
Twine	Rs. 0-2-0 to Rs. 1-4-0 a seer.	32 seers ...	10 5 1	Rs. 0-2-0 to Rs. 1-8-0 a seer.	30 seers ...	8 12 0	...	62 seers ...	19 1 1
„	„ 0-0-7 to Rs. 2-0-0 a bundle.	56½ bundles ...	11 7 10	„ 0-0-6 to Rs. 2-0-0 a bundle.	25½ bundles ...	9 3 9	...	82 bundles ...	20 11 [illegible]
„	...	...	1 4 6	...	...	0 5 9	...	...	1 10 [illegible]
„	...	...	...	„ 0-3-0 to Rs. 1-8-0 per lb.	17 lbs. ...	10 13 9	...	...	...
Vinegar	„ 0-8-0 to Rs. 0-12-0 per bottle.	64 bottles ...	32 5 6	„ 0-3-0 to Rs. 0-9-6 a bottle.	75 bottles ...	40 7 0	...	139 bottles ...	72 [illegible] [illegible]
„	„ 4-8-0 a dozen ...	4½ dozens ...	19 2 0	„ 4-8-0 a dozen ...	4 dozens ...	18 0 0	...	8½ dozens ...	37 2 0
Wax cloth	Rs. 0-5-0 per yd. ...	73½ yards ...	22 15 6	Rs. 0-5-0 per yd. ...	53 yards ...	16 9 0	...	126½ yds. ...	39 8 6
„	...	...	...	„ 0-12-0 a piece ...	44 pieces ...	32 15 0	...	...	...
„	...	...	...	...	...	2 4 0	...	...	...
Weights, iron	„ 0-14-0 to Rs. 1-15-0 per set.	3 sets ...	3 13 0	...	2 sets ...	2 0 0	...	5 sets ...	5 13 0
Wicks	...	...	0 2 0	...	...				
Wool	...	...	17 14 0	...	1 gross 3 dozens	3 3 0	...	...	3 5 0
„	Rs. 4-13-10 per lb ...	4 lbs. ...	18 11 9	...	...	6 15 0	...	...	24 13 0
Wooden box with locks, &c., complete.	...	1 number ...	120 0 0	...	...	...	...	...	...
Woollen cloth	...	...	19 8 0	...	...	27 8 0	...	...	47 0 0
Ditto, green, for desks ...	„ 4-0-0 a yard ...	6½ yards ...	26 0 0	...	...	...	...	...	...
„	„ 3-8-0 „ ...	6¼ „ ...	23 10 0	...	...	...	...	...	...
Zinc (granulated)	...	...	...	...	...	0 6 0	...	...	...

No. 3896.

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

Read again the undermentioned papers regarding the supply of stores required for the public service in India:—

Financial Resolution No. 3574, dated 3rd November 1880.
" " " 953, " 10th June 1881.
" Circular " 220, " 28th April "
" " " 621, " 14th May "

Read also the undermentioned correspondence with the Chief Commissioner of Coorg regarding the stores purchased in the local market during the last two years:—

Letter from the Chief Commissioner of Coorg, No. 689-23, dated 3rd August 1881.
" to " " " " 2475, " 20th " "
" from " " " " 1004-37, " 6th October "

RESOLUTION.—From the returns received from the Chief Commissioner a list has been prepared, and is appended to this Resolution, showing the articles which, on the information now before the Government of India, it is possible to procure of Indian manufacture. The Governor General in Council accordingly requests that the Chief Commissioner will be good enough to institute enquiries as to the cheapest and most convenient way of obtaining future regular supplies of such goods of Indian manufacture, as well as of any other goods which in the course of enquiry it may be found feasible to substitute for imported articles.

2. In the series of Resolutions on the subject of the supply of stores published in the *Gazette of India* since the 23rd July last, instructions have already been given as to the different sources of supply, so far as they are as yet known, of the articles mentioned in the list, and they need not be repeated here. The Governor General in Council directs that wherever possible, with due regard to economy, such articles of Indian manufacture shall in future be substituted for European articles in the province of Coorg, as everywhere else in India.

ORDERED, that the foregoing Resolution be communicated to the Chief Commissioner of Coorg and to the other Local Governments and Administrations for information and guidance.

Ordered also, that it be published in the *Gazette of India*.

LIST OF ARTICLES.

Names of Articles.	1879-80. Rate.	1879-80. No. or quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or quantity.	1880-81. Total cost.	Total. No. or quantity.	Total. Total cost.
			Rs. A. P.			Rs. A. P.		Rs. A. P.
Brown paper	Re. 0-2-6 to Re. 0-3-7 per quire.	7½ quires	1 12 7	Rs. 0-4-0 a quire	15½ quires	3 14 0	23 quires	5 10 7
Blotting paper	.....	.....	...	" 0-0-4 a sheet	16 sheets	0 5 4	...	
Black ink	.....	.....	...	" 0-3-0 a bottle	8 bottles	1 7 8	...	
Padlocks	Rs. 0-5-0 to Rs. 0-15-0 each	6 number	4 0 0	" 0-12-0 to Rs. 1-2-0 each.	13 number	14 4 0	19 number	17 7 0
Tin-boxes	Re. 0-4-7 each	5 "	1 0 0	.....	.....	...	...	
Green cloth, woollen	.....	.....	...	" 5-12-0 a yard	2 yards 9 inches	12 15 0	...	
Blue " "	.....	.....	...	" 4-0-0 "	2 " 9 "	9 0 0	...	
Dark blue " "	.....	.....	...	" 2-4-0 "	15 " 27 "	35 1 0	...	
Dark blue " "	.....	.....	...	" 1-4-0 "	106 yards	135 0 0	...	
Lining cloth	.....	.....	...	" 5 to 8 annas per yard	261 "	82 8 0	...	

No. 3905.—The following appointments are made, with effect from the 5th September 1881:—

Mr. J. Westland, B.C.S., confirmed in the offices of Comptroller General and Head Commissioner of the Department of Issue of State Paper Currency.

Mr. D. M. Barbour, B.C.S., confirmed in the office of Accountant General, Bengal.

Mr. A. C. Tupp, B.C.S., to be Accountant General, Madras, and Commissioner of the Department of Issue of State Paper Currency at Madras.

No. 3926.

From—J. E. O'CONOR, Esq., Assistant Secretary to the Government of India, Department of Finance and Commerce,

To—The Superintendent of Government Printing, India.

Referring to the correspondence ending with your letter of the 28th ultimo, No. 2022F., I am directed to say that the Government of India considers it desirable that the work of printing forms now carried on in the Government Central Press should be largely reduced, and I am to request that you will arrange as early as possible for the transfer to private presses of as much of the work as they may be able efficiently to undertake.

2. You should ascertain specifically from all the larger presses in Calcutta how far each of them may be able and willing to undertake the work, that is, what number of forms they can arrange to set up and keep in type, printing copies as required, and the terms on which they would be prepared to do it, if they obtained a contract for four or five years. The proprietor of each press of whom enquiry is made should be informed that similar enquiry is being made of other presses. You should satisfy yourself in each case that the press is competent to carry on without inconvenience and delay to the public service the work which it professes itself ready to undertake.

3. The results of your enquiries should be reported as soon as possible; and I am to request that you will embody in your report a statement of the cost of the work which each private press may be ready to undertake as compared with the cost of the same work as now carried on.

4. The Government of India is inclined to think that only the printing of the forms should be undertaken by private presses, the supply of the printed copies to the departments requiring them being undertaken, as at present, by the Government Central Press. The paper might be supplied direct to each press concerned from the Stationery Office on indents passed by you, and the whole working of the system would be under your general direction.

On these points your suggestions and opinion are invited.

5. I am also to request that when your enquiries are complete, you will report the amount of space and the cost of establishment which will be saved by transferring to private presses that portion of the work which they may be ready to take up.

ORDERED, that this letter be published in the *Gazette of India*.

No. 3936.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 30th September 1881, published as required by Section 23 of the Indian Paper Currency Act, 1871.*

Circles of Issue.	Whole amount of Notes in circulation.	Reserve in Silver Coin and Bullion.		
		Coin.	Bullion.	Total.
	Rs.	Rs.	Rs.	Rs.
Calcutta ...	6,26,24,075	1,58,90,641	6,00,000	1,64,90,731
Madras ...	1,23,10,510	71,41,665	10,80,000	82,27,665
Bombay ...	3,71,15,835	1,27,00,428	3,16,737	1,30,17,165
Allahabad ...	84,44,655	1,14,67,995	...	1,14,67,995
Lahore ...	78,62,325	1,41,05,520	...	1,41,05,520
Calicut ...	13,47,935	20,21,685	...	20,21,685
Coconada ...	4,53,800	11,03,485	1,65,000	12,68,485
Nagpur ...	11,31,240	19,92,825	...	19,92,825
Kurrachee ...	34,41,975	40,14,900	57,000	40,71,900
Akola ...	5,34,480	19,80,105	...	19,80,105
TOTAL ...	13,54,76,730	7,33,18,719	22,33,827	7,55,52,546
Invested in Government Securities under Section 17 of the Act				5,98,24,184
GRAND TOTAL ...				13,54,76,730

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

MILITARY DEPARTMENT.

Simla, the 28th October, 1881.

APPOINTMENTS.

No. 572.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Godfrey Beckett Hodgson, 2nd Battalion Cheshire Regiment, Officiating Wing Officer, 4th Goorkha Regiment,—15th September, 1880.

FURLOUGH AND LEAVE.

No. 573.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) H. E. Whish, Bengal S. C., (p. a.) for two years, under rule IX of the regulations of 1868.

Lieutenant-Colonel J. W. McQueen, C.B., Bengal S. C., Commandant, 5th Punjab Infantry, (p. a.) for two years, under rule IX of the regulations of 1868.

Major C. O'Donel, Bengal S. C., Deputy Assistant Commissary General, 1st class, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Captain L. R. Battye, Bengal S. C., Wing Officer, 5th Goorkha Regiment, (u. p. a.) for 182 days, under rule XI of the regulations of 1868.

No. 574.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Major (Brevet Lieutenant-Colonel) G. Stewart, Bengal S. C., (p. a.) for four months.

Major C. O. W. Apperley, General List, Infantry, (m. c.) for six months.

Major J. Colledge, Bengal S. C., (m. c.) for four months.

Surgeon C. H. Beatson, (m. c.) for three months.

NAMES AND DESIGNATIONS.

No. 575.—Lieutenant-Colonel G. C. Depree, Bengal S. C., is permitted to assume the surname of *DePrée*, in lieu of that of "Depree."

PROMOTIONS.

No. 576.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Henry George Saunders,—20th October, 1881.

Major Charles O'Loughlin } 23rd October,
L. Prendergast } 1881.

To be Majors.

Captain Charles Edward Harenc,—15th October, 1881.

Captain William Henry Browne,—20th October, 1881.

Captain George William Beresford,—26th October, 1881.

BENGAL ARMY.

To be Majors.

Captain Edward Millett Forbes, General List, Infantry,—20th October, 1881.

Captain Arthur Benjamin Clare, General List, Infantry,—26th October, 1881.

No. 577.—ORDNANCE DEPARTMENT—

Rank and Names.	To what rank promoted.	From what date.	In succession to
Sub-Conductor William B. Mann ...	Conductor ...	17th September, 1881.	
Sub-Conductor Thomas Smith ...	Conductor ...	Ditto	Conductor J. Lake, pensioned.
Magazine Sergeant (temporary Sub-Conductor) John Penfold.	Sub-Conductor, on probation.	Ditto	Sub-Conductor Smith.
Assistant Commissary and Honorary Lieutenant George B. Bleasby.	Deputy Commissary ...	21st September, 1881.	Deputy Commissary and Honorary Captain T. Heathcoate, pensioned.
Deputy Assistant Commissary and Honorary Lieutenant Godfrey Leonard.	Assistant Commissary	Ditto	Lieutenant Bleasby.
Conductor Robert John Baldwin ...	Deputy Assistant Commissary.	Ditto	Lieutenant Leonard.
Sub-Conductor (temporary Conductor) Thomas Todd.	Conductor ...	Ditto	Conductor Baldwin.
Magazine Sergeant (temporary Sub-Conductor) John Bennie.	Sub-Conductor, on probation.	Ditto	Sub-Conductor Todd.

No. 578.—PUNJAB FRONTIER FORCE—

5th Goorkha Regiment.

Jemadar Pursu Khattri, to be Subadar, *vice* Chandebir Kataith, invalided; Havildar Kulbir Thapa, to be Jemadar, *vice* Pursu Khattri, promoted,—8th September, 1881.

RETIREMENTS.

No. 579.—Under the authority of the Secretary of State for India in Council, Lieutenant-Colonel William Duncan Macturk, Bengal Infantry, is placed on the retired list, subject to Her Majesty's approval.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 24th October, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned commissioned officers, on the dates specified, were received in the Military Department from the 18th to the 24th October, 1881:—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Madras Staff Corps ...	Brevet Colonel J. W. W. Osborne, C.B.	4th Oct. 1881	Mussoorie...	Testate.	
Indian Medical Service ...	Surgeon-Major J. W. R. Amesbury	5th Oct. 1881	Ditto.		

W. M. LEES, *Colonel,*
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 28th October, 1881.

APPOINTMENTS.

No. 42.—With the concurrence of Her Majesty's Government, the Governor General in Council is pleased to make the following appointment to the Marine Survey Department of India:—

Lieutenant L. S. Dawson, R.N., to be Deputy Superintendent, 1st grade, with effect from the 7th September, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 25th October 1881.

No. 345.—*Erratum.*—In Public Works Department Notification No. 329, dated 11th October 1881, for "*Mr. R. D. Percival*" read "*Mr. R. D. Perceval.*"

The 26th October 1881.

No. 346.—With reference to Government of India, Public Works Department, Notification No. 329, dated 11th October 1881, the undermentioned Assistant Engineers, 2nd Grade, are posted as follows:—

To Bengal Railway Branch.

Mr. R. C. Dyson.
„ E. J. Alexander.
„ J. Manson.
„ W. E. Curry.

To Bombay Railway Branch.

Mr. A. V. Heath.
„ W. R. Shaw.

To British Burma Railway Branch.

Mr. H. S. Guinness.
„ R. D. Perceval.

To Establishment of Director General of Railways.

Mr. W. A. Johns.

No. 347.—Lieutenant J. T. Johnston, R.E., Executive Engineer, 4th Grade, Military Works Branch, is granted furlough from the 5th May to the 5th July 1881, under Rule IX, Note one, of the Regulations of 1868.

The 27th October 1881.

No. 348.—Babu Gopal Chundra Chatopadhyay, B.A., Assistant Engineer, 3rd Grade, is transferred from the Central Provinces to Assam.

No. 349.—The services of Mr. T. Wood, Stock-Verifier for State Railways, are placed at the disposal of the Chief Commissioner, British Burma.

No. 350.—Mr. J. W. Buyers, Executive Engineer, 1st Grade, of the Bombay Railway Establishment, and Mr. R. T. Denne, Assistant Engineer, 2nd Grade, of the Establishment of the Director General of Railways, are temporarily placed under the orders of the Chief Commissioner of Assam for the special purpose of conducting a railway reconnaissance survey through the Garo Hills.

The 28th October 1881.

No. 351.—The following reversions are ordered, with effect from the 5th October 1881:—

From Officiating Superintending Engineer, Class I, to Superintending Engineer, Class II.

Major J. M. Heywood, R.E.

From Officiating Superintending Engineer, Class II, to Superintending Engineer, Class III, temporary rank.

Mr. R. H. Rhind.

W. S. TREVOR, *Colonel, R.E.,*
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 45. } SIMLA, SATURDAY, NOVEMBER 5, 1881.

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

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PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 3rd November 1881.

No. 1776.—In exercise of the powers conferred by Section 8, Act XVII of 1875 (The Burma Courts Act, 1875), the Governor General in Council is pleased to establish a Court to be called the Court of the Extra Assistant Commissioner of the Daydayeh township, the local limits of the jurisdiction of which shall include the following circles, *viz.*,—

1. Wakameh.
2. Daydayeh.
3. Tomayan.

ESTABLISHMENTS.

The 3rd November 1881.

No. 343.—Mr. J. D. Gael is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 18th August 1881.

JUDICIAL.

The 4th November 1881.

No. 1446.—In exercise of the powers conferred by Section 5 of Act XIV of 1874 (The Scheduled Districts Act), the Chief Commissioner of Assam is pleased, with the previous sanction of the Governor General in Council, to extend Act III (B. C.) of 1881 (An Act to amend the Court of Wards Act, 1879) to the district of Sylhet in the Chief Commissionership of Assam.

No. 1448.—Under the provisions of Section 6 of Act XXVI of 1870 (The Prisons Act), the Governor General in Council is pleased to appoint the Chief Commissioner of Coorg to be *ex-officio* Inspector General of Prisons in that Province.

EDUCATION.

The 29th October 1881.

No. 341.—Consequent on the departure on furlough of Mr. M. Ferrars, formerly Senior Inspector of Schools in British Burma, and on his retransfer to the Forest Department, the following arrangements are sanctioned in the Educational Department of that Province:—

Mr. L. A. Goss, Junior Inspector, to officiate as Senior Inspector of Schools, with effect from the date of Mr. Ferrars' departure on furlough.

Moung Po Moung, Deputy Inspector of Schools, Prome, to officiate as Junior Inspector.

Moung Po Moung to *officiate* as Senior Inspector of Schools, with effect from the departure of Mr. L. A. Goss on leave.

Mr. R. G. Hodson, late Inspector of Schools in Mysore and now Officiating Principal of the Rangoon High School, to be Senior Inspector of Schools, with effect from the 1st October 1881.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Simla, the 4th November 1881.

No. 218 *I.J.*—The Governor-General in Council is pleased to extend Act V of 1881 (The Probate and Administration Act, 1881) to the Hyderabad Assigned Districts, subject to the following modifications:—

(1) In sections 1 and 2 for the word "April" the words "December 1st" shall be substituted.

(2) For the second proviso to section 2 the following proviso shall be substituted:—

"Provided also that no Court shall receive applications for probate or letters of administration until the Resident at Hyderabad has, by a Notification in the official Gazette, authorised it so to do."

(3) In section 3 the definition of "province," in sections 52 and 59 the provisos, and sections 60, 65, 99, 154 and 155 shall be omitted.

(4) In section 3 in the definition of "Minor," the words and figures "subject to the Indian Majority Act, 1875, who has not attained his majority within the meaning of that Act, and any other person" shall be omitted.

(5) For the words "British India" and "High Court" wherever they occur the words "the Hyderabad Assigned Districts" and "Resident at Hyderabad" shall respectively be substituted.

(6) In section 5 for the word "province," in section 26 for the words "province in which application for probate is made," in section 28 for the words "province in which application is made" and for the word "province," in sections 29 and 30 for the word "province," in section 39 for the words "province within which the Court that has granted the probate or letters of administration is situate," in section 41 for the word "province," in section 59 for the words "province in which the same is granted," and in section 82 for the words "province in which the same may have been granted," the words "Hyderabad Assigned Districts" shall be substituted.

(7) In section 39 for the words "such Court" the words "the Court that has granted the probate or letters of administration" shall be substituted.

(8) In section 52 for the word "it" each time it occurs the word "he" shall be substituted.

(9) In section 69 for the word "Collector" the words "Deputy Commissioner" shall be substituted.

(10) In section 81 for the words "Local Government" the words "Resident at Hyderabad" shall be substituted.

(11) In section 85 the words and figures "except in cases to which the Hindu Wills Act, 1870, applies" shall be omitted.

(12) In section 152 the words and figures "or Bombay Regulation No. VIII of 1827" shall be omitted.

No. 220 *I.J.*—The Governor-General in Council is pleased to extend Act VI of 1881 (The District Delegates Act, 1881) to the Hyderabad Assigned Districts, subject to the following modifications:—

(1) In section 1 for the words "British India" and the word "April" the words "the Hyderabad Assigned Districts" and the words "December 1st" shall respectively be substituted.

(2) In section 2 for the words "High Court" the words "the Court of the Resident at Hyderabad" shall be substituted, and the proviso shall be omitted.

GENERAL.

The 4th November 1881.

No. 1958 *G.G.*—**The services of Lieutenant-Colonel H. C. B. Tanner, of the Survey of India, on special duty under the Foreign Department, are replaced at the disposal of the Revenue and Agricultural Department, with effect from the 1st November 1881.**

POLITICAL.

The 4th November 1881.

No. 322 *G.P.*—With reference to Notification No. 217 G.P., dated the 29th July 1881, the recognition by the Government of India of the appointment of Mr. G. W. Deane as Acting Consular Agent for Italy at Madras, during the absence of Mr. T. Croysdale, has been confirmed by Her Majesty's Government.

No. 326 *G.P.*—His Excellency the Viceroy and Governor-General in Council is pleased to recognise the appointment of Mr. J. Janni as Consul for Norway and Sweden at Bombay.

T. HOPE, *Captain,*
Offg. Junior Under-Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 31st October 1881.

No. 3939.

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

Read the following papers regarding the question of the necessity of the presence with the Government of India in Simla of certain Offices under the direct control of the Government of India, which either come up to Simla every year or are permanently located at Simla:—

Office Memorandum in the Department of Finance and Commerce, No. 562, dated 12th May 1881.

Letter from the Director General of the Post Office of India, No. 2498, dated 6th June 1881, and enclosures.

Letter from the Director General of the Post Office of India, No. 2531, dated 7th June 1881.

Memorandum from the Public Works Department, No. 806G., dated 10th June 1881, and enclosures.

Office Memorandum from the Foreign Department, No. 1229G.-G., dated 27th June 1881, and enclosures.

Office Memorandum from the Home Department, No. 1075, dated 23rd July 1881, and enclosures.

Office Memorandum from the Military Department, No. 205S.-B., dated 9th July 1881, and enclosures.

Office Memorandum in the Department of Finance, No. 2182, dated 4th August 1881.

Office Memorandum from the Military Department, No. 303S.-B., dated 23rd August 1881.

Office Memorandum from the Revenue and Agricultural Department, No. 98, dated 7th September 1881.

RESOLUTION.—On full consideration of the circumstances of each Office and of the requirements of the Government of India, the Governor General in Council has decided as follows:—

1st.—The Offices of the Accountant General, Military Department, the Accountant General, Public Works Department, the Surgeon General with the Government of India, the Director General of the Post Office of India, the Director General of Telegraphs in India, the Meteorological Reporter with the Government of India, and the Press Commissioner with the Government of India, shall accompany the Head-Quarters of the Government of India to and from Simla in connection with the Departments to which they are attached; and from next year the Rules in the Simla Allowances Code shall extend to all these officers and the establishments attached to them.

2nd.—The head-quarters of the Director General of the Archæological Survey of India during the hot and rainy seasons are at Simla. There is no extra expense by this arrangement, which is allowed to continue.

3rd.—**The Offices of the Inspector General of Ordnance and of the General Superintendent of Horse-Breeding Operations shall in future cease to accompany the Government of India to Simla. The head-quarters of the former will in future be permanently located in Calcutta; and of the latter at Meerut.**

4th.—The Offices of—

the Surgeon-General of Her Majesty's Forces in Bengal;
the Sanitary Commissioner with the Government of India;
the Director General of Railways;
the Inspector General of Military Works;
the Examiner of Accounts, Military Works;
the General Superintendent of Operations for the Suppression of Thuggee and Dacoity,

already have their head-quarters permanently located at Simla, and the present arrangements regarding them will continue. Besides these, the Offices of the Commissary General, Bengal, and of the Director of Army Remount Operations shall from next year be permanently located at Simla.

2. His Excellency in Council has further decided that the rulings in the Resolutions of the Government of India in the Financial Department, No. 1749, dated 4th December, and No. 1884, dated 12th December 1879, shall apply to the clerks of the Office of the Commissary General and of the Director of Army Remount Operations, but that, instead of the benefits of the Resolutions being restricted only to clerks who have hitherto moved with the Head-Quarters of the Government of India to and from Simla, the rules shall be applied to all clerks in permanent employ in those offices on this date; that is to say, any clerk now in permanent employ in either of those offices will be allowed to move his family to or from Simla once at the public expense under the contemporary Simla Allowances Rules, and will in future, subject to the provisions

of section 8 of the Pay and Acting Allowances Code, receive throughout the year a personal allowance, equal to two-thirds of the allowances other than travelling allowances, to which he would be entitled under the Simla Allowances Code, if he accompanied the Government of India to and from Simla; but any clerk appointed hereafter to these offices will receive no allowance beyond his sanctioned pay. In modification of the rules of the 4th and 12th December 1879, the Governor General in Council has also decided that any clerk in the Office of the Director General of Railways, who before the date of the establishment of the head-quarters of the office at Simla was in permanent employ in that office, though he had not at any time before accompanied the Head-Quarters of the Government of India to and from Simla, shall be granted the personal allowance to which he would have been entitled if he had previously so accompanied the Government of India.

ORDERED, that this Resolution be communicated to the Home, Revenue and Agricultural, Public Works,* Foreign,* and Military* Departments, the Director General of the Post Office of India, and the Comptroller General; and published in the *Gazette of India*;

* With their original papers,.

and that the following corrections be made to the Simla Allowances Code:—

RULE 1.—*Strike out* "Inspector General of Ordnance; and Commissary General."

Add "Director General of the Post Office of India; and Director General of Telegraphs in India."

The 4th November 1881.

No. 3948.

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

Read again the undermentioned papers regarding the supply of stores required for the public service:—

Financial Resolution No. 3574, dated 3rd November 1880.
" " " 953, " 10th June 1881.
" Circular, " 220, " 28th April "
" " " 621, " 14th May "

Read also—

Communication from the Public Works Department, No. 185A.-G., dated 20th April 1881.
Office Memorandum to Public Works Department, No. 1844, dated 20th July 1881.
" " from " " No. 282A.-G., dated 8th August 1881.

RESOLUTION.—It appears that of the articles imported from England through the Store Department of the India Office during 1880-81 for use in the Telegraph Department in India, those enumerated in the list appended to this Resolution are procurable of Indian manufacture. The Governor General in Council accordingly directs that in future these articles shall be purchased locally (of Indian manufacture) if they can be obtained at the same price, including freight, &c., and of the same quality as imported goods.

2. Locks for boxes and padlocks are made at the Rurki and Aligarh Workshops.

3. Bench-vices, weighing-machines, anvils, hammers, nippers, pliers, and pincers are also made at the Rurki Workshop and in the ironworks owned by Messrs. Jessop & Co., Apcar & Co., and Burn & Co., and Marillier and Edwards, Calcutta, and Messrs. Richardson and Cruddas and Fraser and Miller of Bombay.

4. Brass and iron hinges, as also copper scales, can be made anywhere in the country.

5. Stone-ware jars should be procured from the Raniganj potteries (Messrs. Burn & Co.).

6. In Calcutta, and places supplied from Calcutta, Indian coal and coke should be substituted for English coal.

7. Tin, ingots.—As pointed out in paragraph 2 of Resolution No. 2302, dated 12th August, block tin should be bought in Calcutta. These remarks apply to tin, sheets, double, if by this term tinned iron sheets are not meant, which are not at present made in the country.

ORDERED, that a copy of the foregoing Resolution and of the one, No. 2302, dated 12th August last, be forwarded to the Public Works* and Military Departments, and that copies of this Resolution be communicated to all Local Governments and Administrations for information and guidance.

* The bi-monthly return of stores received from the Public Works Department is herewith returned.

Ordered also, that the Resolution be published in the *Gazette of India* for general information.

List of articles referred to in Resolution No. 3948, ***dated 4th November*** 1881.

Names of Articles.	No. or Quantity.
For Calcutta.	
Locks, brass, for boxes 1½"	700 number.
" " " 2"	8 dozens.
" " " 2½"	100 number.
" " " 3"	5½ dozens.
" " cupboards 2"	4 "
" " " 2½"	112 number.
" " " 3"	4½ dozens.
" " desks 3"	4 "
" " drawers 2½"	4 "
" " " 3"	4 "
Vices, bench, 5 lbs., parallel jaws	2 "
" " 6 " " "	2 "
" " 7 " " "	1 "
" hand 1⅛"	6 "
" " 1¼"	3 "
" pin with screw	1 "
" for Britannia joints	175 number.
" " " of malleable cast-iron	8 dozens.
Jars, stone-ware, for battery, 6" deep inside, diameter 5" ...	7,000 number.
Machines, weighing, small, for weighing letters and parcels, with weights	30 "
Anvils, small, watchmakers'	1 dozen.
Coke	100 tons.
Coal, smithy	100 "
Hinges, brass, 2½"	644 number.
" iron butt 2"	2 dozens.
" " " 2½"	2 "
Tin, ingots, 14 lbs.	3 tons.
" sheets, double	20 boxes.
Padlocks 2" to 3"	180 number.
Pincers 10"	2 dozens.
Pliers, cutting, or bell-hangers 5"	2 "
" " " " 6"	32 "
" " " " 7"	32 "
" flat nosed 4"	2 "
" " " 6"	2 "
" round " 4"	2 "
" " " 5"	2 "
" " " 6"	8 "
Nippers, clock cutting, 5", 6" and 7", bright	1½ "
" " 10"	2 "
Twine, 3 threads	11 cwt.
Hammers, hand, fitters, 8 oz.	2 dozens.
" " " 1¼ lbs.	5 "
" " riveting, 1½ lbs.	5 "
For Madras.	
Scales, copper, with weights	25 number.
Jars, stone-ware, for battery, 6" deep inside, diameter 5" ...	2,000 "
For Bombay.	
Jars, stone-ware, for battery, 6" deep inside, diameter 5" ...	2,500 number.
Machines, weighing, small, for weighing letters and parcels, with weights	10 "
For Karachi.	
Jars, stone-ware, for battery, 6" deep inside, diameter 5" ...	1,500 number.

No. 3958.—The following Rule, framed under the orders of the Secretary of State, which is to take the place of Section 5 of the Pay and Acting Allowance Code, is published for general information:—

5. No Acting Allowance is given to an officer acting in a higher appointment in consequence of the absence of another officer on privilege leave for the first 30 days of such leave unless the acting officer is transferred from another station, in which case Charge Allowance under Section 7 is given.

1. As a general rule the duties of an officer absent on privilege leave should be discharged by another officer at the same station. Only in exceptional cases where there is absolutely no officer available on the spot can the deputation of an officer from another station to act in consequence of the absence of an officer on privilege leave be allowed.

2. After the first 30 days of absence on privilege leave, Acting Allowances will be drawn by the acting officers under the ordinary rules.

5A. Section 5 and the Rules under it apply also in the case of a vacancy caused by the deputation of an officer from another station to act in consequence of the absence of an officer on privilege leave.

The 1st November 1881.

No. 3968.

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

The Governor General in Council has had under consideration certain representations to the effect that generally the pay allowed to the orderly peons, chaprasis, darwans, and farashes employed in public offices in Calcutta is small in comparison with the cost of living there, and that, owing to this fact, considerable difficulty is experienced in securing for these posts the services of respectable men. His Excellency in Council considers that these representations are not unfounded. In view, therefore, of improving to some extent the position and prospects of this class of servants, the Governor General in Council has decided that of the entire complement of orderly peons, chaprasis, darwans, and farashes attached to an office under the Government of India in Calcutta, one-fourth (allowing in each case one for any fraction) shall receive pay at Rs. 8 and three-fourths at Rs. 7 a month.

2. As regards the jemadar of such an office, His Excellency in Council has further decided that he shall commence with an initial pay of Rs. 12 and rise to Rs. 15 a month, by a single increment after five years' service in that capacity.

3. These orders, which will come into operation from the 1st November 1881, are not intended to authorise the appointment of a jemadar in any office in which a servant of that class has not hitherto been employed, or to affect the pay of any jemadar or of any peon, orderly chaprasi, darwan, or farash who may now be drawing pay at a higher rate than would be admissible under the orders contained in paragraphs 1 and 2 of this Resolution.

ORDERED, that the foregoing Resolution be communcated to—

The other Departments of the Government of India, for information and guidance and the issue of further necessary orders.

The Comptroller General, for information and guidance, with reference to his letter No. 2520, dated the 24th March 1881; and the Mint Master, Calcutta, the Director General of the Post Office of India, the Accountant General, Bengal, and the Superintendent of Government Printing.

Ordered also, that the Resolution be published in the *Gazette of India*.

The 2nd November 1881.

No. 3989.—Mr. R. E. Hamilton is appointed to officiate as Deputy Accountant General, Madras.

Mr. E. M. Palmer is appointed to officiate as Assistant Accountant General, Madras.

Mr. T. H. S. Biddulph is appointed to officiate as Assistant Accountant General, Punjab.

The 4th November 1881.

No. 4028.—The Governor General in Council directs that the following rules be observed in future for the storage of coins in strong rooms:—

1. The following are the authorised methods of storing coin in strong rooms:—

(1) In bags of uniform contents, placed in strong iron boxes or safes, or wooden chests, or built recesses or wells, each of which has two independent locks, *both* of which must be opened before access is obtained to the contents. One of the keys to remain in charge of the treasurer, the other of the gazetted officer in charge.

(2) In boxes of uniform contents piled upon trestles. This method is not admissible unless every door, window, drain, sky-light, ventilator or other aperture in the walls of the strong room are so closed as to prevent the insertion of any rod or instrument within the room.

(3) Temporarily in boxes prepared for remittance, in the manner prescribed in the Account Code.

2. Without the special permission of the Local Government, no place shall be used as a strong room, unless it is first certified to be secure and fit for use as such by an officer of the Public Works Department not under the grade of an Executive Engineer. The Executive Engineer in certifying the room may prescribe any necessary conditions as to the manner of storing the coin, as, *e.g.*, "that it must not be piled in trestles, but must be in boxes; that no bags or boxes be placed within a prescribed distance of the wall or in any particular part of the room." The Executive Engineer must especially examine the condition of any of the enclosing walls which are so situated that they are not, on the outside, under observation of the guard.

3. The District Superintendent of Police, or the commanding officer of the guard, if a military one, shall record an order prescribing the positions of the sentries, and may also require any additional precautions to be taken in the strengthening of fastenings, burning of lights, &c.; but the responsibility for the security of the building and its fixtures shall remain with the Executive Engineer, and that for the security of chests and other treasury furniture not being part of the building or fixtures shall remain with the officer in charge of the Treasury.

4. Copy of the Executive Engineer's certificate and of the District Superintendent's (or Commanding officer's) order shall be suspended in a conspicuous place within the strong room, and it shall be the duty of the officer in charge of the Treasury to see that any conditions as to manner of storage expressed in these documents are acted up to.

5. The Executive Engineer's certificate will be in force for 12 months only, and it is the duty of the officer in charge of the Treasury to cause it to be renewed when the period is expired.

6. The doors and windows of the strong room shall remain permanently closed and locked, except during the time necessary for moving coin or other valuables into or out of it. The officer in charge must be personally present during the whole time between the opening and shutting of the strong room. The strong room must be closed if meantime he is called away on any duty.

7. As an exception to the last rule, the opening of shutters is permitted during office hours, in the aperture which is otherwise barred, if it is necessary for the admission of light or air to any other part of the building: provided that coin or valuables remain securely packed under lock and key.

2. His Excellency in Council also directs that when large amounts of coin are stored, as, for instance, in the reserve treasuries and currency strong rooms, the following rules be observed:—

The following rules regulate the management of reserve treasuries and currency strong rooms:—

1. The bulk of the coin is to be kept in a reserve strong room, of which one of the keys, both of the room and of the boxes, remains in custody of the Accountant General or Deputy Commissioner of Currency; the other in charge of the treasurer. Every such strong room, in addition to being locked, shall be sealed in such fashion that the locks by which entrance can be obtained cannot be opened without the seals being broken, and the outer door must never be opened, shut, sealed or unsealed, otherwise than in the presence of the non-commissioned officer in charge of the guard.

2. Coin sufficient for carrying on the work for a fortnight shall remain in charge of the officer in charge of the Treasury or Currency, the bulk of this being kept in a strong room under the double lock of the officer in charge and treasurer; but a sufficient quantity being given out every day to the treasurer, and received back after the close of business under the rules applicable to ordinary treasuries.

3. When the officer in charge desires access to the reserve strong room, he is to make a requisition upon the Accountant General or Deputy Commissioner for the keys of the strong

room, and of any boxes or safes to which he may desire to have access. In this requisition he is to specify exactly what the purpose of his visit is. The keys will be sent to him in a closed box or cover, or will be delivered personally.

4. After each visit to the reserve strong room, the officer in charge will return the keys to the Accountant General or Deputy Commissioner, and will make a report of his proceedings stating in what condition he found and left the strong room, the locks and the seals.

5. The reserve strong room must never remain for twenty days continuously without being visited and inspected. If, therefore, the officer in charge has no occasion to move coin to or from it for that time, he must pay it a visit of inspection.

6. The requisition and the reports will be kept in a book set apart for the purpose and in the custody of the officer in charge.

ORDERED, that these rules be communicated for information and guidance as follows :—

To the Military and Public Works Departments.

To the several Local Governments and Administrations.

To the Comptroller General and the several Accountants General.

Ordered also, that the rules be published in the *Gazette of India* for general information.

The 3rd November 1881.

No. 4034.—His Excellency the Governor General in Council is pleased to notify for general information that, in pursuance of the policy announced in paragraphs 57 and 66 of the Financial Statement for 1881-82, Seventy-five Lakhs of Rupees provided under the head of Famine Insurance in the Budget of the current year, together with a further sum of **Rs. 7,22,000** chargeable to the same head in the year 1882-83, will be applied to the reduction of debt in India in the manner indicated below :—

1st.—With reference to the Notification No. 197, dated 1st May 1871, the Transfer Loan of 1871, amounting to Rs. 22,19,000 and now bearing interest at 4 per cent., will be liquidated and paid off at par on the 13th February 1882, and any portion of the same undrawn on that date will thereafter cease to bear interest.

2nd.—With reference to the Notification No. 2010, dated 11th April 1867, the Debenture Loan of 1867-68, amounting to Rs. 60,03,000 and bearing interest at 5 per cent., will be liquidated and paid off at par on the 1st day of June 1882, and any portion of the same undrawn on that date will thereafter cease to bear interest.

3rd.—The Notifications No. 44, dated the 10th January 1867, and No. 3097, dated the 15th December 1871, permitting the transfer from any Loan bearing interest at 4 per cent. into the Loans of 1842-43 or 1865, are cancelled from this date, in so far as they apply to the abovementioned Transfer Loan of 1871.

2. His Excellency the Governor General in Council is further pleased to announce that the Commission for the Reduction of Debt, referred to in paragraph 67 of the Financial Statement for 1881-82, will be nominated, and its constitution and duties defined shortly.

T. C. HOPE,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 4th November, 1881.

APPOINTMENTS.

No. 580.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant Robert Alfred Baker, 1st Battalion East Kent Regiment, Wing Officer, 25th Native Infantry,—12th September, 1879.

No. 581.—PERSONAL STAFF—

His Excellency the Viceroy and Governor General has been pleased to make the following appointment on His Excellency's Personal Staff, with effect from the 1st November, 1881 :—

Captain *Lord* W. L. DelaP. Beresford, V.C., 9th Lancers, Aide-de-Camp, to officiate as Military Secretary, *vice* Lieutenant-Colonel G. S. White, C.B., V.C.

No. 582.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Mr. John Rose, to be Captain, *vice* S. C. Kennedy, promoted.

FURLOUGH AND LEAVE.

No. 583.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant-Colonel G. C. DePrée, Bengal S. C., Deputy Superintendent, 1st grade, Survey of India, (p. a.) for one year, under rule IX of the regulations of 1868.

Major R. E. S. Smyth, General List, Infantry, Wing Officer, 15th Native Infantry, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Captain C. A. Coles, Bengal S. C., Wing Officer, 36th Native Infantry, (m. c.) under rules IX and XIV of the regulations of 1868.

Lieutenant G. B. Crawley, Bengal S. C., (m. c.) under the ruling on rule VI of the regulations of 1875, with effect from the date of embarkation.

Surgeon-Major J. Jones, M.D., Surgeon Superintendent, Presidency General Hospital, (p. a.) for one year, under rule IX of the regulations of 1868.

No. 584.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India :—

Major (Brevet Lieutenant-Colonel) C. R. Pennington, Bengal S. C., (m. c.) for six months.

Brigade Surgeon J. Picthall, M.D., (m. c.) for four months.

No. 585.—Captain W. J. A. Birch, Bengal S. C., Wing Officer, 6th Native Infantry, is allowed leave to sea (m. c.) for 91 days, under rule XXVII of the regulations of 1868.

No. 586.—Captain H. A. Vincent, Bombay S. C., Squadron Commander, 1st Regiment, Central India Horse, is granted 13 days' extension (p. a.) of the leave granted to him in G. G. O. No. 430 of 1881.

No. 587.—The furlough granted to 1st class Apothecary T. Lyons will be held to have effect from the 20th August, 1881, and not as notified in G. G. O. No. 497 of 1881.

LONDON GAZETTE.

No. 588.—The following extracts are published for general information :—

"*London Gazette*," *dated the 30th September, 1881, pages 4901 and 4902.*

HER Majesty has approved of the following promotions among the Officers of the Staff Corps and Indian Military Services made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant-Colonel.

Major Reginald Colvil William Mitford. Dated 25th July, 1881.

To be Majors.

Captain Charles Denroche Swete. Dated 25th June, 1881.

Captain Horace Howell. Dated 26th July, 1881.

To be Captains.

Lieutenant Charles Wemyss Muir. Dated 7th July, 1881.

Lieutenant Duncan Alexander Allan Macpherson. Dated 7th July, 1881.

Lieutenant Charles Campbell Whistler. Dated 7th July, 1881.

Lieutenant Edward Duncan Frederick Bignell. Dated 7th July, 1881.

Lieutenant George Brougham Austin. Dated 8th July, 1881.

Lieutenant Henry North Webb. Dated 8th July, 1881.

Lieutenant Lewis Maltby Boileau. Dated 14th July, 1881.

Lieutenant John Clibborn. Dated 14th July, 1881.

Lieutenant George Edward Money. Dated 14th July, 1881.

BENGAL ARMY.

INFANTRY.

To be Colonel.

Lieutenant-Colonel and Brevet Colonel Horace Albert Browne. Dated 29th June, 1881.

To be Majors.

Captain Douglas Cowslade Hennessy. Dated 4th July, 1881.

Captain Everard Neal Digges La Touche. Dated 4th July, 1881.

Captain and Brevet Major Frederick Schomberg Carr. Dated 26th July, 1881.

BREVET.

To be Colonel.

Lieutenant-Colonel Frederick Augustus Buckley, Bengal Infantry. Dated 17th July, 1881.

HER Majesty has approved of the following admissions to the Staff Corps, made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Henry Richard Longcroft Holmes, from the 22nd Foot. Dated 5th August, 1878, but to rank from 9th August, 1873.

Lieutenant William Tomes Fairbrother, from the 11th Foot. Dated 25th July, 1878, but to rank from 11th February, 1875.

Lieutenant Francis Anderson Harris, from the 54th Foot. Dated 15th March, 1880, but to rank from 10th September, 1875.

Lieutenant Charles Walter Harris, from the 73rd Foot. Dated 19th April, 1879, but to rank from 10th September, 1876.

Lieutenant William David Gordon, from the 17th Foot. Dated 16th May, 1879, but to rank from 11th September, 1877.

The date of admission to the Bengal Staff Corps of Lieutenant C. J. B. H. Dressner is 20th May, 1879, and not as stated in the London Gazette of the 1st July last.

"London Gazette," dated the 4th October, 1881, page 4938.

BREVET.

HER Majesty has been graciously pleased to approve of the following promotions being conferred upon the undermentioned Officers, in recognition of their services during the Afghan Campaigns, 1879-80. Dated 2nd March, 1881 :—

To be Lieutenant-Colonels.

Major Joseph Barnard Smith, Bengal Staff Corps.

Major Henry Bathurst Hanna, Bengal Staff Corps.

Major John Francis FitzGerald Cologan, Bengal Staff Corps.

Major Edward Stedman, Bengal Staff Corps.

Major William Alexander Lawrence, Bengal Staff Corps.

To be Majors.

Captain Charles Frederick Hughes, Bombay Staff Corps.

Captain James Turner Cummins, Madras Staff Corps.

Captain Henry Paterson, Bengal Staff Corps.

Captain William John Vousden, Bengal Staff Corps.

Captain William Courtney Harrison, Bombay Staff Corps.

Captain George Hambley Elliott, Bengal Staff Corps.

Captain Alfred Charles Le Quesne, Bengal Staff Corps.

PENSIONS.

No. 589.—First class Assistant-Apothecary W. A. Ross is permitted to retire from the service, receiving a gratuity.

PROMOTIONS.

No. 590.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL ARMY.

To be Colonel.

Lieutenant-Colonel (Brevet Colonel) William Butler Shawe, Infantry,—29th October, 1881.

To be Major.

Captain (Brevet Major) the Hon'ble George Campbell Napier, C.I.E., General List, Infantry,—4th November, 1881.

No. 591.—MEDICAL DEPARTMENT—

Deputy Surgeon-General, with temporary rank, Arthur James Payne, M.D., (Honorary Surgeon to the Governor General), local Surgeon-General, Bengal, to have the permanent rank of Deputy Surgeon-General, with effect from the 9th September, 1879, subject to Her Majesty's approval.

No. 592.—Surgeon-Major Charles Planck, Sanitary Commissioner, North-Western Provinces and Oudh, to be a Deputy Surgeon-General, with effect from the 4th August, 1881, subject to Her Majesty's approval.

No. 593.—ORDNANCE DEPARTMENT—

Sub-Conductor Joseph John Bennett, from the Supernumerary List, to be Conductor, *vice* Conductor J. Beatty, seconded on appointment as Timber Storekeeper.

Rank and Names.	To what rank promoted.	From what date.	In succession to
Sergeant Richard Whitmore.	*To be Sub-Conductor, on probation.*	*From the 12th October 1881.*	
Magazine Sergeant (Temporary Sub-Conductor) George Hadden.	Ditto	Ditto	Sub-Conductor Bennett.

No. 594.—NATIVE ARMY—

18th Bengal Cavalry.

Ressaidar Futteh Khan, to be Ressaldar, *vice* Hazara Singh, deceased,—29th September, 1880.

Kote-Duffadar Nihal Singh, to be Jemadar, *vice* Kesur Singh, deceased,—6th August, 1880.

Kote-Duffadar Chiragh Khan, to be Jemadar, *vice* Allayar Khan, resigned,—10th December, 1880.

2nd Native Infantry.

Subadar Jaffer Ali Khan, to be Subadar-Major, *vice* Nehal Sing, deceased; Jemadar Bulleeraj Sing, to be Subadar, *vice* Nehal Sing, deceased,—30th July, 1881.

Jemadar Bissoondut Tewarry, to be Subadar, *vice* Salamut Ally Khan, invalided,—4th August, 1881.

Havildar Almin Khan, to be Jemadar, *vice* Desputtee Sing, deceased,—17th September, 1880.

Havildar Koosahur Sing, to be Jemadar, *vice* Bulleeraj Sing, promoted,—30th July, 1881.

Havildar Sewburn Sing, to be Jemadar, *vice* Bissoondut Tewarry, promoted,—4th August, 1881.

12th Native Infantry.

Jemadar Kadir Buksh Khan, to be Subadar, *vice* Monohur Opudhia, invalided,—1st May, 1881.

Havildar Dowen Sing, to be Jemadar, *vice* Kadir Buksh Khan, promoted,—1st October, 1879.

Havildar Najeem Khan, to be Jemadar, *vice* Sahib Shah, invalided,—1st May, 1881.

No. 595.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Captain Samuel Clarke Kennedy, to be Major, *vice* Major R. C. Sterndale, resigned.

RETIREMENTS.

No. 596.—The Right Hon'ble the Governor General in Council is pleased to direct the publication, for general information, of the following despatch from the Right Hon'ble the Secretary of State for India :—

MILITARY, INDIA OFFICE;

No. 323. *London, 6th October, 1881.*

To His Excellency the Most Hon'ble the Governor General of India in Council.

MY LORD MARQUIS,

Para. 1. I have had under my consideration the question of extending to Officers of the Royal Artillery and Royal Engineers, under Indian retiring regulations, the recently revised scale of pensions for Officers who entered the Staff Corps subsequently to September, 1866.

2. Under the very favorable terms of retirement given to Officers of the Ordnance Corps in Articles 92-111 of the Royal Warrant of 25th June, 1881, it is probable that the revised Indian pensions would be rarely taken advantage of by them. As, however, the extra annuity granted under the Royal Warrant is given under certain restrictions, an Officer may find himself unable to retire, except under those Indian pension rules in force up to the 1st July, 1881, which have recently been revised on the ground that they had become unsuitable to present circumstances. I consider therefore that the benefits of the revised scale should not be withheld from the Officers of the old Indian Army, not of the local service or Staff Corps, who are still serving for Indian pensions.

3. I have accordingly intimated to the Secretary of State for War that these revised rates will be extended to Officers of the Indian cadres of Royal Artillery and Royal Engineers; but that the increased rates* will not be given to Officers availing themselves of the extra annuity specified in Article 978—XI of the Royal Warrant of the 25th June, 1881, Officers retiring on those terms being restricted to the Indian retiring pensions hitherto in force.

* Years.	£
20	250
24	365
28	500
32	700
38 as now	750

4. I request that your Lordship will cause this to be notified in General Orders.

I have, &c.,

HARTINGTON.

REWARDS.

No. 597.—GOOD SERVICE PENSIONS—

It is hereby announced that, on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned officer, with effect from the date specified :—

From the 21st February, 1881, in room of Colonel J. A. M. Macdonald, C.B., succeeded to the Colonel's allowance.

MAJOR-GENERAL FRANCIS ADAM ELLIS LOCH, C.B., BOMBAY STAFF CORPS.

Dates of Commissions.

Cornet	...	... 7th April, 1844.
Lieutenant	...	... 8th May, 1849.
Captain	...	... 29th May, 1857.
Brevet Major	...	... 20th July, 1858.
Major	...	... 12th September, 1866.
Brevet Lieutenant-Colonel		... 18th January, 1867.
Brevet Colonel	...	... 15th August, 1868.
Lieutenant-Colonel	...	... 7th April, 1870.
Major-General	...	... 18th May, 1881.

Appointments.

Adjutant, Southern Mahratta Horse, from July to December 1850.

Adjutant, 1st Light Cavalry, from December 1850 to June 1857.

Major of Brigade, Cavalry Brigade, Kotah, from February to April 1858.

Officiating Second-in-Command, Poona Horse, from April to September 1862.

Second-in-Command, 3rd Light Cavalry, from October 1862 to August 1870.
(Officiating Brigade Major, Poona, from May to November 1864.)

Commandant, 3rd Sind Horse, from August, 1870 to March 1873.

Commandant and Political Superintendent, Upper Sind Frontier, from April 1873 to April 1876.

Brigadier-General Commanding Hyderabad Contingent from April 1876 to October 1876.

Commanding at Naggar from November 1876 to April 1877.

Commanded Aden Brigade, and Political Resident, from May 1877.

War Services.

Served in the Punjab campaign of 1848 and 1849, and acted as Extra Aide-de-Camp to General Dundas, C.B., Commanding the Bombay Column, during the siege and until the surrender of the Fort of Mooltan (medal and clasp); present at the mutiny of the Bengal troops at Nusseerabad on the 28th May, 1857; wounded at the first attack on and subsequent capture of Awah; at the siege and capture of Kotah, and pursuit of the rebels into the Gwalior territories; served with "Smith's Brigade" in Central India, at the recapture of the Fort of Chandaree, at the action of Kotah-ki-Serai, and capture of Gwalior (received a brevet), at the siege and capture of Powree, and at the surprise and pursuit of the rebels under Maun Sing at Noondrey, 14th November, 1858. Served throughout the Abyssinian campaign (mentioned in despatches, brevet rank of colonel, medal).

No. 598.—ORDER OF BRITISH INDIA—

In recognition of their services during the late war in Afghanistan, and with reference to G. G. Orders Nos. 534 of 1880 and 571 of 1881, His Excellency the Governor General in Council is pleased to admit the undermentioned Native officers to the Order of British India, with effect from the 21st October, 1881 :—

To the 2nd class, with the title of "Bahadur."

Ressaldar-Major Sobut Sing, 3rd (Queen's Own) Bombay Light Cavalry.

Ressaldar-Major Shaik Jamal, 3rd Sind Horse.

2. These Native officers will be borne as supernumerary to the establishment until absorbed under the rule laid down in paragraph 2 of G.G.O. No. 571 of 1881.

3. Subadar-Major Nuzzar Khan, No. 2 (Derajat) Mountain Battery, Punjab Frontier Force, having died prior to the publication of G. G. O. No. 571 of 1881, his appointment to the Order of British India, as made in that G. G. O., is hereby cancelled.

E. H. H. COLLEN, *Captain*,
for *Secretary to the Government of India.*

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 31st October, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers on the dates specified were received in the Military Department from the 25th to the 31st October, 1881:—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
Indian Medical Service ...	Surgeon-Major A. Taylor ...	21st October, 1881.	Delhi ...	...	...
2nd Battalion Liverpool Regiment.	Lieutenant B. J. Bacon ...	25th October, 1881.	Meean Meer	...	...
Subordinate Medical Department.	Assistant Apothecary G. J. Harris	20th October, 1881.	Naini Tal	...	...

W. M. LEES, *Colonel*,
Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 2nd November 1881.

No. 352.—Mr. R. T. Mallet, Superintending Engineer, Director of State Railway Stores, is appointed Engineer-in-Chief of the Rewari-Ferozepore State Railway.

No. 353.—Consequent on the return from privilege leave of Lieutenant-Colonel W. B. Holmes, R.E., Superintending Engineer, Class II, temporary rank, Major T. C. Manderson reverted to Executive Engineer, 1st Grade, with effect from 22nd October 1881.

No. 354.—Mr. G. E. Thomas, Locomotive Superintendent in Class II of the Revenue Scale, on furlough, is posted to the Railway Establishment of British Burma for employment as Locomotive Superintendent of the Rangoon and Irrawaddy Valley State Railway.

The 3rd November 1881.

No. 355.—Mr. W. D. Brockman, Officiating Superintending Engineer, Class III, North-Western Provinces and Oudh, is temporarily promoted to that class, with effect from the 10th August 1881.

The 4th November 1881.

No. 356.—The Governor General in Council is pleased to make the following promotions in the Military Works Branch, with effect from 7th October 1881:—

Major M. A. Alves, R.E., Executive Engineer, 2nd Grade, to 1st Grade.

Captain J. E. Broadbent, R.E., Executive Engineer, 3rd Grade, to 2nd Grade.

Major G. D'A. Jackson, Executive Engineer, 4th Grade, to 3rd Grade.

Lieutenant H. W. Duperier, R.E., Temporary Executive Engineer, 4th Grade, to the same grade permanently.

W. S. TREVOR, *Colonel, R.E.*,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 46. } SIMLA, SATURDAY, NOVEMBER 12, 1881.

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

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PART I.

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

MILITARY SECRETARY'S OFFICE.

NOTIFICATIONS.

Camp Agra, the 9th November 1881.

His Excellency the Viceroy and Governor General will hold a Levée at Government House, Calcutta, on Saturday the 3rd December 1881, at 9-30 P.M.

All Civil and Military Officers are invited to attend.

Gentlemen purposing to attend the Levée are requested to send their names to the Aide-de-Camp in waiting not later than the 30th November 1881, after which none will be received. Gentlemen who have not already been presented at the Court of St. James, or at Government House will be good enough to add the names of Gentlemen who will present them.

Gentlemen attending the Levée are requested to bring with them two cards with their names legibly written on them—one to be delivered on entering Government House, the other to the Aide-de-Camp in waiting at the time of presentation.

The Levée will be closed by the Native Officers of the Garrison being presented by their Commanding Officers.

Gentlemen wearing uniform will appear in full dress.

Gentlemen not wearing uniform will appear in evening dress.

The carriages of Gentlemen (except such as have the private entrée) attending the Levée will enter by the North-East Gate, set down under the Grand Staircase, and pass out by the North-West Gate.

Their Excellencies the Viceroy and the Marchioness of Ripon will hold a Drawing Room at Government House, Calcutta, on the evening of Tuesday the 6th December 1881, at 9-30 o'clock.

Ladies purposing to attend the Drawing Room are requested to send their cards and addresses to the Aide-de-Camp in waiting not later than Saturday the 3rd December, after which no cards will be received, and to bring with them to the Drawing Room two cards with their names legibly written on them—one to be given on entering Government House, and the second to the Aide-de-Camp in waiting at the time of presentation.

Ladies who have not already been presented at the Court of St. James or at Government House are requested to send their cards with their addresses and the name of the Lady by whom they are to be presented to the Aide-de-Camp in waiting as soon as possible.

Ladies who present others should themselves attend the Drawing Room.

The carriages of those who have the private entrée will enter by the South-East Gateway and set down at the South Entrance of Government House.

All other carriages will enter by the North-East Gate, set down under the Grand Stairs, and pass out by the North-West Gate.

By Command,

WILLIAM BERESFORD, *Captain*,
Offg. Military Secretary to the Viceroy.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 11th November, 1881.

No. 27.—Whereas the Secretary of State for India has, by Resolution in Council, declared the provisions of the Statute 33 Vic., cap. 3, section 1, to be from and after the 1st October, 1877, applicable to the territories forming the Chief Commissionership of Coorg;

And whereas the Chief Commissioner of Coorg has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

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

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

REGULATION No. II of 1881.

A Regulation to amend the law relating to the Courts in the Province of Coorg.

WHEREAS it is expedient to amend the law relating to the Courts in the Province of Coorg; it is hereby enacted as follows:—

I.—Preliminary.

1. This Regulation may be called "The Coorg Courts Regulation, 1881"; (Short title.)

And it shall come into force on the date of its publication in the *Gazette of India*. (Commencement.)

2. On and from such date Act No. XXV of 1868 (the Coorg Courts Act) and section 586 of the Code of Civil Procedure shall be repealed; (Repeal of enactments.)

But such repeal shall not affect anything done, or any offence committed, or any fine or penalty incurred, or any proceedings commenced, before the said date; (Saving.)

And all rules prescribed, forms framed, tables of fees settled, appointments made and powers conferred under the said Coorg Courts Act and now in force shall (so far as they are consistent with this Regulation) be deemed to have been respectively prescribed, framed, settled, made and conferred hereunder.

II.—Civil Justice.

3. Besides the Courts established under any other enactment for the time being in force, there shall be four grades of Civil Courts in the Province of Coorg (namely) :— (Grades of Courts.)

(1) The Court of the Súbahdár;

(2) The Court of the Assistant Commissioner;

(3) The Court of the Commissioner;

(4) The Court of the Judicial Commissioner.

The Court of the Judicial Commissioner and all Súbahdárs' Courts established in the said Province when this Regulation comes into force shall be deemed to have been established under this Regulation.

4. The Governor General in Council may from time to time appoint the Judicial Commissioner, the Commissioner and Assistant Commissioners, and suspend or remove any officer so appointed: (Appointment and removal of Judicial Commissioner, Commissioner and Assistant Commissioners.)

Provided that the Judicial Commissioner and the Súbahdárs holding office under the Coorg Courts Act at the time this Regulation comes into force shall be deemed to have been appointed under this Regulation.

5. The Chief Commissioner may from time to time appoint Súbahdárs and suspend or remove them. (Appointment and removal of Súbahdárs.)

6. The Chief Commissioner may, with the previous sanction of the Governor or General in Council, fix, and with the like sanction from time to time vary, the number of Courts of Súbahdárs and Assistant Commissioners. (Number of Courts of first and second grades.)

7. The Chief Commissioner may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, fix, and with the like sanction by like notification, from time to time, vary the local limits of the original jurisdiction of each of the Courts of Súbahdárs and Assistant Commissioners. (Power to fix local limits of original jurisdiction of Courts of first and second grades.)

8. The Court of the Judicial Commissioner shall, for the purposes of all enactments relating to civil jurisdiction for the time being in force, be deemed to be the High Court for the Province of Coorg. (Judicial Commissioner's Court, High Court.)

The Court of the Commissioner shall for the said Province be deemed to be the principal Civil Court of original jurisdiction and the District Court within the meaning of the Code of Civil Procedure. (Commissioner's Court principal Civil Court of original jurisdiction.)

The control over all the Civil Courts in the Province of Coorg is vested in the Commissioner, subject to the general control of the Judicial Commissioner. (Control over Civil Courts.)

9. Subject to the provisions of the Code of Civil Procedure, section fifteen,— (Original jurisdiction of different grades of Courts.)

(*a*) the jurisdiction of the Commissioner extends to all original suits;

(*b*) the jurisdiction of an Assistant Commissioner extends to all original suits in which the amount or value of the subject-matter in dispute does not exceed three thousand rupees;

(*c*) the jurisdiction of a Súbahdár extends to all original suits in which the amount or value of the subject-matter in dispute does not exceed three hundred rupees.

10. The Chief Commissioner may from time to time invest any Párpatigár with power to try and determine suits for money due on bond or other contract, or for rent, or for moveable property, or for the value of such property, or for damages, when the amount or value of the subject-matter does not exceed fifty rupees, and may from time to time define the local limits within which such power shall be exercised. (Power to confer certain jurisdiction on Párpatigárs.)

The Chief Commissioner may at any time withdraw all or any of the powers conferred under this section.

11. Subject to any law for the time being in force, appeals shall lie as follows:— (Appeals.)

(*a*) From the decrees and orders of Súbahdárs, and of Párpatigárs invested with jurisdiction under section ten—to the Assistant Commissioner.

(*b*) From the decrees and orders of Assistant Commissioners in original suits and proceedings—to the Commissioner.

(*c*) From the decrees and orders of the Commissioner in original suits and proceedings—to the Judicial Commissioner.

12. For the purposes of the last preceding section all decrees and orders passed before the date on which this Regulation comes into force shall be deemed,— (Appeals from decrees, &c., passed before Regulation comes into force.)

(*a*) if passed by the Superintendent of Coorg, to have been passed by the Commissioner; and

(*b*) if passed by an Assistant Superintendent of Coorg, to have been passed by an Assistant Commissioner.

13. The period of limitation for the presentation of appeals to the Courts of the Assistant Commissioner and Commissioner shall be the same as that prescribed by the Indian Limitation Act, 1877, for the presentation of appeals to the Court of the District Judge. (Limitation for appeals to Assistant Commissioner.)

14. The Commissioner may, with the previous sanction of the Chief Commissioner, define the local limits of the appellate jurisdiction of each of the Courts of the Assistant Commissioners, and with the like sanction from time to time vary the local limits so defined. (Local limits within which Courts of the Assistant Commissioner to exercise appellate jurisdiction.)

15. The Commissioner may direct the business in the Courts subordinate to him to be distributed among such Courts in such way as he thinks fit: (Distribution of business among subordinate Courts.)

Provided that no Court shall try any suit in which the amount or value of the subject-matter exceeds the jurisdiction conferred on it under this Regulation.

16. Except with the consent of the parties, no presiding officer of any Court having jurisdiction under this Regulation shall try any suit, appeal or proceeding to or in which he is a party or personally interested, or any appeal against a decree or order passed by himself, or shall adjudicate upon any matter connected with or arising out of such suit, appeal or proceeding. (Presiding officer of Court not to try suit in which he is interested.)

17. When any such suit, appeal or proceeding comes before the presiding officer of any Court subordinate to the Judicial Commissioner, he shall forthwith, unless all the parties request him to proceed with the case himself, transmit the record to the Court to which he is immediately subordinate, with an explanation of his reasons for so doing. (Procedure when officer subordinate to Chief Commissioner is interested, &c.)

Such Court shall thereupon try the case itself, or transfer it for trial to a subordinate Court of competent jurisdiction.

When an appeal is preferred to the Judicial Commissioner from a judgment or order passed by him in any other capacity, or in (Procedure when Judicial Commissioner is interested, &c.)

which he is personally interested, he shall, unless all the parties request him to proceed with the case himself, report the fact to the Chief Commissioner, who shall either direct the Judicial Commissioner to try the case himself, or shall transfer it to the High Court at Madras for disposal, or appoint an officer to be an Additional Judicial Commissioner for the disposal thereof.

III.—Criminal Justice.

18. The Court of the Judicial Commissioner shall, except with reference to proceedings against European British subjects or persons charged jointly with European British subjects, be deemed to have, throughout the Province of Coorg, the powers conferred by the Code of Criminal Procedure, or by any other enactment relating to criminal jurisdiction for the time being in force in the said Province, on a High Court, other than a High Court established by Royal Charter.

Judicial Commissioner's Court to be deemed to be, except as regards European British subjects, High Court for Coorg.

IV.—Miscellaneous.

19. The Judicial Commissioner may from time to time make rules regulating the appointment, suspension, removal and punishment of the ministerial officers of all the Courts subordinate to him.

Judicial Commissioner empowered to make rules as to ministerial officers.

Subject to such rules, the presiding officer of any Court may punish any ministerial officer of his Court who is guilty of misconduct or neglect in the performance of the duties of his office with fine which may extend to one month's salary of the offender.

Power to presiding officer to fine ministerial officers of Court.

Any fine imposed under this section shall, if the order imposing it so directs, be recovered from the offender's salary.

20. The Judicial Commissioner may, for the purpose of the exercise of any jurisdiction conferred on him under this Regulation, hold his Court at such place either within or without the limits of the Province of Coorg as he from time to time thinks fit.

Judicial Commissioner empowered to hold Court within or without limits of Coorg.

21. All proceedings pending on the date on which this Regulation comes into force shall be heard and disposed of by the Courts established under this Regulation that would have had jurisdiction if they had been in existence when such proceedings were instituted.

Pending proceedings.

For the purpose of this section all appeals pending on the said date shall,—

(*a*) if preferred from the decrees or orders of the Superintendent of Coorg,—be deemed to be appeals from the decrees or orders of the Commissioner; and

(*b*) if preferred from the decrees or orders of Assistant Superintendents of Coorg,—be deemed to be appeals from the decrees or orders of Assistant Commissioners.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 11th November 1881.

No. 1838.—The services of Mr. P. C. H. Snow, C.S., and Mr. E. C. Morrieson, C.S., Assistant Commissioners in British Burma, are temporarily placed at the disposal of the Government of Bombay.

ESTABLISHMENTS.

The 10th November 1881.

No. 354.—The following extract paragraph 1, from a despatch from Her Majesty's Secretary of State for India, No. 119, dated the 6th October 1881, is published for general information:—

The undermentioned gentlemen have been appointed Members of the Bengal Civil Service, in the following order, and to the divisions of your Government placed against their names:—

Mr. Ernest Thomas Lloyd,—Bengal (Lower Provinces).

Mr. Jonathan Oakeshott,—North-Western Provinces, Punjab, and Oudh.

Mr. Alexander Henderson Diack,—North-Western Provinces, Punjab, and Oudh.

Mr. Walter Grindlay,—Bengal (Lower Provinces).

Mr. Robert Heath Fawcett,—North-Western Provinces, Punjab, and Oudh.

Alan Colquhoun Duff,—North-Western Provinces, Punjab, and Oudh.

Mr. John George Mackworth Rennie,—North-Western Provinces, Punjab, and Oudh.

Mr. James Charles Emerton Branson,—North-Western Provinces, Punjab, and Oudh.

Mr. Alfred Frederick Steinberg,—Bengal (Lower Provinces).

Mr. Francis William Brownrigg,—North-Western Provinces, Punjab, and Oudh.

Mr. Edward Frederick Growse,—Bengal (Lower Provinces).

Mr. John James Gruchy,—Bengal (Lower Provinces).

EXAMINATIONS.

The 11th November 1881.

No. 80.—The following Regulations respecting the examination of candidates for the Civil Service of India, to be held in June 1882, are published for general information;—

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

REGULATIONS FOR THE OPEN COMPETITION OF JUNE 1882.

N.B.—The regulations are liable to be altered in future years.

1. On the 1st June 1882, and following days, an examination open to all qualified persons will be held in London (*a*). Not fewer than candidates will be selected, if so many shall be found duly qualified; *viz.*, for the Presidency of Bengal [for the Upper, for the Lower Provinces (including Assam), and for Burma], for that of Madras, and for that of Bombay (*b*).

2. No person will be deemed qualified who shall not satisfy the Civil Service Commissioners—

(i) that he is a natural-born subject of Her Majesty;
(ii) that his age will be above seventeen years and under nineteen years on the 1st June 1882 [*N.B.—In the case of Natives of India this must be certified by the Government of India, or of the Presidency or Province in which the candidate may have resided*];
(iii) that he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the Civil Service of India;
(iv) that he is of good moral character;
(v) that he has paid such fee as may be prescribed under the provisions of the order in Council of the 22nd March 1879 (*c*).

3. Should the evidence upon the above points be *primâ facie* satisfactory to the Civil Service Commissioners, the candidate will be admitted to the examination. The Commissioners may however, in their discretion, at any time prior to the grant of the certificate of qualification hereinafter referred to, institute such further inquiries as they may deem necessary; and if the result of such inquiries, in the case of any candidate, should be unsatisfactory to them in any of the above respects, he will be ineligible for admission to the Civil Service of India; and if already selected will be removed from the position of a probationer.

4. The examination will take place only in the following branches of knowledge:—

	Marks.
English Composition	300
(*d*) History of England, including a period selected by the candidate	300
(*d*) English Literature, including books selected by the candidate	300
Greek	600
Latin	800
French	500
German	500
Italian	400
(*e*) Mathematics (pure and mixed)	1,000
Natural Science: that is, the Elements of any two of the following Sciences, *viz.*,— Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	
Logic	300
Elements of Political Economy	300
(*f*) Sanskrit	500
(*f*) Arabic	500

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

5. The merit of the persons examined will be estimated by marks; and the number set opposite to each branch in the preceding regulation denotes the greatest number of marks that can be obtained in respect of it.

6. The marks assigned to candidates in each branch will be subject to such deduction as the Civil Service Commissioners may deem necessary (*g*), in order to secure that "a candidate be allowed no credit at all for taking up a subject in which he is a mere smatterer."

7. The examination will be conducted on paper and *viva voce*, as may be deemed necessary.

(*a*) An order for admission to the examination will be sent to each candidate on the 18th of May.

(*b*) The numbers will be announced hereafter.

(*c*) The fee will be £5, payable by means of a special stamp according to instructions which will be communicated to candidates.

(*d*) A considerable portion of the marks for English History and Literature will be allotted to the work selected by the candidate (see notice on page 4). In awarding marks for this, regard will be had partly to the extent and importance of the periods or books selected, but chiefly to the thoroughness with which they have been studied.

(*e*) The examination will range from Arithmetic, Algebra, and Elementary Geometry, up to the elements of the differential and integral calculus, including the lower portions of applied Mathematics.

(*f*) The standard of marking in Sanskrit and Arabic will be determined with reference to a high degree of proficiency, such as may be expected to be reached by a native of good education.

(*g*) Marks assigned in English Composition and Mathematics will be subject to no deduction.

8. The marks obtained by each candidate, in respect of each of the subjects in which he shall have been examined, will be added up, and the names of the several candidates who shall have obtained after the deduction above mentioned a greater aggregate number of marks than any of the remaining candidates will be set forth in order of merit, and such candidates shall be deemed to be selected candidates for the Civil Service of India, provided they appear to be in other respects duly qualified. Should any of the selected candidates become disqualified, the Secretary of State for India will determine whether the vacancy thus created shall be filled up or not. In the former case, the candidate next in order of merit, and in other respects duly qualified, shall be deemed to be a selected candidate. A selected candidate declining to accept the appointment which may be offered to him will be disqualified for any subsequent competition.

9. Selected candidates, before proceeding to India, will be on probation for two years, during which time they will be examined periodically, with a view of testing their progress in the following subjects:—(*h*)

	Marks.
1. Law	1,250
2. Classical languages of India—	
Sanskrit	500
Arabic	400
Persian	400
3. Vernacular languages of India (each)	400
4. The History and Geography of India	350
5. Political Economy	350

In these examinations, as in the open competition, the merit of the candidates examined will be estimated by marks, and the number set opposite to each subject denotes the greatest number of marks that can be obtained in respect of it at any one examination. The examination will be conducted on paper and *viva voce*, as may be deemed necessary. The last of these examinations will be held at the close of the second year of probation, and will be called the "Final Examination," at which it will be decided whether a selected candidate is qualified for the Civil Service of India. At this examination candidates will be permitted to take up any one of the following branches of natural science, *viz.*, Botany, Geology, or Zoology, for which 350 marks will be allowed.

10. Any candidate who, at any of the periodical examinations, shall appear to have wilfully neglected his studies, or to be physically incapacitated for pursuing the prescribed course of training, will be liable to have his name removed from the list of selected candidates.

11. The selected candidates who, at the final examination, shall be found to have a competent knowledge of the subjects specified in Regulation 9, and who shall have satisfied the Civil Service Commissioners of their eligibility in respect of nationality, age, health, and character, shall be certified by the said Commissioners to be entitled to be appointed to the Civil Service of India, provided they shall comply with the regulations in force, at the time, for that service.

12. Persons desirous to be admitted as candidates must apply on forms, which may be obtained from "The Secretary, Civil Service Commission, London, S.W.," at any time after the 1st December 1881. The forms must be returned so as to be received at the office of the Civil Service Commissioners on or before 1st April 1882. They should be accompanied by evidence on the first four of the points mentioned in Regulation 2, and by a list of the subjects in which the candidate desires to be examined (*i*).

The Civil Service Commissioners are authorised by the Secretary of State for India in Council to make the following announcements:—

(1) *Selected candidates will be permitted to choose, according to the order in which they stand in the list resulting from the open competition, so long as a choice remains, the Presidency (and in Bengal, the Division of the Presidency) to which they shall be appointed; but this choice will be subject to a different arrangement, should the Secretary of State, or the Government of India, deem it necessary (k).*

(2) *The probationers, having passed the necessary examinations, will be required to report their arrival in India within such period after the grant of their certificate of qualification as the Secretary of State may in each case direct.*

(3) *The seniority in the Civil Service of India of the selected candidates shall be determined according to the order in which they stand on the list resulting from the final examination.*

(4) *An allowance amounting to £300 will be given to all candidates who pass their probation at one of the Universities or Colleges which have been approved by the Secretary of State, viz., the Universities of Oxford, Cambridge, Glasgow, Edinburgh, St. Andrew's, and Aberdeen, Trinity College, Dublin; University College, London; and King's College, London; provided such candidates shall have passed the required examinations to the satisfaction of the Civil Service Commissioners, and shall have complied with such rules as may be laid down for the guidance of selected candidates.*

(5) *All selected candidates will be required after having passed the first periodical examination, and before receiving the first instalment of their allowance, to attend at the India Office for the purpose of entering into an agreement binding themselves, amongst other things, to refund in certain cases the amount of their allowance in the event of their failing to proceed to India. A surety will be required.*

(*h*) Full instructions as to the course of study to be pursued will be issued to the successful candidates as soon as possible after the result of the open competition is declared.

(*i*) Evidence of health and character must bear date not earlier than 1st March 1882. Applications for leave to alter or add to the list of subjects named will not be entertained unless received on or before the 5th of May.

(*k*) This choice must be exercised immediately after the result of the open competition is announced on such day as may be fixed by the Civil Service Commissioners.

(6) *After passing the final examination, each candidate will be required to attend again at the India Office, with the view of entering into covenants, by which, amongst other things, they will bind themselves to agree to such regulations for the provision of pensions for their families as may be approved by the Secretary of State for India in Council. The stamps payable on these covenants amount to £1.*

(7) *Candidates rejected at the final examination of 1884 will in no case be allowed to present themselves for re-examination.*

NOTICE RESPECTING THE EXAMINATION IN THE HISTORY OF ENGLAND AND ENGLISH LITERATURE.

HISTORY OF ENGLAND.

For the guidance of candidates who may have a difficulty in making their selections for special study under this head, the following list is given as indicating the character and amount of reading that would be regarded as satisfactory:—

Any one of the following periods, to be studied generally in "Bright's History," and particularly in portions selected by the candidate of the text books named:—

1. *Henry II to Edward III., A.D.* 1154-1377.—Stubbs' Select Charters; Stubbs' Constitutional History of England.
2. *The Tudors, A.D.* 1485-1603.—Hallam's Constitutional History of England; Froude's History of England.
3. *The Stuarts, A.D.* 1603-1714.—Hallam's Constitutional History of England; Macaulay's History of England.
4. *A.D.* 1714-1805.—Lord Stanhope's History; Sir T. E. May's Constitutional History; *either* Massey's Reign of George III *or* Lord Stanhope's Life of Pitt.

ENGLISH LITERATURE.

Under this head there will be (besides the general paper) a special paper on the following books:—

1. *Chaucer.*—Prologue to the Canterbury Tales with the Clerk's Tale.
2. *Shakespeare.*—Coriolanus, the Tempest.
3. *Milton.*—Comus and Sonnets.
4. *Bacon.*—Essays, i to xxx inclusive.
5. *Johnson.*—"Six Chief Lives of the Poets," *viz.*, of Milton, Dryden, Swift, Addison, Pope, and Gray; with Macaulay's Biography of Johnson.

The oral examination in English Literature will have reference chiefly to such works, not included in the foregoing list, as the candidate may offer for the purpose.

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1882.

Selection of subjects.

* * Place your initials against the subjects which you select, and strike out the remainder.

		Initials.
	English Composition	.....
*	History of England	.....
*	English Literature	.....
	Greek	.....
	Latin	.....
	French	.....
	German	.....
	Italian	.....
	Mathematics (Pure)	.....
	" (Mixed)	
	Natural Science, *viz.*,—	
Two of these only may be selected.	Chemistry	.....
	Electricity and Magnetism	.....
	Experimental Laws of Heat and Light	.....
	Mechanical Philosophy and Astronomy	.....
	Logic	.....
	Elements of Political Economy	.....
	Sanskrit	.....
	Arabic	.....

Signature _____

Date _____

* State periods and books selected on the next sheet.

To the Director of Examinations,
Civil Service Commission.

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1882.

History of England.—Period selected by the undersigned candidate :—

English Literature.—Books selected by the undersigned candidate :—

*Signature*_____

To the Director of Examinations,
Civil Service Commission.

CIVIL SERVICE OF INDIA.

FORM OF APPLICATION TO BE FILLED UP BY CANDIDATES.

*** This Form must be sent so as to be received at the Office of the Civil Service Commission on or before the 1st April 1882.

*Date*_____

SIR,

Being desirous to offer myself as a candidate at the examination for the Civil Service of India, which is appointed to commence on the 1st of June 1882, I transmit herewith, as required by the Regulations—

(1) If a General Register Office certificate cannot be obtained, the instructions printed on the other side will show what evidence should be supplied. If evidence is already in the hands of the Commissioners, strike out "A certificate of my birth," and insert "Evidence is already in the possession of the Commissioners."

(1) A certificate of my birth, showing that I was born on the day of 18 , and that therefore my age will be above 17 years and under 19 years on the 1st of June 1882.

(2) The terms indicated by the marks of quotation must appear in the certificate, which must be given after personal examination, and bear date not earlier than 1st March 1882.

(2) A certificate signed by

of my having "no disease, constitutional affection, or bodily infirmity unfitting me for the Civil Service of India."

(3) Two testimonials must be sent bearing date not earlier than 1st March 1882. One of them should be given by an intimate acquaintance (not a relative) of not less than three or four years' standing; the other, if the candidate has recently left school, should be given by his late schoolmaster, or if he has had employment of any kind, by his late employer. If the candidate has been at any University, he should send a certificate of good conduct from his College tutor.

(3) Proof of my moral character, *viz.*,—

(1) A testimonial from

(2) A testimonial from

(4) This should be given on the form herewith. If the History of England or English literature be named, the schedule should also be filled up.

(4) A statement of the branches of knowledge in which I desire to be examined.

I have also to state, with reference to Section 2, Clause (i) of the Regulations, that I am a natural-born subject of Her Majesty.

I am,

SIR,

Your obedient Servant,

*Name in full*_____

*Address*_____

_____

To the Secretary,
Civil Service Commission.

EVIDENCE OF AGE TO BE REQUIRED FROM CANDIDATES FOR THE CIVIL SERVICE OF INDIA.

I.—Every candidate born in England or Wales should produce a certificate from the Registrar General of Births, Marriages, and Deaths, or from one of his Provincial officers. This certificate may be obtained at Somerset House or from the Superintendent Registrar of the District in which the birth took place.

II.—A candidate who is a Native of India must have his age certified by the Government of India, or of the Presidency or Province in which he may have resided.

III.—Every other candidate *not producing the certificate* mentioned in clause 1 must prove his age by Statutory Declaration, and should also, if possible, produce a record of birth or baptism from some official register; under which term may be included the parochial registers of baptisms, the non-parochial registers of baptisms and births deposited at Somerset House under Acts of Parliament, the register kept at the India Office of persons born in India, &c., &c. This Regulation applies—

(1) To all candidates not born in England or Wales.

(2) To candidates who, though born in England or Wales, cannot produce the Registrar-General's certificate.

The Civil Service Commissioners reserve to themselves the right of deciding in each case upon the sufficiency of the evidence produced, but they subjoin the following general rules for the guidance of candidates :—

(*a*) The declaration should specify precisely the date and place of birth, and should, if possible, be made by the father or mother of the candidate. If made by any other person, it should state the circumstances which enabled the declarant to speak to the fact. If an entry in a Bible or other family record be referred to, the Bible or other record must be produced at the time of making the declaration, and must be mentioned in the declaration as having been so produced.

(*b*) If the candidate was born in England or Wales, the declaration must contain a statement that after due inquiry no entry has been found in the books of the Registrar-General; or a separate declaration must be made to that effect.

(*c*) If no extract from any register is produced, the declaration must contain a statement that after due inquiry no such record is believed to exist; or a separate declaration must be made to that effect.

(*d*) Statutory declarations must be exactly in the form prescribed by the Act of 5 and 6 William IV, c. 62. A printed form, if required, will be supplied on application to the Civil Service Commissioners.

N.B.—Clergymen, as such, are not qualified to take declarations.

MEDICAL.

The 9th November 1881.

No. 568.—The services of Surgeon-Major R. Temple Wright, M.D., Officiating Civil Surgeon, Jaunpur, North-Western Provinces, are placed at the disposal of the Chief Commissioner of the Central Provinces.

The 11th November 1881.

No. 582.—Mr. D. Callaghan, 1st Class Apothecary, Hyderabad Contingent, is appointed Civil Surgeon of Buldana in the Hyderabad Assigned Districts, *vice* Mr. A. R. Menasse, retired.

JUDICIAL.

The 9th November 1881.

No. 1463.—With reference to Section 15 of Act XI of 1865, and in exercise of the power conferred by Section 94 of Act XVII of 1875 (The Burma Courts Act, 1875), the Governor General in Council is pleased to invest Moung San Hla Baw with the powers of a Judge of the Court of Small Causes in the town of Rangoon.

FORESTS.

The 7th November 1881.

No. 1017*F.*—Mr. J. T. Jellicoe, Assistant Conservator of Forests of the 1st Grade, who has been transferred from Mysore to Bengal, officiated as a Deputy Conservator of the 2nd Grade in Mysore from the 1st April 1881 to the date of his joining his appointment in Bengal.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Simla, the 10th November 1881.

No. 1989 *G.G.*—Mr. F. Holmwood, 1st Assistant Political Agent at Zanzibar, officiated as a Political Agent, 1st Class, and as Her Majesty's Agent and Consul-General at Zanzibar from the 27th August to the 26th September 1881.

POLITICAL.

The 11th November 1881.

No. 334 *G.P.*—His Excellency the Viceroy and Governor-General in Council is pleased to recognise the appointment of Mr. Hans Mattson as Consul-General for the United States of America at Calcutta.

No. 337 *G.P.*—With reference to Notification No. 221 G.P., dated the 4th August 1881, the recognition by the Government of India of the appointment of Mr. Henry Beer as Acting Vice-Consul for Portugal at Calcutta has been confirmed by Her Majesty's Government.

T. HOPE, *Captain*,
Offg. Junior Under-Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 11th November 1881.

No. 4115.

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

Read the undermentioned correspondence regarding the publication of the accounts of certain Local Funds, in accordance with the requirements of the legal enactments constituting the Funds:—

To the Government of Madras, No. 1307, dated the 22nd June 1881.
" " of Bombay, " 1308, " " "
" " of the North-Western Provinces and Oudh, No. 1306, dated the 22nd June 1881.
From the " of Madras, No. 1331, dated the 20th July 1881.
" " of Bombay, " 262A-360, dated the 19th October 1881.
" " of the North-Western Provinces and Oudh, No. 1675, dated the 18th October 1881.

RESOLUTION.—The Government of Madras was asked whether the annual accounts of the Local Funds constituted by Madras Act IV of 1871 are published in the Local Gazette as required by Section 32 of that Act. In reply that Government reports that the accounts are published in the Gazettes of the districts in which the Local Funds circles are respectively situated.

2. The Government of Bombay was asked whether the accounts of the District Funds constituted by Act III of 1869 are published in the vernacular papers of the districts as required by the Act; and it appears from the reply of that Government that the accounts are published in the vernacular papers of most of the districts where there are such papers, but not in some where the insertion would have to be paid for.

3. The Governor General in Council requests that the Government of Bombay will issue instructions for compliance with the terms of the law in these districts, any necessary payments to the newspapers being made from the Local Funds.

4. The Government of the North-Western Provinces and Oudh was similarly asked whether any accounts of the local rates levied under Acts III and IV of 1878 are published in the Local Gazette as required by Sections 14 and 13 of those Acts respectively. That Government replies that such accounts were published up to 1874-75, but that afterwards they had to be discontinued, owing chiefly to certain difficulties which were felt in fixing the assignments for each district. The Local Government, however, reports that orders have now been issued prescribing the manner in which district assignments should be fixed, and that the accounts of 1879-80 and 1880-81 are being prepared accordingly, and will be published as soon as they are completed.

5. The Governor General in Council desires that the other Local Governments will take particular care that any similar provisions of the Legislature in respect of any other Local Funds are not overlooked anywhere.

ORDERED, that this Resolution be communicated to the several Local Governments.

Ordered also, that it be published in the *Gazette of India* for general information.

The 9th November 1881.

No. 4121.—In exercise of the powers conferred by Section 8 of Act XVI of 1881 (The Obstructions in Fairways Act, 1881), the Governor General in Council is pleased to make the following rule, namely,—

"In any fairway leading to the port of Rangoon the placing of fishing stakes or the casting or throwing of sand or stone ballast, rubbish, or any other thing likely to give rise to a bank or shoal is prohibited."

The 11th November 1881.

No. 4161.—The Governor General in Council is pleased to authorise the establishment of Government Savings Banks at all Post Offices, being Money Order Offices, at which the Director General of the Post Office shall permit deposits to be received, in the following Provinces and places, with effect from the first day of April 1882:—

The Lower Provinces of Bengal, with the exception of the Presidency town and of the town of Howrah.
Assam.
North-Western Provinces.
Punjab.
Oudh.
Central Provinces.
British Burma.
Berar.
Port Blair.
Coorg.
Ajmere.
Nowgong (Bundelkhand).
Indore.
Nusseerabad.
Gwalior.
Sambhar.
Quetta.

2. The Governor General in Council is further pleased to prescribe the following rules for the guidance of depositors in Post Office Savings Banks:—

RULES FOR THE GUIDANCE OF DEPOSITORS IN POST OFFICE SAVINGS BANKS IN INDIA.

Definitions.

I.—For the purposes of these rules:—

Deposit means money paid into a Post Office Savings Bank by, or on behalf of, a depositor.

Depositor means the person by whom, or on whose behalf, money is deposited.

Account means the account of a depositor in a Post Office Savings Bank.

Balance means the balance at credit of an account.

Minor means a person who has not completed the age of 18 years.

Legal guardian means not only any guardian constituted by law for the time being, but also includes a father or, if the father be dead, a mother.

Postmaster General means the Chief Postal Authority in any Province or place to which the system of Post Office Savings Banks is extended.

Object of Government in establishing Post Office Savings Banks.

II.—The object of Government in establishing Post Office Savings Banks is to provide a ready means for the deposit of savings, and so to encourage thrift. Savings Banks are not to be used for the purpose of keeping a current account, and the Comptroller, Post Office, is empowered to close an account, should he have reason to believe that the depositor has used the Savings Bank for a purpose for which it was not intended.

Business Hours.

III.—Post Office Savings Banks will be open for the transaction of business between the hours of noon and 4 P.M. every day, with the exception of Sundays, Christmas Day, New Year's Day, Good Friday, and the Queen's Birthday. These hours may, under the authority of the Postmaster General, be altered to suit local circumstances.

Persons who may deposit money.

IV.—Any person may deposit money in a Post Office Savings Bank on his own behalf. The parents or other relatives of any minor may also deposit money in the name and on the behalf of such minor.

Explanation.—Minors are allowed to deposit money in their own names, and women, whether married or single, are allowed to deposit money in their own names, but subject, in the case of married women, to the limitation laid down in Rule V.

Limitations as to deposits.

V.—No person can open more than one account in his own name; but the fact that he has an account in his own name shall not prevent him from opening an account in the name of any relative who is a minor; nor shall the fact that an account has been opened on behalf of a minor prevent such minor from opening an account in his own name. The wife of a depositor who has an account in his own name may also open an account in her own name, provided that the money to be deposited by her is her own property or earning.

Explanation.—No person who has an account in his own name at a District Savings Bank will be allowed to open an account with a Post Office Savings Bank.

VI.—Money held under a trust for another person cannot be deposited in a Post Office Savings Bank, and money cannot be deposited in the name of two or more persons jointly: provided that nothing in this rule shall prevent the deposit of money in the name of a known firm.

VII.—The smallest sum of money that can be deposited at any time is four annas; and no sum can be deposited that is not a multiple of four annas. A depositor cannot deposit a larger sum than five hundred rupees in all between the 31st March of any year and the 1st April of the following year.

Powers to withdraw Money, and Limitations as to withdrawal.

VIII.—A depositor can withdraw money from his account once a week.

IX.—A minor can withdraw money deposited by him in his own name; but money deposited on behalf of a minor can only be withdrawn during his minority by his legal guardian.

X.—Women, whether married or single, can withdraw money deposited by them in their own names; and married women can also withdraw money deposited by them as single women in their own names, their marriage notwithstanding. The fact that a female minor on whose behalf money has been deposited is married, or becomes married after the account has been opened on her behalf, shall not prevent her from withdrawing the money so deposited on attaining majority.

XI.—A depositor cannot withdraw a smaller sum than four annas, and he cannot withdraw any sum which is not a multiple of four annas, unless it be to close his account, in which case he can withdraw the balance at his credit.

How to open an Account.

XII.—Any person wishing to open an account should apply to the nearest Post Office that is a Money Order Office. Application need not necessarily be made in person; but the applicant must state his name, his occupation or profession, and his place of residence. If he be a Native, he must also state his father's name and caste.

XIII.—The intending depositor must sign a declaration in the following form that he has read and accepted the Post Office Savings Banks Rules. If he be unable to write, he must attend personally, and, in the presence of a witness, affix his mark or seal to the declaration to be attested by the signature of the witness. If he should apply in person, a copy of the Rules will be given to him to read, or they will be read and explained to him, should he be unable to read. If he should not apply in person, a copy of the Rules, with the form of declaration, will be sent to him, and he must present the declaration duly signed with the first deposit.

Form of Declaration to be signed by Depositor on making first deposit.

I hereby declare that the Post Office Savings Banks Rules have been read {by me / to me}, and that I accept them as binding upon me.

I further declare that I have no account in my own name at any Government Savings Bank.

Signed in the presence of

.....

.....

The ..... *188* .

Depositor.

XIV.—Women who by the custom of the country are not allowed to appear in public may open accounts in their own names through their agents, or if they are married women, through their husbands or agents. The agent or husband will be required to sign the declaration that the depositor understands and accepts the rules.

XV.—When the declaration is presented duly signed with the amount of the first deposit, or when it has been signed by a depositor attending in person to make a deposit, the amount of the deposit will be entered in a Pass-book, which will be supplied to the depositor, and the entry will be initialed by the Postmaster and stamped with the office stamp. The depositor will be required to sign a receipt for the Pass-book.

XVI.—If the account be opened at a Sub-Post Office, the Pass-book for the depositor will have to be obtained from the Head Office. A Preliminary Receipt for the amount of the first deposit will, therefore, be given to the depositor, who will be informed of the date on which he should call to receive the Pass-book. When the Pass-book is handed over to the depositor, he will be required to return this Preliminary Receipt, and to sign an acknowledgment for the Pass-book. The amount of the original deposit will be entered in the Pass-book at the Head Office, and the depositor will therefore have a guarantee that the sum has been received in that office. He should be careful to see that the entry in the Pass-book corresponds with the amount entered in the Preliminary Receipt before giving up the latter.

Pass-book, and its importance.

XVII.—The Pass-book will show, in the vernacular of the district or in English, as the depositor may wish, the number of his account, with the name of the office from which the book is issued, his own name, occupation or profession, and address. No deposit can be made and no money can be withdrawn from an account without its production, and the Post Office will not be responsible for any sum not acknowledged in the Pass-book. Depositors should carefully examine their books before leaving the offices, and ascertain that the entries are correct. They should also be careful to keep their Pass-books in their own possession, as the Post Office will not be responsible for any loss caused to a depositor if any person shall obtain possession of the book and fraudulently obtain the payment of any sum belonging to the depositor.

Loss of Pass-book.

XVIII.—No charge will be made for the book at first supplied to a depositor or for any books issued to him in continuation of the original book. But if a book be lost or spoiled, or if an account be reopened after it has been closed, the depositor will have to pay one rupee for a fresh book.

Mode of depositing money after an account has been opened.

XIX.—A depositor may deposit money at the Post Office at which his account stands as often as he wishes, so long as the prescribed yearly limit is not exceeded. All that he is required to do is to take or send the amount to be deposited with his Pass-book to the Post Office. The amount of his deposit will be entered in the Pass-book and the balance struck as shown below. The entry will then be initialed by the Postmaster and stamped with the dated stamp of the office, and the Pass-book returned—

Date.	Dated stamp of the Post Office.	Amount of each deposit or withdrawal (to be entered in words).	Amount deposited.	Amount withdrawn.	Balance at credit of the depositor.	Initials of the Post-master.
			Rs. A. P.	Rs. A. P.	Rs. A. P.	
3rd April 1882 ...		Deposited ten rupees ...	10 0 0	...	10 0 0	A. B. C.
15th „ „ ...		Deposited twenty-five rupees	25 0 0	...	35 0 0	A. B. C.
12th May „ ...		Withdrawn three rupees ...	...	3 0 0	32 0 0	A. B. C.

XX.—If the amount be deposited at a Sub-Post Office, the depositor will receive, in addition to the receipt in his Pass-book, an acknowledgment from the Head Office, which will generally be the office at the head-quarter station of the district. This acknowledgment will be delivered to him in ordinary course through the Post Office. If it should not reach the depositor in proper time, or if, when it reaches him, it should show any signs of erasure, or should not agree with the entry in the Pass-book, the depositor should immediately apply to the Postmaster of the Head Office, the name of which is in the Pass-book, and renew his application again and again until he receives a satisfactory reply.

Mode of withdrawing money.

XXI.—When a depositor wishes to withdraw money, he must present his Pass-book personally or by agent at the Post Office at which his account stands, with a printed form of Application for Withdrawal, which can be obtained at the Post Office, signed by himself and showing the balance at his credit and the amount which he wishes to withdraw. If he is unable to write, he must attend personally and affix his mark or seal to the Application to be attested by the signature of a witness. Should he be absolutely unable to attend personally, he must have his mark or seal affixed to the Application and attested by some respectable witness, and the Postmaster will make payment to the person presenting this Application with the Pass-book, after satisfying himself, by such enquiry as he may think proper, of the inability of the depositor to attend, and of the genuine character of the application.

XXII.—The amount to be withdrawn will be entered in the Pass-book and a fresh balance struck, as in the case of a deposit, under the initials of the Postmaster and the dated stamp of the office. The amount will then be paid to the depositor or to the person presenting the Pass-book and Application, and his receipt taken, in all cases without a receipt stamp, on the Warrant of Payment.

XXIII.—If the amount be withdrawn at a Sub-Post Office, payment cannot be made until a Warrant of Payment is received from the Head Office. The depositor, therefore, or other person presenting the Pass-book and Application, will be informed of the date on which he should come to the Post Office to receive payment, and will have the Pass-book returned to him. On presentation of the Pass-book on that date, or any subsequent date after the arrival of the Warrant of Payment, the amount will be paid to the depositor, or other person presenting the Pass-book, and his receipt taken, in all cases without a receipt stamp, upon the Warrant. The necessary entries will then be made in the Pass-book under the initials of the Sub-Postmaster and attested by the stamp of the office.

Interest.

XXIV.—Interest will be allowed at the rate of $3\frac{3}{4}$ per cent. per annum until further orders on all deposits subject to the conditions of this rule. This interest will be allowed for each calendar month on the lowest balance at credit of an account during the period from the first day until the close of the twenty-fourth day of the month: provided that interest shall only be calculated at the rate of three pies a month on every complete sum of five rupees; provided also that no higher monthly interest than Rs. 9-6 shall be allowed on the balance of any account.

XXV.—The interest calculated as above for each month will be added to the balance of each account after the 31st of March of each year. Depositors should therefore present their Pass-books as soon after that date as possible, in order that the necessary entries may be made in them. If the Pass-book be not presented for this purpose, the entry will be made on the first occasion when a deposit is made, or when money is withdrawn, after the 31st March.

Transfer of account.

XXVI.—A depositor may have his account transferred free of charge to any Post Office that is a Money Order Office. If he should wish to transfer his account, he must present his Pass-book at the Post Office personally or send it with a written application for transfer. The Pass-book will be retained by

the Postmaster, and a certificate given to him showing the amount at his credit. On presenting this at the Post Office to which his account has been transferred, he will receive a new Pass-book free of charge.

Closing an account.

XXVII.—When a depositor wishes to close his account, he must present his Pass-book with a form of Application for Withdrawal of the net amount at his credit. The amount of interest due on his account up to the end of the calendar month preceding the date of presentation will be entered in the Pass-book and a final balance struck. The amount will then be paid to the depositor and his receipt taken on the Warrant of Payment. The Pass-book will be retained in the Post Office. If the application for closing an account be presented at a Sub-Office, the same procedure will be followed as in the case of an ordinary withdrawal, except that the Pass-book will be retained.

XXVIII.—If an account be closed under the orders of the Comptroller, Post Office, notice in writing will be sent to the depositor requiring him to present his Pass-book and receive payment of the balance at his credit as soon as convenient. After the date of such notice no deposit will be accepted on the account so closed, and no interest will be allowed upon the balance after the end of the calendar month preceding such date.

Reopening an account.

XXIX.—A depositor who has once closed an account cannot open another account until after the expiration of three months from the date of closure without the permission of the Comptroller, Post Office; and a depositor whose account has been closed by order cannot open a fresh account in any case without the permission of the Comptroller, Post Office.

Powers of Postmaster General in certain special cases.

XXX.—If a depositor should die leaving in a Post Office Savings Bank a sum of money not exceeding one thousand rupees, and if probate of his will or letter of administration of his estate or a certificate granted under Act No. XXVII of 1860 be not produced to the Postmaster General within three months of the death of the said depositor, the Postmaster General may pay the said sum of money to any person appearing to him to be entitled to receive it, or to administer the estate of the deceased.

XXXI.—If any depositor become insane or otherwise incapable of managing his affairs, and if such insanity or incapacity be proved to the satisfaction of the Postmaster General, then the Postmaster General may from time to time make payment out of the deposit to any proper person.

Secrecy.

XXXII.—The officers of the Postal Department engaged in the receipt or payment of deposits are not allowed to disclose the name of any depositor or the amount deposited or withdrawn by him except to the Postmaster General or other officers of the Department engaged in carrying out the provisions of these rules.

Purchase of Government Securities on behalf of Depositors.

XXXIII.—If a depositor should wish that the balance at his credit or any part of it should be invested in the purchase of Government securities, he may present a written application to this effect with his Pass-book at the Post Office. The application will then be forwarded to the Comptroller, Post Office, who will take the necessary steps for making the purchase through the Comptroller General.

(*a*) The paper purchased will be of the 4 per cent. loans, unless $4\frac{1}{2}$ per cent. paper is specially applied for.

(*b*) The investor may also specially apply that the paper remain in the custody of the Comptroller General, and that the interest be remitted as drawn to the local Treasury for payment to him. In this case the Comptroller General will, if necessary, transfer the paper to the 4 per cent. loan of 1865 and will remit the interest as applied for. The investor may at any time apply

through the local Post Office for the delivery to him of paper thus held by the Comptroller General. If application is not made under this clause, the paper purchased by the Comptroller General will be enfaced for payment of interest at the local Treasury and forwarded to the Post Office for delivery to the investor.

(*c*) An investor under these rules may at any time apply in the same way for the sale of paper purchased through the Post Office, whether held by himself or held for him by the Comptroller General.

(*d*) These arrangements are intended only for persons of moderate income, who belong to a class who do not ordinarily have transactions with bankers, and the advantage of them must be refused, both by the Post Office, and, if necessary, by the Comptroller General, if the applicant is not within this definition.

The following fees will be charged :—

On purchase: 4 annas per cent.
On realisation and remittance of interest: 4 annas per cent.
On delivery out of custody: 4 annas per cent., unless the application for delivery is made within a year of the purchase.
On sales: 4 annas per cent., and any actual outlay upon brokerage.

The following are the principal rules of the Post Office Savings Banks in India which will be printed in each depositor's Pass-book in English always and, at the option of the depositor, also in the vernacular language of the District :—

Where and when deposits may be made.

I.—Post Office Savings Banks are established at all Post Offices that are Money Order Offices, and are open to receive deposits daily, with the exception of Sundays and Post Office holidays, from noon till 4 P.M.

Who may deposit—What they may deposit—What Government promises to do with regard to deposits.

II.—At these banks any person, man, woman or child, may deposit money. No sum less than four annas, and no sum that is not a multiple of four annas, can be received, and no one is allowed to deposit more than Rs. 500, in all, in the year. Government promises to repay the money, with interest, to the person depositing it in his or her own name, whether man, woman or child. Parents and other relatives can also deposit money on behalf of minors—that is, of persons who have not completed the age of 18 years—but Government will not pay this money, during the minority of the minors, to any one except their legal guardians.

Interest on deposits how calculated and paid.

III.—Interest is allowed until further orders at the rate of one pice, or three pies, a month on every complete sum of five rupees. It will be calculated on the lowest balance at the credit of an account on any date from the first to the close of the twenty-fourth day of a month. The amount of interest will be added to each account once a year after the 31st March.

How to make a first deposit.

IV.—On making a first deposit every person must give his name, occupation and residence. A Native must also give his father's name and caste. He must then sign the following declaration, or, should he be unable to write, affix his mark or seal to it at the Post Office in the presence of a witness, who will attest it with his signature.

Form of declaration.

I hereby declare that the Post Office Savings Banks Rules have been read {by me / to me}, and that I accept them as binding upon me. I further declare that I have no account in my own name at any Government Savings Banks.

Depositor.

Depositor's book—Its use and importance.

V.—A Pass-book will be given to every depositor, free of charge, when he makes his first deposit. This will show, in the vernacular of the district or in English, as the depositor may wish, the number of his account, with the name of the office from which the book is issued, his own name, occupation and residence. Money cannot be paid in or taken out without the production of this book, and the Postmaster will enter in it every sum of money paid in or taken out, strike the balance on each occasion, and sign the entry and stamp it with the office stamp. The depositor must present the Pass-book after the 31st March of each year in order that the interest due may be added to the principal in the book, and he must always carefully examine the entries made in his book before leaving the office. On no occasion should he allow the Pass-book to remain at the Post Office, unless his account is finally closed. The Pass-book is his private property, and must be kept carefully in his own hands. Should he lose the book or allow it to be spoiled, he will have to pay one rupee for a fresh book.

How to make a second or third deposit—Depositor at Sub-Post Office entitled to special receipt.

VI.—When a depositor wishes to deposit money after the first time, all that he has to do is to send or present the money with his Pass-book at the Post Office. If this money be paid in at a Sub-Office, the depositor will receive, in addition to the receipt in the book, an acknowledgment by post from the Head Office. If this acknowledgment should not reach him, or if it should have any corrections in it, or should not tally with the entry in the book, he must write to the Postmaster at the Head Office, the name of which is in his book, and should renew his application again and again until he receives a satisfactory reply.

How to withdraw money.

VII.—A depositor may withdraw money once a week not less than four annas and no sum that is not a multiple of four annas. He must make an application on a printed form, which he can obtain at the Post Office. If he can write, he can sign the form and send it to the Post Office with his Pass-book. If he cannot write, he must attend the Post Office and affix his mark or seal to the form, to be attested by the signature of a witness. Payment will then be made to the depositor, or to the person presenting the signed application and Pass-book, and his receipt taken, *in all cases without a receipt stamp*, on the order for payment. At a Sub-Office payment cannot be made until an order of payment is received from the Head Office. The depositor will be told on what day to come for the money, and on that day payment will be made as above to the person presenting his Pass-book. If a depositor wishes to withdraw the whole of his money, he must follow the same procedure.

How to transfer deposits.

VIII.—A depositor can transfer his deposit, without charge, to any other Post Office that is a Money Order Office. If he should wish to transfer his account, he must present his Pass-book at the Post Office, or he can send a written application asking for the transfer with his Pass-book. The Pass-book will be retained by the Postmaster, and a receipt given to him showing the amount at his credit. On presenting this receipt at the Post Office to which his account is transferred, he will receive a new Pass-book free of charge.

How depositor can obtain further information.

IX.—If any further information be required on any point connected with the Post Office Savings Banks, detailed rules will be found in the Postal Guide, or can be seen at any Post Office.

Post Office officials bound to secrecy.

X.—The officers of the Post Office are not allowed to disclose the name of any depositor or the amount deposited or withdrawn by him to any one not belonging to the Postal Department.

No. 4162.—In exercise of the powers conferred upon him by Section 8 of the Indian Stamp Act, 1879, the Governor General in Council is pleased to remit the stamp duty on receipts given by, or on behalf of, depositors in Post Office Savings Banks for sums of money withdrawn from such Banks in all cases in which, but for this exemption, such receipts would be liable to stamp duty.

No. 4185.—Notification No. 4034, dated the 3rd instant, with the addition in the first clause of the words "now otherwise called the Reduced Four Per Cent. Loan of 1881," is republished for general information:—

The 3rd November 1881.

No. 4034.—His Excellency the Governor General in Council is pleased to notify for general information that, in pursuance of the policy announced in paragraphs 57 and 66 of the Financial Statement for 1881-82, Seventy-five Lakhs of Rupees provided under the head of Famine Insurance in the Budget of the current year, together with a further sum of Rs. 7,22,000 chargeable to the same head in the year 1882-83, will be applied to the reduction of debt in India in the manner indicated below:—

1st.—With reference to the Notification No. 197, dated 1st May 1871, the Transfer Loan of 1871, now otherwise called the Reduced Four Per Cent. Loan of 1881, amounting to Rs. 22,19,000 and now bearing interest at 4 per cent., will be liquidated and paid off at par on the 13th February 1882, and any portion of the same undrawn on that date will thereafter cease to bear interest.

2nd.—With reference to the Notification No. 2010, dated 11th April 1867, the Debenture Loan of 1867-68, amounting to Rs. 60,03,000 and bearing interest at 5 per cent., will be liquidated and paid off at par on the 1st day of June 1882, and any portion of the same undrawn on that date will thereafter cease to bear interest.

3rd.—The Notifications No. 44, dated the 10th January 1867, and No. 3097, dated the 15th December 1871, permitting the transfer from any Loan bearing interest at 4 per cent. into the Loans of 1842-43 or 1865, are cancelled from this date, in so far as they apply to the abovementioned Transfer Loan of 1871.

2. His Excellency the Governor General in Council is further pleased to announce that the Commission for the Reduction of Debt, referred to in paragraph 67 of the Financial Statement for 1881-82, will be nominated, and its constitution and duties defined shortly.

No. 4188.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 31st October 1881, published as required by Section 23 of the Indian Paper Currency Act, 1871.*

Circles of Issue.	Whole amount of Notes in circulation.	Reserve in Silver Coin and Bullion.		
		Coin.	Bullion.	Total.
	Rs.	Rs.	Rs.	Rs.
Calcutta ...	6,39,25,390	1,10,75,127	7,98,322	1,18,83,451
Madras ...	1,18,96,805	65,77,510	10,53,000	76,97,250
Bombay ...	3,77,93,305	1,31,11,513	2,47,942	1,36,59,455
Allahabad ...	68,82,329	1,18,61,170	...	1,18,61,170
Lahore ...	74,07,620	1,48,30,095	...	1,48,30,095
Calicut ...	11,34,725	26,59,690	...	26,59,690
Coconada ...	3,32,670	4,86,690	1,65,000	6,51,690
Nagpur ...	8,43,650	17,90,570	...	17,90,570
Kurrachee ...	32,40,455	39,25,390	52,400	39,77,790
Akola ...	4,54,275	19,75,670	...	19,75,670
TOTAL ...	13,39,11,215	7,16,99,367	23,17,664	7,39,87,031
Invested in Government Securities under Section 17 of the Act				5,99,24,184
GRAND TOTAL ...				13,39,11,215

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

MILITARY DEPARTMENT.

Simla, the 11th November, 1881.

APPOINTMENTS.

No. 599.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Second-Lieutenant William Edwin Bunbury, 2nd Battalion Royal West Surrey Regiment, Officiating Wing Officer, 25th Native Infantry,—14th September, 1880.

Second-Lieutenant Bunbury will rank as Lieutenant from the 14th September, 1880, subject to Her Majesty's approval.

No. 600.—NATIVE ARMY—

5th Bengal Cavalry.

Jemadar Sabz Ali Khan, appointed on probation by G. G. O. No. 718 of 1879, is permitted to resign his appointment.

7th Native Infantry.

No. 601.—Jemadar Mohomed Zeman Khan, appointed on probation by G. G. O. No. 668 of 1879, is permitted to resign his appointment.

No. 602.—*13th Bengal Lancers*—

The following direct appointment of a Native gentleman is made, with effect from date of joining:—

Soorjun Singh, to be Jemadar, on probation, *vice* Tajoo Khan, invalided.

COMMISSARIAT DEPARTMENT.

No. 603.—REGULATIONS—

The Right Honorable the Governor General in Council has been pleased to sanction the publication of a compendium embodying existing Commissariat Regulations applicable to the Bengal Presidency only.

This compendium is not to be cited as authority for the admission of any claims which are not supported by the orders quoted therein, but is issued merely as a useful guide to existing rules and practice, and to the various authorities upon which its several clauses are based.

DISMISSALS AND REMOVALS.

22nd Native Infantry.

No. 604.—The services of Sirdar Bhoop Singh, appointed a Jemadar on probation in G. G. O. No. 1048 of 1879, are dispensed with.

FURLOUGH AND LEAVE.

No. 605.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel (Brevet Colonel) R. D. Campbell, Bengal S. C., Commandant, 30th Native Infantry, (u. p. a.) for one year and 182 days, under rule IX of the regulations of 1868.

Lieutenant-Colonel L. E. Evans, Infantry, (p. a.) for one year and one day, under rule IX of the regulations of 1868.

Major (Brevet Lieutenant-Colonel) O. B. C. St. John, C.S.I., R.E., Resident, 2nd Class, Officiating Agent to the Governor General in Biluchistan, (p. a.) for one year, under rule IX of the regulations of 1868.

Major H. E. Ryves, Bengal S. C., Squadron Commander, 13th Bengal Lancers, (p. a.) for two years, under rule IX of the regulations of 1868.

Lieutenant L. J. E. Bradshaw, Bengal S. C., Wing Officer and Quartermaster, 24th Native Infantry, (m. c.) for one year, under rule VI of the regulations of 1875.

Lieutenant G. A. Money, Bengal S. C., Squadron Officer and Adjutant, 18th Bengal Cavalry, (m. c.) for one year, under rules IX and XV of the regulations of 1868. [This cancels the furlough granted to Lieutenant Money in G. G. O. No. 555 of 1881.]

Surgeon W. E. Griffiths, 21st Native Infantry, (p. a.) for one year, under rule I of the regulations of 1875.

Surgeon O. Baker, (p. a.) for two years, under rule IX of the regulations of 1868.

Sub-Conductor P. Lyons, Commissariat Department, (m. c.) for one year, under rule VI of the regulations of 1875.

No. 606.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Major *the Hon'ble* G. C. Napier, C.I.E., General List Infantry, (u. p. a.) for one month.

Captain F. A. Remmington, Bengal S. C., (m. c.) for six months.

No. 607.—In G. G. O. No. 583 of 1881, notifying the grant of furlough out of India to Captain C. A. Coles, Bengal Staff Corps, *for* "under rules IX and XIV," *read* "under rule XIV, clause 1."

LONDON GAZETTE.

No. 608.—The following extracts are published for general information:—

"London Gazette," dated the 26th July, 1881, page 3689.

BREVET.

Deputy Assistant Commissary Nathaniel Spencer, Madras Establishment, to be Honorary Lieutenant. Dated 25th April, 1881.

Deputy Assistant Commissary William Adolphus Armstrong, Bengal Establishment, to be Honorary Lieutenant. Dated 20th May, 1881.

Deputy Assistant Commissary William Durham, Bengal Establishment, to be Honorary Lieutenant. Dated 20th May, 1881.

"London Gazette," dated the 7th October, 1881, pages 4991 and 4992.

BREVET.

Lieutenant-Colonel and Brevet Colonel Sir Charles Patton Keyes, K.C.B., Madras Staff Corps, to have the local rank of Major-General in the East Indies, in consequence of his appointment to the Divisional Staff of the Army in the Madras Presidency. Dated 8th October, 1881.

THE Queen has approved of the retirement from the Service of the following Officers of Her Majesty's Indian Military Forces:—

Lieutenant-Colonel and Brevet Colonel Theodore Walter Ross Boisragon, C.B., of the Bengal Staff Corps. Dated 2nd September, 1881.

Lieutenant-Colonel and Brevet Colonel Browne William Ryall, of the Bengal Staff Corps. Dated 12th September, 1881.

Lieutenant-Colonel and Brevet Colonel William Charles Lester, of the Bombay Staff Corps. Dated 15th September, 1881.

Lieutenant-Colonel and Brevet Colonel Charles Lamont Robertson Glasfurd, of the Bombay Staff Corps. Dated 27th September, 1881.

Lieutenant-Colonel Mansfeldt George Smith, of the Bengal Staff Corps. Dated 5th September, 1881.

Lieutenant-Colonel Henry William Harris, of the Half-Pay List, Bombay Staff Corps. Dated 17th August, 1881.

Lieutenant-Colonel Arundel Thomas Spens, of the Bombay Staff Corps. Dated 20th September, 1881.

Lieutenant-Colonel Ashton George Mayne, of the Bombay Staff Corps. Dated 20th September, 1881.

Lieutenant-Colonel George Strachan Mignon, of the Bombay Staff Corps. Dated 3rd October, 1881.

Major John Greenwood Gillmor, of the Half-Pay List, Bombay Staff Corps. Dated 3rd September, 1881.

Surgeon-Major James Bannatyne Samuel Brown, of the Bengal Army. Dated 9th August, 1881.

BREVET.

The undermentioned Officers are granted a step of honorary rank on retirement:—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel Theodore Walter Ross Boisragon, C.B., of the Bengal Staff Corps. Dated 2nd September, 1881.

Lieutenant-Colonel and Brevet Colonel Browne William Ryall, of the Bengal Staff Corps. Dated 12th September, 1881.

Lieutenant-Colonel and Brevet Colonel William Charles Lester, of the Bombay Staff Corps. Dated 15th September, 1881.

Lieutenant-Colonel and Brevet Colonel Charles Lamont Robertson Glasfurd, of the Bombay Staff Corps. Dated 27th September, 1881.

To be Colonels.

Lieutenant-Colonel Mansfeldt George Smith, of the Bengal Staff Corps. Dated 5th September, 1881.

Lieutenant-Colonel Henry William Harris, of the Half-Pay List, Bombay Staff Corps. Dated 17th August, 1881.

Lieutenant-Colonel Arundel Thomas Spens, of the Bombay Staff Corps. Dated 20th September, 1881.

Lieutenant-Colonel Ashton George Mayne, of the Bombay Staff Corps. Dated 20th September, 1881.

Lieutenant-Colonel George Strachan Mignon, of the Bombay Staff Corps. Dated 3rd October, 1881.

To be Lieutenant-Colonel.

Major John Greenwood Gillmor, of the Half-Pay List, Bombay Staff Corps. Dated 3rd September, 1881.

PROMOTIONS.

No. 609.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Captains.

Lieutenant John Charles Frederick Gordon,—10th November, 1881.

Lieutenant Frederick Charles Napier Goldney,—10th November, 1881.

Lieutenant Michael King Martin,—10th November, 1881.

No. 610.—NATIVE ARMY—

13th Bengal Lancers.

Duffadar Lehna Singh, to be Jemadar, *vice* Geyal Singh, invalided,—1st May, 1881.

4th Native Infantry.

Jemadar Shunker Sing, to be Subadar, *vice* Balkishen Pande, deceased; Havildar Ram Sing, to be Jemadar, *vice* Shunker Sing, promoted,—15th December, 1880.

17th Native Infantry.

Havildar Ramrutton Misser, to be Jemadar, *vice* Sewnarain Misser, invalided,—9th September, 1881.

27th Native Infantry.

Havildar Nehal Sing, 2nd, to be Jemadar, *vice* Khanzada, deceased,—3rd May, 1881.

No. 611.—PUNJAB FRONTIER FORCE—

5th Goorkha Regiment.

Subadar Ram Sing, to be Subadar-Major, *vice* Bulbhudder Naigee, appointed Aide-de-Camp to His Excellency the Viceroy and Governor General,—18th June, 1881.

No. 612.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Lieutenant Charles Liddell, to be Captain, *vice* Captain J. H. E. Beer, resigned.

East Indian Railway Volunteer Rifle Corps.

Volunteer William Comrie, to be Captain, *vice* Captain D. Bennie, deceased.

Lieutenant Thomas Mecklenburgh, to be Captain, *vice* Captain J. Cook, deceased.

RETIREMENTS.

No. 613.—In continuation of G. G. O. No. 542 of 1881, the undermentioned officer is permitted to retire from the service under the provisions of G. G. O. No. 1 of 1881, with effect from the date specified, subject to Her Majesty's approval:—

Lieutenant-Colonel (Brevet Colonel) Andrew Aldcorn Munro, Bengal S. C.,—9th November, 1881.

No. 614.—Surgeon-Major Alexander Dugald Campbell, M.D., has been permitted to retire from the service, with effect from the 20th October, 1881, subject to Her Majesty's approval.

VOLUNTEER CORPS.

No. 615.—His Excellency the Governor General in Council is pleased to sanction the formation of a Volunteer Rifle battalion to be designated the Ghazipur Volunteer Rifle battalion, and to be composed of the companies and detachments of volunteers at the stations noted in the margin.

Ghazipur.	Basti.
Azimgarh.	Benares.
Jaunpur.	Mirzapur.
Goruckhpur.	Chunar.

The following appointments in the battalion are also sanctioned:—

To be Lieutenant-Colonel-Commandant.

Major John Henry Rivett-Carnac, C.I.E., Ghazipur Volunteer Rifle Corps.

To be Majors.

Mr. Henry Davis Willock, C.S.

Mr. Fortescue Willoughby Porter, C.S.

No. 616.—His Excellency the Governor General in Council is pleased to sanction the conversion of the Chunar (Garrison) Volunteer Artillery Corps into a company of Rifles to be affiliated to the Ghazipur Volunteer Rifle battalion.

No. 617.—In G. G. O. No. 550 of 1881, *for* "Volunteer P. W. Linahan" *read* "Volunteer P. W. Linehan."

SPECIAL.

No. 618.—Captain F. J. Curtin, 2nd Battalion Gloucestershire Regiment, to be Provost Marshal at Quetta in addition to his other duties, *vice* Captain E. R. H. Torin, 13th Hussars, proceeding to India with his regiment. Dated 26th October, 1881.

E. H. H. COLLEN, *Captain*,
for *Secretary to the Government of India.*

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 7th November, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned commissioned officers, on the dates specified, were received in the Military Department from the 1st to the 7th November, 1881:—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
1st Dragoon Guards	Major A. Gibbings	27th Oct., 1881	Camp Sydabad.		
Army Medical Department	Surgeon D. Williams, M.D.	27th Oct., 1881	Cawnpore.		

W. M. LEES, *Colonel*,
Offg. Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Simla, the 11th November, 1881.

APPOINTMENTS.

No. 43.—Mr. A. W. Deane, to be a 4th grade officer in Her Majesty's Indian Marine, on probation, with effect from date of joining.

E. H. H. COLLEN, *Captain*,
for *Secretary to the Government of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 7th November 1881.

No. 357.—Major W. A. J. Wallace, R.E., Manager, Northern Bengal State Railway, is granted three months' special leave under Public Works Department Notification No. 223, dated 26th March 1873 (G. G. O. Military Department No. 249 of 1873), with effect from 1st November 1881 or any subsequent date.

The 10th November 1881.

No. 358.—Mr. Horace Bell, Superintending Engineer, Class II (temporary rank), is, on return from furlough, placed at the disposal of the Government of Bengal, Public Works Department, Railway Branch.

No. 359.—With reference to Government of India, Public Works Department, Notification No. 95, dated 10th March 1881, Lieutenant-Colonel J. G. Lindsay, R.E., Superintending Engineer, Class I, is retransferred to the Railway Branch, and is placed at the disposal of the Government, of Bombay, Public Works Department, and appointed Engineer-in-Chief of the "Southern Mahratta Railway." This system includes the lines hitherto known as the Bellary-Hubli Railway, and the Bombay Eastern Deccan Railway.

No. 360.—Mr. C. C. Harold, Examiner of Accounts, 4th Class, 3rd Grade, Officiating Examiner of Accounts, Northern Bengal State Railway, is appointed temporarily to officiate as Assistant Accountant General, Public Works Department.

The 11th November 1881.

No. 361.—Mr. H. L. Tilly, Executive Engineer, 4th Grade, temporary rank, British Burma, reverted to his substantive rank of Assistant Engineer, 1st Grade, with effect from the 31st October 1881.

No. 362.—Mr. D. J. Clancey, Assistant Engineer, 3rd Grade, is transferred from Rajputana to Assam.

No. 363.—Major G. F. L. Marshall, R.E., Assistant Secretary to the Government of India, Public Works Department, is appointed to officiate as Under Secretary to the Government of India, Public Works Department, Railway Branch, with the temporary rank of Superintending Engineer, 3rd Class, during the absence on special leave of Captain F. Firebrace, R.E.

W. S. TREVOR, *Colonel, R.E.*,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 47.] SIMLA, SATURDAY, NOVEMBER 19, 1881.

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

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The Prisoners' Bill, 1881.

SUPPLEMENT No. 47.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 18th November 1881.

No. 1875.—Under the provisions of Section 9 of Statute 24 & 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant-Governor of Bengal.

ESTABLISHMENTS.

The 12th November 1881.

No. 360.—The following appointments are made in the Assam Commission, with effect from the 6th August 1881, the date on which Lieutenant-Colonel A. N. Phillips, Assistant Commissioner, 1st Grade, received a permanent appointment in the North-Western Provinces:—

Mr. J. Knox Wight, C.S., Assistant Commissioner, 2nd Grade, to be Assistant Commissioner, 1st Grade.

Captain M. A. Gray, Assistant Commissioner, 3rd Grade, to be Assistant Commissioner, 2nd Grade.

Mr. W. C. Macpherson, C.S., Supernumerary Assistant Commissioner, to be Assistant Commissioner, 3rd Grade.

Mr. H. M. Hinde, Extra Assistant Commissioner, 3rd Grade, to be Supernumerary Assistant Commissioner.

The 15th November 1881.

No. 366.—Mr. P. S. Melvill, C.S.I., is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 4th January 1882.

No. 370.—The services of Mr. L. Hare, Assistant Secretary to the Chief Commissioner of Assam, are replaced at the disposal of the Government of Bengal.

MEDICAL.

The 15th November 1881.

No. 595.—*Appointment.*—Surgeon-Major E. A. Birch, M.D., Civil Surgeon, Darjeeling, to officiate as Surgeon Superintendent of the Presidency General Hospital, Calcutta, during the absence on leave of Surgeon-Major J. Jones, M.D., or until further orders.

No. 598.—The services of Brigade-Surgeon B. Simpson, M.D., are placed at the disposal of the Government of Bengal.

No. 602.—Privilege leave for 2 months and 8 days is granted to Surgeon A. Crombie, M.D., in Joint Civil Medical Charge of Simla, with effect from the 5th December next, or from any subsequent date on which he may avail himself of it.

JUDICIAL.

The 12th November 1881.

No. 1478.—The Governor General in Council is pleased to make the following appointments under Section 4 of Regulation II of 1881 :—

Lieutenant-Colonel Tredway G. Clarke, Madras Staff Corps, Superintendent of Coorg, is appointed Commissioner of Coorg.

Lieutenant-Colonel W. Hill, Madras Staff Corps, Superintendent of Coorg, *substantive pro tempore*, is appointed Commissioner of Coorg, *substantive pro tempore*.

Mr. C. Soobiah, Rai Bahadur, 2nd Assistant Superintendent of Coorg, is appointed Assistant Commissioner of Coorg.

No. 1479.—Under Section 6 of Regulation II of 1881, the Chief Commissioner of Coorg, with the previous sanction of the Governor General in Council, fixes the number of Courts of Subedars at eight and of Assistant Commissioners at one.

Under Section 7 of Regulation II of 1881, the Chief Commissioner of Coorg, with the previous sanction of the Governor General in Council, declares that the local limits of the original jurisdiction of the Court of the Assistant Commissioner of Coorg shall extend to the whole of the Province of Coorg, and that those of the several Courts of the Subedars shall be as follows :—

The Subedar of Mercara Taluk.	The taluk of Mercara, exclusive of the town of Mercara.
The Subedar of Mahodeopet.	The town of Mercara as defined by its municipal limits.
The Subedar of Yedenalknad Taluk.	The taluk of Yedenalknad, exclusive of the town of Virajendrapet.
The Subedar of Virajendrapet.	The town of Virajendrapet as defined by its municipal limits.
The Subedar of Kiggatnad Taluk.	The taluk of Kiggatnad.
The Subedar of Padinalknad Taluk.	The taluk of Padinalknad.
The Subedar of Yelsavirshime Taluk.	The taluk of Yelsavirshime.
The Subedar of Nanjrajpatna Taluk.	The taluk of Nanjrajpatna.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—REVENUE.

Simla, the 16th November 1881.

No. 254*R.*—In exercise of the power conferred by 24th & 25th Vic., Cap. 67, Section 47, and by 28th Vic., Cap. 17, Section 4, the Governor General in Council is pleased to direct that the line described below shall be the boundary between the territories administered by the Lieutenant-Governor of Bengal and the Chief Commissioner of British Burma respectively, with effect from the 15th July 1881 :—

Commencing from the Bay of Bengal, the Naaf river separates the district of Chittagong from the district of Akyab as far north as the mouth of the Goong-doung stream or Oocha Goong-doung; thence commences the boundary between the districts of Akyab and the Chittagong Hill Tracts: this proceeds eastward along the Oocha Goong-doung to its source; thence in a straight line across the watershed to the Toung-byoo or Toung-broo stream; and thence up that stream to its source in the Wayla-toung peak, or Sugar-loaf hill. From the Wayla-toung peak, or Sugar-loaf hill, the boundary runs northwards for about five-and-a-half miles along the Wayla-toung ridge; thence in an easterly direction for about two miles along the See-see-toung spur to the Bujbukia khal opposite the Tha-walee-toung bungalow on the high road from Chittagong to Akyab; thence, still eastwards for about 12 miles, over a succession of ridges following the northern limits of Mro-thit (northern) Gyokeship, meeting the Ko-ma-toung ridge (a continuation of the Choung-doung range) about four-and-a-quarter miles north-west from Ko-ma-toung survey-station; thence southwards for about two-and-a-half miles along the Ko-ma-toung ridge to a point where the district boundary leaves the Northern Mro-thit Gyokeship; thence in a south-easterly direction along the tortuous Kring-dyu-toung ridge, following the northern limits of the Ching-doung Hill Tract to the Koo-doung or Ko-ma-toung survey-station; thence north-east along low ridges for about three-and-quarter miles; and thence east for about one mile, south-east for about one-and-a-quarter miles, and again north-east for about two miles, meeting the crest of the Lee-doung-toung range and the north-western boundary of the Arakan Hill Tracts about three-and-a-half miles south from Lee-doung-toung survey-station. From this spot it proceeds northwards along the Lee-doung-toung range to Lee-doung-toung hill-station; thence along the same range to Mee-doke-toung survey-station and peak; thence northwards along the crest of the Mee-doke-toung range to the second Mee-doke-toung survey-station; and thence, still northwards, along the Mee-doke-toung range, for about eight miles, to the point where it meets the northern boundary of the Arakan Hill Tracts, which runs due east in a straight line to the junction of the Kala and Kaladan rivers.

T. W. HOLDERNESS,
for *Secy. to the Govt. of India.*

FOREIGN DEPARTMENT.

NOTIFICATION.

Camp Agra, the 15th November 1881.

No. 75*C.*—Lieutenant-Colonel W. G. Waterfield, R.S.C., C.S.I., Commissioner and Superintendent, Peshawar Division, is appointed to officiate as a Resident of the 2nd Class and as Agent to the Governor-General in Biluchistan, *vice* Lieutenant-Colonel O. B. C. St. John, R.E., C.S.I., proceeding on furlough, with effect from the date of assuming charge.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 15th November 1881.

No. 4192.

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

Read again the undermentioned papers regarding the supply of stores required for the public service in India :—

Financial Resolution	No.	3574,	dated	3rd November 1880.
,,	,,	953,	,,	10th June 1881.
,, Circular	,,	220,	,,	28th April ,,
,,	,,	621,	,,	14th May ,,
,, Resolution	,,	2777,	,,	1st September 1881.
,,	,,	3660,	,,	18th October ,,

Read also—

Letter from the Government of Bengal, No. 985, dated 13th October 1881.

RESOLUTION.—With their letter last read the Government of Bengal have forwarded returns showing the stores procured by the Director of Public Instruction in Bengal, through the Secretary of State, and European stores purchased locally during the last two years. It appears that the stores so procured for the Colleges and Schools consisted chiefly of chemicals and chemical preparations. A list of such of them as, on the information before the Government of India, it is possible to obtain of Indian manufacture is appended to this Resolution. The Governor General in Council directs that for the future supply of the articles enumerated in the list, the course suggested in Resolution No. 2777, dated 1st September, shall be followed in Bengal and in all other Provinces.

ORDERED, that the foregoing Resolution be communicated to the Government of Bengal and to the other Local Governments and Administrations for information and guidance.

Ordered also, that it be published in the *Gazette of India*.

List of Articles.

Names of Articles.	1879-80. Rate.	1879-80. No. or Quantity.	1879-80. Amount.	1880-81. Rate.	1880-81. No. or Quantity.	1880-81. Amount.	Total. Rate.	Total. No. or Quantity.	Total. Amount.
			£ s. d.			£ s. d.			£ s. d.
Acid, acetic ...	£ 0-0-6 ...	10 lbs. ...	0 5 0	£ 0-0-6 ...	5 lbs. ...	0 2 6	...	15 lbs. ...	0 7 6
„ „ (glacial) ...	£ 0-3-6 ...	1 lb. ...	0 3 6	...	4 „ ...	0 14 10	...	5 „ ...	0 18 4
									Rs. A. P.
„ „ ...	...	...	...	...	...	...	Re. 1-0-0 per lb. ...	1 lb. ...	1 0 0
									£ s. d.
„ citric ...	...	1 lb. ...	0 3 0	...	1 lb. ...	0 2 8	...	2 lbs. ...	0 5 8
									Rs. A. P.
„ „ ...	...	...	...	...	...	...	Re. 0-6-0 per oz. ...	2 oz. ...	0 12 0
									£ s. d.
„ carbolic, cryst ...	£ 0-4-0 ...	1 lb. ...	0 4 0	...	1 lb. ...	0 4 0	...	2 lbs. ...	0 8 0
„ hydrochloric ...	...	1 gallon ...	...	£ 0-0-2 ...	150 lbs. ...	1 5 0			Rs. A. P.
„ „ ...	...	...	...	...	...	...	Re. 1-0-0 per lb. ...	4 „ ...	4 0 0
„ „ Purvis's, tested	...	...	...	£ 0-1-0 ...	10 lbs. ...	0 10 0			
						Rs. A. P.			
„ muriatic ...	...	...	...	Re. 0-7-0 ...	14 „ ...	8 8 0			
„ „ (chemically pure)	...	...	...	Re. 1-0-0 ...	2 „ ...	2 10 0			
„ nitric ...	...	...	...	...	...	...	Re. 0-14-0 per lb. ...	2 „ ...	1 12 0
						£ s. d.			
„ „ ...	...	1 gallon ...	...	£ 0-0-6 ...	100 lbs. ...	2 10 0			
„ „ ...	...	...	...	£ 0-1-4 ...	10 „ ...	0 13 4			
			Rs. A. P.						
„ „ ...	Rs. 1-4-0 ...	4 lbs. ...	5 0 0						
						Rs. A. P.			
„ „ ...	...	...	...	Re. 0-10-0 ...	16 „ ...	12 0 0			
„ oxalic ...	...	...	...	...	...	...	Re. 0-1-6 per oz. ...	8 oz. ...	0 12 0
			£ s. d.			£ s. d.			£ s. d.
„ „ ...	£ 0-2-6 ...	4 lbs. ...	0 10 0	£ 0-2-0 ...	4 lbs. ...	0 8 0	...	8 lbs. ...	0 18 0
„ „ ...	...	8 oz. ...							
„ sulphuric ...	...	1 gallon ...	...	£ 0-0-2 ...	150 „ ...	1 5 0			
„ „ ...	...	...	...	£ 0-1-0 ...	6 „ ...	0 6 0			
						Rs. A. P.			
„ „ ...	...	...	...	Re. 0-4-0 ...	24 „ ...	8 10 0			
									Rs. A. P.
„ „ ...	...	...	...	...	...	...	Re. 0-13-4 ...	6 lbs. ...	5 0 0
„ tartaric ...	£ 0-2-0 ...	2 lbs. ...	0 4 0	...	1 lb. ...	0 2 0	...	3 „ ...	£ s. d. 0 6 0
									Rs. A. P.
„ „ ...	...	...	...	...	...	...	Re. 0-2-8 ...	6 oz. ...	1 0 0
Alcohol ...	...	...	...	...	...	...	„ 0-4-5 ...	10 „ ...	2 12 0
									£ s. d.
Ammonia, chloride ...	£ 0-1-0 ...	2 lbs. ...	0 2 0	...	1 lb. ...	0 1 0	...	3 lbs. ...	0 3 0
„ „ ...	...	2 „							
			Rs. A. P.						
„ „ ...	...	1 lb. ...	2 4 0						Rs. A. P.
„ hydrosulphate ...	...	...	...	...	...	...	Rs. 4-5-4 ...	1½ „ ...	6 8 0
„ liquor ...	...	...	...	£1-4-0 ...	50 lbs. ...	3 6 8			
						Rs. A. P.			
„ „ ...	...	...	...	Rs. 1-12-0 ...	2 „ ...	3 8 0			
„ „ ...	...	...	...	„ 2-0-0 ...	2 „ ...	4 10 0			
„ „ ...	...	...	...	...	...	...	Rs. 1-5-6 ...	4 „ ...	5 6 0
„ „ ...	...	...	...	...	...	...	„ 1-8-0 ...	1 lb. ...	1 8 0
			£ s. d.			£ s. d.			£ s. d.
„ nitrate ...	£0-1-4 ...	6 lbs. ...	0 8 0	£1-4-0 ...	4 lbs. ...	0 5 4	...	10 lbs. ...	0 13 4
„ „ ...	...	...	...	...	...	...			Rs. A. P.
							Rs. 2-7-0 per lb. ...	2 lbs. 2 oz. ...	5 3 0
Antimony, metal ...	...	...	...	...	8 oz. ...	0 1 6			
„ „ ...	...	...	...	...	...	...	Re. 1-0-0 per lb. ...	1 lb. ...	1 0 0
„ oxide ...	...	...	...	...	...	...	„ 0-8-0 ...	1 oz. ...	0 8 0
Argenti nitras ...	...	...	...	...	8 oz. ...	2 0 6			
Bleaching powder ...	...	...	...	...	...	...	Rs. 1-8-0 per lb. ...	½ lb. ...	0 12 0
						Rs. A. P.			
Blotting-paper ...	...	...	...	...	...	1 11 0			
						£ s. d.			
Borax ...	...	...	...	£0-0-6 ...	4½ lbs. ...	0 2 0			
						Rs. A. P.			
„ ...	...	...	...	...	1 lb. ...	0 12 0			
			Rs. A. P.						
Camphor ...	...	2 oz. ...	0 7 0						
Candles ...	...	...	0 10 6						
			£ s. d.			£ s. d.			£ s. d.
Calcium, chloride ...	£ 0-1-0 ...	7 lbs. ...	0 7 0	...	2 lbs. ...	0 4 6	...	9 lbs. ...	0 11 6
						Rs. A. P.			
„ „ ...	...	...	...	Re. 1-0-0 ...	4 „ ...	4 0 0			
			Rs. A. P.						Rs. A. P.
Caustic potash ...	Re. 1-0-0 ...	6 oz. ...	6 0 0	Rs. 5-0-0 ...	1 lb. ...	5 0 0	...	2 lbs. 6 oz. ...	15 8 0
„ „ ...	...	...	...	„ 4-0-0 ...	1 „ ...	4 8 0			
„ „ ...	...	...	...	...	...	...	Re. 0-3-5 per oz. ...	14 oz. ...	3 0 0
			£ s. d.			£ s. d.			£ s. d.
Charcoal, animal ..	£ 0-3-6 ...	2 lbs. ...	0 7 0	£ 0-3-6 ...	2 lbs. ...	0 7 0	...	6 lbs. ...	1 5 0
„ „ ...	...	2 „ ...	0 11 0						

List of Articles—continued.

Names of Articles.	1879-80.			1880-81.			Total.		
	Rate.	No. or Quantity.	Amount.	Rate.	No. or Quantity.	Amount.	Rate.	No. or Quantity.	Amount.
									Rs. A. P.
Charcoal wood ...	...	...	...	...	...	...	Re. 0-6-0 per oz. ...	1 oz. ...	0 6 0
			Rs. A. P.						
„ pure ...	Re. 1-0-0	1 lb.	1 0 0						
			£ s. d.			£ s. d.			£ s. d.
Chloroform, methyld. ...	£ 0-2-6 ...	1 „ ...	0 2 6	...	1 lb. ...	0 2 3	...	2 lbs. ...	0 4 9
			Rs. A. P.			Rs. A. P.			Rs. A. P.
Cloth for punkha frills ...	Annas 8 to 10 per yard	14 yards ...	8 0 0	Annas 8 to 10 per yard	14 yards ...	8 0 0	...	28 yards ...	16 0 0
			£ s. d.			£ s. d.			£ s. d.
Cobalt, nitrate ...	£ 0-1-4 ...	4 oz. ...	0 5 4	£ 0-1-3 ...	2 oz. ...	0 2 6	} ...	14 oz. ...	0 18 10
„ „ ...	...	...	...	...	8 „ ...	0 11 0			
„ „ ...	...	...	...	...	...	...	Rs. 1-12-0 ...	1 „ ...	Rs. A. P. 1 12 0
									£ s. d
Copper, oxide, pure ...	£ 0-4-0 ...	2 lbs. ...	0 8 0	£ 0-4-0 ...	2 lbs. ...	0 8 0	...	4 lbs. ...	0 16 0
„ „ (granulated) ...	...	...	...	£ 0-5-0 ...	2 „ ...	0 10 0			
									Rs. A. P.
„ black oxide ...	...	...	...	...	...	...	Re. 0-5-0 per oz. ...	4 oz. ...	1 4 0
									£ s. d.
„ sulphate ...	£ 0-1-4 ...	4 lbs. ...	0 5 4	£ 0-1-4 ...	3 lbs. ...	0 4 0	...	7 lbs. ...	0 9 4
									Rs. A. P.
„ leaf, books ...	...	...	...	...	...	...	Re. 0-8-0 per oz. ...	3 oz. ...	1 8 0
„ „ ...	£ 0-0-9 ...	4 number ...	0 3 0						
			Rs. A. P.						
Ether ...	Re. 0-8-0 ...	4 oz. ...	2 0 0						
„ ...	...	...	...	...	...	...	Re. 0-6-0 per oz. ...	2 oz. ...	0 12 0
„ sulphuric ...	...	...	...	£ 0-6-0 ...	10 lbs. ...	3 0 0			
Filters, cut, circular, of sizes ...	...	36 packages ...							
„ Swedish ...	...	...	...	£ 0-0-4 ...	6 number ...	0 2 0			
			£ s. d.						£ s. d.
Fluor spar ...	£ 0-0-4 ...	4 lbs. ...	0 1 4	£ 0-0-4 ...	4 lbs. ...	0 1 4	...	8 lbs. ...	0 2 8
									Rs. A. P.
„ „ ...	...	...	...	...	...	...	Re. 0-1-5 per oz. ...	14 oz. ...	1 4 0
Grease ...	...	...	...	...	...	...	Re. 0-12-0 per lb. ...	1 lb. ...	0 12 0
Gold leaf, books ...	...	...	...	£ 0-2-0 ...	2 books ...	0 4 0			
„ „ „ ...	...	...	...	£ 0-1-6 ...	2 „ ...	0 3 0			
„ „ „ ...	...	...	...	...	...	...	Rs. 1-12-0 ...	1 book ...	1 12 0
„ chloride ...	£ 0-7-6 ...	1 dram ...	0 7 6	Re. 8-0-0 a dram ...	½ dram ...	4 4 0			
„ „ ...	...	...	...	...	...	...	Re. 0-12-0 per oz. ...	2 oz. ...	1 8 0
						Rs. A. P.			£ s. d.
Gum tragacanth ...	£ 0-0-8 ...	2 oz. ...	0 1 4	£ 0-0-6 ...	4 oz. ...	0 2 0	...	6 „ ...	0 3 4
Hammer ...	...	...	...	...	1 number.				
Indigo ...	...	...	...	Re. 0-8-0 ...	1 oz. ...	0 8 0			
						£ s. d.			
Iodine ...	£ 0-1-4 ...	8 oz. ...	0 10 8	£ 0-1-8 ...	{ 8 „ ...	0 13 4	} ...	24 oz. ...	2 0 6
„ ...	...	4 „ ...	...		{ 8 „ ...	0 16 6			
									Rs. A. P.
„ ...	...	...	...	...	...	...	Rs. 1-10-8 ...	1½ oz. ...	2 8 0
									£ s. d.
Iron filings ...	£ 0-0-8 ...	2 lbs. ...	0 1 4	...	1 lb. ...	0 0 8	...	3 lbs. ...	0 2 0
„ perchloride ...	£ 0-1-4 ...	1 lb. ...	0 1 4	£ 0-0-1 ...	8 oz. ...	0 0 8	...	1 lb. 8 oz. ...	0 2 0
									Rs. A. P.
„ „ ...	...	...	...	...	...	...	Re. 0-4-0 ...	4 oz. ...	1 0 0
„ peroxide ...	£ 0-1-4 ...	1 lb. ...	0 1 4						
									£ s. d.
sulphate ...	...	4 lbs. ...	0 1 4	£ 0-0-4 ...	3 lbs. ...	0 1 0	...	7 lbs. ...	0 2 4
Labels, blank ...	£ 0-5-0 per 1,000 ...	2,000 number ...	0 10 0	£ 0-5-0 per 1,000 ...	2,000 number ...	0 10 0	...	4,000 number ...	1 0 0
						Rs. A. P.			
Lamp ...	...	...	...	...	1 „ ...	11 6 0			
						£ s. d.			
Lead, acetate ...	£ 0-1-4 ...	2 lbs. ...	0 2 8	...	3 lbs. ...	0 5 0	...	5 lbs. ...	0 7 8
„ chromate ...	£ 0-3-0 ...	2 lbs. ...	0 6 0						
„ nitrate ...	£ 0-1-0 ...	1 lb. ...	0 1 0						
						Rs. A. P.			
Lock ...	...	...	...	...	...	0 3 0			
						£ s. d.			£ s. d.
Manganese, black oxide ...	£ 0-0-4 ...	15 lbs. ...	0 5 0	£ 0-0-4 ...	10 lbs. ...	0 3 4	...	25 lbs. ...	0 8 4
„ sulphate ...	£ 0-2-0 ...	1 lb. ...	0 2 0	...	...				
						Rs. A. P.			
Mercury ...	...	...	...	...	1 lb. ...	3 0 0			
						£ s. d.			
„ oxide ...	...	...	...	...	1 „ ...	0 6 0			

List of Articles—continued.

Names of Articles.	1879-80. Rate.	1879-80. No. or Quantity.	1879-80. Total cost.	1880-81. Rate.	1880-81. No. or Quantity.	1880-81. Total cost.	Total. Rate.	Total. No. or Quantity.	Total. Total cost.
						Rs. A. P.			
Mercury red oxide ...	...	...	...	Re. 0-8-0 per oz. ...	4 oz. ...	2 1 6	...	...	...
" " ...	...	...	...	...	...	...	Re. 0-8-0 per oz. ...	2 oz. ...	Rs. A. P. 1 0 0
			Rs. A. P.						
Nib-holders ...	...	...	0 1 0						
Nitre ...	...	4 lbs. ...	0 8 0	...	4 lbs. ...	0 8 0	...	8 lbs. ...	1 0 0
Parallel rulers, ebony ...	Re. 1-0-0 each ...	3 number ...	3 0 0						
						£ s. d.			
Pestles and mortars, of sizes ...	...	5 " ...	...	£ 0-3-0 ...	2 number ...	0 6 0	...	9 number ...	...
" " ...	...	...	...	...	2 " ...	0 17 6			
			£ s. d.						£ s. d.
Phosphorus, amorphous ...	£ 0-0-6 ...	4 oz. ...	0 2 0	£ 0-0-6 ...	2 oz. ...	0 1 0	...	6 oz. ...	0 3 0
" sticks ...	£ 0-0-6 ...	8 " ...	0 4 0	£ 0-0-6 ...	8 " ...	0 4 0	...	1 lb. ...	0 8 0
Porcelain dishes, of sizes ...	...	20 number ...	...	...	25 number ...	0 18 6			
" " ...	...	...	...	£ 0-1-9 ...	2 " ...	0 3 6	...	53 number ...	...
" " ...	...	...	...	£ 0-0-7 ...	6 " ...	0 3 6			Rs. A. P.
" cup ...	...	...	...	...	...	...	Re. 1-0-0 each ...	1 " ...	1 0 0
Potash, nitrate ...	...	...	...	...	16 oz. ...	0 1 8			
" " ...	...	...	...	...	...	...	Rs. 2-9-7 per lb. ...	1 lb. 4 oz. ...	3 4 0
									£ s. d.
Potassium ...	£ 0-6-0 ...	1 oz. ...	0 6 0	...	1 oz. ...	0 6 0	...	2 oz. ...	0 12 0
" bichromate ...	£ 0-1-4 ...	4 lbs. ...	0 5 4	£ 0-1-4 ...	4 lbs. ...	0 5 4	...	8 lbs. ...	0 10 8
									Rs. A. P.
" " ...	...	...	...	...	...	...	Rs. 1-5-4 per lb. ...	1 lb. 8 oz. ...	2 0 0
									£ s. d.
" bromide ...	£ 0-3-0 ...	1 lb. ...	0 3 0	...	1 lb. ...	0 2 8	...	2 lbs. ...	0 5 8
									Rs. A. P.
" " ...	...	...	...	...	...	...	Re. 0-4-0 per oz. ...	4 oz. ...	1 0 0
									£ s. d.
" cyanide ...	£ 0-5-0 ...	2 lbs. ...	0 10 0	...	1 lb. ...	0 5 0	...	3 lbs. ...	0 15 0
									Rs. A. P.
" " ...	...	...	...	...	...	...	Re. 0-6-0 per oz. ...	2 oz. ...	0 12 0
									£ s. d.
" chlorate ...	£ 0-1-0 ...	20 lbs. ...	1 0 0	£ 0-1-4 ...	10 lbs. ...	0 13 4	...	30 lbs. ...	1 13 4
" " ...	...	...	...	...	...	...	Rs. 1-5-4 per lb. ...	1 lb. 8 oz. ...	Rs. A. P. 2 0 0
" iodide ...	£ 0-16-6 ...	1 lb. ...	0 16 6	...	1 lb. and 8 oz.	1 13 4	...	2 lbs. 8 oz. ...	£ s. d. 2 9 10
" " ...	...	8 oz. ...	...	...	...	...	...	...	Rs. A. P. ...
" " ...	...	...	...	...	...	...	Rs. 1-4-0 per oz. ...	2 oz. ...	2 8 0
" nitrate ...	£ 0-0-9 ...	6 lbs. ...	0 4 6	£ 0-0-9 ...	6 lbs. ...	0 4 6	...	12 lbs. ...	£ s. d. 0 9 0
									Rs. A. P.
" " ...	...	...	...	...	...	...	Rs. 2-9-7 per lb. ...	1 lb. 4 oz. ...	3 4 0
									£ s. d.
" permanganate ...	£ 0-0-4 ...	8 oz. ...	0 2 8	£ 0-0-3 ...	8 oz. ...	0 2 0	...	1 lb. ...	0 4 8
									Rs. A. P.
" " ...	...	...	...	...	...	...	Re. 0-10-0 per oz. ...	1 oz. ...	0 10 0
Red lead ...	...	...	...	...	...	...	" 0-3-0 per oz. ...	4 oz. ...	0 12 0
						Rs. A. P.			
Retort stands ...	...	...	...	Rs. 3-0-0 each ...	6 number ...	18 0 0	...	...	...
" " ...	...	...	...	" 6-0-0 " ...	1 " ...	6 0 0	...	...	...
			Rs. A. P.						
Sal ammoniac ...	...	2 lbs. ...	1 12 6	...	2 lbs. ...	2 0 0	...	4 lbs. ...	3 12 6
" ...	...	...	...	...	...	...	Rs. 1-8-0 per lb. ...	1 lb. ...	1 8 0
Saucers ...	...	8 number.							
Scale with weights ...	...	...	...	...	1 set ...	8 0 0			
Shears ...	...	...	...	...	1 pair ...	...			
			£ s. d.			£ s. d.			£ s. d.
Silver, nitrate ...	£ 0-4-0 ...	4 oz. ...	0 16 0	£ 0-4-0 ...	4 oz. ...	0 16 0	...	8 oz. ...	1 12 0
						Rs. A. P.			
" "	...	4 " ...	...	Rs. 3-8-0 ...	2 " ...	7 0 0			
									Rs. A. P.
" " ...	...	...	...	...	...	...	Rs. 3-0-0 per oz. ...	½ oz. ...	1 8 0
Soap ...	...	...	...	...	1 piece ...	0 2 0			
Soda, caustic ...	£ 0-2-0 ...	20 lbs. ...	2 0 0	Rs. 5-0-0 ...	½ lb. ...	2 8 0			
									Rs. A. P.
" " ...	...	...	...	...	...	...	Rs. 3-0-0 per lb. ...	½ lb. ...	1 8 0
						£ s. d.			£ s. d.
" hyposulphite ...	£ 0-0-8 ...	2 lbs. ...	0 1 4	...	2 lbs. ...	0 1 4	...	4 lbs. ...	0 2 8
									Rs. A. P.
" " ...	...	...	...	...	...	...	Re. 0-2-0 per oz. ...	4 oz. ...	0 8 0
" bicarbonate ...	...	...	...	...	...	...	" 0-1-4 " ...	6 " ...	0 8 0
Sodium, carbonate ...	...	...	...	£ 0-0-6 ...	10 lbs. ...	0 5 0			
" " pure ...	...	...	...	£ 0-3-0 ...	2 " ...	0 6 0			
" hydrate ...	...	...	...	£ 0-2-0 ...	15 " ...	1 10 0			
" metallic ...	...	...	...	...	...	...	Rs. 1-0-4 per oz. ...	6 oz. ...	6 2 0
" sulphate ...	...	...	...	£ 0-0-8 ...	4 lbs. ...	0 2 8			

List of Articles—concluded.

Names of Articles.	1879-80. Rate.	1879-80. No. or Quantity.	1879-80. Amount.	1880-81. No. or Quantity.	1880-81. Amount.	Total. No. or Quantity.	Total. Amount.	Total. Rate.
			£ s. d.		Rs. A. P.		Rs. A. P.	
Spirit of wine	...	...	...	1 bottle	2 8 0			...
" " methylated	...	3 qts.	3 12 0	3 qts.	3 12 0	6 qts.	7 8 0	...
" " "	...	...	...	11 lbs.	11 0 0	...	...	Re. 1-0-0
" " "	...	...	...	...	...	4 qts.	4 0 0	...
" " rectified	...	...	...	2 gallons	28 0 0			...
Stoves	...	...	...	1 number	15 4 0			...
Sulphur	...	½ lb.	0 8 0					
" flour	...	4 lbs.	0 2 8	4 lbs.	£ s. d. 0 2 8	8 lbs.	£ s. d. 0 5 4	...
" "	...	...	...	...	...	1 lb.	Rs. A. P. 0 12 0	Re. 0-12-0 per lb.
Turpentine, oil	...	5 lbs.	0 6 8	4 lbs.	0 5 4	9 lbs.	£ s. d. 0 12 0	...
" "	...	1 qt.	Rs. A. P. 0 14 0	1 lb.	Rs. A. P. 0 8 0			
Varnish	...	...	...	1 "	£ s. d. 0 4 0			
Wax	...	...	...	1 "	Rs. A. P. 3 0 0			
"	...	...	...	...	0 3 9	...	Rs. A. P. 0 6 0	
Wicks for lamps	...	...	...	...	...	12 oz.	1 8 0	Re. 0-2-0 per oz.
Zinc, sulphate	...	...	...	...	£ s. d.			
Zinc, granulated	...	...	...	8 oz.	0 0 5			...

The 18th November 1881.

No. 4218.—Mr. R. Logan, B.C.S., received charge of the office of Under-Secretary to the Government of India in the Department of Finance and Commerce after noon on the 9th November 1881.

No. 4219.—Colonel J. H. White, R.E., having returned from privilege leave, resumed charge of the office of Mint Master, Bombay, before noon on the 8th November 1881.

No. 4233.—Mr. Stephen Jacob, B.C.S., received charge of the office of Accountant General, Bengal, before noon on the 9th November 1881.

No. 4283.—*Erratum.*—In paragraph 1, clause 2, of Financial Resolution No. 4028, dated 4th November 1881 (published in the *Gazette of India* of 5th idem), *for* "boxes" *read* "bags."

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

MILITARY DEPARTMENT.

Simla, the 18th November, 1881.

APPOINTMENTS.

No. 619.—NATIVE ARMY—

31st Native Infantry.

The services of Shahzada Abdul Kaium, appointed a Jemadar on probation in G. G. O. No. 692 of 1879, are dispensed with.

FURLOUGH AND LEAVE.

No. 620.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Major (Brevet Lieutenant-Colonel) J. M. Sym, Bengal S. C., Wing Commander, 5th Goorkha Regiment, (p. a.) for two years, under rule IX of the regulations of 1868.

Major G. E. Reade, General List, Infantry, Assistant Commissioner, North-Western Provinces and Oudh, (p. a.) for two years, under rule IX of the regulations of 1868.

Lieutenant J. F. Worlledge, Bengal S. C., Wing Officer and Quartermaster, 7th Native Infantry, (u. p. a.) for 182 days, under rule I of the regulations of 1875.

Surgeon A. McGregor, 4th Punjab Cavalry, (p. a.) for one year, under rule IX of the regulations of 1868.

No. 621.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India :—

Major G. R. Grylls, Bengal S. C., (u. p. a.) for fifteen days, without pay.

Captain F. T. N. Spratt, R.E., (p. a.) for 180 days.

Surgeon-Major A. Deane, (m. c.) for three months.

NAMES AND DESIGNATIONS.

No. 622.—Surgeon E. G. Russell, M.B., has been permitted to assume the Christian name of *Edgar* in lieu of that of "Ebenezer."

PROMOTIONS.

No. 623.—The following promotion is made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

To be Captain.

Lieutenant Charles Henry Vincent Garbett,—17th November, 1881.

RETIREMENTS.

No. 624.—In continuation of G. G. O. No. 613 of 1881, the undermentioned officer is permitted to retire from the service under the provisions of G. G. O. No. 1 of 1881, with effect from the date specified, subject to Her Majesty's approval :—

Lieutenant-Colonel (Brevet Colonel) Henry Albany Wyndham Waterfield, Bengal S. C.,—13th November, 1881.

REWARDS.

No. 625.—GOOD SERVICE PENSIONS—

It is hereby announced that, on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned officer, with effect from the date specified :—

From the 17th March, 1881, in room of Major-General R. Cadell, C.B., succeeded to the Colonel's allowance.

MAJOR-GENERAL GEORGE GODFREY PEARSE, C.B., ROYAL (LATE MADRAS) ARTILLERY.

Dates of Commissions.

Second-Lieutenant	...	14th June, 1845.
Lieutenant	...	2nd July, 1851.
Captain	...	27th August, 1853.
Major	...	26th April, 1859.
Lieutenant-Colonel	...	4th June, 1870.
Colonel	...	1st August, 1877.
Major-General	...	26th February, 1880.

Appointments.

Assistant to the Durbar Chief Engineer, Punjab	...	19th September, 1848.
Assistant Commissioner in the Punjab	...	1st April, 1849.
In command 3rd Sikh Irregular Cavalry	...	14th July, 1860.
In command No. 2nd Battery, 17th Brigade, Royal Artillery.		
In command No. 3rd Battery, 17th Brigade, Royal Artillery	...	23rd April, 1862.
In command F Battery, 20th Brigade, Royal Artillery	...	1st March, 1863.
Posted to 17th Brigade, Royal Artillery	...	5th September, 1872.

War services.

Served as Assistant Field Engineer under Sir W. S. Whish, K.C.B., during the first operations of the siege of Mooltan, September, 1848, the action of Sooruj Khoond, 7th November, 1848, as commanding the artillery of the Nawab of Bhawulpore under Major H. B. Edwardes; at the second operation of the siege and capture of the town of Mooltan, 2nd January, 1849; mentioned in despatches for conspicuous gallantry when repelling a sortie from the fortress on the 30th December, 1848. Served under Major R. G. Taylor with the irregular troops in the Derajat, who in 1849 drove the Dooranees from Bunnoo; Punjab medal and one clasp. On the 2nd January, 1850, at the Goombuttee pass, at the head of the border levies, defeated

the tribe of Oomurzai Wazeerees, who made a descent on Bunnoo. In November, 1852, at the head of 4,000 Cashmere regular troops and British irregular levies, brought into subjection the valley of Khagan in the Northern Punjab, which had broken out into rebellion. Served throughout the Indian mutiny campaign; commanded the cavalry of the Hariana Irregular Field Force at the battle of Aodah, 17th June, 1857, and at the action of Khaireeka, 19th June, 1857; at the head of 400 Bikaneer Rajput cavalry, on the 26th June, 1857, made a forced march by which he relieved and took possession of Hissar; on the 6th September, 1857, commanded a force which took the fortified village of Bhatoul; on the 11th September, 1857, commanded a force which took the fortified village and position of Mungalee. Commanded the cavalry of the Hariana Irregular Field Force at the action of Jamalpur 13th September, 1857. Was with Brigadier Shower's column at the occupation of the forts of Dadree, Jhujjur and Kanound. Commanded a body of cavalry at the battle of Narnoul, 16th November, 1857, where he was severely wounded. Commanded the 3rd Sikh Cavalry at the siege and capture of Lucknow, March 1858. Served with the Azimghur Field Force under Sir E. Lugard at the actions of Munnehar, 11th April, 1858, Azimgarh, 15th April, 1858, and in the pursuit of Koor Sing, including the actions of Azmatghur, 17th April, 1858, Munnehar, 19th April, 1858, and Sheeapur, 20th April, 1858, and in the final and trying expedition of that force in the Jugdespore jungles, during June and July, 1858. (Medal, Clasp and Brevet of Major.)

W. J. B. BIRD, *Lieutenant*,
for *Secretary to the Government of India.*

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 14th November, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers on the dates specified were received in the Military Department from the 8th to the 14th November, 1881:—

Corps.	Rank and Names.	Date of decease.	Place of decease.	Testate or Intestate.	Remarks.
2nd Battalion The King's Liverpool Regiment.	Quartermaster P. Spencer ...	2nd October, 1881.	Meean Meer	...	...
Public Works Department	Conductor H. C. Radcliffe ...	16th October, 1881.	Amritsar ...	...	...
				...	...

W. M. LEES, *Colonel*,
Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 12th November 1881.

No. 364.—With reference to Public Works Department Notification No. 56, dated 14th February 1881, Lieutenant J. Burn-Murdoch, R.E., Assistant Engineer, 1st Grade, is retransferred to the Railway Branch, and his services are placed at the disposal of the Government of Bombay in that Branch.

No. 365.—Mr. H. Luckstedt, Assistant Engineer, 1st Grade, is transferred from the Establishment under the Director General of Railways to that under the Chief Commissioner of the Central Provinces for employment in the Railway Branch.

No. 366.—Major W. J. Engledue, R.E., Officiating Deputy Consulting Engineer for Railways, Bombay, and Officiating Under Secretary to the Government of Bombay, Railway Branch, is retransferred to the Railway Branch, and placed at the disposal of the Director General of Railways.

No. 369.—Major T. C. Manderson, R.E., Executive Engineer, 1st Grade, Military Works Branch, is appointed to officiate as Superintending Engineer, with temporary rank in the 3rd Class, during the absence on leave of Lieutenant-Colonel G. P. de Palezieux Falconnet, R.E., or until further orders.

No. 370.—Mr. A. C. Livingstone-Learmonth, Assistant Engineer, 1st Grade, is transferred temporarily from the Punjab to the Establishment of the Inspector General of Military Works for employment in the Simla Imperial Circle.

The 16th November 1881.

No. 01.—During the absence of the Accountant General, Public Works Department, from Simla, Mr. W. Harvey, Assistant to the Director General of Railways, will have charge of the Office of Deputy Examiner of State Railway Stores.

The 17th November 1881.

No. 02.—Mr. A. C. Newcombe, B.A., Deputy Examiner, 2nd Grade, is transferred from the Accounts Branch to Assam as Assistant Engineer, 1st Grade.

No. 03.—Mr. J. H. Handley, Assistant Engineer, 1st Grade, is, on return from special leave, appointed Deputy Examiner of Accounts, 2nd Grade, temporary rank, and posted as a temporary arrangement to the Rajputana State Railway.

No. 04.—During the absence of the Accountant General, Public Works Department, from Simla, Major G. F. L. Marshall, R.E., will have charge of that portion of the Accountant General's Office that may be left in Simla.

W. S. TREVOR, *Colonel, R.E.*,
Offg. Secy. to the Govt. of India.

is appointed to officiate as Manager, Northern Bengal State Railway, during the absence of Major W. A. J. Wallace, R.E., on special leave, or until further orders.

During the time Major Engledue acts for Major Wallace, he will officiate in Class I, Grade 3, of the Revenue Scale.

Major T. F. Dowden, R.E., Superintending Engineer, 3rd Class, temporary rank, is placed at the disposal of the Government of Bombay, *vice* Major Engledue.

The 14th November 1881.

No. 367.—In Public Works Department Notification No. 106, dated 11th March 1881, transferring Engineers to the Bengal Railway Establishment, *for* "Mr. P. Duncan, Assistant Engineer, 1st Grade," *read* "Mr. E. H. Clementson, Assistant Engineer, 2nd Grade."

No. 368.—Mr. P. P. Dease, Executive Engineer, 3rd Grade, temporarily employed in Biluchistan,

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 48.] CALCUTTA, SATURDAY, NOVEMBER 26, 1881.

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

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PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 18th November 1881.

No. 1875.—Under the provisions of Section 9 of Statute 24 and 25 Vic., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant-Governor of Bengal.

Fort William, the 25th November 1881.

No. 1892.—The Governor General in Council is pleased to direct that the following rules shall be substituted for Rules 7 to 10 of the rules framed under Section 17 of the Indian Arms Act, 1878, and published in the Notifications mentioned in the margin:—

Home Department Notification No. 518, dated the 6th March 1879.
Home Department Notification No. 32, dated the 9th January 1880.
Foreign Department Notification No. 4031.-P., dated the 23rd April 1880.

7. Licenses to export arms or ammunition or military stores by land or by river to any place beyond the frontier of British India, or to any place within the limits of the feudatory States and licenses to import arms or ammunition or military stores into, or to export the same out of, the district of Ajmere, may be granted by the Secretary to the Government of India in the Foreign Department, or by any other officer specially empowered by the Government of India to grant them.

Licenses to export arms or ammunition or military stores by land or by river to any place within the political jurisdiction of the Governments of Madras and Bombay may be granted by the Secretaries to the Governments of Madras and Bombay respectively, copies of such licenses being sent to the Foreign Department of the Government of India for information. These licenses will be valid only for the State named in them, and no export beyond the limits of that State can be permitted under them.

Licenses granted under this rule will be prepared in Form V, and be charged with a fee of rupees five, except in such cases as the Government of India in the Foreign Department may grant exemption from, or reduction of, the prescribed fee. Licenses to import arms, ammunition or military stores into Ajmere will also be granted in Form V, the word export in the heading of the license being changed into import.

Copies of such licenses shall be sent on the day of issue to the Political Officer of the State to which the articles are to be exported, and in the case of imports into Ajmere, to the Commissioner of the district. Copies shall also be sent to the Magistrate of the frontier district if the articles are to cross the frontier by road or river. If the articles are to be carried across the frontier by rail, a copy of the license should, in the case of consignments despatched from Presidency Towns, be sent to the Commissioner of Police, and in other cases to the Magistrate of the district

from which the articles are to be despatched. In such cases the Commissioner of Police or the Magistrate of the district, as the case may be, should at once forward a copy of the license to the Railway authorities at the place of despatch. No Railway Company shall receive for despatch any box, package or bale containing arms, ammunition or military stores as defined in the Arms Act and the rules framed thereunder, unless covered and accompanied by the original license granted under these rules, and the Railway authorities shall in every instance satisfy themselves that the goods tendered to them for transport correspond to the description given in such license, and that the license is identical with that forwarded to them by the Commissioner of Police or Magistrate of the district.

7A. Nothing in Rules 5, 6 or 7 shall be deemed to authorise the grant of licenses—

(*a*) to import any arms, ammunition or military stores from Portuguese India;

(*b*) to export to Portuguese India by sea, river or land any arms, ammunition or military stores, except the same be exported for the exclusive use of the Government of Portuguese India, or are covered by a special license for import into Portuguese India signed by the Secretary General to the Government of Portuguese India.

8. Persons desirous of transporting or exporting arms, ammunition or military stores must apply in writing to the officer authorised to grant such licenses. The application must specify—

(*a*) the place to which the articles are to be transported or exported, the route of transport or export, and the probable time that will be occupied in the journey;

(*b*) the quantity, description, average price, and the purpose of each kind of arms or ammunition; or

(*c*) whether the applicant has obtained the consent of the Magistrate or Political Officer of the place of consignment. [If so, the evidence of such consent must be produced.]

9. Persons transporting or exporting arms, ammunition or military stores under a license must write legibly on the cases or packages containing such articles an account of their contents.

10. In the case of transport the consignee must, within six days of the articles reaching their destination, deliver the transport license to the Magistrate of the district. In the case of articles crossing the frontier of British India by road or river, the export license must, within six days of the consignment reaching the frontier district, and before it leaves British territory, be delivered to the Magistrate of the frontier district, or other officer empowered by him to receive export licenses on his behalf. The officer to whom the transport or export license, as the case may be, may be delivered must satisfy himself that the articles correspond with the entries in the license, and that any deficiency is properly accounted for.

No. 1893.—The Governor General in Council is also pleased to direct that the following endorsement shall be substituted for that on Form V, for the grant of export licenses under Rule 7, published with the Notification by the Foreign Department, No. 162 I-J, dated the 25th June 1879:—

It is valid only for the period and the route named therein.

It becomes invalid if bulk is broken, or the consignment stopped at any place on the journey.

It is given subject to the provisions of the Indian Arms Act, 1878, and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

The license must be delivered to the Railway authorities or to the frontier district Magistrate, or other officer empowered by him to receive export licenses on his behalf as provided in Rules 7 and 10 In the case of consignments crossing the frontier by road or river, the articles must be made available for exhibition to the frontier Magistrate or other principal officer within six days of their reaching the frontier district, and before they leave British territory.

ESTABLISHMENTS.

The 24th November 1881.

No. 373.—Mr. W. C. Capper is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 25th instant.

MEDICAL.

The 25th November 1881.

No. 607.—The services of Surgeon J. Lewtas, M.B., (Queen's Own) Corps of Guides, are placed temporarily at the disposal of the Government of Bengal.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Calcutta, the 25th November 1881.

No. 16 *C.*—With reference to Notification No. 127 (General), dated the 16th September 1881, the period for which Mr. C. L. Tupper, C.S., Officiating Under Secretary to the Government of India in the Revenue and Agricultural Department, was placed on special duty, is extended by one month from the 16th November 1881.

No. 17 *C.*—Mr. T. W. Holderness, C.S., will continue to officiate as Under Secretary to the Government of India in the Revenue and Agricultural Department during the absence of Mr. Tupper.

W. M. LEES, *Colonel,*
Offg. Secy. to the Govt. of India,
In charge, Reve. & Agri. Dept

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Fort William, the 25th November 1881.

No. 232 *I-J.*—Under the provisions of Section 650 A of the Civil Procedure Code, the Governor General in Council is pleased to declare that summonses issued by any Court in Mysore may be sent to the Courts in British India, and served as if they had been issued by such Courts.

No. 233 *I-J.*—Under Section 434 of the Code of Civil Procedure, the Governor General in Council is pleased to declare that decrees of the Civil and Revenue Courts of Mysore may be executed in British India as if they had been made by the Courts of British India.

T. HOPE,
for *Secy. to the Govt. of India.*

MILITARY DEPARTMENT.

Fort William, the 25th November, 1881.

APPOINTMENTS.

No. 626.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant George Edward Hyde Cates, 1st Battalion, East Kent Regiment, Wing Officer, 6th Native Infantry,—6th January, 1880.

Lieutenant Walter Harding Allen, 2nd Battalion, Cheshire Regiment, Officiating Wing Officer, 32nd Native Infantry,—5th March, 1880.

No. 627.—DIVISIONAL STAFF—

Major-General *Sir* C. P. Keyes, K.C.B., Madras S. C., to command the Hyderabad Subsidiary Force, in succession to Major-General A. W. Macintire, C.B., whose tour of service has expired. Dated 8th November, 1881.

No. 628.—COMMISSARIAT DEPARTMENT—

Lieutenant S. C. F. Peile, Sub-Assistant Commissary-General, 3rd class, on probation, is confirmed in his appointment, with effect from the 13th November, 1880.

No. 629.—PUNJAB FRONTIER FORCE—

1st Sikh Infantry.

Lieutenant W. J. K. Dobbin, Officiating Wing Officer, on probation, 21st Native Infantry, to be Officiating Wing Officer, on probation.

No. 630.—HYDERABAD CONTINGENT—

5th Infantry.

Lieutenant R. V. Garrett, Officiating Wing Officer, 4th Infantry, to be Wing Officer, *vice* Major A. C. LeQuesne, deceased.

Lieutenant Garrett will officiate as Adjutant, during the absence on furlough of Lieutenant A. Adye, or until further orders.

No. 631.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Mr. Henry Elworthy, to be Lieutenant, *vice* Lieutenant H. Pratt, resigned.

Mr. John William Bacon, to be Lieutenant, in the cadet company, *vice* Lieutenant F. J. Smith, resigned.

Mr. Francis Frederick Handley, C.S., to be Lieutenant, in the mounted company.

Mr. Henry Moore, to be Lieutenant, *vice* Lieutenant C. Liddell, promoted.

Darjeeling and Northern Bengal State Railway Volunteer Rifle Corps.

Lieutenant-Colonel Henry Hamer Stansfeld, Bengal Infantry, to be Major-Commandant, *vice* Major W. A. J. Wallace, resigned.

FURLOUGH AND LEAVE.

No. 632.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel D. J. Welsh, R.A., Deputy Inspector-General of Ordnance, (p. a.) for 243 days, under rule IX of the regulations of 1868, embarking on or after the 27th December, 1881.

Major W. V. FitzG. Jacob, Bengal S. C., Wing Commander and 2nd-in-Command, 34th Native Infantry, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Lieutenant S. C. F. Peile, Bengal S. C., Sub-Assistant Commissary-General, 3rd class, (m. c.) for one year, under rule I of the regulations of 1875.

Lieutenant C. B. Brownlow, Bengal S. C., Wing Officer and Adjutant, 1st Punjab Infantry, (p. a.) for one year, under rule I of the regulations of 1875.

Lieutenant M. C. Cooke-Collis, Bengal S. C., Wing Officer and Quartermaster, (Queen's Own) Corps of Guides, (p. a.) for one year, under rule I of the regulations of 1875.

Surgeon-Major J. Cleghorn, M.D., (p. a.) for two years, under rule IX of the regulations of 1868.

Surgeon O. Baker (m. c.) for one year, under rules IX and XV of the regulations of 1868. This cancels the furlough granted to Surgeon Baker in G. G. O. No. 605 of 1881.

Surgeon F. J. Tuohy, M.D., 12th Native Infantry, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

No. 633.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Lieutenant-Colonel F. J. N. Mackenzie, Bengal S. C., (m. c.) for six months.

Major A. Hill, R.E., (p. a.) for one month.

Major C. W. Campbell, General List, Cavalry, (u. p. a.) for one month.

Major J. B. Slater, Bengal S. C., (m. c.) for four months.

Lieutenant H. T. Faithful, Bengal S. C., (m. c.) for sixty days.

Lieutenant M. I. Gibbs, Bengal S. C., (m. c.) for two months.

Surgeon A. J. Wall, M.D., (m. c.) for four months.

Surgeon J. Blood (m. c.) for three months.

LONDON GAZETTE.

No. 634.—The following extracts are published for general information :—

"London Gazette," dated the 14th October, 1881, page 5087.

War Office, Pall Mall, 14th October, 1881.

BREVET.

MEMORANDA.

The Brevet rank of Colonel conferred on Lieutenant-Colonel Harry Hammon Lyster, C.B., V.C., Bengal Staff Corps, in London Gazette, 25th November, 1879, is antedated to 1st October, 1877.

The undermentioned Officers to be Colonels :—

Lieutenant-Colonel Arthur Thomas Moore, V.C., Bombay Staff Corps. Dated 29th July, 1881.

Lieutenant-Colonel Cecil D'Urban LaTouche, Bombay Staff Corps. Dated 29th July, 1881.

"London Gazette," dated the 18th October, 1881, page 5140.

War Office, October 15, 1881.

THE Queen has been graciously pleased to signify Her intention to confer the decoration of the Victoria Cross upon the undermentioned Officers and Soldier, whose claims have been submitted for Her Majesty's approval, for their gallant conduct in Afghanistan, as recorded against their names :—

Regiment.	Names.	Acts of Courage for which recommended.
Bengal Staff Corps.	Captain (now Brevet Major) William John Vousden.	For the exceptional gallantry displayed by him on the 14th December, 1879, on the Koh Asmai Heights, near Kabul, in charging, with a small party, into the centre of the line of the retreating Kohistani force, by whom they were greatly outnumbered, and who did their utmost to close round them. After rapidly charging through and through the enemy, backwards and forwards, several times, they swept off round the opposite side of the village and joined the rest of the Troop.
Bengal Staff Corps.	Captain (now Major) Arthur George Hammond.	For conspicuous coolness and gallantry at the action on the Asmai Heights, near Kabul, on the 14th December, 1879, in defending the top of the hill with a rifle and fixed bayonet, against large numbers of the enemy, while the 72nd Highlanders and Guides were retiring; and again, on the retreat down the hill, in stopping to assist in carrying away a wounded Sepoy, the enemy being not sixty yards off, firing heavily all the time.
*	*	* *

"London Gazette," dated the 21st October, 1881, pages 5195 and 5196.

India Office, 21st October, 1881.

HER Majesty has approved of the following Admissions to the Staff Corps, made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant.

Lieutenant Philip James Melvill, from the Royal Highlanders. Dated 2nd June, 1880, but to rank from 19th April, 1879.

* * * *

HER Majesty has approved of the following Promotions among the Staff Corps and Indian Military Forces made by the Governments in India :—

BENGAL STAFF CORPS.

To be Major.

Captain and Brevet Major Andrew Harry Spencer Neill. Dated 20th August, 1881.

To be Captains.

Lieutenant Arthur Frederick Barrow. Dated 18th August, 1881.

Lieutenant Atwell Robert Porter. Dated 21st August, 1881.

BENGAL ARMY.

INFANTRY.

To be Major.

Captain Robert Edward Seymour Smyth. Dated 2nd August, 1881.

* * * *

BREVET.

To be Lieutenant-Colonels.

Major William Hay Macnaghten, Bengal Cavalry, in succession to Major-General (borne as Lieutenant-General on the Indian List) A. K. Gore, Madras Staff Corps, deceased. Dated 13th January, 1881.

Major Arthur Farrer, Madras Cavalry, in succession to Lieutenant-General J. C. Innes, Bengal Infantry, retired. Dated 30th May, 1881.

To be Majors.

Captain (now Major) Walter Charles Farwell, Bengal Infantry, in succession to Major-General E. T. Dalton, C.S.I., Bengal Staff Corps, deceased. Dated 31st December, 1880.

Captain (now Major) William Franco Dodsworth, Bengal Infantry, in succession to Major-General Gore. Dated 13th January, 1881.

Captain (now Major) Ralph Anstruther Price, Bengal Infantry, in succession to Lieutenant-General H. J. Barr, Bombay Staff Corps, deceased. Dated 18th May, 1881.

Captain (now Major) Edward Evans Grigg, Bengal Infantry, in succession to Lieutenant-General Innes. Dated 30th May, 1881.

PENSIONS.

No. 635.—Assistant Commissary and Honorary Lieutenant James Cargin, Public Works Department, is transferred to the Pension establishment.

PROMOTIONS.

No. 636.—The following promotion is made, subject to Her Majesty's approval :—

MEDICAL DEPARTMENT.

To be Deputy Surgeon-General.

Surgeon-Major Henry Walter Bellew, C.S.I., Sanitary Commissioner, Punjab,—14th November, 1881.

No. 637.—ORDNANCE DEPARTMENT—

The undermentioned Sub-Conductors, on probation, are confirmed in their present grade, with effect from the dates specified :—

Sub-Conductor Joseph Harrison,—30th December, 1880.

Sub-Conductor William Viney,—30th December, 1880.

Sub-Conductor George C. Goff,—30th December, 1880.

Sub-Conductor Henry Robinson,—6th January, 1881.

Sub-Conductor Richard Francis,—17th February, 1881.

Sub-Conductor Alfred Beauchamp,—17th February, 1881.

Sub-Conductor Lawrence J. O'Connell,—11th April, 1881.

No. 638.—WARRANT OFFICERS—

Sergeant Cary Clavering, to be Sub-Conductor, with effect from the 25th May, 1881, *vice* Sub-Conductor J. Rogers, deceased.

No. 639.—NATIVE ARMY—

14th Bengal Lancers.

Jemadar Lall Sing, to be Woordie-Major, *vice* Koondun Sing, promoted; Duffadar Torah, to be Jemadar, *vice* Lall Sing, promoted,—1st May, 1881.

13th Native Infantry.

Jemadar Gopal Sing, to be Subadar, *vice* Tukkut Sing, invalided; Havildar Byjnath Sing, to be Jemadar, *vice* Gopal Sing, promoted; Havildar Chinta Sing, to be Jemadar, *vice* Hunwunt Sing, invalided,—1st May, 1881.

22nd Native Infantry.

Jemadar Nehal Singh, to be Subadar, *vice* Peer Bux, "Sirdar Bahadur," deceased; Havildar Jowrah, to be Jemadar, *vice* Nehal Singh, promoted,—14th September, 1881.

35th Native Infantry.

Jemadar Beharie, to be Subadar, *vice* Punjab Singh, invalided; Color-Havildar Bholah, to be Jemadar, *vice* Beharie, promoted; Drill-Havildar Piaraz, to be Jemadar, *vice* John Norris, invalided,—8th August, 1881.

41st Native Infantry.

Havildar Premsookh, to be Jemadar, *vice* Ramrikh, deceased,—9th September, 1881.

4th Goorkha Regiment.

The promotion of Havildar Lall Sing to be Jemadar, in G. G. O. No. 569 of 1881, has effect from the 2nd June, 1881.

No. 640.—PUNJAB FRONTIER FORCE—

2nd Punjab Infantry.

Havildar Arsulla, to be Jemadar, *vice* Sultan Bax, invalided,—23rd September, 1881.

No. 641.—VOLUNTEER CORPS—

Eastern Bengal Railway Volunteer Rifle Corps.

Captain Thomas Hindmarsh, to be Major-Commandant, *vice* Major J. Brander, deceased.

Lieutenant William Innes, to be Captain, *vice* Captain Hindmarsh.

Sergeant-Major Frank Campbell Rogers, to be Lieutenant, *vice* Lieutenant Innes.

Volunteer Edward Herbert Hart, to be Lieutenant, *vice* Lieutenant J. P. Motley, resigned.

RETIREMENTS.

No. 642.—The undermentioned officers have been permitted to retire from the service, with effect from the dates specified, subject to Her Majesty's approval :—

Brigade Surgeon Theobald Ringer, M.D.,—21st September, 1881.

Surgeon-Major Simon Mackertich, M.D.,—6th September, 1881.

REWARDS.

No. 643.—GOOD SERVICE PENSIONS—

With reference to G. G. Orders Nos. 437 and 597 of 1881, the good service pensions conferred on the undermentioned officers will have effect from the dates specified :—

Lieutenant-General W. S. Hatch, Royal (late Bombay) Artillery. From the 1st April, 1880, in succession to Deputy Surgeon-General D. Wyllie, M.D., retired.

Major-General F. A. E. Loch, C.B., Bombay S.C. From the 10th June, 1880, in succession to Brigadier-General C. T. Aitchison, C.B., succeeded to the Colonels' allowance.

No. 644.—ORDER OF BRITISH INDIA—

His Excellency the Governor-General in Council is pleased to admit the undermentioned Native officers to the 1st and 2nd Classes of the Order of British India, with effect from the date specified :—

BOMBAY.

To the 1st Class, with the title of "Sirdar Bahadur."

Subadar-Major Moses, "Bahadur," 12th Native Infantry, *vice* pensioned Ressaldar-Major Moostaffa Khan, "Sirdar Bahadur," deceased,—1st June, 1881.

To the 2nd Class, with the title of "Bahadur."

Ressaldar-Major Azeezoolla Khan, 2nd Regiment, Sind Horse, *vice* Subadar-Major Moses, "Bahadur," promoted,—1st June, 1881.

VOLUNTEER CORPS.

No. 645.—In G. G. O. No. 550 of 1881, for "Volunteer P. W. Linahan," read *Volunteer P. W. Lenehan.* This cancels G. G. O. No. 617 of 1881.

W. M. LEES, *Colonel,*
Officiating Secretary to the Government of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 49.} CALCUTTA, SATURDAY, DECEMBER 3, 1881.

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

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Nothing for publication.

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Nothing for publication.

SUPPLEMENT No. 49.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 26th November, 1881.

No. 28.—Whereas the Secretary of State for India has by Resolution in Council declared the provisions of Act 33 Vic., Cap. 3, Section 1, to be from and after the 1st of January, 1873, applicable to the Chittagong Hills:

And whereas the Lieutenant Governor of Bengal has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same:

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

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

REGULATION No. III OF 1881.

The Chittagong Hill Tracts Frontier Police Regulation, 1881.

Preamble.

Whereas the Frontier Police of the Hill Tracts of Chittagong enrolled under Act No. V of 1861 *(for the regulation of Police)* perform services of a quasi-military character; and whereas the provisions of the said Act, and the orders and rules framed under section twelve thereof, have been found insufficient for the maintenance of discipline among such Police, and it is therefore expedient to make further provision for the maintenance of discipline among them; It is hereby enacted as follows:—

Short title.

1. This Regulation may be called "The Chittagong Hill Tracts Frontier Police Regulation, 1881":

Local extent.

It applies to all persons now or hereafter appointed under the said Act No. V of 1861 to be Frontier Police-officers and posted to the Hill Tracts of Chittagong;

Commencement.

and it shall come into force at once.

Interpretation-clause.

2. In this Regulation, unless there is something repugnant in the subject or context,—

"active service"

"active service" means service at the frontier out-posts, or against hostile tribes or other persons in the field;

"Deputy Commissioner" and "District Superintendent"

"Deputy Commissioner" and "District Superintendent" mean the Deputy Commissioner of the Hill Tracts of Chittagong and the District Superintendent of Police within the same tracts, respectively; and

"reason to believe," "criminal force," "assault" and "fraudulently."

the expressions "reason to believe," "criminal force," "assault" and "fraudulently" have the meanings assigned to them respectively in the Indian Penal Code.

3. Any person subject to this Regulation, not being above the rank of súbahdár, who—

More heinous offences.

(*a*) begins, excites, causes or joins in any mutiny or sedition, or, being present at any mutiny or sedition, does not use his utmost endeavours to suppress the same, or, knowing or having reason to believe in the existence of any mutiny, or of any intention to mutiny, does not without delay give information thereof to his commanding or other superior officer; or

(*b*) uses, or attempts to use, criminal force to, or commits an assault on, his superior officer, whether on or off duty, under any circumstances in which the superior officer is distinguishable as such in any manner; or

(*c*) shamefully abandons or delivers up any garrison, fortress, post or guard committed to his charge, or which it is his duty to defend; or

(*d*) directly or indirectly holds correspondence with, or assists or relieves, any persons in arms against the State, or omits to discover immediately to his commanding or other superior officer any such correspondence coming to his knowledge; and

any such person who, while on active service,—

(*e*) disobeys the lawful command of his superior officer; or

(*f*) deserts the service; or,

(*g*) being a sentry, sleeps upon his post, or quits it without being regularly relieved or without leave; or,

(*h*) without authority, leaves his commanding officer, or his post or party, to go in search of plunder; or

(*i*) quits his guard, picquet, party or patrol without being regularly relieved or without leave; or

(*j*) uses criminal force to, or commits an assault on, any person bringing provisions or other necessaries to camp or quarters, or forces a safeguard, or without authority breaks into any house or any other place for plunder, or plunders, destroys or damages any field, garden or other property of any kind; or

(*k*) intentionally causes or spreads a false alarm in action, camp, garrison or quarters,

shall be punished with transportation for life or for a term of not less than seven years, or with imprisonment, with or without hard labour, for a term which may extend to fourteen years.

4. Any person subject to this Regulation, not being above the rank of súbahdár, who—

Less heinous offences.

(*a*) is in a state of intoxication when on or for any duty, or on parade or on the line of march; or

(*b*) strikes or attempts to force any sentry; or

(*c*) being in command of a guard, picquet or patrol, refuses to receive any prisoner duly committed to his charge, or without proper authority releases any prisoner, or negligently suffers any prisoner to escape; or

(*d*) being under arrest or in confinement, leaves his arrest or confinement before he is set at liberty by proper authority; or

(*e*) is grossly insubordinate or insolent to his superior officer in the execution of his office; or

(*f*) refuses to superintend or assist in the making of any field-work or other military work of any description ordered to be made either in quarters or in the field; or

(*g*) strikes or otherwise ill-uses any person subject to this Regulation being his subordinate in rank or position; or

(*h*) being in command at any post or on the march, and receiving a complaint that any one under his command has beaten or otherwise maltreated or oppressed any person, or has committed any riot or trespass, fails to have due reparation made to the injured person, or to report the case to the proper authority; or

(*i*) designedly or through neglect injures or loses, or fraudulently disposes of, his arms, clothes, tools, equipments, ammunition, accoutrements or regimental necessaries, or any such articles entrusted to him or belonging to any other person; or

(*j*) malingers, feigns or produces disease or infirmity in himself, or intentionally delays his cure, or aggravates his disease or infirmity; or

(*k*) with intent to render himself or any other person unfit for service, voluntarily causes hurt to himself or any other person; and

any such person who, while not on active service,—

(*l*) disobeys the lawful orders of his superior officer; or

(*m*) plunders, destroys or damages any field, garden or other property; or,

(*n*) being a sentry, sleeps upon his post, or quits it without being regularly relieved, or without leave,

shall be punished with imprisonment, with or without hard labour, which may extend to one year.

5. Any person subject to this Regulation, not being above the rank of havildár, who, while on active service, commits any of the offences specified in section three, or in section four, clauses (*a*) to (*k*), both inclusive, may, in lieu of or in addition to any punishment to which he is liable under those sections, be punished with whipping.

Corporal punishment.

In no case, if the cat-of-nine-tails be the instrument employed, shall the punishment of whipping exceed fifty lashes, or, if the ratan be employed, shall the punishment exceed thirty stripes.

6. In addition to the powers conferred upon them by the rules made under section twelve of the said Act No. V of 1861, the Deputy Commissioner, the District Superintendent, or an Assistant District Superintendent of Police in command of a detachment, may, without a formal trial, award to any person subject to his authority and to whom this Act applies the following punishments for the commission of petty offences against discipline which are not otherwise provided for or which are not of a sufficiently serious nature to call for a prosecution before a criminal Court (that is to say):—

Minor punishments.

(*a*) imprisonment to the extent of seven days in the quarter-guard, or such other place in or near the lines as may be considered suitable, with forfeiture of all pay and allowances during its continuance;

(*b*) punishment-drill, extra guard, fatigue or other duty, not exceeding thirty days in duration, with or without confinement to lines.

Any of these punishments may be awarded separately or in combination with the others.

7. Any person sentenced under this Regulation to imprisonment for a period not exceeding three months shall, when also dismissed the service, be imprisoned in the nearest jail; but, when not also dismissed the service, he may, at the discretion of the convicting officer, subject to revision by the Deputy Commissioner, be confined in the quarter-guard or such other place as such officer may consider suitable.

Where person sentenced to imprisonment to be confined.

8. Nothing in this Regulation shall prevent any person from being prosecuted under the said Act No. V of 1861 or any order or rule framed thereunder, or under any other enactment for the time being in force, for any act or omission punishable hereunder, or from being liable under any other enactment to any other or higher penalty than is provided for such act or omission by this Regulation:

Prosecutions, &c., under other enactments.

Provided that no person shall be punished twice for the same offence.

9. Nothing contained in the said Act No. V of 1861 shall be deemed to prevent the Local Government from investing any Police-officer with the powers of a Magistrate for the purpose of inquiring into or trying any offence committed by a Police-officer and punishable under the said Act or this Regulation.

Magisterial powers of Police-officers.

The 28th November, 1881.

No. 29.—In exercise of the power conferred by the Statute 24 & 25 Vic., cap. 67, section 17, the Governor General in Council has been pleased to appoint Wednesday, the 7th proximo, at 11 A M., as the time, and the Council Chamber in the Government House, Calcutta, as the place, for a meeting of the Council of the Governor General for the purpose of making Laws and Regulations.

The 30th November, 1881.

No. 30.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to appoint Mr. G. H. P. Evans, Barrister-at-law, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

The 2nd December, 1881.

No. 31.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to appoint Mr. Louis Forbes, of the Madras Civil Service, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 29th November 1881.

No. 375.—Mr. T. H. Thornton, C.S.I., is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 5th September 1881.

The 30th November 1881.

No. 384.—APPOINTMENT.—Lieutenant John Marcus Clements, Madras Staff Corps, to be a Supernumerary Assistant Commissioner in British Burma.

MEDICAL.

The 2nd December 1881.

No. 612.—The services of Surgeon H. Armstrong, in medical charge of the 5th Madras Native Infantry, are placed at the disposal of the Chief Commissioner of the Central Provinces.

JUDICIAL.

The 29th November 1881.

No. 1528.—Consequent on, and with effect from the date of, the retirement of Mr. T. H. Thornton, D.C.L., C.S.I., Judge of the Chief Court of the Punjab, the Governor General in Council is pleased to confirm Mr. A. Brandreth in the Office of Judge of the Chief Court of the Punjab.

PORT BLAIR.

The 29th November 1881.

No. 317.—Surgeon W. Owen, Second Medical Officer, Port Blair, has obtained privilege leave for three months, with effect from 10th September last.

ECCLESIASTICAL.

The 30th November 1881.

No. 188.—APPOINTMENT.—The Reverend A. L. Mitchell, of the Bengal Ecclesiastical Establishment, to be Chaplain of Nowgong in Bundelkhand, with effect from the 1st instant.

EDUCATION.

The 29th November 1881.

No. 380.—Under Section 12 of Act II of 1857, the Governor General in Council is pleased to authorize the affiliation of the Moharaja's High School, Burdwan, to the Calcutta University up to the standard of the First Examination in Arts, with effect from the 1st January 1882.

PATENTS.

The 2nd December 1881.

No. 1015.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection at all reasonable hours, at the Office of the Secretary to the

Government of India in the Home Department, at the Presidency, upon payment of a fee of one Rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying :—

No. 45 of 1881. Francis Richard Arabin Brown Constable, Major, Bengal Staff Corps, No. 3, Cantonments, Allahabad, for improvements in portable (field) photographic dark tents and operating room, and cabinet-ware in general.

No. 50 of 1881. William Robert Sykes, of Nunhead, England, Telegraph Engineer, for improvements in railway signal apparatus.

No. 53 of 1881. Charles James Hislop Warden, of the Medical College, Calcutta, Surgeon, for the removal of low boiling point hydrocarbons from mineral oils without distillation.

No. 54 of 1881. Auguste J. Rossi, of the City of New York, in the United States of America, for himself, and for and on behalf of, and in trust for, the legal representatives and heirs of Cyprien M. Tessie du Motay, deceased, late of Paris, in the Republic of France, for improvements in, and connected with, the production of cold for the manufacture of ice and other purposes, part of which improvements is also applicable to the safe transportation of ethers.

No. 59 of 1881. Edward Harris Steel, Major, Bengal Staff Corps, for lifting or drawing water from wells, ponds, rivers, canals, &c., or wheresoever it is required that water should be lifted.

No. 67 of 1881. John Storer, Manufacturing Chemist, of Glasgow, Scotland, for improvements in effecting oxidation, reduction, aeration, declorisation or separation by the interaction of gases or vapours with liquids or with each other, and in apparatus therefor.

No. 84 of 1881. St. George Lane Fox, of London, England, gentleman, for improvements in electric lamps, in the manufacture of parts thereof, and in apparatus for exhausting them; the exhausting apparatus being also applicable to other purposes.

No. 87 of 1881. St. George Lane Fox, of London, England, gentleman, for improvements in electric lamps, in the manufacture of parts thereof, and means of turning on and off electric currents for lighting and extinguishing lamps or for other purposes.

No. 90 of 1881. George Westinghouse, Junior, of Pittsburg, Pennsylvania, in the United States of America, for improvements in apparatus for working brakes by fluid pressure.

No. 104 of 1881. Walter Ernest Forbes, Major, Bengal Staff Corps, and Deputy Commissioner in Oudh, residing at Gonda, in Oudh, for punching, stamping or cutting court-fee labels and adhesive stamps liable to cancellation in such manner as to render fraud in connection with such labels and stamps practically impossible, and thus to effectually protect this branch of the Imperial revenues.

No. 105 of 1881. Nelson Goodwin Green, of the City of New York, in the United States of America, gentleman, for improvements in the method of obtaining an increased water-supply for cities, towns, manufactories and for other purposes, and an apparatus for the same.

No. 124 of 1881. Henry Bull, of Calcutta, for a composite brick mould.

No. 130 of 1881. Henry Alfred Alexander Thorn, trading as Charles Lancaster, of 151 New Bond Street, in the County of Middlesex, England, Gunmaker, for improvements in breech-loading fire-arms.

FORESTS.

The 30th November 1881.

No. 1036 *F.*—With reference to the Notification of the Home, Revenue, and Agricultural Department, No. 55 F., dated the 23rd January 1880, Mr. C. Bagshawe, Officiating Conservator of Forests, Hyderabad Assigned Districts, reverted to his substantive appointment of Deputy Conservator of the 2nd Grade, with effect from the 7th November 1881, the date on which Mr. A. T. Drysdale, the Conservator of Forests, rejoined his appointment on return from furlough.

Mr. Bagshawe will continue for the present to be employed in the Hyderabad Assigned Districts.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Fort William, the 2nd December 1881.

No. 236 *I.J.*—Whereas Her Highness the Begum of Bhopal has granted to the British Government full jurisdiction within those portions of the lands forming the Bhopal State Railway, including the lands occupied as stations, outbuildings, and for other purposes connected with the Railway which lie within her territory :—In exercise of such jurisdiction, and of the powers conferred by Sections 4 and 5 of Act XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following Notification :—

Mr. C. Swappe and Mr. J. C. Ledger, Executive Engineers, shall respectively exercise, within the limits of the Bhopal State Railway, the powers of a Magistrate of the 2nd Class as described in Act X of 1872 (the Code of Criminal Procedure).

Mr. E. J. Shadbolt and Babu Shiv Dayal, Assistant Engineers, shall respectively exercise, within the limits of the Bhopal State Railway, the powers of a Magistrate of the 3rd Class, as described in Act X of 1872 (the Code of Criminal Procedure).

The 28th November 1881.

No. 234 *A.-I.J.*—The Notification of the Foreign Department, No. 2528G. of the 15th December 1875, published at page 647 of the *Gazette of India* of the 18th idem, is hereby cancelled, and the following Notification is substituted for it :—

Whereas the Raja of Nabha and the Nawab of Pataudi have granted to the British Government full jurisdiction within those portions of land forming the Rajputana (State) Railway, including lands occupied as stations, outbuildings and for other purposes connected with the Railway, which lie within their respective territories :—In exercise of such jurisdiction, and of the powers conferred by Sections 4 and 5 of Act XXI of 1879 (The Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to notify as follows :—

1. All laws for the time being in force in the Goorgaon District of the Delhi Division are hereby extended to all the aforesaid portions of land.

2. The Deputy Commissioner of the Goorgaon District, and the Commissioner of the Delhi Division, for the time being, and the Chief Court of the Punjab, respectively, shall exercise within all the aforesaid portions of land the same executive powers as they may, respectively, exercise within the British territories subject to their jurisdiction.
3. All British Courts having jurisdiction within the Goorgaon District shall exercise the same jurisdiction within all the aforesaid portions of land.
4. Within all the aforesaid portions of land the administration of the Police shall be vested in the Superintendent of the Rajputana (State) Railway Police, who shall exercise the same Police powers as may be exercised by District Superintendents of Police under any law for the time being in force in British territory, in subordination to the Deputy Commissioner of the Goorgaon District and the Inspector General of Police in the Punjab.

GENERAL.

The 30th November 1881.

No. 2026 *G.G.*—Mr. W. B. Jones, Commissioner of the Hyderabad Assigned Districts, and Officiating Resident at Hyderabad, is granted one month's privilege leave from the 15th December 1881, or such subsequent date as he may avail himself of it.

POLITICAL.

The 2nd December 1881.

No. 347 *G.P.*—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. C. C. Ellis as Consular Agent for the United States of America at Chittagong.

No. 350 *G.P.*—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. D. E. Micrusachi as Vice-Consul for Greece at Calcutta.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 30th November 1881.

No. 1745.—Mr. T. H. S. Biddulph assumed charge of the Office of Assistant Accountant General, Punjab, before noon, on the 17th November 1881.

The 2nd December 1881.

No. 1765.—Mr. C. J. Rivett-Carnac, Assistant Accountant General, North-Western Provinces and Oudh, having returned from privilege leave, resumed charge of his duties, before noon, on the 18th November 1881.

Mr. R. E. Hamilton, recently appointed to officiate as Deputy Accountant General, Madras, having been granted privilege leave for three weeks, availed himself of the leave, before noon, on the 18th November 1881.

No. 1766.—Mr. A. U. Fanshawe, B C.S., resumed charge of his appointment as Officiating Post Master General, Bombay, before noon, on the 14th November 1881.

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

MILITARY DEPARTMENT.

Fort William, the 2nd December, 1881.

APPOINTMENTS.

No. 646.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Lieutenant Rullion Hare Rattray, 2nd Battalion, Cheshire Regiment, Wing Officer, 22nd Native Infantry,—23rd April, 1880.

Lieutenant Francis George Rodney Ostrehan, 1st Battalion, Royal Warwickshire Regiment, Wing Officer, 9th Native Infantry,—1st May, 1880.

The commission of Lieutenant Ostrehan is antedated to the 1st May, 1880, subject to Her Majesty's approval.

Lieutenant William James Knowles Dobbin, 1st Battalion, Devonshire Regiment, Officiating Wing Officer, 21st Native Infantry, now Officiating Wing Officer, 1st Sikh Infantry,—20th August, 1880.

No. 647.—MILITARY ACCOUNT DEPARTMENT—

The undermentioned officers are appointed to the Military Accounts Department as Assistant Military Accountants, on probation, and will rank as follows :—

	Date of passing preliminary examination.
Lieutenant W. H. Young, Bengal S.C., Wing Officer and Quartermaster, 21st Native Infantry	... 15th October, 1881.
Lieutenant G. B. Renny, Bengal S. C., Squadron Officer and Adjutant, 1st Bengal Cavalry	... 28th October, 1881.
Lieutenant H. F. S. Ramsden, Madras S. C., Wing Officer, 10th Madras Native Infantry	... 24th October, 1881.

No. 648.—COMMISSARIAT DEPARTMENT—

Lieutenant C. V. W. Williamson, Bengal S. C., Officiating Wing Officer, 4th Sikh Infantry, to be a Sub-Assistant Commissary-General, 3rd class, on probation, with effect from the 25th October, 1881, to fill an existing vacancy.

No. 649.—PUNJAB FRONTIER FORCE—

5th Punjab Cavalry.

Lieutenant A. P. Williamson, Officiating Squadron Officer, to be Squadron Officer, *vice* Major W. J. Vousden, v.c., seconded.

1st Punjab Infantry.

Lieutenant W. G. Carter, Officiating Wing Officer, on probation, to be Wing Officer, on probation, *vice* Lieutenant T. C. Pears, seconded.

No. 650.—HYDERABAD CONTINGENT—

No. 4 Field Battery.

Lieutenant R. M. B. F. Kelly, R.A., Officiating Subaltern, to be Subaltern, *vice* Lieutenant A. P. Penton, resigned.

2nd Infantry.

Surgeon C. Mallins, M.B., Madras Establishment, to officiate as Medical Officer during the absence on furlough of Surgeon C. L. Swaine, M.B., or until further orders.

FURLOUGH AND LEAVE.

No. 651.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Major E. H. Steel, Bengal S. C., Assistant Superintendent, 2nd grade, officiating 1st grade, Survey of India, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Lieutenant F. M. Drury, Bengal S. C., Wing Officer, 17th Native Infantry, (m.c.) for one year, under rule I of the regulations of 1875.

No. 652.—The undermentioned officers have been granted extensions of furlough by the Right Hon'ble the Secretary of State for India:—

Lieutenant-Colonel G. N. Money, Bengal S. C., (m. c.) for three months.

Lieutenant-Colonel R. E. Boyle, Bengal S. C., (m. c.) for six months.

Captain (Brevet Major) C. R. Macgregor, Bengal S. C., (p. a.) for six months.

Captain G. M. Bellasis, Bengal S. C., (p. a.) for two months.

Lieutenant C. Herbert, Bengal S. C., (m. c.) for three months.

Surgeon A. Duncan, M.D., (m. c.) for three months.

LONDON GAZETTE.

No. 653.—The following extracts are published for general information:—

"London Gazette," dated the 28th October, 1881, pages 5307 and 5308.

War Office, Pall Mall, 28th October, 1881.

BREVET.

MEMORANDA.

The undermentioned Officers to be Colonels:—

Lieutenant-Colonel Henry Pelham Close, Bombay Staff Corps. Dated 20th March, 1881.

Lieutenant-Colonel Charles Henry Clay, Bombay Staff Corps. Dated 24th August, 1881.

Honorary Lieutenant and Deputy Commissary James Tims, Madras Establishment, to be Honorary Captain. Dated 1st August, 1881.

Deputy Assistant-Commissary Giles Penstone, Bombay Establishment, to be Honorary Lieutenant. Dated 1st May, 1881.

Deputy Assistant-Commissary Benjamin Prichard, Madras Establishment, to be Honorary Lieutenant. Dated 1st August, 1881.

"London Gazette," dated the 1st November, 1881 page 5354.

India Office, 1st November, 1881.

THE Queen has approved of the retirement from the Service of the undermentioned Officers of Her Majesty's Indian Military Forces:—

Lieutenant-Colonel and Brevet Colonel Joseph Reay, of the Bengal Staff Corps. Dated 1st October, 1881.

Lieutenant-Colonel and Brevet Colonel William Winson, of the Bengal Staff Corps, Dated 1st October, 1881.

Captain John Tod McGoun, of the Half-Pay List, Madras Staff Corps. Dated 8th September, 1881.

Brigade-Surgeon Theobald Ringer, M.D., of the Bengal Army. Dated 21st September, 1881.

Surgeon-Major Simon Mackertich, M.D., of the Bengal Army. Dated 6th September, 1881.

Surgeon-Major Alexander Dugald Campbell, M.D., of the Bengal Army. Dated 20th October, 1881.

HER Majesty has approved of the undermentioned Officer being permitted to resign the Service:—

Major Donald Christian Strachan Lindsay Carnegie, of the Bengal Army. Dated 5th October, 1881.

HER Majesty has approved of the transfer of the undermentioned Officer to the Retired List:—

Major Steuart Colquhoun MacTier, of the Bengal Staff Corps. Dated 1st November, 1881.

BREVET.

The undermentioned Officers are granted a step of honorary rank on retirement:—

To be Major-Generals.

Lieutenant-Colonel and Brevet Colonel Joseph Reay, of the Bengal Staff Corps. Dated 1st October, 1881.

Lieutenant-Colonel and Brevet Colonel William Winson, of the Bengal Staff Corps. Dated 1st October, 1881.

To be Deputy Surgeon-General.

Brigade-Surgeon Samuel Jardine Wyndowe, M.D., of the Madras Army. Dated 15th June, 1881.

To be Brigade-Surgeon.

Surgeon-Major John Barclay Scriven, of the Bengal Army. Dated 13th June, 1881.

PENSIONS.

No. 654.—Deputy Assistant-Commissary and Honorary Lieutenant William Willson, Office of the Adjutant-General in India, is transferred to the Pension establishment, with effect from the 1st December, 1881.

PROMOTIONS.

No. 655.—The following promotions are made subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Captain.

Lieutenant St, John Fancourt Michell,—1st December, 1881.

BENGAL ARMY.

To be Colonel.

Lieutenant-Colonel George Battye Fisher, Bengal Infantry,—27th November, 1881.

No. 656.—SUBORDINATE MEDICAL DEPARTMENT—

Passed Hospital-Apprentice Lawrence John Reilly, to be 2nd Class Assistant-Apothecary, with effect from the 30th September, 1881, *vice* Assistant-Apothecary C. Archer, deceased.

No. 657.—VOLUNTEER CORPS—

East Indian Railway Volunteer Rifle Corps—

Volunteer Henry Glen Stuart, to be Lieutenant.

RETIREMENTS.

No. 658.—Lieutenant-Colonel Hugh Arthur Lewes, Bengal S. C., is permitted to retire from the service, with effect from the 1st December, 1881, subject to Her Majesty's approval.

No. 659.—Captain (Brevet Major) George Edmonds, Unattached List, has been permitted to retire from the service, with effect from the 22nd November, 1881, subject to Her Majesty's approval.

G. CHESNEY, *Colonel,*

Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 1st December, 1881.

Under clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from the 15th November to the 1st December, 1881:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
1st Battalion, Suffolk Regiment.	Lieutenant A. M. Brabazon ...	13th November, 1881.	Khyrabad, Sitapur.		
1st Dragoon Guards ...	„ E. C. Waud ...	17th November, 1881.	Agra.		

G. CHESNEY, *Colonel,*

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 29th November 1881.

No. 371.—Messrs. F. E. Gwyther and R. E. Purves, Apprentice Engineers, Punjab, are promoted to the rank of Assistant Engineer, 3rd Grade, with effect from the 1st December 1881.

The 1st December 1881.

No. 372.—Major F. J. Home, R.E., Executive Engineer, 1st Grade, North-Western Provinces and Oudh, is appointed to officiate as a Superintending Engineer, with temporary rank in Class III, with effect from the date on which he assumes charge of the 3rd Circle of Irrigation.

No. 373.—Consequent on the return from privilege leave of Major-General A. Fraser, C.B., R.E., Secretary to the Government of India in the Public Works Department, Colonels W. S. Trevor, V.C., R.E., and F. S. Stanton, R.E., reverted to their substantive appointments, with effect from the 27th November 1881.

The 2nd December 1881.

No. 374.—Colonel F. W. Peile, R.E., Chief Engineer, Class II, is appointed to officiate as Chief Engineer and Secretary to Government, North-Western Provinces and Oudh, in the Public Works Department, during the absence on privilege leave of Colonel Brownlow, R.E., or until further orders.

No. 375.—The services of Lieutenant-General C. W. Hutchinson, R.E., were replaced at the disposal of the Military Department on the 16th September 1881.

No. 376.—The following reversions are ordered with effect from the dates specified:—

Names.	From	To	With effect from
Mr. W. H. Parker ...	Officiating Superintending Engineer, Class I.	Superintending Engineer, Class II.	22nd October 1881.
Mr. D. F. Hogarth ...	Officiating Superintending Engineer, Class III.	Executive Engineer, 1st Grade.	22nd October 1881.
Captain R. A. Sargeaunt, R.E. ...	Superintending Engineer, Class III, temporary rank.	Officiating Superintending Engineer, Class III.	9th November 1881.
Mr. F. L. Dibblee ...	Officiating Superintending Engineer, Class III.	Executive Engineer, 1st Grade.	9th November 1881.

No. 377.—The services of Mr. J. Willcocks, Assistant Engineer, 2nd Grade, on the Establishment of the Director General of Railways, are placed at the disposal of the Government of Bengal, Railway Branch.

No. 378.—Mr. L. E. H. Yates, Assistant Locomotive Superintendent, in Class III of the State Railway Revenue Scale, on the Establishment of the Director General of Railways, is transferred to Bengal for employment in the Railway Branch.

No. 379.—Mr. E. J. Moore, Executive Engineer, 2nd Grade, is, on return from furlough, placed temporarily under the orders of the Chief Commissioner, Assam, in connection with the proposed railway reconnaissance through the Garo Hills.

No. 380.—The services of Major J. A. Armstrong, R.E., Executive Engineer, 1st Grade, Punjab, are placed temporarily at the disposal of the Foreign Department.

No. 381.—Lieutenant J. E. Dickie, R.E., Assistant Engineer, 2nd Grade, Railway Branch, temporarily employed under the Government of Bombay, Public Works Department, is transferred to the Military Works Branch.

ALEX. FRASER, *Major-General, R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 50.} CALCUTTA, SATURDAY, DECEMBER 10, 1881.

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

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PART III.—Advertisements and Notices by private individuals and Corporations.

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Nothing for publication.

SUPPLEMENT No. 50.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 9th December, 1881.

No. 32.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., c. 67, section 10, has been pleased to appoint Mr. C. H. T. Crosthwaite, Bengal Civil Service, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations, with effect from the 7th instant.

No. 33.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., c. 67, section 10, has been pleased to appoint Mr. A. B. Inglis to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 9th December 1881.

No. 1955.—APPOINTMENT.—Mr. J. C. Clancey is appointed temporarily to be an Extra Assistant Commissioner of the 2nd Class, 1st Grade, in British Burma.

ESTABLISHMENTS.

The 9th December 1881.

No. 393.—*Erratum.*—In Notification No. 373, dated the 24th November 1881, regarding Mr. W. C. Capper's resignation, for "25th instant," read "8th December 1881."

ECCLESIASTICAL.

The 8th December 1881.

No. 196.—The Reverend S. B. Taylor to be Chaplain of Gauhati and Shillong in Assam, with effect from the 3rd December 1881.

No. 199.—The services of the Reverend H. C. Spring, Chaplain of Shillong and Gauhati in Assam, are placed at the disposal of the Government of Bengal, with effect from the 3rd December 1881.

No. 202.—The Reverend J. H. Taylor to be Chaplain of Saugor in the Central Provinces, with effect from the 11th December 1881.

No. 205.—The services of the Reverend W. J. Burdett, Chaplain of Saugor in the Central Provinces, are placed at the disposal of the Government of the North-Western Provinces and Oudh, with effect from the 11th December 1881.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—SURVEYS.

Calcutta, the 9th December 1881.

No. 234 *S.*—Mr. T. H. D. LaTouche, who has been nominated as an Assistant of the 3rd Grade in the Geological Survey of India, joined his appointment on the 29th ultimo.

E. C BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 9th December, 1881.

No. 2061 *G. G.*—Mr. R. I. Bruce, C.I.E., Political Agent, 2nd Class, on return from furlough, is posted as 1st Assistant to the Agent to the Governor General in Biluchistan.

The 9th December 1881.

No. 2065 *G. G.*—Lieutenant B. M. Allen, B.S.C., Wing Officer, 2nd Punjab Infantry, is appointed to officiate as a Squadron Officer, 1st Regiment, Central India Horse.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 8th December 1881.

No. 1845.—Whereas in March and April 1880 the Trustees of the Port of Bombay raised a Debenture Loan for Rupees ten lakhs and paid the stamp duty chargeable on the Bonds which were issued previous to the issue of the Rules promulgated by Notification No. 3646, dated 13th November 1880, regarding composition for the payment of stamp duty on debenture bonds issued by Corporate Bodies:

In exercise of the powers conferred by section 8 of the Indian Stamp Act, 1879, the Governor General in Council is pleased to remit the stamp duty chargeable on the renewal or subdivision of the debentures referred to.

The 9th December 1881.

No. 1875.—The following Addendum to the Codes of the Financial Department is published for general information.

C. P. C.

Insert the following as Section 6 A:—

6 A. An officer who was employed under the Military Department in Afghanistan, and who was obliged to take furlough or leave in or out of India in consequence of illness contracted on service, is entitled to reckon as pensionable service the period of his furlough to the extent of his employment under the Military Department, but not exceeding a maximum of one year: Provided always that no application for this concession shall be entertained unless the sickness was such as to render the absence of the officer on medical certificate immediately necessary.

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

MILITARY DEPARTMENT.

Fort William, the 9th December, 1881.

APPOINTMENTS.

No. 660.—STAFF CORPS—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Edward William Fane Martin, 1st Battalion, Border Regiment, Wing Officer, 1st Goorkha Regiment,—14th November, 1879.

No. 661.—NATIVE ARMY—

Jemadar Ibrahim Khan, appointed on probation to the 1st Bengal Cavalry in G. G. O. No. 874 of 1879, is confirmed in that rank, with effect from the 20th October, 1879.

No. 662.—VOLUNTEER CORPS—

1st and 2nd Punjab Volunteer Rifle Corps.

Captain T. H. Goldney, Wing Officer, 38th Native Infantry, to be Adjutant, *vice* Major C. S. Bailey, whose term of service will expire on the 31st December, 1881.

FURLOUGH AND LEAVE.

No. 663.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Major-General H. W. Gulliver, R.E., Chief Engineer, 2nd class, Chief Engineer and Joint Secretary to the Government of the Punjab, Public Works Department, (p. a.) for 213 days, under rule IX of the regulations of 1868, embarking on or after the 7th January, 1882.

Conductor J. Combe, Ordnance Department, (m. c.) for one year, under the regulations of 1868.

No. 664.—Surgeon E. G. Russell, M B., is granted an extension of furlough (p. a.) from the 24th to the 28th October, 1881, the date of his arrival at Bombay, without pay.

No. 665.—Captain R. A. C. King, R.A., has been granted an extension of furlough (m.c.) for six months by the Right Hon'ble the Secretary of State for India.

LONDON GAZETTE.

No. 666.—The following extracts are published for general information:—

"London Gazette," dated the 4th November, 1881, pages 5401 to 5403.

War Office, Pall Mall, 4th November, 1881.

INDIAN STAFF CORPS.

The following Officers of the Staff Corps to be transferred to the Unemployed Supernumerary List, from 1st July, 1881:—

Generals.

Sir A. M. Becher, K.C.B., Bengal.
D. Pott, C.B., Bengal (since deceased).
W. E. Mulcaster, Bengal.
Sir O. Cavenagh, K.C.S.I., Bengal.
J. S. Paton, C.B., Bengal.
H. J. Pelly, Bombay.
R. R. Younghusband, C.B., Bombay.
Sir C. Reid, K.C.B., Bengal.
G. P. Whish, Bengal.
Sir G. Malcolm, K.C.B., Bombay.
H. F. Dunsford, C.B., Bengal.
G. Ramsay, Bengal.

Lieutenant-Generals.

A. Fytche, C.S.I., Bengal.
J. L. Vaughan, C.B., Bengal.
Sir A. P. Phayre, G.C.M.G., K.C S.I., C.B., Bengal.
J. T. Shakespear, Bengal.
G. Jackson, Bengal.
R. N. Raikes, Bengal.
R. C. Lawrence, C.B., Bengal.
H. Nicoll, Bengal.
G. A. Fisher, Bengal (since deceased).
J. Wilson, Madras.
S. H. Becher, Bengal.
F. D. Atkinson, Bengal.
C. Harris, Bengal.

Major-Generals.

F. H. Scott, Madras.
J. S. D. Tulloch, Bengal.
G. W. Russell, Madras.
M. C. Spottiswoode, Madras.
H. Man, Madras.
C. L. Showers, Bengal.
A. Turner, Bengal.
W. C. R. Macdonald, C.B., Madras.
C. F. M. Mundy, Bengal.
A. R. Thornhill, Madras.
J. C. Brooke, Bengal.
R. Woolley, Madras.
R. Richards, Bombay.
C. R. W. Hervey, C.B., Bombay.
J. C. Gastrell, Bengal.
T. Thompson, Madras.
S. J. K. Whitehill, Bombay.
G. A. Leckie, Bombay.
H. D. Abbott, C.B., Madras.
E. W. Boudier, Madras.
S. Richards, Bengal.
S. J. Batten, Madras.
J. H. M. Babington, Madras.
C. M. Barrow, C.B., Bombay.
D. Boyd, Bombay.
F. Young, Madras.
J. C. Haughton, C.S.I., Bengal.

Colonels.

A. Robinson, Bengal.
C. P. Molony, Madras.
H. Hopkinson, C.S.I., Bengal.
R. R. Mainwaring, Bengal.
M. T. Ffrench, Madras.
A. F. Place, Madras.
W. S. Simpson, Madras.
Sir R. J. Meade, K.C.S.I., C.I.E., Bengal.
J. M. Macgregor, Madras.
G. Holroyd, Bengal.
J. R. McMullin, Bengal.
F. J. B. Priestley, Madras.
F. P. Layard, Bengal.
A. Cooper, Madras.
A. Howlett, C.B., Madras.
G. S. A. Anderson, Bombay.
W. D. Morgan, Bengal.
G. C. Hatch, C.S.I., Bengal.
S. Mainwaring, Madras.
A. H. Ternan, Bengal.
E. J. Lawder, Madras.
A. Macqueen, Bengal.
G. R. Phillips, Madras.
R. N. Tronson, Bengal.
G. U. Price, Bombay.
R. Benson, Madras.
J. B. Dennys, Bengal.
G. Baldock, Madras.
W. L. Cahusac, Bombay.
E. T. Fasken, Madras.
P. F. Gardener, Bengal.
T. Gillilan, Madras.
J. T. Francis, Bombay.
A. F. Baird, Bengal.
J. P. Watts, Madras.
C. Hight, Madras.
G. Pringle, Madras.

Promotions to take place from the 1st July, 1881, in consequence of the above-named General Officers being placed on the Unemployed Supernumerary List, and in order to complete the establishment of General Officers for the Indian Staff Corps under Article 18 of the Royal Warrant of the 25th June, 1881:—

Lieutenant-General to be General.

Local General Sir D. M. Stewart, Bart., G.C.B., C.I.E., Bengal.

Major-General to be Lieutenant-General.

M. J. Turnbull, Bengal.

Colonels to be Major-Generals.

Local Major-General F. G. Kempster, Madras.
H. K. Burne, C.B., Bengal.
C. T. Aitchison, C.B., Bombay.
Sir C. H. Brownlow, K.C.B., Aide-de-Camp to Her Majesty, Bengal.
Local Major-General Sir C. P. Keyes, K.C.B., Madras.
T. Wright, C.B., Bengal.
Sir C. C. G. Ross, K.C.B., Bengal.
Sir P. S. Lumsden, K.C.B., Aide-de-Camp to Her Majesty, Bengal.
J. Watson, C.B., V.C., Aide-de-Camp to Her Majesty, Bombay.
W. C. Anderson, C.S.I., Bombay.
E. F. Burton, Madras.
J. M. Cripps, Bengal.
J. C. Hood, Bengal.
F. Mardall, Madras.
C. C. Drury, Bengal.
J. A. Wright, Bengal.

Promotions to take place from the 1st July, 1881, upon the Unemployed Supernumerary List:—

Lieutenant-General to be General.

A. Fytche, C.S.I., Bengal.

Major-Generals to be Lieutenant-Generals.

F. H. Scott, Madras.
J. S. D. Tulloch, Bengal.
G. W. Russell, Madras.
M. C. Spottiswoode, Madras.
H. Man, Madras.
C. L. Showers, Bengal.
A. Turner, Bengal.
W. C. R. Macdonald, C.B., Madras.
C. F. M. Mundy, Bengal.
A. R. Thornhill, Madras.
J. C. Brooke, Bengal.
R. Woolley, Madras.
R. Richards, Bombay.
C. R. W. Hervey, C.B., Bombay.
J. E. Gastrell, Bengal.
T. Thompson, Madras.
S. J. K. Whitehill, Bombay.
G. A. Leckie, Bombay.
H. D. Abbott, C.B., Madras.
E. W. Boudier, Madras.
S. Richards, Bengal.
S. J. Batten, Madras.

Colonels to be Major-Generals.

A. Robinson, Bengal.
C. P. Molony, Madras.
H. Hopkinson, C.S.I., Bengal.
R. R. Mainwaring, Bengal.
M. T. Ffrench, Madras.
A. F. Place, Madras.
W. S. Simpson, Madras.
Sir R. J. Meade, K.C.S.I., C.I.E., Bengal.
J. M. Macgregor, Madras.
G. Holroyd, Bengal.
J. R. McMullin, Bengal.
F. J. B. Priestley, Madras.
F. P. Layard, Bengal.
A. Cooper, Madras.
A. Howlett, C.B., Madras.
G. S. A. Anderson, Bombay.
W. D. Morgan, Bengal.
G. C. Hatch, C.S.I., Bengal.
S. Mainwaring, Madras.
A. H. Ternan, Bengal.
E. J. Lawder, Madras.
A. Macqueen, Bengal.
G. R. Phillips, Madras.
R. N. Tronson, Bengal.
G. U. Price, Bombay.
R. Benson, Madras.
J. B. Dennys, Bengal.
G. Baldock, Madras.
W. L. Cahusac, Bombay.
E. T. Fasken, Madras.

PROMOTIONS.

No. 667.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major John Liston,—7th December, 1881.
Major (Brevet Lieutenant-Colonel) Alfred FitzHugh, C.B.,—7th December, 1881.
Major Russell Morland Skinner,—7th December, 1881.
Major Frederick Peere Williams Freeman,—7th December, 1881.
Major Francis David Millett Brown, V.C.,—8th December, 1881.
Major William Vesy FitzGerald Jacob,—8th December, 1881.
Major Robert Wheeler,—8th December, 1881.

To be Captains.

Lieutenant Aubrey DeVere Alexander,—8th December, 1881.
Lieutenant Robert Francis Trotter,—8th December, 1881.

BENGAL ARMY.

To be Major.

Captain William Hope Meiklejohn, General List, Infantry,—4th December, 1881.

BREVET.

To be Colonels.

Lieutenant-Colonel George Charles DePrée, Bengal S.C.,—9th December, 1881.
Lieutenant-Colonel William Peyton, Madras S.C.,—9th December, 1881.

No. 668.—COLONEL'S ALLOWANCE—

Lieutenant-Colonel (Brevet Colonel) George Crommelin Hankin, Bengal S.C., is admitted to the Colonel's allowance from the 8th December 1881.

No. 669.—NATIVE ARMY—

19th Bengal Lancers.

Ressaldar Isree Sing, to be Ressaldar-Major, *vice* Abdul Kurim Khan, invalided; Resaidar Jowahir Sing, to be Ressaldar, *vice* Isree Sing, promoted; Jemadar Kishen Sing, to be Resaidar, *vice* Gunda Sing, invalided; Jemadar Mahomed Khan, to be Woordie-Major, *vice* Mahomed Shahriar, resigned; Kote-Duffadar Hookum Sing, to be Jemadar, *vice* Kishen Sing, promoted; Duffadar Shere Mahomed, to be Jemadar, *vice* Mahomed Khan, promoted,—17th July, 1881.

15th Native Infantry.

Jemadar Lainah Singh, to be Subadar, *vice* Khosial Singh, deceased; Havildar Punjab Singh, to be Jemadar, *vice* Lainah Singh, promoted,—12th September, 1881.

No. 670.—PUNJAB FRONTIER FORCE—

1st Sikh Infantry.

Subadar Jamal Din, to be Subadar-Major, *vice* Nihal Singh, deceased,—17th August, 1881.

3rd Punjab Infantry.

Jemadar Budloo Opadiah, to be Subadar, *vice* Jeewun Sing, pensioned; Havildar Shere Sing, to be Jemadar, *vice* Budloo Opadiah, promoted,—20th September, 1881.

RETIREMENTS.

No. 671.—Major Thomas Doyle, Unattached List, is transferred to the Invalid establishment, under the provisions of G. G. O. No. 819 of 1857.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Fort William, the 9th December, 1881.

APPOINTMENTS.

No. 44.—Mr. H. W. de la Poer Beresford, to be a 4th Grade Officer in Her Majesty's Indian Marine, on probation, with effect from date of joining.

Mr. R. D. F. Piffard, to be a 4th Grade Officer in Her Majesty's Indian Marine, on probation, with effect from date of joining.

Mr. S. Sykes, to be a 4th Grade Officer in Her Majesty's Indian Marine, on probation, with effect from date of joining.

Mr. J. Patterson, to be an Assistant Engineer, 2nd Class, in Her Majesty's Indian Marine, on probation, with effect from the 18th November, 1881.

Mr. J. Keymer, to be an Assistant Engineer, 2nd Class, in Her Majesty's Indian Marine, on probation, with effect from date of joining.

Mr. A. Spence, to be an Assistant Engineer, 2nd Class, in Her Majesty's Indian Marine, on probation, with effect from the 9th November 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 3rd December 1881.

No. 382.—The following reversions are ordered, with effect from the dates specified:—

Colonel J. O. Mayne, R.E., Officiating Chief Engineer, Class II, to Chief Engineer, Class III, from 16th October 1881.

Lieutenant-Colonel R. deBourbel, R.E., Officiating Chief Engineer, Class II, to Chief Engineer, Class III, from 27th November 1881.

Lieutenant-Colonel R. C. B. Pemberton, R.E., Officiating Chief Engineer, Class III, to Superintending Engineer, Class I, from 27th November 1881.

Colonel Mayne, R.E., is again promoted to officiate in Class II, from 16th November 1881.

The 6th December 1881.

No. 383.—With reference to Public Works Department Notification No. 363, dated the 11th November 1881, Major G. R. Gibbs, S.C., Executive Engineer, 2nd Grade, Central India, is appointed to officiate as Assistant Secretary to the Government of India, Public Works Department, Civil Works Branch.

No. 384.—CORRIGENDUM.—Omit the following words from Public Works Department Notification No. 366, dated 12th November 1881:—

"and Officiating Under Secretary to the Government of Bombay, Railway Branch."

The 5th December 1881.

No. 385.—Major P. Lambert, R.E., Examiner, 3rd Class, is, on return from furlough, appointed Examiner, Public Works Accounts, North-Western Provinces and Oudh.

The 6th December 1881.

No. 386.—Major R. G. Smyth, R.E., Superintending Engineer, 2nd Class, with temporary rank in the 1st Class, is transferred from Bengal to Hyderabad as Superintending Engineer and Secretary to the Resident in the Public Works Department.

Mr. J. H. Wilson, Executive Engineer, 1st Grade, Central Provinces, is promoted to be Superintending Engineer, 3rd Class, and posted to Bengal.

ALEX. FRASER, *Major-General, R.E.,*
Secy. to the Govt. of India.

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№ 51.} CALCUTTA, SATURDAY, DECEMBER 17, 1881.

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

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PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Fort William, the 14th December, 1881.

No. 34.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to nominate Rájá Shiva Prasada, C.S.I., of Benares, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 10th December 1881.

No. 395.—In consequence of the creation of the appointment of Akoonwoon for the Rangoon Town District, the following promotion, on probation for one year, is made in the Subordinate Executive and Judicial Service of British Burma:—

Moung Shway Waing, Extra Assistant Commissioner, 3rd Class, 1st Grade, to be Extra Assistant Commissioner, 1st Class, 1st Grade.

No. 397.—Mr. R. D. Hime is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 8th September 1881.

MEDICAL.

The 15th December 1881.

No. 622.—Surgeon-Major B. Franklin is appointed to officiate as Joint Medical Officer in charge of Simla, during the absence of Surgeon A. Crombie, M.D., on privilege leave, or until further orders.

The 16th December 1881.

No. 637.—The services of Surgeon-Major A. McM. Paterson are replaced at the disposal of the Military Department, with effect from the 10th November 1881.

JUDICIAL.

The 15th December 1881.

No. 1592.—In exercise of the power conferred by Section 5 of Act XIV of 1874 (The Scheduled Districts Act), the Chief Commissioner of Assam is pleased, with the previous sanction of the Governor General in Council, to extend Act I (B.C.) of 1876 (An Act to provide for the voluntary registration of Mahomedan marriages and divorces), with the omission of Section 1, to the district of Sylhet in the Chief Commissionership of Assam.

POLICE.

The 14th December 1881.

No. 394.—APPOINTMENT.—Mr. H. N. K. J. Davies, an Inspector of Police in British Burma, to officiate as Assistant District Superintendent of Police during the absence on leave of Mr. J. Fulton, or until further orders.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.—SURVEYS.

Calcutta, the 14th December 1881.

No. 241*S.*—Mr. W. Theobald, Deputy Superintendent in the Geological Survey of India, is permitted to retire from his appointment, with effect from the 14th June 1881.

No. 242*S.*—Consequent on the retirement of Mr. Theobald, the following promotions are made in the Geological Survey of India :—

Mr. R. B. Foote, F.G.S., Assistant Superintendent of the 1st Grade, to be Deputy Superintendent.

Mr. A. B. Wynne, F.G.S., Assistant Superintendent of the 2nd Grade, to be Assistant Superintendent of the 1st Grade.

Mr. C. A. Hacket, Assistant Superintendent of the 3rd Grade, to be Assistant Superintendent of the 2nd Grade.

No. 244*S.*—Mr. V. Ball, A.M., F.G.S., Assistant of the 2nd Grade in the Geological Survey of India, is permitted to resign his appointment, with effect from the 14th October 1881.

No. 245*S.*—Consequent on the resignation of his appointment by Mr. Ball, Mr. R. Lydekker, A.B., Assistant of the 3rd Grade, is promoted to the 2nd Grade.

METEOROLOGY.

The 16th December 1881.

No. 60 *M.*—Mr. H. F. Blanford, Meteorological Reporter to the Government of India, is granted privilege leave for three months, under Section 71, Chapter V, of the Civil Leave Code, with effect from the 6th instant.

Mr. J. Eliot, Meteorological Reporter to the Government of Bengal, is appointed to act, in addition to his own duties, as Meteorological Reporter to the Government of India, during the absence of Mr. H. F. Blanford on privilege leave.

E. C. BUCK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 16th December 1881.

No. 2103 *G. G.*—Consequent on the return from leave of Major (Brevet Lieutenant-Colonel) J. W. Ridgeway, Junior Under-Secretary in the Foreign Department, the following arrangements are made with effect from the 5th December 1881 :—

Captain T. Hope, Political Assistant 1st Class, Assistant Secretary to the Government of India in the Foreign Department, to officiate as a Political Agent, 3rd Class, *vice* Mr. A. H. T. Martindale, C.S.

Mr. A. H. T. Martindale, Madras C.S., is placed on special duty under the Foreign Department till further orders.

Mr. H. S. Barnes, B.C.S., Political Assistant, 1st Class, *sub. pro tem.*, to officiate as a Political Assistant, 1st Class.

No. 2105 *G. G.*—Consequent on the return of the undermentioned officers to duty—

Mr. R. I. Bruce, C.I.E., Political Agent, 2nd Class (from furlough),

Major E. Mockler, Bo.S.C., Political Agent, 3rd Class (from furlough),

Major F. A. Wilson, B.S.C., Political Agent, 3rd Class (from special duty),

the following reversions will take place in the Political Department, with effect from the dates specified :—

(1) From the date on which Mr. R. I. Bruce, C.I.E., returned to duty—

Captain E. A. Fraser, Political Assistant, 3rd Class, and Officiating Political Agent, 2nd Class, to officiate as a Political Agent, 3rd Class.

Mr. Ney Elias, Political Assistant, 1st Class, and Officiating Political Agent, 3rd Class, to revert to his substantive rank.

Lieutenant R. H. Jennings, R.E., Officiating Political Assistant 1st Class, to officiate as a Political Assistant 2nd Class.

Captain A. M. Muir, Officiating Political Assistant, 2nd Class, to officiate as a Political Assistant, 3rd Class.

Lieutenant E. E. M. Lawford, Officiating Political Assistant, 3rd Class, reverts from that grade, and is posted as Boundary Settlement Officer in Bhopal.

(2) From the date on which Major F. A. Wilson was relieved of his duties as tutor to His Highness the Nizam—

Captain D. Robertson, Political Assistant, 2nd Class, and Political Agent, 3rd Class, *sub. pro tem.*, to officiate as a Political Agent, 3rd Class.

(3) From the date on which Major E. Mockler returned to duty—

Captain J. H. Newill, Political Assistant, 2nd Class, and Officiating Political Agent, 3rd Class, to officiate as a Political Assistant, 1st Class.

Lieutenant H. L. Ramsay, Officiating Political Assistant, 1st Class, to officiate as a Political Assistant, 2nd Class.

Lieutenant M. J. Meade, Officiating Political Assistant, 2nd Class, to be a Political Assistant, 3rd Class, *sub. pro tem.*

(4) The following changes of rank are made, with effect from the 1st of December 1881—

Captain A. P. Thornton, Political Assistant, 3rd Class, *sub. pro tem.*, to officiate as a Political Assistant, 2nd Class.

Lieutenant C. W. Ravenshaw, Officiating Political Assistant, 2nd Class, to be a Political Assistant, 3rd Class, *sub. pro tem.*

No. 2106 *G. G.*—The services of Surgeon-Major G. E. Seward, M.D., in political charge of the ex-Gaekwar of Baroda, are replaced at the disposal of the Government of Bombay, with effect from the 30th November 1881.

No. 2109 *G. G.*—Captain W. H. C. Wyllie, C.I.E., B.S.C., Assistant Commissioner of the 2nd Grade, North-Western Provinces and Oudh, is appointed to be a Political Agent of the 3rd Class, and posted to the political charge of the ex-Gaekwar of Baroda, with effect from the date of assuming charge, *vice* Surgeon-Major Seward.

No. 2115 *G. G.*—The following Brigade Order, issued by the Commandant, Central India Horse, dated the 7th November 1881, is confirmed :—

Captain G. E. Money is appointed to officiate as 2nd Squadron Commander, 2nd Regiment, Central India Horse, from the 6th November 1881, *vice* Major J. Colledge, on furlough to Europe.

POLITICAL.

The 15th December 1881.

No. 357 *G. P.*—His Excellency the Viceroy and Governor General has been pleased to confer upon Lalji Parshotam Rai, Native Assistant to the Governor General's Agent at Baroda, the title of "Rao Bahadur," as a personal distinction.

No. 358 *G. P.*—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Hajji Muhammad Hadi as Vice-Consul for Persia at Moulmein.

No. 361 *G. P.*—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. George Ruckert as Consul for Sweden and Norway at Akyab.

No. 364 *G. P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. J. Woodtli as Acting Consul for the German Empire at Aden.

C. GRANT,
Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 12th December 1881.

No. 1914.—Mr. E. S. Byrne, Deputy Accountant General, Bombay, having returned from furlough, resumed charge of his duties, before noon, on the 30th November 1881.

The 14th December 1881.

No. 1936.—Under the provisions of Section 55 of the Indian Stamp Act, 1879, the Chief Commissioner and Superintendent of the Andaman and Nicobar Islands, with the previous sanction of the Governor General in Council, is pleased to appoint the local Treasurer the sole authorised Stamp Vendor in the Settlements at Port Blair and the Nicobars for the sale of every description of stamps, except postage stamps, and directs that he shall receive, as remuneration, a commission of five per cent. on all sales effected by him under this order.

The 13th December 1881.

No. 1943.—

From the Secretary to the Government of India, Department of Finance and Commerce, to the Secretary to the Government of Bombay.

The Governor General in Council has reason to believe that persons interested in the development of local industries are anxious to utilise water-power instead of steam and would be glad to obtain sites from Government where existing water-power can be utilised to advantage.

2. Such sites undoubtedly exist in the Bombay Presidency in various places where other conditions afford promise of success in the prosecution of manufacturing industry on a large scale. It is not, however, easy to induce private speculators to undertake the slow and laborious, and somewhat costly task of seeking out for themselves the most promising sites for factories to be worked by water. The Governor General in Council is, as the Government of Bombay is aware, most desirous to do all in his power to aid private capital in the development of the industrial capacity of the country, and one of the most efficient means of giving help is to obtain and place before the public all available and procurable data in regard to the conditions under which enterprisss may be commenced in places still unknown to the general public.

3. I am accordingly directed to request that His Excellency the Governor in Council may be moved to collect and furnish to the Government of India, at as early a date as possible, all available information connected with sites in the Bombay Presidency where water-power exists sufficient for putting in motion the machinery of an extensive factory. The report in each case should state, among other things, the estimated force obtainable from the water, the general circumstances of the locality, its distance from the nearest railway station, and the quantity of labour and carriage generally available.

4. I am aslo to request that you will be good enough to state whether any applications have as yet been made to the Government of Bombay for such sites, and, if so, what orders have been passed in each case.

ORDERED, that the foregoing letter be published in the *Gazette of India* for general information.

The 16th December 1881.

No. 2032.—*Abstract of the Accounts of the Department of Issue of Paper Currency on the 30th November 1881, published as required by Section 23 of the Indian Paper Currency Act, 1871.*

Circles of Issue.	Whole amount of Notes in circulation.	Reserve in Silver Coin and Bullion.		
		Coin.	Bullion.	Total.
	Rs.	Rs.	Rs.	Rs.
Calcutta	6,30,19,845	1,24,61,034	10,52,797	1,35,13,831
Madras	1,21,91,990	59,33,295	10,50,000	69,83,295
Bombay	3,34,52,355	1,26,99,702	3,65,493	1,30,65,195
Allahabad	83,43,330	1,24,10,490	...	1,24,10,490
Lahore	74,15,845	1,62,17,820	...	1,62,17,820
Calicut	17,09,125	25,99,010	...	25,99,010
Coconada	2,91,205	2,77,110	...	2,77,110
Nagpore	7,30,025	17,61,485	...	17,61,485
Kurrachee	32,68,570	39,32,855	42,100	39,74,955
Akola	3,24,055	4,18,970	...	4,18,970
Total	13,07,46,345	6,87,11,771	25,10,390	7,12,22,161
Deduct—Amount due to the Bank of Madras				4,00,000
Remains				7,08,22,161
Invested in Government Securities under Section 17 of the Act				5,99,24,184
Grand Total				13,07,46,345

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

MILITARY DEPARTMENT.

Fort William, the 16th December, 1881.

Appointments.

No. 672.—Staff Corps—

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India :—

Captain Henry Manley Briscoe, 2nd Battalion, Liverpool Regiment, Officiating Wing Officer, 4th Native Infantry,—19thMay, 1881.

No. 673.—Military Secretariat—

The appointment of Colonel George Chesney, R.E., notified in G. G. O. No. 657 of 1880, to be Secretary to the Government of India during the absence on furlough of Major-General H. K. Burne, C.B., is made substantive with effect from the 20th December, 1881, the date of the expiration of Major-General Burne's furlough.

No. 674.—Adjutant General's Department—

Major J. Davidson, Bengal S.C., Squadron Commander, 3rd Punjab Cavalry, to be a Deputy Assistant Adjutant General, *vice* Major G. R. J. Shakespear, whose term of staff service has expired. Dated 1st December, 1881.

No. 675.—Medical Department—

Her Majesty has been pleased to appoint the undermentioned gentlemen to be Surgeons in Her Majesty's Indian Military Forces in the Presidency of Bengal. They are accordingly admitted into the service.

Surgeons Frederick Daly Cæsar Hawkins; John Adams Cunningham, M.D.; Harry Chalmers Hudson; Alexander Silcock; Patrick Mullane; John William Rodgers,—arrived at Bombay 4th November, 1881.

No. 676.—Punjab Frontier Force—

Major V. Rivaz, Bengal S.C., Wing Officer, 4th Sikh Infantry, to be Assistant Adjutant General, *vice* Major E. C. Codrington, resigned. Dated 30th November, 1881.

Furlough and Leave.

No. 677.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Captain A. W. Baird, R.E., Assistant Superintendent, 1st grade, Survey of India, (p. a.) for one year and 148 days, under rule IX of the regulations of 1868, with effect from the date of termination of his special duty.

Conductor T. Cuerdon, Ordnance Department, (m. c.) for one year, under the regulations of 1868.

Sub-Conductor H. Myland, Ordnance Department, (m. c.) for one year, under rule VI of the regulations of 1875.

No. 678.—Major H. Wylie, C.S.I., General List, Infantry, has been granted an extension of furlough (p.a.) for 14 days by the Right Hon'ble the Secretary of State for India.

London Gazette.

No. 679.—The following extracts are published for general information :—

"London Gazette," dated the 30th September, 1881, page 4895.

War Office, Pall Mall, 30th September, 1881.

Memoranda.

Honorary Lieutenant and Deputy Commissary Cyril Tyler, Bombay Establishment, has been granted the honorary rank of Captain. Dated 18th June, 1881.

"London Gazette," dated the 11th November, 1881, pages 5494 and 5495.

India Office, 11th November, 1881.

HER Majesty has approved of the following admissions to the Staff Corps made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Howard Goad, from the Durham Light Infantry. Dated 17th November, 1879, but to rank from 10th September, 1875.

Lieutenant Ernest Hunter Rodwell, from the East Surrey Regiment. Dated 28th May, 1880, but to rank from 8th August, 1879.

Second Lieutenant Robert Arthur Cole, from the Leicestershire Regiment. Dated 10th March, 1880.

Lieutenant Arthur Nisbet Carr, from the Prince of Wales' Leinster Regiment. Dated 3rd April, 1880, but to rank from 27th March, 1880.

Second Lieutenant Percy Maxwell Carpendale, from the Leicestershire Regiment. Dated 30th May, 1880.

Promotions.

No. 680.—Staff Corps—

The Governor General in Council is pleased to direct the publication of the following extracts of a Military letter from the Right Hon'ble the Secretary of State for India, No. 372, dated the 10th November, 1881 :—

Para. 1. I forward, for the information and guidance of your Lordship's Government, the accompanying copy of Her Majesty's Royal Warrant of 25th June 1881, regulating the pay, promotion, and non-effective pay of the Army, with effect from the 1st July 1881, throughout the British dominions except, as regards full pay and allowances, India.

2. With regard to the operation of the Warrant in India, your Lordship will observe that power is reserved to me to submit for Her Majesty's approval such modifications in the Royal Warrant of the 6th September 1878 as are the necessary result of the changes instituted in the Warrant of the 25th June, and such changes of pay and emoluments as appear desirable in consequence of the recently sanctioned organization of Her Majesty's British Forces.

* * *

5. It is not necessary that a special Royal Warrant should be issued for regulating the promotion and retirement of Officers of the several Staff Corps, all that is needed is that the Secretary of State for India in Council shall lay down such rules within the limits prescribed as the Royal Warrant of 25th June 1881 empowered him to do.

6. I accordingly forward, for information and guidance, the rules which the new Warrant appears to me to call for. These are concurred in by the Secretary of State for War.

* * *

8. I have already addressed your Lordship on the subject of the pensions for those Officers who join the Staff Corps after the 1st July 1881, and I now desire to inform your Government what has been decided under Article 107-1 of the Royal Warrant with respect to their retirement in the several grades.

9. Those Officers will come under the compulsory retirement clauses of the Royal Warrant on attaining the age of 55 years in the rank of Colonel, of 62 years in the rank of Major-General, and 67 years in the rank of Lieutenant-General or General. Up to the age of 55, there will be no compulsory retirement on account of age from the Staff Corps. Non-employment for five years in the rank of Lieutenant-Colonel or Colonel, and non-employment as a General Officer for five years continuously since his promotion to Major-General, or non-employment for seven years continuously from the time of his last employment as Colonel, will involve compulsory retirement on the pensions elsewhere laid down, or in the grade of—

Major-General, at 62, at 800*l.* a year,
Lieutenant-General, at 67, at 900*l.* a year,
General, at 67, at 1,000*l.* a year,

with voluntary retirement in those grades of—

Major-General, at 60, on 750*l.*,
Lieutenant-General, at 65, on 850*l.*,
General, at 65, at 950*l.*

10. I have already informed you that Officers in receipt of good service pensions will not retain them after retirement on pension.

11. The regulations under which Officers of the Indian Service may be placed on half pay will, of course, apply to those now joining the Staff Corps, with this further addition, that an Officer who, after six years' service on the half-pay list, whether continuous or otherwise, is not reported fully qualified for active service in India, will be then placed permanently on the half-pay retired list, and will not be eligible for further employment. An Officer so circumstanced, may, if entitled to pension, retire on that pension, for which, however, his service on half pay will not count as qualifying service.

Regulations for the promotion and transfer to an unemployed supernumerary list of the Officers of Her Majesty's Indian Staff Corps.

I. Promotion in the Staff Corps shall continue as at present, with the following exceptions :—

Four years' service in the Staff Corps, with the substantive rank of Lieutenant-Colonel, shall qualify for the Brevet rank of Colonel, instead of five years, as heretofore.

Article 12, Clauses (*e*, sub-sections 1 and 2), of the Warrant of the 25th June shall be applied to the Officers of the Staff Corps, the Secretary of State for India in Council being substituted for the Secretary of State for War.

II. General Officers shall be placed on the unemployed supernumerary list on completing the ages and periods of non-employment fixed under Articles 106 and 107 of the Warrant of the 25th June, for the compulsory retirement of the General Officers of the British Service.

III. Colonels who entered the Staff Corps on or before the 12th September 1866 shall be placed on the unemployed supernumerary list, provided they are in receipt of Colonel's allowance, and not

in military employ, and Colonels who entered the Staff Corps after that date, whether in receipt of the allowance and employed or not :—

If they attained the rank of Lieutenant-Colonel before the 1st October 1877—at the age of 59 years until the 1st July 1885, and after that date at the age of 58 years.

If they attained the rank of Lieutenant-Colonel on or after the 1st October 1877—at the age of 55 years.

IV. In special cases, where it may appear desirable, the Secretary of State in Council may delay the transfer of an Officer to, or, in the case of those under the Parliamentary guarantee, bring an Officer back from, the unemployed supernumerary list.

V. Of the above regulations, Clauses II and III shall not affect Officers whose admissions to the Staff Corps shall bear date on or after the 1st July 1881. On attaining to the rank of General Officer or Colonel in the Army, these Officers will come as regards the limits of age and periods of non-employment under the retirement Articles of the Royal Warrant of the 25th June 1881; the amounts of their pensions, non-effective pay, &c., being governed by Indian regulations.

No. 681.—INDIAN ARMY—

The Governor General in Council is pleased to direct the publication of the following additional extracts of the above quoted Military letter from the Right Hon'ble the Secretary of State for India, No. 372, dated the 10th November, 1881, together with the Royal Warrants therein referred to :—

3. I now forward, for your Lordship's information, and guidance, two Warrants which have received Her Majesty's sanction, one providing for the transfer to an "Unemployed Supernumerary List" of General Officers and Colonels of Her Majesty's Indian Forces who have attained certain limits of age, or who have been continuously unemployed for certain periods, the other providing for the promotion of the Officers of Her Majesty's Indian Forces on the effective list.

4. In the first Warrant the limits of age and non-employment have been taken generally from the Royal Warrant of the 25th June 1881, but some of the provisions of that Warrant have been somewhat relaxed in the case of those Officers who are under the previous conditions of service. In the second Warrant the existing regulations have been modified in accordance with the terms of the Warrant of 25th June, the necessary reductions being made in the establishment of General Officers.

Royal Warrant for the Formation of the Unemployed Supernumerary List.

Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India.

Whereas it has been represented to Us that it is expedient to provide for the transfer to an unemployed supernumerary list of General Officers and Colonels of Our Indian Forces who have attained certain limits of age or who have been continuously unemployed for certain periods;

Our will and pleasure is that, with effect from and after the 1st day of July 1881, the following rules shall be established for that purpose :—

1. Transfer to the retired list under Our Warrant of the 31st December 1877 shall cease.
2. A Major-General shall be placed on the unemployed supernumerary list on attaining the age of 62 years, and a Lieutenant-General or General on attaining the age of 67 years.
3. A General Officer shall be placed on the unemployed supernumerary list after being unemployed for five years continuously since his promotion to Major-General, or after being unemployed for seven years continuously from the time of his last employment as Colonel.
4. A Colonel of the "local service," that is, an Officer whose appointment was not made subject to the conditions prescribed in the General Order of Our Governor General of India in Council, dated the 9th December 1859, No. 1637, shall be placed on the unemployed supernumerary list, provided he is in receipt of Colonel's allowance and not in military employ,—

   If he attained the rank of Lieutenant-Colonel before the 1st October 1877,—at the age of 59 years until the 1st July 1885, and after that date at the age of 58 years.

   If he attained the rank of Lieutenant-Colonel on or after the 1st October 1877,—at the age of 55 years.
5. A Colonel of the "general list," that is, an Officer whose appointment was made subject to the abovementioned General Order, shall be placed on the unemployed supernumerary list on attaining the age of 55 years.
6. In the event of an Officer being called to, or engaged on, active service in the field, at or about the time when, under any article of this Our Warrant, he would be liable to be transferred to the unemployed supernumerary list, Our Secretary of State for India in Council may, on the recommendation of Our Governor General in Council, extend his term of service during the continuance of the emergency as a supernumerary to the establishment.
7. If in any special case, not under the terms of the preceding article, it appears desirable to postpone the transfer of an Officer to the unemployed supernumerary list, Our Secretary of State for India in Council may, upon the recommendation of Our Governor General in Council, so postpone it.
8. Our Secretary of State for India in Council, upon the recommendation of Our Governor General in Council, may also bring back an Officer from the supernumerary unemployed list to the effective list, should it appear essential to the interests of Our Service to do so.
9. An Officer whose case has been specially treated under Articles 6, 7, or 8 shall, so long as he remains on the effective list, be supernumerary thereon.

Given at Our Court at Balmoral, this twenty-fourth day of October, in the year of our Lord one thousand eight hundred and eighty-one, and in the forty-fifth year of Our reign.

By Her Majesty's Command,
HARTINGTON.

Royal Warrant for the Promotion of Indian Officers so far as relates to Rank in the Army.

Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India.

Whereas it has been represented to Us that it is expedient to make further Regulations for governing the Promotion in the Army of the Officers of Our Indian Forces, Our will and pleasure is, that the following Regulations be established, and be the sole Regulations under which the Promotion in the Army of such Officers shall be effected :—

1. A Captain may attain the rank of Major,—
   (*a*) By regimental seniority.
   (*b*) By 20 years' service in the army in the case of Officers whose appointment to Our Indian forces was made subject to the conditions prescribed in the General Order of Our Governor General of India in Council, dated the 9th of December 1859, No. 1637.
   (*c*) By brevet, in succession to a vacancy on the establishment of General Officers, provided such vacancy occur before 1st October 1881.
   (*d*) By brevet, for distinguished service in the field.
   (*e*) By brevet, for distinguished service of an exceptional nature other than in the field.
2. A Major may attain the rank of Lieutenant-Colonel,—
   (*a*) By regimental seniority.
   (*b*) By 26 years' service in the army in the case of Officers whose appointment to Our Indian forces was made subject to the conditions prescribed in the General Order of Our Governor General of India in Council, dated the 9th of December 1859, No. 1637.
   (*c*) By brevet, after 26 years' service in the army, so long as there remain any Majors on the list of Cavalry and Infantry in Our Indian forces.
   (*d*) By brevet, in succession to a vacancy on the establishment of General Officers, provided such vacancy occur before 1st October 1881, or thereafter, for so long as there remain any Majors on the list of Cavalry and Infantry who are not subject to the conditions prescribed in the General Order of Our Governor General of India in Council, dated the 9th December 1859, No. 1637.
   (*e*) By brevet, for distinguished service in the field.
   (*f*) By brevet, for distinguished service of an exceptional nature other than in the field.
3. A Lieutenant-Colonel may attain the rank of Colonel,—
   (*a*) By 12 years' service in the substantive grade of Lieutenant-Colonel.
   (*b*) By brevet, after 30 years' service in the army, four of which shall have been in the grade of Lieutenant-Colonel.
   (*c*) By brevet, on appointment to be one of Our aides-de-camp.
   (*d*) By brevet, as a reward for distinguished service in the field.
   (*e*) By brevet, for distinguished service of an exceptional nature other than in the field.
   (*f*) By brevet, after four years' satisfactory service with the rank, whether substantive or brevet, of Lieutenant-Colonel,—
      (1) In any military appointment, except the command of a troop or company by an Officer with the substantive rank of Captain; and except also any appointment which Our Secretary of State in Council may exclude from qualifying.
      (2) In any civil situation approved by Our Secretary of State for India in Council upon the recommendation of Our Governor General in Council and Commander-in-Chief in India, provided it be of a nature to afford practical experience likely to be afterwards of advantage in military service.
   (*g*) By brevet, after five years' service, in any appointment, with the substantive rank of Lieutenant-Colonel.
   (*h*) By brevet, after seven years' satisfactory service, with the rank of Lieutenant-Colonel, as equerry or extra equerry to the Sovereign or the Prince of Wales.

No period of acting staff service of less than six months' duration shall reckon towards the rank of Colonel, unless it be converted into actual staff staff service by subsequent confirmation.

4. The rank of Brigadier-General shall be local or temporary only.
5. The names of General Officers shall be borne upon four separate lists. The first shall contain the names of those on the fixed establishment, and of those who having been promoted out of their regular turn shall be supernumerary to the fixed establishment; the second, those of Officers retired under Our Royal Warrant of the 31st December 1877; the third, those of Officers placed on the unemployed supernumerary list under Our Royal Warrant of the 24th October 1881; and the fourth, those who shall have retired from the service with the honorary rank of Major-General, Lieutenant-General, or General.
6. The names of the Colonels and General Officers of the Staff Corps now borne on the Indian List to regulate promotion shall remain on that list, and the names of the Officers of the Staff Corps henceforth promoted to the rank of Colonel shall be placed on that list, to be thereon retained in *italics*, until their death, retirement, or transfer to the unemployed supernumerary list, for the purpose of regulating the promotion of the Officers below them.

7. The fixed establishment of General Officers (including the names of Officers of the Staff Corps) shall be the following:—

Generals	.	4
Lieutenant-Generals	.	13
Major-Generals	.	38
Total	.	55

8. Every vacancy on the establishment of General Officers shall be filled by the promotion of the senior Colonel of the Indian Army; or by the moving up of the name of the Senior Officer of the Staff Corps borne on the list to regulate promotion; or by the transfer of a General Officer from the supernumerary list as provided in Art. 14.

9. Every vacancy on the establishment in the rank of Lieutenant-General or in that of General shall be filled up in like manner by the promotion of the Senior Officer of the Indian Army in the grade next below or by the moving up of the name of the Senior Officer of the Staff Corps borne on the list of that grade.

10. Temporary or local rank and command as Major-General, Lieutenant-General, or General may, for the convenience of Our Service, be conferred on an Officer of the next lower rank (whether he hold such rank permanently or temporarily), without regard to seniority.

11. A Colonel who shall vacate an appointment as temporary Major-General, may, upon the recommendation of Our Governor General in Council, be made an honorary Major-General.

12. Promotion may be conferred upon a Colonel, Major-General, or Lieutenant-General without regard to vacancies in the establishment, for distinguished service in the field, and in such case the recommendation of Our Governor General in Council, detailing the services for which the Officer is promoted, shall be published in the General Orders of Our Indian military forces, and in the "London Gazette."

13. Promotion may be conferred upon a Colonel, Major-General, or Lieutenant-General without regard to vacancies in the establishment, for distinguished service of an exceptional nature other than in the field.

14. An Officer not below the rank of Colonel, promoted for distinguished service, shall be borne as supernumerary, and shall not be placed on the establishment in his new rank until the time when he would have attained such rank by seniority, that is to say, when the surviving Officer who stood next senior on the list to the Officer promoted under Art. 12 or 13 shall have attained the same rank on the establishment, the next vacancy shall be filled by the transfer of the supernumerary General Officer to the establishment.

15. A supernumerary General Officer promoted for distinguished service, and absorbed under Art. 14, shall take his seniority from the date of his promotion as published in the "London Gazette."

16. Field Marshals shall be appointed at the will of the Sovereign, and the rank shall be conferred without reference to seniority. A General Officer, retired under Our Warrant of the 31st December 1877, or placed on the unemployed supernumerary list under Our Warrant of the 24th October 1881, shall remain eligible for promotion to the rank of Field Marshal.

17. A Major-General or a Lieutenant-General retired under Our Warrant of the 31st December 1877, and a Colonel, a Major-General, or a Lieutenant-General placed on the unemployed supernumerary list under Our Warrant of the 24th October 1881, shall be promoted to higher rank when the Officer on the establishment who was next junior to him as a Colonel shall obtain such promotion.

18. Every Officer permitted to retire on full pay may be granted a step of honorary rank on retirement.

Given at Our Court at Balmoral, this 10th day of November, in the year of our Lord one thousand eight hundred and eighty-one, and in the forty-fifth year of Our reign.

By Her Majesty's Command,
HARTINGTON.

No. 682.—STAFF CORPS—

The undermentioned Lieutenant-Colonels of the Indian Staff Corps are promoted to the rank of Colonel by brevet, from the 1st July, 1881, where not otherwise specified, under the provisions of article 12, clause (*e*) of the Royal Warrant of the 25th June, 1881, subject to Her Majesty's approval:—

Lawrence Henry Williams, Bengal.
Alexander Wardrop, Bombay.
Thomas Bell, Bombay.
Stewart Fellows, Bombay.
George Nesbit Stephens, Madras.
George Ralph Collier Westropp, Bombay.
Gilbert James Pasley, Bengal.
Thomas Edward VanderGucht, Bengal.
Brooke Rynd Chambers, Bengal.
James Vere Hunt, C.B., Bengal.
Charles Ferguson Sharpe, Bengal.
Philip Henry Farrell Harris, Bengal.
Charles Tatham Hitchins, Bengal.
Thomas Wakefield, Madras.
Seafield Falkland Murray Treasure Grant, Madras.
Henry Seymour Robinson, Madras.
Lionel H. Planta DeHochepied Larpent, Bengal.
Alexander Howe Bramley, Bengal.
Frederick Macnaghten Armstrong, C.B., Bengal.
William Moore Lane, Madras.
Thomas Boone Everest Tennant, Madras.
Lester Horatio Sibthorpe, Bombay.
Archibald Edwards Campbell, Bengal.
Henry Crosby Barry Barnett, Madras.
George Carr Hodding, Madras.
Philip Harrison LeGeyt, Bombay.
Thomas James Watson, Bengal.
Robert Henry Cunliffe, Madras.
Robert Russell Woodhouse, Bombay.
Cecil David James Dodd, Bombay.
Willoughby Charles Stanley Clarke, Bengal.
Hugh Watson, Madras.
James Houlbrooke Drummond, Bombay.
Thomas Walter Rutherfurd, Bengal.
John Shand Douglas Bolton, Bombay.
Evelyn Medows Norie, Madras.
Thomas Dennehy, Bengal,—20th July, 1881.
Thomas Henry Way, Madras,—12th December, 1881.

Claude Malet Ducat, Bombay,—12th December, 1881.
Welby Wroughton Boddam, Bengal,—12th December, 1881.
Alfred Utterson, Bombay,—12th December, 1881.
Henry Rivett Mandeville Van-Heythuysen, Bombay,—12th December, 1881.
Nowell Swanston, Madras,—13th December, 1881.
Charles Frederic Boulton, Bombay,—13th December, 1881.
James Giberne Bell, Madras,—13th December, 1881.
Henry Annesley Justice, Madras,—13th December, 1881.

No. 683.—The promotions of the undermentioned officers of the Staff Corps to the rank of Colonel by brevet, are ante-dated to the 1st July, 1881, subject to Her Majesty's approval:—

Arthur Thomas Moore, V.C., Bombay.
Cecil D'Urban LaTouche, Bombay.
Charles Henry Clay, Bombay.
George Charles DePrée, Bengal.
William Peyton, Madras.

No. 684.—INDIAN ARMY—

The undermentioned Lieutenant-Colonels of Her Majesty's Indian Forces are promoted to the rank of Colonel by brevet from the dates specified, under the provisions of article 3, clause (*b*) of the Royal Warrant of the 10th November, 1881, subject to Her Majesty's approval:—

Thomas Martin Shelley, Bengal Infantry,—1st July, 1881.
Cunliffe Martin, Bengal Cavalry,—20th November, 1881.

No. 685.—The promotion of Brevet Colonel Frederick Augustus Buckley, Bengal Infantry, is ante-dated to the 1st July, 1881, subject to Her Majesty's approval.

No. 686.—The following promotion is made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Captain.

Lieutenant Edward Archibald Young,—15th December, 1881.

No. 687.—PUBLIC WORKS DEPARTMENT—

Sergeant George Taylor, to be Sub-Conductor, with effect from the 17th October, 1881.

RETIREMENTS.

No. 688.—In continuation of G. G. O. No. 624 of 1881, the undermentioned officers are permitted to retire from the service under the provisions of G. G. O. No. 1 of 1881, with effect from the dates specified, subject to Her Majesty's approval:—

Lieutenant-Colonel Alexander Bruce, Bengal S.C.,—29th November, 1881.
Lieutenant-Colonel (Brevet Colonel) Henry Edward Whish, Bengal S.C.,—11th December, 1881.
Lieutenant-Colonel (Brevet Colonel) Newton Barton, Bengal S.C.,—12th December, 1881.
Lieutenant-Colonel (Brevet Colonel) Henry Francis Maxwell Boisragon, Bengal S.C.,—15th December, 1881.
Lieutenant-Colonel (Brevet Colonel) Edgar Gibson Clark, Bengal S.C.,—15th December, 1881.

No. 689.—Major Marshall Pritchard Moriarty, Bengal S.C., has been permitted to retire from the service with effect from the 1st November, 1881, subject to Her Majesty's approval.

No. 690.—Under the authority of the Right Hon'ble the Secretary of State for India, Major Edwin Clarence O'Bryen Horsford, General List, Infantry, is placed on the retired list.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY DEPARTMENT.

ESTATE NOTIFICATION.

Fort William, the 15th December, 1881.

James Mainwaring Douglas, Major, Royal Artillery, died 12th February, 1881, at Jutogh, intestate. A further sum of Rs. 8-2-0 deposited on the 5th December, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Fort William, the 16th December, 1881.

APPOINTMENTS.

No. 45.—Mr. C. F. Fletcher to be a 3rd grade officer in Her Majesty's Indian Marine, on probation, with effect from the 26th November, 1881.

DISMISSALS.

No. 46.—The services of Mr. R. H. Williamson, Engineer in charge I. G. S. *Clerity*, are dispensed with.

PROMOTIONS.

No. 47.—Mr. A. W. Deane, 4th grade officer, to be 3rd grade officer in Her Majesty's Indian Marine, with effect from the 24th November, 1881.

G. CHESNEY, *Colonel,*
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 12th December 1881.

No. 387.—With reference to Public Works Department Resolution Nos. 493—98R.E., dated 1st July 1880, His Excellency the Governor General in Council has been pleased to place the Rajputana State Railway, the Holkar State Railway, the Sindia-Neemuch State Railway, and the Neemuch-Nasirabad State Railway under the direct administration of the Director General of Railways, with effect from the 1st December 1881.

2. These four lines will now be united under a common management with its head-quarters at Ajmere and be styled the Rajputana-Malwa State Railway System.

The 13th December 1881.

No. 388.—The undermentioned Apprentice Engineers are promoted to Assistant Engineers, 3rd Grade, with effect from 1st December 1881:—

Mr. H. G. Billings,—British Burma.
Mr. H. W. James,—British Burma.
Lalla Brij Mohan Lall,—Assam.

No. 389.—Major H. McV. Crichton, R.E., Executive Engineer, 1st Grade, Military Works Branch, is appointed to officiate as Superintending Engineer, with temporary rank in Class III, with effect from the date on which he assumes charge of the Presidency and Oudh Commands.

The 14th December 1881.

No. 391.—The following reversions are made in the Barrack Department Establishment of the Military Works Branch:—

Name.	From	To	Date.
Murray, Honorary Lieutenant J.	Temporary Barrack Master, 1st Class.	Barrack Master, 2nd Class.	3rd November 1881.
Holehouse, Sub-Conductor J.	Temporary Barrack Master, 2nd Class.	Assistant Barrack Master.	3rd November 1881.
Inglis, Sub-Conductor J.	Ditto . .	Ditto . .	8th November 1881.

No. 392.—The Governor General in Council is pleased to make the following promotions among the Executive and Assistant Engineers attached to the several Local Administrations, with effect from the 1st November 1881:—

Names.	Present Grade.	Grade to which promoted.	Nature of Vacancy.
Colquhoun, A. R. .	Executive Engineer, 4th Grade.	Executive Engineer, 3rd Grade.	Permanent.
Higgins, A. F. . .	Executive Engineer, 4th Grade.	Executive Engineer, 3rd Grade.	Permanent.
Ewing, R. . . .	Assistant Engineer, 1st Grade.	Executive Engineer, 4th Grade.	Permanent.
Winckler, G. W. .	Executive Engineer, 4th Grade, temporary rank.	Executive Engineer, 4th Grade.	Permanent.
Harris, G. S. T. . .	Executive Engineer, 4th Grade, temporary rank.	Executive Engineer, 4th Grade.	Permanent.
Addison, Lieutenant J. C., R.E.	Executive Engineer, 4th Grade, temporary rank.	Executive Engineer, 4th Grade.	Permanent.
Bhagut Singh . .	Assistant Engineer, 1st Grade.	Executive Engineer, 4th Grade.	Permanent.
Leventhorpe, J. B. .	Assistant Engineer, 2nd Grade.	Assistant Engineer, 1st Grade.	Permanent.
Cuthbertson, A. E. .	Assistant Engineer, 2nd Grade.	Assistant Engineer, 1st Grade.	Permanent.
Housden, C. E. . .	Assistant Engineer, 2nd Grade.	Assistant Engineer, 1st Grade.	Permanent.
Swinnerton, R. A. W..	Assistant Engineer, 2nd Grade.	Assistant Engineer, 1st Grade.	Permanent.
Watts, G. K. . .	Assistant Engineer, 1st Grade.	Executive Engineer, 4th Grade.	Temporary.
Rees, J. C. . . .	Assistant Engineer, 1st Grade.	Executive Engineer, 4th Grade.	Temporary.

No. 393.—The services of Captain H. A. Yorke, R.E., Executive Engineer, 3rd Grade, North-Western Provinces and Oudh, are placed temporarily at the disposal of the Chief Commissioner of Assam for service on the Golaghat-Kohima Military Road.

The 15th December 1881.

No. 394.—The following reversions are ordered from the dates specified:—

From Officiating Superintending Engineer, Class I, to Superintending Engineer, Class II.

Mr. R. Tyndall,—27th November 1881.

From Officiating Superintending Engineer, Class II, to Superintending Engineer, Class III.

Major C. W. I. Harrison, R.E.,—1st December 1881.

From Officiating Superintending Engineer, Class II, to Temporary Superintending Engineer, Class III.

Major R. H. Palmer, S.C.,—27th November 1881.

TELEGRAPH.

The 14th December 1881.

No. 390.—ADDENDUM.—In Public Works Department Notification, No. 253 Telegraph, of the 27th July last, after the words *to officiate as Superintendent*, add *3rd Grade*.

ALEX. FRASER, *Major-General, R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 52.} CALCUTTA, SATURDAY, DECEMBER 24, 1881.

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

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SUPPLEMENT No. 52.

PART I.

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

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 20th December, 1881.

No. 35.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to nominate Mr. W. W. Hunter, C.I.E., LL.D., of the Bengal Civil Service, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations, with effect from the 23rd instant.

The 22nd December, 1881.

No. 36.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to nominate Sayyad Ahmad Khán Bahádur, C.S.I., of Aligarh, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations.

No. 37.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 & 25 Vic., cap. 67, section 10, has been pleased to nominate Mr. W. C. Plowden, of the Bengal Civil Service, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations, with effect from the 22nd instant.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 23rd December 1881.

No. 2089.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878, the Governor General in Council is pleased to withdraw the district of Nimar from the operation of section 15 of the Act, which was extended to that district by the Notification of the Chief Commissioner of the Central Provinces, No. 514, dated the 31st January 1879.

No. 2100.—Under the provisions of section 17 of the Indian Arms Act, 1878, the Governor General in Council is pleased to direct that the following endorsements shall be added on Forms VI and VII and VIII and IX prescribed by Home Department Notification No. 518, dated

the March 1879, for certain licenses granted under the Act :—

On Forms VI and VII—

The license-holder shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX the following particulars :—

(1) the name and address of the person who takes delivery of the articles sold;

(2) the nature and amount of the articles sold;

(3) the date of sale;

and shall append his signature to the endorsement.

On Forms VIII and IX—

The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature :—

(1) the name and address of the person who takes delivery of the articles purchased;

(2) the nature and amount of the articles purchased;

(3) the date of purchase.

ESTABLISHMENTS.

The 21st December 1881.

No. 405.—Mr. W. Cornell is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 22nd November 1881.

The 23rd December 1881.

No. 415.—Mr. Murray Hammick, of the Madras Civil Service, is appointed to act as 1st Assistant Commissioner and District Magistrate of Coorg, during the absence on leave of Major H. M. S. Magrath, or until further orders.

JUDICIAL.

The 23rd December 1881.

No. 1609.—In exercise of the power conferred by section 5 of Act XIV of 1874 (the Scheduled Districts Act, 1874), the Governor of Bombay in Council is pleased, with the previous sanction of the Governor General in Council, to extend sections 12 and 13 of Act XIV of 1869 (the Bombay Civil Courts' Act, 1869) to the Province of Sind.

No. 1613.—Under the provisions of the Act of Parliament, 24 and 25 Vic., cap. 104, the Governor General in Council is pleased to appoint Mr. James O'Kinealy, C.S., Superintendent and Remembrancer of Legal Affairs, Bengal, and Babu Mohendro Nath Bose. Subordinate Judge of Tirhoot, to officiate as Judges of the High Court of Judicature at Fort William in Bengal for a period of six months from the 1st January 1882.

FORESTS.

The 22nd December 1881.

No. 1112 *F.*—Mr. G. F. Prevost, Assistant Conservator of Forests of the 1st Grade in the Hyderabad Assigned Districts, is appointed to officiate until further orders as a Deputy Conservator of the 2nd Grade, with effect from the 16th June 1881.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 23rd December 1881.

No. 2138 *G. G.*—The following appointment and promotions in the Berar Commission are made with effect from the 29th September 1881, consequent on the retirement from the service of Lieutenant-Colonel A. G. Mayne, Assistant Commissioner of the 1st Class and Cantonment Magistrate at Secunderabad :—

Major E. S. Ludlow, C.I.E., Assistant Commissioner of the 1st Class, to be Cantonment Magistrate at Secunderabad.

Major F. W. Grant, Assistant Commissioner of the 2nd Class, and Officiating Assistant Commissioner, 1st Class, to be Assistant Commissioner of the 1st Class.

Mr. A. J. Dunlop, Assistant Commissioner of the 3rd Class, and Officiating Assistant Commissioner, 2nd Class, to be Assistant Commissioner of the 2nd Class, *vice* Major Grant.

Mahomed Yassin Khan, Assistant Commissioner of the 3rd Class, *sub. pro tem.*, is confirmed in that rank, *vice* Mr. Dunlop.

Dastur Edalji Bahmunji, Officiating Assistant Commissioner, 3rd Class, to be an Officiating Assistant Commissioner, 3rd Class, *sub. pro tem., vice* Mahomed Yassin Khan.

POLITICAL.

The 23rd December 1881.

No. 370 *G. P.*—With reference to Notification No. 314G.P. of the 26th October 1881, Mr. C. Kapp, Consul for the German Empire at Bombay, resumed charge of his office on the 1st December 1881.

No. 373 *G. P.*—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. W. Loening as Acting Vice-Consul for Sweden and Norway at Bassein.

H. M. DURAND,
Under Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 19th December 1881.

No. 2048.—Insulator cups to the value of about £5,000 sterling are annually imported into India for the Telegraph Department. With a view to substitute locally-made insulator cups for the imported article, enquiries were instituted for the purpose of ascertaining whether they could be procured of Indian manufacture. As the result of these enquiries, it appears that they cannot at present be made in India at a lower price than twelve annas each, whereas the cost of the imported cups, including freight and all charges, is not more than six annas and ten pie each. The Government of India will be prepared to engage to take for a term of years the whole number of insulators required for the telegraph lines in India, if they can be made at a cost about equal to that of the imported article.

ORDERED, that the foregoing Observation be published in the *Gazette of India*, a copy being communicated to the Public Works Department.

The 21st December 1881.

No. 2059.

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

Read again—

Paragraph 4 of Resolution No. 3780, dated 21st October 1881, directing that lanterns should be procured of Indian manufacture.

RESOLUTION.—The Governor General in Council observes that bull's eye lanterns are made at Delhi of good quality, and cheap in price. His Excellency in Council accordingly requests that when such lanterns are required for the public service, the Local Governments and Departments concerned will ascertain from the Deputy Commissioner of Delhi the names of the manufacturers and their rates. Lanterns of the ordinary kind are made in most, if not all, large towns in India.

ORDERED, that the foregoing Resolution be communicated to the Chief Commissioner, Assam, in continuation of Resolution No. 3780, dated 21st October 1881; to the other Local Governments and Administrations, and to the Military and Public Works Departments.

Ordered also, that it be published in the *Gazette of India*.

No. 2116.

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

Read again the undermentioned papers regarding the supply of stores required for the public service in India :—

Financial Resolution	No.	3574,	dated	3rd November 1880.
,,	,,	953,	,,	10th June 1881.
,, Circular	,,	220,	,,	28th April 1881.
,, ,,	,,	621,	,,	14th May 1881.
,, Resolution	,,	3170,	,,	21st September 1881.
,, ,,	,,	3895,	,,	25th October 1881.

Read also—

Letter from the Government of Bombay, No. 4200, dated 10th November 1881, forwarding returns of European stores purchased in the local market for the Police Department, Northern Division, Bombay, and by certain officers in the Shikarpur District in Sind.

RESOLUTION.—The Governor General in Council directs that the procedure indicated in the Resolution No. 3170, dated 21st September 1881, shall be followed in respect of the future supply of the articles enumerated in the list appended to this Resolution, which has been prepared from returns received from the Government of Bombay with letter dated the 10th ultimo.

ORDERED, that the foregoing Resolution be communicated to the Government of Bombay and to the other Local Governments and Administrations for information and guidance, and that it be published in the *Gazette of India*.

List of Articles.

NAMES OF ARTICLES.	1879-80.			1880-81.			TOTAL.	
	Rate.	Number or quantity.	Total Cost.	Rate.	Number or quantity.	Total Cost.	Number or quantity.	Total cost.
			Rs. A. P.			Rs. A. P.		Rs. A. P.
For the Police Department, Northern Division, Bombay.								
Blotting paper	Ans. 12 to Re. 1-8 a quire	7 quires 4 sheets ...	6 9 0	Ans. 9 to Re. 1 a quire ...	25 quires 12 sheets	21 3 6	32 qrs. 16 shts.	27 12 6
Brown paper	„ 14 a quire ...	4 „ ...	3 8 0	„ 13-3½ per quire ...	5 „ ...	4 2 6	9 „ ...	7 10 6
Portuguese paper	Re. 1-8-5 per ream ...	145 reams 2 quires 2 „ 4 „ 12 sheets.	221 3 0 15 11 3	Re. 1-8-11 per ream ...	133 reams 4 quires 1 ream 14 „ ...	207 12 0 13 6 6	282 rms. 4 qrs. 12 sheets.	458 0 9
Cartridge paper	Ans. 12 per quire ...	17 quires 21 sheets..	13 6 6	Ans. 10 to Re. 1-8 a quire	27 quires 6 sheets	20 8 9	45 qrs. 3 shts.	33 15 3
Penholders	„ 4 to 6 a dozen ...	8 dozs. 8 No. ...	2 11 3	.....	16 dozs. 11 No. ...	5 11 9	25 dozs. 7 No.	8 7 0
Ink, black	„ 10 to Re. 1-3 per bottle	44 bottles ...	36 14 0	Ans. 10 to Re. 1-4 per bottle	61 bottles ...	56 6 0	105 bottles ...	93 4 0
Inkstands	An. 1 and Rs. 2-8 each ...	11 No. ...	5 9 3	„ 2-6 to Re. 1-4 each...	27 No. ...	9 3 3	38 No. ...	14 12 6
Sealing wax	Re. 1 per lb. ...	½ lb. ...	0 8 0	.....	2½ lbs. ...	2 7 0	3 lbs. ...	2 15 0
	Ans. 13 per box ...	2 boxes ...	1 10 0	„ 13 a box ...	2 boxes ...	1 10 0	4 boxes ...	3 4 0
	„ 12 a seer ...	1½ seers ...	1 2 0	.....	...	3 2 0	...	4 4 0
Scales for weighing letters	„ 6-8 each ...	3 No. ...	1 4 0	.....	...	...	...	...
Rulers	Re. 1 each ...	1 „ ...	1 0 0	Ans. 14 each ...	1 No. ...	0 14 0	2 No. ...	1 14 0
Envelopes	Ans. 6 to 12 per 100 ...	550 „ ...	2 11 0	„ 10-8 to 13-9 per 100	2000 No. ...	17 4 6	2550 „ ...	19 15 6
	Re. 1-9 per box ...	2 boxes ...	3 2 0	.....	...	1 4 0	...	4 6 0
Note books	Ans. 6 each ...	1 No. ...	0 6 0	.....	13 No. ...	20 0 0	14 No. ...	20 6 0
Vinegar	„ 9 each ...	2 bottles ...	1 2 0	.....	...	...	...	...
Tape, red	Re. 1-4 per bundle ...	4 bundles ...	5 0 0	Rs. 2 a bundle ...	4 bundles ...	8 0 0	8 bdls. ...	13 0 0
Thread	Ans. 2-6 and 3 per doz....	447 No. ...	6 1 4	Ans. 3 a dozen ...	28 skeins ...	0 7 0	...	6 8 4
	.....	...	...	.....	...	120 12 9	...	...
Twine	Ans. 5 a bundle ...	4 bundles ...	1 4 0	Ans. 2 to 5 a bundle ...	5 bundles ...	1 6 0	9 bdls. ...	2 10 0
Cord, cotton, for files	6 pie each ...	39 No. ...	1 3 6	.....	...	4 12 0	...	5 15 6
Scissors	Ans. 10 to 12-6 each ...	6 No. ...	3 14 6	Ans. 7 to Re. 1-0-5 each ...	13 No. ...	9 14 6	19 No. ...	13 13 0
Cloth, cotton, for parcels ...	Ans. 2-11½ per yard ...	32 yards ...	5 14 9	„ 3-2½ per yard ...	25 yds. ...	5 0 3	57 yards ...	10 15 0
	.....	...	...	Rs. 2 a piece ...	25 pieces ...	50 0 0	...	...
	.....	...	...	.....	...	9 10 0	...	...
Paper weight	.....	...	...	Re. 1-4 each... ...	1 No. ...	1 4 0	...	...
Gum pot	.....	...	...	Ans. 6 „	2 „ ...	0 12 0	...	...
Sand and pen stands	.....	...	...		3 „ ...	1 6 0	...	...
Candles	Ans. 5 to 8 a bundle ...	144 bundles ...	49 14 0	Ans. 5 to 8 a bundle ...	227 bundles ...	83 12 0	371 No. ...	133 10 0
Candlestands with shades	Rs. 6 per pair ...	1 pair ...	6 0 0	.....	...	...	...	...
Hurricane lamps	.....	2 No. ...	6 0 0	.....	...	...	...	...
Wicks for lamps	Ans. 3 per bundle ...	1 bundle ...	0 3 0	.....	...	...	...	...
Kerosine oil	„ 1-9 per bottle ...	65 bottles ...	7 1 9	Ans. 1-9 a bottle ...	20 bottles ...	1 15 0	85 bottles ...	9 0 9
	.....	...	0 15 0	.....	1 can ...	3 4 0	...	...
	.....	...	...	.....	...	0 6 3	...	...
Padlocks	Ans. 2 to 7 each ...	31 No. ...	11 3 4	Ans. 3-10 to 12 each ...	13 No. ...	5 5 0	44 No. ...	16 8 4

Kilmarnock caps	Rs. 14-8 per dozen ...	371 „ ...	450 4 8	„ 14-8 per dozen ...	1366 „ ...	1,655 5 4	1737 „ ...	2,105 10 0
Great coats	Rs. 7 each ...	371 „ ...	2,625 2 0	Rs. 7 each ...	275 „ ...	1,944 8 0	646 „ ...	4,569 10 0
Cloth, woollen	Rs. 2-8 a yard ...	½ yard ...	1 4 0	„ 2-6 a yard ...	6 yards ...	14 4 0	6½ yards ...	15 8 0
Cloth, Turkey red ...	.....	...	...	.....	39 yards 4 inches...	99 13 1		
	.....	...	...	Rs. 8-4-6 per piece ...	5½ pieces ...	45 8 9		
Cloth, cotton	.....	...	133 8 5	.....	...	...		
	Rs. 2-14 per piece ...	28 pieces ...	80 8 0	.....	...	...		
Woollen lace	.....	...	...	4½ pie per yard ...	432 yards ...	10 2 0		
Woollen cords	.....	...	...	.....	83 „ 18 inches	13 15 0		
Woollen black tape	.....	...	...	.....	39 bundles ...	38 12 0		
Red ticket cords	.....	...	...	Ans. 6 a dozen ...	7 dozs. ...	2 10 0		
Belts, frogs, and knots	.....	...	...	.....	45 ...	30 10 0		
Muslin	.....	...	...	.....	32 pieces ...	114 12 0		
For the Shikarpore Collectorate, Bombay.								
Blotting paper	6 pie to An. 1 per sheet ...	325 sheets ...	16 14 6					
Cartridge paper	Ans. 8 to Re. 1-8 a quire	86⅓ quires ...	46 12 0					
Portuguese paper	Rs. 2-7 per ream ...	31 reams ...	107 13 0					
Pasteboard	Rs. 12 per md. ...	2 maunds ...	24 0 0					
Envelopes	Re. 1-4 per box ...	3 boxes ...	3 12 0					
Erasers	Ans. 4 each ...	3 No. ...	0 12 0					
Pen-holders	„ 9 to Re. 1-4 per doz.	13 dozens ...	9 8 6					
Inkstands	„ 2 and 3 each ...	13 No. ...	2 0 0					
Blue ink	„ 3 per bottle ...	15 bottles ...	2 13 0					
Wax cloth	Re. 1 per thân ...	4 thâns ...	4 0 0					
White tape	Ans. 8 per bundle ...	10 bundles ...	5 0 0					
Sealing wax	„ 10-8 to Rs. 2 a seer...	77⅓ tolas ...	1 1 6					
	„ 14 to Re. 1-14 per lb.	22⅔ lbs. ...	34 11 0					
	„ 1-6 to 2 per stick ...	86 sticks ...	9 12 0					
	.....	...	0 13 0					
Candles	Ans. 6 to 8-3 per bundle...	251 bundles ...	101 5 0					
Cheet cloth	„ 1-4 to 2-6 per hand...	18 hands ...	2 4 11					
	.....	...	1 2 6					
Bafta cloth for file covering...	.....	22 hands ...	1 2 6					
	.....	...	9 7 0					
Hulwan cloth	An. 1 per hand ...	5 hands ...	0 5 0					
	.....	...	0 1 0					
Cloth, Jaganathee	Rs. 2-8 per thân ...	2 thâns ...	5 0 0					
Chintz	Ans. 2 per hand ...	72 hands ...	9 0 0					
Twine	„ 12 to Re. 1-8 per seer	7 seers 13 chattaks	8 13 0					
Sootli thread	2 seers per 1 Re. ...	1 seer 30 tolahs ...	0 11 0					
	.....	...	0 12 0					
Thread, balls	Ans. 5 and 6 per 32 ...	262 No. ...	2 10 9					
	Re. 1 per ream ...	7 reams ...	7 0 0					
Bundles of thread	Ans. 4 and 5 each ...	35½ bundles ...	10 1 0					
Locks	.....	...	0 5 0					
	.....	1 No. ...	0 3 0					
Padlocks	Ans. 4 and 5 each ...	8 „ ...	2 1 0					
Vinegar	„ 5 a pint ...	2 pints ...	0 10 0					

No. 2121.—With reference to Notifications in the *Calcutta Government Gazette* dated, respectively, the 13th September 1824 and the 3rd July 1828, the Governor General in Council is pleased to give notice that the Four Per Cent. Sicca Rupee Loans of 1824-25 and 1828-29, commonly known as the first and second 4 Per Cent. Loans, will be discharged at the Public Debt Office, Bank of Bengal, Calcutta, on the 27th March 1882, at the rate of Rs. 106-10-8 Government Rupees for every 100 Calcutta Sicca Rupees of Stock.

The Notifications No. 44, dated the 10th January 1867, and No. 3097, dated the 15th December 1871, permitting transfers from any loan bearing interest at 4 per cent. into the loans of 1842-43 or 1865, are cancelled from this date in so far as they apply to the abovementioned loans of 1824-25 and 1828-29.

The 22nd December 1881.

No. 2145.

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

Read—

Letter to the Superintendent of Government Printing, No. 3926, dated 28th October 1881, informing him that the Government of India desire to employ private enterprise in the work of printing forms now carried on in the Government Central Press, and requesting him to invite tenders from the private presses in Calcutta for the execution of the work.

Read also—

Letter from the Superintendent of Government Printing, No. 102, dated the 14th instant, submitting tenders received from several of the Calcutta printing presses.

RESOLUTION.—It appears from these tenders that the prices at which private presses are ready to undertake the work which the Government of India desires to transfer to them are much in excess of the rates for which the work is now done in the Government Central Press, the whole cost of which, including binding and distribution to the different Departments, now amounts to a little under Rs. 1,10,000 annually.

2. The Governor General in Council is most desirous of affording free scope for private enterprise in all matters in which it may legitimately be employed, and the principal aim of the measure now proposed is to afford such encouragement in an important branch of industry. But the attainment of this object, desirable as it is, cannot be allowed to conflict with the interests of the general tax-paying community, and it is not possible to offer to private enterprise an undertaking for the execution of which a premium must be paid from general revenues in excess of the cost for which the work is now done under direct management by officers of the Government. His Excellency in Council accordingly regrets his inability to accept any of the tenders which have been submitted to the Superintendent of Government Printing.

3. It is understood, however, that the offer of a contract for five years is not considered by some an adequate inducement to lay out capital in the purchase of the plant and machinery which will be required for the execution of the very large quantity of work to be done, at least thirty millions of copies of forms being required every year. The Governor General in Council has considered this point carefully, and has decided that, as it appears that the rate of cost per thousand forms in the Government Central Press varies but very slightly from year to year, the term of contract may unobjectionably be extended. His Excellency in Council will be prepared now to receive tenders for a contract for ten years. These will be received by the Superintendent of Government Printing at his office until noon of the 3rd January 1882.

4. The tenders which have been received and rejected refer only to the printing of the forms. The Government of India has now decided, after further consideration, that the binding of the forms and their despatch as required to indenting officers shall also be undertaken by the firm or firms whose tender

may be accepted. Intending tenderers for printing should accordingly include in their tender rates for these two branches of the work.

5. The Superintendent of Government Printing will afford to intending tenderers such information as they may require relating to the nature and quantity of the work and the rates at which it is now one, or on other points.

6. The Government of India do not consider it necessary to require that any single press in Calcutta shall undertake the whole of the extensive amount of work involved in the printing, binding, and distribution of these forms. The work has therefore been divided into four sections—

(1) Railway Forms.
(2) Post Office and Forest Forms.
(3) Public Works and Commissariat Forms.
(4) All other Forms.

The tenders for each should be distinct, but any tenderer may put in tenders for any one or more sections, or for all of them, and the tender for any section or sections should include a tender for binding and distribution, as well as for printing.

7. The Government of India will be prepared to dispose at a fair valuation of the machinery and plant now employed in printing the forms to the party or parties whose tender may be accepted.

ORDERED, that copy of the foregoing Resolution be forwarded to the Superintendent of Government Printing; also that it be published in the *Gazette of India*.

The 23rd December 1881.

The following Addenda to the Codes of the Financial Department are published for general information:—

No. 2138.

C. P. C.

PAGE 10.

Section 10.

Insert the following as Case (i) under this Section :—

(*i*) In the case of transfers of officers to the service of the Egyptian Government, the contribution for pension shall be fixed, if the officer is a Covenanted Civil Servant, or a Commissioned Military Officer, at 10 per cent. of the pay which he draws in Egypt; and if he is an Uncovenanted Officer, at 10 per cent. of his pay subject to a maximum limit of Rs. 111 a month.

No. 2097.

P. AND A. A. C.

PAGE 282.

Section 44.

Insert the following note under this section :—

[NOTE.—This Section must not be held to conflict with Rule 2 in Section 53 *(b)* of the Civil Leave Code. Subject always to the provisions of Section 6 of that Code, the phrase "the appointment on which he has a lien" means the appointment which the officer relinquished when he proceeded on leave, and does not refer to an appointment to which an officer has been nominated during his absence on leave.]

No. 2148.—The appointment of Mr. E. Hutton to be Post Master of Calcutta, with effect from the 10th April 1881, is published for general information.

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

MILITARY DEPARTMENT.

Fort William, the 23rd December, 1881.

APPOINTMENTS.

No. 691.—STAFF CORPS—

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant Julian Henry Young, 2nd Battalion, North Lancashire Regiment, Wing Officer, 7th Native Infantry,—7th March, 1880.

The commission of Lieutenant Young is antedated to the 7th March, 1880, subject to Her Majesty's approval.

Lieutenant John Graham Smith, 1st Battalion Suffolk Regiment, Officiating Wing Officer, 19th Native Infantry, now Officiating Wing Officer, 14th Native Infantry,—25th September, 1880.

Lieutenant William Annesley Burton Dennys, 1st Battalion, Wiltshire Regiment, Officiating Wing Officer, Bhopal Battalion,—30th October, 1880.

Lieutenant John Lampen, 1st Battalion, Wiltshire Regiment, Officiating Wing Officer, 32nd Native Infantry,—6th November, 1880.

No. 692.—PERSONAL STAFF—

The undermentioned officers come on the establishment of paid Aides-de-Camp to the Queen, with effect from the 1st July, 1881:—

Colonel F. H. Jenkins, C.B., Bengal S. C., *vice* Colonel *Sir* C. H. Brownlow, K.C.B., promoted to Major-General.

Colonel Æ. Perkins, C.B., R. E., *vice* Colonel *Sir* P. S. Lumsden, K.C.B., C.S.I., promoted to Major-General.

No. 693.—His Excellency the Viceroy and Governor General is pleased to confirm Captain *Lord* W. L. dela P. Beresford, V.C., in the appointment of Military Secretary to His Excellency, *vice* Lieutenant-Colonel G. S. White, C.B., V.C., resigned. Dated 28th October, 1881.

No. 694.—MILITARY SECRETARIAT—

Major A. R. Kenney-Herbert, General List, Madras Cavalry, Squadron Officer, 4th (Prince of Wales's Own) Madras Light Cavalry, to officiate as Assistant Secretary, *vice* Major J. Davidson, appointed to the Army Head Quarters Staff. Dated 19th December, 1881.

No. 695.—NATIVE ARMY—

Jamedar Akram Khan, appointed on probation to the 9th Bengal Cavalry in G. G. O. No. 814 of 1879, is confirmed in that rank, with effect from the 11th October, 1879.

No. 696.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Mr. Robert James Reid, to be Lieutenant, *vice* Lieutenant T. Doggett, resigned.

FURLOUGH AND LEAVE.

No. 697.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Lieutenant-Colonel P. Story, Infantry, Wing Commander and 2nd-in-Command, 1st Goorkha Regiment, (p. a.) for one year, under rule IX of the regulations of 1868.

Major I. P. Westmorland, R.E., Examiner, 1st class, Examiner of Public Works Accounts, Bengal, Public Works Department, (p. a.) for two years, under rule IX of the regulations of 1868.

Brigade-Surgeon W. Watson, M.B., Deputy Sanitary Commissioner, North-Western Provinces and Oudh, (p. a.) for one year, under rule IX of the regulations of 1868.

Surgeon-Major G. Griffith, 18th Bengal Cavalry, (p. a.) for 282 days, under rule IX of the regulations of 1868.

Surgeon-Major J. C. Morice, (p. a.) for two years, under rule IX of the regulations of 1868.

No. 698.—Colonel F. W. Peile, R E., Chief Engineer, 2nd class, Public Works Department, is granted an extension of special leave under Public Works Departmnet Resolution No. 1605-27 E.-G., dated the 3rd September, 1879, to the 15th November, 1881.

No. 699.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India:—

Lieutenant-Colonel J. Upperton, Bengal S. C., (u. p. a.) for two months without pay.

Major H. S. Anderson, General List, Infantry, (m. c.) for one year.

Major H. Wylie, C.S.I., General List, Infantry, (p. a.) for one month.

Surgeon J. Wilson, M.D., (p. a.) for six months.

No. 700.—The undermentioned warrant officers have been granted extensions of furlough by the Secretary of State for India to the date of the arrival of the troopship *Jumna* at Bombay:—

Deputy Commissary and Honorary Captain R. G. Davies, Public Works Department; Conductor W. Powell, Commissariat Department; Sub-Conductor G. M. Grant, Commissariat Department.

PENSIONS.

No. 701.—Honorary Surgeon John Slane is transferred to the Pension Establishment.

PROMOTIONS.

No. 702.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Lieutenant-Colonel.

Major Henry Morton,—20th December, 1881.

To be Majors.

Captain (Brevet Major) Robert Warburton,—18th December, 1881.

Captain Robert Henry Francis Rennick,—18th December, 1881.

Captain Alexander Innes Shepherd,—20th December, 1881.

BREVET.

To be Colonel.

Lieutenant-Colonel John Rootsey Strutt, Bombay S. C.—20th December, 1881.

No. 703. ORDNANCE DEPARTMENT—

Rank and Names.	To what rank promoted.	From what date.	In succession to
Asst. Commissary and Hony. Lieut. Richard Monks.	Dy. Commy.	24 Nov., 1881	*Vice* Swinnerton.
Deputy Asst. Commissary and Hony. Lieut. Joseph Comber.	Asst. Commy	ditto ...	*Vice* Monks.
Conductor David Marshall, Head Overseer, Small Arm Ammunition Factory.	*Dy. Asst. Commy.*	*ditto.*	
Conductor John Halliday, Head Overseer, Small Arm Ammunition Factory.	*ditto.*	*ditto.*	
Conductor James Brown, Overseer, Foundry and Shell Factory.	*ditto.*	*ditto.*	
Conductor Thomas Shanahan, Overseer, Foundry and Shell Factory.	*ditto.*	*ditto.*	
Conductor Thomas Scott, Head Overseer, Harness and Saddlery Factory.	*ditto.*	*ditto.*	
Conductor Charles Dodge, Head Overseer, Small Arm Ammunition Factory.	*ditto.*	*ditto.*	
Conductor Francis Fraser (on furlough).	ditto ...	ditto ...	*Vice* Comber.
Sub-Conductor (Temporary Conductor) Alexander Anderson.	Conductor	ditto ...	*Vice* Fraser.
Magazine Sergeant (Temporary Sub-Conductor) Samuel Durrell.	Sub-Conductor, on probation.	ditto ...	*Vice* Anderson.

No. 704.—NATIVE ARMY—

30th Native Infantry.

Jemadar Gool Badshah, to be Subadar, *vice* Dadun Khan, deceased; Havildar Dulmeer, to be Jemadar, *vice* Gool Badshah, promoted,—29th October, 1881.

31st Native Infantry.

Havildar Noor Mahomed, to be Jemadar, *vice* Roor Singh, deceased,—20th October, 1881.

No. 705.—PUNJAB FRONTIER FORCE—

4th Punjab Infantry.

Jemadar Nizabat Ali, to be Subadar, *vice* Sabah, invalided,—8th October, 1881.

Havildar Narathu, to be Jemadar, *vice* Ganda Missa, invalided,—1st September, 1881.

Havildar Mahomed Bux, to be Jemadar, *vice* Nizabat Ali, promoted,—8th October, 1881.

No. 706.—VOLUNTEER CORPS—

Calcutta Volunteer Rifle Corps.

Sergeant James Austin Bourdillon, to be Captain, in the Mounted Company.

RETIREMENTS.

No. 707.—Major George David Reid, General List, Infantry, is permitted to retire from the service, with effect from the 16th November, 1881, subject to Her Majesty's approval.

No. 708.—Surgeon-Major Frederick George Constant, M.D., has been permitted to retire from the service, with effect from the 3rd January, 1882, subject to Her Majesty's approval.

SPECIAL.

No. 709.—In continuation of G. G. O. No. 315 of 1881, the Most Honorable the Viceroy and Governor General in Council is pleased to direct the publication for general information of the following despatch from the Secretary of State for India, together with the letter therein referred to:—

MILITARY, No. 390. INDIA OFFICE, *London, 24th November, 1881.*

To His Excellency the Most Honorable the Governor General of India in Council.

MY LORD MARQUIS,—Para. 1. I have considered in Council your Military letter No. 343, dated 16th September, 1881, in which you bring to notice the services, during the late campaign in Afghanistan, of various Officers whose names were omitted in your Lordship's Minute of the 15th January, 1881.

2. It has afforded me satisfaction to receive a list of Officers in continuation of that which I acknowledged in my Despatch, No. 136, of the 5th May last, and I desire to repeat the assurances I then gave of the recognition of the services brought to notice, and to request that you will inform the several Officers whose names you now mention of the appreciation by Her Majesty's Government of the excellent service they rendered, as testified by your Lordship.

I have, &c.

(Sd.) HARTINGTON.

Letter from the Government of India, Military Department, to the Right Hon'ble the Secretary of State for India, No. 343, dated Simla, the 16th September, 1881.

1. Your Lordship's Military despatch No. 136 of the 5th of May, 1881, conveyed the concurrence of Her Majesty's Government in the approval recorded by the Viceroy, in a Minute dated the 15th January, 1881, of the services rendered by various civil and military officers during the late war in Afghanistan.

2. Your Lordship will have observed that the Minute and connected despatches have been published in our General Order No. 315, dated the 10th June, 1881. It has however come to our notice that there were certain omissions in the Minute—omissions which were perhaps unavoidable, bearing in mind the numerous officers and departments who were connected with the late war in Afghanistan, but which we would desire to rectify.

3. The Government of Bombay have lately submitted the names of certain civil officers in Sind who did valuable service when the resources of that province were so largely

called upon during the operations of 1878-79 and 1879-80, namely,—

(the late) Mr. F. D. Melville, C.S.,
Mr. H. N. B. Erskine, C.S.,
Mr. J. B. Peile, C.S., C.S.I.,

all of whom acted as Commissioners of Sind during the late war; also the following officers:—

Colonel W. R. Lambert, Collector of Karachi;

Colonel L. D'A. Dunsterville, Collector of Hyderabad;

Colonel R. R. Wallace, Collector of Shikarpur, and

Lieutenant-Colonel E. W. Trevor and Mr. G. Macleod, Acting Collectors of Shikarpur;

Major R. V. Malden, Acting Superintendent, Sind Frontier;

Mr. E. C. K. *Ollivant, Personal Assistant* to the Commissioner.

4. The Government of Bombay also bring to favourable notice the services of Lieutenant G. C. Parker, of the Indian Marine, who in his capacity of Harbour Master at Karachi did excellent work in connection with the disembarkation of large numbers of troops, followers and animals, and great quantities of war materiel of all kinds.

5. The following officers of the Political Department, whose names have not previously been brought to notice, also deserve mention:—

Dr. H. W. Bellew, C.S.I.
Colonel T. E. Gordon, C.B., C.S.I.
Lieutenant-Colonel E. S. Reynolds.
Captain W. Loch.
Major T. C. Plowden, Deputy Commissioner, Kohat.
Mr. F. W. Fryer, C.S., Deputy Commissioner, Dera Ghazi Khan.
Captain C. E. Yate.
Captain A. Muir.
Mr. A. F. D. Cunningham, C.S., C.I.E.
Major E. Conolly.

Dr. Bellew had been specially selected, in 1878, to accompany Sir Neville Chamberlain's projected mission to Kabul. In the autumn of 1879, when military operations began in Northern Afghanistan, Dr. Bellew proceeded, at the request of the Government of India, over the Shuturgardan to join Sir Frederick Roberts. He remained at Kabul during the winter months upon political duty; and his knowledge of Afghan languages and large experience of the country proved useful.

Colonel T. E. Gordon joined the Kuram Field Force on special political duty in April, 1879. When General Roberts advanced on Kabul in the following September, Colonel Gordon assumed military and political charge of the Kuram Valley and the Hariob. The services rendered by him in this part of the country were of much value.

Lieutenant-Colonel Reynolds and Captain W. Loch did good service in Biluchistan, and Captain Loch also accompanied General Phayre's force in the advance to Kandahar. During the occupation of the Kuram Valley by British troops, Major Plowden exerted himself with much energy and success in maintaining communications and in preserving the peace of an important section of the frontier. He also accompanied the Zamusht expedition in December, 1879.

Mr. F. W. Fryer was employed in 1878 and 1879 upon the Biluch border, and in the operations connected with the march of Major-General Biddulph's force to Quetta. His local knowledge and influence enabled him to afford material assistance.

Captain C. E. Yate and Captain A. Muir did well in Southern Afghanistan during the British occupation of the country, the former especially at Khelat-i-Ghilzai, the latter at Kandahar.

Mr. Cunningham and Major Conolly were at different times entrusted with the management of the Khyber, where their services were of marked value. Mr. Cunningham was also selected to accompany Mr. Griffin to Kabul.

6. The omission to allude to the services of the Medical Department with the Government of India, in a Minute which dealt with civil services alone, arose from the circumstance that the late head of this department was included among the officers recommended to the notice of the Government of India by the Commander-in-Chief for military services during the war, the fact being that, until the late changes in the administrative organisation of the Medical Services, the Surgeon-General, Her Majesty's Forces, was more directly connected with the Commander-in-Chief than with the Government of India. But the services rendered by the Army and Indian Medical Departments to the Government of India were valuable and conspicuous. The superintendence of the medical service at the beginning of the war was under Surgeon-General Ker-Innes, C.B., of the Army Medical Department, and Surgeon-General Beatson, at that time at the head of the Indian Medical Service in Bengal, and was afterwards conducted in a very successful manner by the present able head of the Army Medical Department in India, Surgeon-General Crawford, M.D. Surgeon-General Cuningham, M.D., as Surgeon-General with the Government of India, was also largely concerned in the successful administration of the medical services; we desire to bring to the notice of Her Majesty's Government the services performed by these officers.

7. The services of the Survey Department in the field have already been recognised by the promotion of several of the military officers belonging to it; but the good work done by Messrs. Scott, Ogle, Price, Claudius and McNair, civil officers of the department in the field, deserves to be publicly recorded; while it is due to the head of the Survey Department, Lieutenant-General Walker, C.B., R.E., to notice with approbation the assistance rendered to the military operations in the prompt supply of maps and plans, and the general efficiency with which the work of his department in all branches was conducted.

8. The Bengal Clothing Department, under the superintendence of Colonel B. Walton, C.I.E., met the sudden demand for a large supply of warm clothing in a prompt and efficient manner.

9. The *names of several officers* in the Commissariat and Transport Departments of the Army have already been brought to notice in the Viceroy's Minute; but there are two officers whose names were omitted from the Minute: as their services were commended to Her Majesty's Government in forwarding the list of officers whom His Excellency the Commander-in-Chief considered deserving of reward, Lieutenant-Colonel J. O. Travers, the General Transport Officer of the Khyber Line Force, whose duties confined him mainly to the base at Peshawar; and Captain R. Patch, Deputy Assistant Commissary-General, who, although he served in the field in the first phase of the campaign, was during the latter portion of the operations in charge of the great field depôt at Peshawar, from which the main bulk of the supplies of the Army were forwarded with admirable regularity and precision to the troops in the front. Lieutenant-General Sir M. Kennedy, late Controller-General of Supply and Transport, brought the services of these officers especially to notice in his report on the operations of supply and transport during the second campaign.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 22nd December, 1881.

Under clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from the 16th to the 22nd December, 1881:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Royal Engineers ...	Colonel W. R. Tucker ...	10th December, 1881.	Lucknow.		
2nd Battalion, Seaforth Highlanders.	Lieutenant R. Graham-Campbell ...	13th December, 1881.	Sitapur.		

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

MILITARY (MARINE) DEPARTMENT.

Fort William, the 23rd December, 1881.

ALLOWANCES.

No. 48.—MESSING—

In continuation of G. G. O. No. 34 of 1880, laying down the rates of table money payable for the entertainment of high functionaries, their suites, &c., on board Indian Government vessels, it is notified that these rates are applicable to the case of *sea-going* vessels only, and not to inland vessels, &c.

FURLOUGH AND LEAVE.

No. 49.—Mr. F. W. Allen, Assistant Superintendent, 2nd Grade, Marine Survey Department, is granted leave to Europe, on medical certificate, for 1 year 11 months and 29 days, under section 127, Civil Leave Code, with effect from the 17th November, 1881.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 21st December 1881.

No. 395.—Mr. F. Hutchinson, Examiner, 4th Class, 3rd Grade, attached to the Office of the Examiner of Public Works Accounts in Bombay, is appointed to the charge of the Accounts of the Southern Mahratta Railways.

No. 396.—The services of Mr. M. J. Chabrel, Assistant Engineer, 1st Grade, on the establishment of the Director General of Railways, are placed at the disposal of the Government of Bengal, Railway Branch.

The 22nd December 1881.

No. 399.—The services of Mr. H. T. Gwyther, Assistant Engineer, 2nd Grade, are, on return from furlough, placed at the disposal of the Government of Bombay, Railway Branch.

No. 400.—Mr. E. M. Sage, Assistant Engineer, 2nd Grade, Railway Branch, is transferred to the Provincial Establishment of British Burma.

No. 401.—Mr. J. W. Wright, Executive Engineer, 1st Grade, Punjab, is appointed to officiate as a Superintending Engineer with temporary rank in Class III during the absence on leave of Mr. R. Tyndall, or until further orders.

TELEGRAPH.

The 22nd December 1881.

No. 397.—The promotion of the undermentioned officers of the Indian Telegraph Department, to the grades specified, will have effect from the 1st April 1880 and not as previously notified :—

To Superintendent, 2nd Grade.

Mr. J. M. Lane.
„ H. P. Owen.

To Superintendent, 3rd Grade.

Mr. J. C. Douglas.
„ W. N. Toulmin.

No. 398.—The Governor General in Council is pleased to make the following promotions of officers in the Indian Telegraph Department, with effect from the dates specified :—

Name.	From	To	With effect from
Mr. G. G. Charles „ W. F. Melhuish „ C. H. Reynolds	Assistant Superintendent, 1st Grade.	Superintendent, 3rd Grade.	1st April 1880.
„ J. F. Bevan „ R. Boteler „ J. A. Briggs „ W. J. Browne „ F. R. DeMarsac „ W. P. Johnston „ C. P. Landon „ R. C. Laughlin „ S. P. W. V. Luke, C.I.E. „ F. G. Maclean „ C. B. D. Marks „ T. McKelvey „ H. M. O'Kelly, M.A. „ C. E. Pitman, C.I.E. „ F. W. F. Wiese	Assistant Superintendent, 1st Grade.	Superintendent, 4th Grade.	1st April 1880.
„ W. Williams „ T. C. Hill „ J. C. Douglas	Superintendent, 3rd Grade	Superintendent, 2nd Grade.	19th June 1880. 20th August 1881.
„ J. F. Bevan „ R. C. Laughlin	Superintendent, 4th Grade.	Superintendent, 3rd Grade.	19th June 1880. 20th August 1881.

ALEX. FRASER, *Major-General, R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

№ 53.} CALCUTTA, SATURDAY, DECEMBER 31, 1881.

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

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PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Superintendent of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

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PART IV.—Acts of the Governor General's Council assented to by the Governor General :—
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The Seditious Publications Bill, 1882.

SUPPLEMENT No. 53.

PART I.

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

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Fort William, the 28th December 1881.

No. 419.—Mr. R. F. Saunders is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 14th October 1881.

No. 424.—The services of Mr. T. L. L. Jenkins, Assistant Magistrate and Collector, Durbhanga, are placed at the disposal of the Chief Commissioner of Assam.

The 30th December 1881.

No. 428.—Mr. A. O. Hume is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 1st January 1882.

MEDICAL.

The 29th December 1881.

No. 656.—The services of Surgeon E. Cretin, M.B., are replaced at the disposal of the Military Department.

JUDICIAL.

The 27th December 1881.

No. 1638.—The services of Mr. W. F. Meres, C.S., are replaced at the disposal of the Government of Bengal.

The 30th December 1881.

No. 1653.—In exercise of the power conferred by Section 64A of the Code of Criminal Procedure (Act X of 1872), the Governor General in Council is pleased to direct the transfer of the criminal appeals specified below from the Court of the Judicial Commissioner of Oudh to the High Court of the North-Western Provinces :—

1. No. 14.—Queen-Empress
versus
Sital.
Charge—Section 302, Indian Penal Code.

2. No. 209.—Sital, appellant,
versus
Queen-Empress.
Charge—Section 302, Indian Penal Code.

ECCLESIASTICAL.

The 30th December 1881.

No. 222.—The services of the Reverend T. F. Dale, of the Bombay Ecclesiastical Establishment, are transferred to the Bengal Ecclesiastical Establishment for employment in the Lahore Diocese, with effect from the 5th August last.

PATENTS.

The 30th December 1881.

No. 1127.—Specifications of the under-mentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the

Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department, at the Presidency, upon payment of a fee of one Rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying :—

No. 56 of 1881. George Dubern, Telegraph Engineer, of No. 18, Elliott's Road, in the Town of Calcutta, for improvements in machinery for the production of cold.

No. 61 of 1881. Andrew Charles Guy Thompson, Engineer, of Chiswick, in the County of Middlesex, England, now residing at Spence's Hotel, Calcutta, for decorticating or cleaning rheea or China grass, jute, flax, hemp and other fibrous substances.

No. 70 of 1881. John George, of Cawnpore, India, for an improved railway crossing.

No. 85 of 1881. St. George Lane Fox, of London, England, gentleman, for improvements in apparatus for producing motion by electricity, specially applicable to regulating the electro-motive force in systems of applying or distributing energy by electricity for lighting or other purposes.

No. 86 of 1881. St. George Lane Fox, of London, England, gentleman, for improvements in electric lamps.

No. 99 of 1881. Thomas Bell Lightfoot, of Blackheath, in the County of Kent, England, for improvements in refrigerating apparatus.

No. 119 of 1881. Thomas Bolton, of Calcutta, holding the appointment of Mathematical Instrument-maker to the Government of India, for "range finding" by means of a system requiring two small instruments.

No. 133 of 1881. Thomas Laycock, of Northampton, England, for improvements in the manufacture of boots and shoes.

No. 135 of 1881. Thomas Lo Rankin, of the City and State of New York, and Charles A. Randall, of the City of Brooklyn State of New York, United States of America, for improvements in apparatus for the manufacture of ice.

No. 138 of 1881. Reynolds Trenholm White, of Boston, Massachusetts, United States of America, Machinist, for an improved folding or adjusting bedstead applicable for use as a stretcher and chiefly designed for hospital purposes.

No. 140 of 1881. Sir Thomas George Augustus Parkyns, Baronet, of Stapleton Beckenham, in the County of Kent, in England, for improvements in the construction of velocipedes, and in the means of propelling the same, parts of which are applicable to other vehicles.

No. 141 of 1881. George Speirs Alexander Ranking, of Segowlie, in the East Indies, Doctor of Medicine, Bachelor of Arts, Surgeon of Her Majesty's 6th Bengal Cavalry Regiment, for facilitating and expediting the process of indigo manufacture and also for increasing the yield of the dye.

No. 142 of 1881. Gustaf Liedman, gentleman, and Carl Beger, mechanician, both of Berlin, in the German Empire, for an improved apparatus for giving motion to carriages, vessels, machines, and other moving bodies.

No. 143 of 1881. John Remfry, of No. 5, Fancy Lane, in Calcutta, Attorney-at-Law, and Patent Agent, for a novel method of cleaning tram-rails and grooves, and removing extraneous matter therefrom and apparatus therefor.

No. 147 of 1881. James Crighton Kinmond, manufacturer, residing at Leamington, in the County of Warwick, England, for improvements in, or applicable to, machinery or apparatus for drying tea, and for withering green tea leaf.

A. MACKENZIE,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 30th December 1881.

No. 2156 *G. G.*—With reference to the Foreign Department Notification No. 709 G. G. of the 8th April 1881, Captain C. B. Cooke, Political Agent, 2nd Class, and Officiating Political Agent, 1st Class, is posted as Political Agent in Bundelkhand, with effect from the date of assuming charge.

No. 2158 *G. G.*—The services of Mr. J. White, C.S, Political Agent, 3rd Class, are replaced at the disposal of the Government of the North-Western Provinces and Oudh.

No. 2159 *G. G.*—Surgeon W. A. Mawson, in medical charge of the 14th Bengal Lancers, is appointed to the medical charge of the Gwalior Residency, the Morar Cantonment Magistracy, and the Morar Jail, in addition to his other duties, with effect from the date of assuming charge.

H. M. DURAND,
Under Secy. to the Govt. of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Fort William, the 27th December 1881.

No. 2181.—Privilege leave for three months having been granted to Mr. E. F. T. Atkinson, Officiating Accountant General and Officiating Commissioner of the Department of Issue of State Paper Currency, Bombay, Mr. Atkinson availed himself of the leave, after noon, on the 24th December 1881.

The 28th December 1881.

No. 2206.—Mr. F. W. Peterson, F.C.S., is appointed to be Deputy Assay Master, Calcutta Mint, with effect from the 10th October 1881.

The 29th December 1881.

The following Addenda to the Codes of the Financial Department are published for general information :—

No. 2223.

C. P. C.

PAGE 54.

Section 106, Rule 6.

Add the following to this Rule :—

"A Warrant Officer ceases to be in Civil employ on attaining the age of fifty-five years."

Insert the following note under this Rule :—

"[NOTE.—The rule affecting a Warrant Officer comes into force on 15th September 1882.]"

The 30th December 1881.

No. 2241.—Mr. A. C. Tupp, B.C.S., having been appointed to officiate as Accountant General and Commissioner of the Department of Issue of State Paper Currency, Bombay, received charge of the said offices, after noon, on the 24th December 1881.

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

MILITARY DEPARTMENT.

Fort William, the 30th December, 1881.

APPOINTMENTS.

No. 710.—PERSONAL STAFF—

His Excellency the Viceroy and Governor General is pleased to appoint Lieutenant A. G. A. Durand, Extra Aide-de-Camp, to be Aide-de-Camp on His Excellency's personal staff, *vice* Captain *the Hon'ble* W. C. Wentworth-FitzWilliam, resigned. Dated 1st November, 1881.

No. 711.—COMMISSARIAT DEPARTMENT—

Lieutenant H. G. Ryland, Bengal S.C., Sub-Assistant Commissary General, 3rd class, on probation, is confirmed in his appointment, with effect from the 13th November, 1880.

No. 712.—NATIVE ARMY—

Jemadar Hakim Singh, appointed on probation in G. G. O. No. 874 of 1879, is confirmed in that rank, with effect from the 3rd November, 1879.

No. 713.—VOLUNTEER CORPS—

Ghazipur Volunteer Rifle Battalion.

Captain L. B. Irwin, Bengal S.C., Wing Officer, 20th Native Infantry, to be Adjutant.

FURLOUGH AND LEAVE.

No. 714.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant-Colonel R. S. Robertson, Bengal S.C., Commandant, 4th Native Infantry, (m. c.) for one year, under rules IX and XV of the regulations of 1868.

Lieutenant-Colonel R. W. Elton, Infantry, (p. a.) for two years, under rule IX of the regulations of 1868.

Major A. D. Butter, Bengal S.C., Wing Commander, 42nd Native Infantry, (u. p. a.) for 182 days, under rule XI of the regulations of 1868.

Lieutenant H. W. Duperier, R.E., Executive Engineer, 4th grade, Military Works Branch, Public Works Department, (m. c.) for one year, under rule IX, note (1), of the regulations of 1868.

No. 715.—Major T. J. C. Plowden, C.I.E., General List, Infantry, Assistant Commissioner, 2nd class, Punjab, is allowed furlough in and out of India, (p. a.) for two years, under rule IX of the regulations of 1868, with effect from the 28th October, 1881.

LONDON GAZETTE.

No. 716.—The following extracts are published for general information :—

"London Gazette," dated the 18th November, 1881, page 5620.

War Office, Pall Mall, 18th November, 1881.

Deputy Assistant-Commissary Thomas Jones, Madras Establishment, to have the honorary rank of Lieutenant. Dated 5th March, 1880.

"London Gazette," dated the 22nd November, 1881, page 5713.

India Office, 22nd November, 1881.

THE Queen has approved of the retirement from the Service of the undermentioned Officers of Her Majesty's Indian Forces :—

Lieutenant-Colonel and Brevet Colonel Julian Campbell Hobson, of the Bombay Staff Corps. Dated 31st October, 1881.

Lieutenant-Colonel Alexander McLeod Stewart, of the Bengal Staff Corps. Dated 31st August, 1881.

Lieutenant-Colonel Wheatley Robertson, of the Madras Staff Corps. Dated 1st November, 1881.

Lieutenant-Colonel Frederic Pelham Bartholomew, of the Bombay Staff Corps. Dated 2nd November, 1881.

Surgeon-Major William Caldwell, M.D., of the Bengal Army. Dated 4th July, 1881.

BREVET.

The undermentioned Officers are granted a step of honorary rank on retirement :—

To be Major-General.

Lieutenant-Colonel and Brevet Colonel Julian Campbell Hobson, of the Bombay Staff Corps. Dated 31st October, 1881.

To be Colonels.

Lieutenant-Colonel Alexander McLeod Stewart, of the Bengal Staff Corps. Dated 31st August, 1881.

Lieutenant-Colonel Wheatley Robertson, of the Madras Staff Corps. Dated 1st November, 1881.

Lieutenant-Colonel Frederic Pelham Bartholomew, of the Bombay Staff Corps. Dated 2nd November, 1881.

To be Surgeons-General.

Deputy Surgeon-General John Wilson, of the Madras Army. Dated 28th March, 1881.

Deputy Surgeon-General Henry Robert Oswald, M.D., of the Madras Army. Dated 15th August, 1881.

"London Gazette," dated the 25th November, 1881, page 5905.

India Office, 25th November, 1881.

HER Majesty has approved of the following promotions among the Officers of the Staff Corps and Indian Military Forces made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant-Colonel.

Major and Brevet Lieutenant-Colonel Robert Byng Patricia Price Campbell. Dated 4th September, 1881.

To be Major.

Captain Everard Strangways Neave. Dated 4th September, 1881.

BENGAL ARMY.

INFANTRY.

To be Majors.

Captain George Michell Devereux Hill. Dated 4th September, 1881.

Captain Francis Henry Hinde. Dated 10th September, 1881.

ERRATUM.

The name of the gentleman appointed to be a Surgeon on the Bengal Establishment in the London Gazette of the 27th February, 1874, should be A. J. *Willcocks*, and not as stated in that Gazette.

"London Gazette," dated the 29th November, 1881, pages 6215 and 6216.

War Office, Pall Mall, 29th November, 1881.

The undermentioned Deputy Assistant-Commissaries to have the honorary rank of Lieutenant:—

John Robert Forsyth, Madras Establishment. Dated 27th July, 1881.

William Spencer, Bombay Establishment. Dated 24th August, 1881.

James Lucas, Bombay Establishment. Dated 31st August, 1881.

John Glen, Madras Establishment. Dated 1st September, 1881.

The following Officers of Her Majesty's Indian Forces (Local Service) have been transferred to the Unemployed Supernumerary List, under the terms of the Royal Warrant of the 24th October, 1881, dated 1st July, 1881:—

Generals.

James Travers, C.B., V.C., Bengal Infantry.
Richard Shubrick, Madras Infantry.
Sir Edward Lechmere Russell, K.C.S.I., Bombay Infantry.
George William Bishop, Bengal Infantry.
George de Sausmarez, Madras Infantry.
Henry William Blake, Madras Infantry.
William Frost Nuthall, Bengal Infantry.

Lieutenant-Generals.

Alexander Robert Manson, Bombay Infantry.
Herbert Edward Stacy Abbott, Bengal Infantry.
Brooke Boyd, Bengal Infantry.
John Liptrott, Bengal Infantry.
Stephen Francis Macmullen, Bengal Cavalry.
William Vine, Madras Cavalry.

Major-Generals.

William George Owen, Madras Infantry.
Samuel Brougham Faddy, Bengal Infantry.
Richard Andrew Doria, Madras Infantry.
Gordon Caulfeild, Bengal Infantry.
Francis Faithful Warden, Madras Infantry.
William Henry Freese, Madras Infantry.
John Penrose Coode, Madras Infantry.
Edward Dayot Watson, Bengal Infantry.
Douglas Hamilton, Madras Infantry.
George Staple Dobbie, Madras Infantry.
Arthur Newbolt Rich, Madras Infantry.
Henry Augustus Adams, Bombay Infantry.
John Gordon, C.B., Bengal Infantry.
William Thomas Williams, Madras Infantry.
Francis Walker Drummond, Bengal Cavalry.

Colonels.

William Wilkinson Taylor, Bombay Infantry.
George Strangways, Bengal Infantry.
Wredenhall Queiros Pogson, Bengal Infantry.
Folliott Walker Baugh, Bengal Infantry.
Thomas Rochfort Snow, Bengal Cavalry.
William Charles Gott, Bengal Infantry.
Græme Auchmuty Fulton, Madras Infantry.
James Gathorne Cookson, Madras Cavalry.
William Fraser Stephens, Bengal Cavalry.

The following promotions to take place from 1st July, 1881, in consequence of the above-named General Officers having been placed on the Unemployed Supernumerary List, and in order to complete the establishment of General Officers for the Indian Army under the terms of the Royal Warrant of the 10th November, 1881:—

Major-Generals to be Lieutenant-Generals.

David Scott Dodgson, C.B., Bengal Infantry.
Alexander Crombie Silver, Madras Infantry.
John William Schneider, C.B., Bombay Infantry.

Colonels to be Major-Generals.

Frederick Charles Maisey, Bengal Infantry.
Henry Borlase Stevens, Bengal Infantry.
James Buchanan, Madras Cavalry.
William Henry Watts, Madras Infantry.
George Travis Radcliffe Madras Cavalry.
Charles Raper Stainforth, Madras Cavalry.
Charles Jackson, Bengal Infantry.
Charles Dumbleton, Bengal Cavalry.
George Gibson Anderson, Bengal Infantry.
George Reynolds Scott Burrows, Bombay Infantry.

The following General Officers and Colonels on the Unemployed Supernumerary List have been promoted from the 1st July, 1881:—

Major-Generals to be Lieutenant-Generals.

William George Owen, Madras Infantry.
Samuel Brougham Faddy, Bengal Infantry.
Richard Andrew Doria, Madras Infantry.
Gordon Caulfeild, Bengal Infantry.
Francis Faithful Warden, Madras Infantry.
William Henry Freese, Madras Infantry.
John Penrose Coode, Madras Infantry.
Edward Dayot Watson, Bengal Infantry.

Colonels to Major-Generals.

William Wilkinson Taylor, Bombay Infantry.
George Strangways, Bengal Infantry.
Wredenhall Queiros Pogson, Bengal Infantry.
Folliott Walker Baugh, Bengal Infantry.
Thomas Rochfort Snow, Bengal Cavalry.

India Office, 29th November, 1881.

HER Majesty has approved of the following admissions to the Staff Corps made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenant.

Lieutenant Albert Dallas Enriquez, from the Royal Irish Rifles. Dated 9th July, 1880, but to rank from 31st August, 1878.

* * * *

PROMOTIONS.

No. 717.—COLONEL'S ALLOWANCE—

Major-General Henry Knightley Burne, C.B., Bengal S.C., is admitted to the Colonel's allowance. Dated 30th December, 1881.

No. 718.—NATIVE ARMY—

22nd Native Infantry.

Subadar Khurruck Singh, to be Subadar Major, *vice* Peer Bux, "Sirdar Bahadur," deceased,—14th September, 1881.

Havildar Gokha Singh, to be Jemadar, *vice* Bhoop Singh, removed from the service,—2nd November, 1881.

26th Native Infantry.

Jemadar Raja Singh, to be Subadar, *vice* Gunda Misser, invalided; Havildar Uttur Singh, to be Jemadar, *vice* Raja Singh, promoted,—21st September, 1881.

RETIREMENTS.

No. 719.—In continuation of G. G. O. No. 688 of 1881, the undermentioned officers are permitted to retire from the service under the provisions of G. G. O. No. 1 of 1881, with effect from the dates specified, subject to Her Majesty's approval:—

Lieutenant-Colonel (Brevet Colonel) Horatio Nelson Davies, Bengal S.C.,—10th December, 1881.

Lieutenant-Colonel (Brevet Colonel) George Augustus Brown, Bengal S.C.,—26th December, 1881.

Lieutenant-Colonel (Brevet Colonel) John William Hoggan, C.B., Bengal S.C.,—27th December, 1881.

Lieutenant-Colonel (Brevet Colonel) *Sir* Charles Henry Palliser, K.C.B., Bengal S.C.,—31st December, 1881.

Lieutenant-Colonel (Brevet Colonel) John Perkins, Bengal S.C.,—31st December, 1881.

Lieutenant-Colonel (Brevet Colonel) Thomas Branfill Harrison, Bengal S.C.,—31st December, 1881.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 29th December, 1881.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned Officers, on the dates specified, were received in the Military Department from the 23rd to the 29th December, 1881:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
2nd Battalion Royal Warwickshire Regiment.	Captain J. Lewis	21st December, 1881.	Camp Gopalpur.		
Army Medical Department.	Surgeon-Major H. Sherlock ...	22nd December, 1881.	Morar.		

Statement of Deposits on account of Estates from the 23rd to the 29th December, 1881.

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
					Rs. A. P.		
British Military Service.							
Basil John Bacon (*a*) ...	Lieutenant	2nd Battalion The King's Liverpool Regiment.	25th October, 1881.	Intestate ...	621 2 6	...	1st March, 1881.
David Lloyd Williams (*b*) ...	Surgeon	Army Medical Department.	27th October, 1881.	Intestate ...	1,269 3 6	...	Ditto.

(*a*) *Next-of-kin—Brother*—Arthur Bacon.
Sister—Agnes Bacon,
11, St. Aubyn's Hove, Brighton.

(*b*) *Next-of-kin—Father*—Thomas O'Brien Williams,
Mother—Mrs. Williams,
Dungawan, Waterford, Ireland.

G. CHESNEY, *Colonel*,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Fort William, the 30th December 1881.

No. 402.—The following promotions and reversions are ordered with effect from the dates specified :—

Names.	From	To	With effect from
deBourbel, Colonel R., R.E.	Chief Engineer, Class III.	Officiating Chief Engineer, Class II.	29th Nov. 1881.
Pemberton, Lt.-Col. R. C. B., R.E.	Superintending Engineer, Class I.	Officiating Chief Engineer, Class III.	Ditto.
Tyndall, R. . .	Superintending Engineer, Class II.	Officiating Superintending Engineer, Class I.	Ditto.
Harrison, Major C. W. I., R.E.	Superintending Engineer, Class III, temporary rank.	Officiating Superintending Engineer, Class II.	Ditto.
Walker, F. B. . .	Officiating Superintending Engineer, Class III.	Executive Engineer, 1st Grade.	1st Dec. 1881.
Tyndall, R. . .	Officiating Superintending Engineer, Class I.	Superintending Engineer, Class II.	4th Dec. 1881.
Garbett, H. . .	Superintending Engineer, Class I, temporary rank.	Officiating Superintending Engineer, Class I.	Ditto.
Bell, H. . . .	Superintending Engineer, Class II, temporary rank	Officiating Superintending Engineer, Class II.	Ditto.
Harrison, Major C. W. I, R.E.	Officiating Superintending Engineer, Class II.	Superintending Engineer, Class III, temporary rank.	Ditto.
Sargeaunt, Captain R. A., R.E.	Officiating Superintending Engineer, Class III.	Executive Engineer, 1st Grade.	6th Dec. 1881.

ALEX. FRASER, *Major-General, R.E.,*
Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 2, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th **March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.**

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home, Revenue and Agricultural Department.

By an order of Government, all subscriptions must be paid *in advance*.

	Rs.	A.	P.
Subscription for *Gazette* and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only .	6	0	0
Postage	3	0	0
For a single copy of the *Gazette* .	0	8	0
For a single copy of the Supplement	0	8	0

Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 28th March 1881.

The Honorable the Chief Justice of the High Court of Judicature at Fort William in Bengal has appointed W. F. Brennan of No. 84, King Street, Sydney, New South Wales, Australia, a Solicitor of the Supreme Court, Sydney, a Commissioner within all parts of the Colony of New South Wales, for the purpose of taking, under the law in force in British India, the acknowledgments of married women of deeds to be executed by them in respect of property in British India.

By Order,
R. BELCHAMBERS,
Registrar.

SURVEY OF INDIA.

NOTIFICATIONS.

Mussoorie, the 24th June 1881.

No. 224.—Major M. W. Rogers, R.E., Assistant Superintendent, 1st Grade, Survey of India, having returned from furlough, is appointed to officiate as Deputy Superintendent, 3rd Grade, with effect from the forenoon of the 15th June.

The following reversions are made, with effect from the same date :—

Major H. Lees Smith, Officiating Deputy Superintendent, 3rd Grade, to revert to his substantive appointment of Assistant Superintendent, 1st Grade.

Lieutenant-Colonel E. P. Leach, R.E., V.C., Officiating Assistant Superintendent, 1st Grade, to revert to his substantive appointment of Assistant Superintendent, 2nd Grade.

No. 225.—Mr. Hugh Todd, Assistant Surveyor, 1st Grade, is granted privilege leave for one month and twenty-nine days, under Chapter X, Section 136, of the Civil Leave Code, with effect from the forenoon of the 21st June.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 25th June 1881.

No. 1253.—Colonel J. D. Hall, Commandant, Bhopal Battalion, is granted ninety days' privilege leave from the date in August on which he may avail himself thereof.

The privilege leave for two months granted to Colonel Hall in Notification No. 1029, dated 18th August 1877, not having been taken, is hereby cancelled.

By Order,

J. BURNE, *Captain*,
2nd Asst. to Agent to the Govr. Genl. for Central India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D.,

Buildings and Roads Branch.

NOTIFICATION.

Indore, the 25th June 1881.

No. 4.—With a view to a better distribution of the existing Public Works Department work in Central India, the five divisions are hereby reconstituted and renamed as follows:—

INDORE DIVISION.

Staff.

T. Knight, Esq.,—Executive Engineer.
Pundit Sham Nath,—Assistant Engineer.
Eknath Ramchunder,—Sub-Engineer.
Narain Ramchunder,—Overseer.
B. Ramangiah Naidoo,—Accountant.

1.—Station of Indore, with its roads and buildings, civil and military.
2.—Agra and Bombay Road, Mhow to Parbuttee.
3.—Indore and Simrole Road.
4.—Dewas and Ujjain Road.
5.—Dewas and Ashta Road towards Bhopal.
6.—Beora and Bhopal Road *viâ* Narsinghgurh.
7.—Civil and Military Buildings at Sehore.

MHOW DIVISION.

Staff.

H. F. White, Esq.,—Executive Engineer.
R. E. Nelson, Esq.,—Executive Engineer.
R. Ewing, Esq.,—Assistant Engineer.
Mr. P. Magrath,—Sub-Engineer.
Keshow Mahadeo,—Supervisor.
Kidar Nath Mitter,—Overseer.
Heera Lal,—Overseer.
Mowla Bux,—Accountant.

1.—Cantonment of Mhow.
2.—Agra and Bombay Road, Mhow to Bhoregurh.
3.—Mhow and Nerbudda Road, up to Kherighât.
4.—Mhow and Neemuch Road, up to 22nd mile.
5.—Dhar Branch Road.
6.—Dhar and Sirdarpoor Road.
7.—Sirdarpoor Local Works.

NEEMUCH DIVISION.

Staff.

C. E. Gael, Esq.,—Executive Engineer.
F. W. M. Scott, Esq.,—Assistant Engineer.
Mr. W. R. Chill,—Supervisor.
Shapoorjee Sorabjee,—Overseer.
Ganesh Bulall Fanshe,—Overseer.
Kathaloo Naidoo,—Accountant.

1.—Station of Neemuch, including Barrack Department.
2.—Station of Mehidpore.
3.—Station of Agar.
4.—Ujjain and Agar Road.
5.—Mhow and Neemuch Road, from 22nd mile to Neemuch.
6.—Neemuch and Nusseerabad Road, up to Jogi Peeplia Chowkee.
7.—Burnagar and Budnawur Branch Road.
8.—Short Feeder Roads to Sindia-Neemuch State Railway.

GWALIOR DIVISION.

Staff.

Major G. R. Gibbs,—Executive Engineer.
H. E. Grant, Esq.,—Assistant Engineer.
Mr. J. Williams,—Supervisor.
Mr. P. McDermott,—Overseer.
Subrao Naidoo,—Overseer.
Vishnoo Ramchunder,—Overseer.
Mr. G. A. McCutchan,—Accountant.

1.—Agra and Bombay Road, from Parbuttee River to Otungan River near Agra, with the ferry over the Chumbal River.
2.—Gwalior and Jhansi Road, with ferry over Sindh River.
3.—Gwalior and Etawa Road.
4.—Jhansi and Sipri Road.
5.—Phoolbagh Road.
6.—Agra Loop Line.
7.—Sipri Loop Line.
8.—Fort Road.
9.—Red Road.
10.—Station of Sipri.
11.—Station of Goona.
12.—Civil Buildings at Morar and at Jhansi as heretofore.

NAGODE DIVISION.

Staff.

Ashotosh Mitter, Esq.,—Executive Engineer.
Baboo Gyan Chunder Roy,—Assistant Engineer.
Lutchman Persad,—Supervisor.
Hari Ramchunder Agashe,—Overseer.
Luxemon Vishnoo Mehendalay,—Overseer.
Gobind Chunder Ghosal,—Accountant.

1.—Station of Sutna.
2.—Nowgong and Sutna Road.
3.—Sutna and Bela Road.
4.—Great Deccan Road.
5.—Banda and Sagor Road.
6.—Nowgong and Srinagar Road.
7.—Nagode and Kalinger Road.

By Order,

C. S. THOMASON, *Lieut.-Col., R.E.*,
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 22nd June 1881.

No. 1149 *G.*—With reference to Foreign Office telegram dated 19th May 1881, Captain J. H. Newill, made over charge of the Office of the Assistant Agent, Governor General, at Shoojangurh, to Lieutenant H. L. Ramsay, on the afternoon of the 27th May 1881.

By Order,
E. A. FRASER,
1st Asst. Agent, Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATIONS.

Mount Abu, the 21st June 1881.

No. 408.—Lieutenant-Colonel A. Conolly and Major J. H. L. Greenfield, respectively, made over and received charge of the Office of Cantonment Magistrate, Deoli, and Office of Sub-Registrar, on the afternoon of the 4th June 1881.

No. 410.—Major J. H. L. Greenfield, 2nd-in-Command, Deoli Irregular Force, to officiate as Cantonment Magistrate of Deoli, with effect from the date of taking charge, *vice* Lieutenant-Colonel A. Conolly, on privilege leave.

Major J. H. L. Greenfield is invested with the powers of a Magistrate, 2nd Class, as described in Section 20 of the Criminal Procedure Code, and with the powers of a Sub-Judge of the 2nd Class, to hear suits of a civil nature up to Rs. 500 in value.

The 24th June 1881.

No. 422.—Third Class Hospital Assistant Alleemooddeen, lately attached to the Customs Hospital at Pachbadra, is appointed to the medical charge of the Masuda Dispensary, with effect from the 8th June 1881, *vice* Native Doctor Shahamat Khan, locally entertained, whose services have been dispensed with.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Camp Mysore, the 23rd June 1881.

With reference to Notification by the Government of India in the Foreign Department, No. 1121 G.-G., dated 10th June 1881, and Chief Commissioner's Notification No. 2 of 1st April 1881, it is hereby notified that Lieutenant-Colonel H. G. Thomson, was on duty as Superintendent of Coorg from the 22nd March 1881 to the 28th March 1881.

Major Magrath, 1st Assistant Superintendent of Coorg, held charge of the Office of Superintendent from the 22nd to the 28th March, and acted as Superintendent of Coorg from the 29th March to the 8th April 1881.

By Order,
W. J. CUNINGHAM,
Secretary.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 21st June 1881.

No. 44.—Captain S. W. Jenner, R.E., Executive Engineer, 3rd Grade, on return from Field Service, is posted to the Sirhind and Lahore Command, Military Works.

The 22nd June 1881.

No. 45.—Sub-Conductor J. McClure, Assistant Barrack Master, is granted six months' leave in India on medical certificate.

The 24th June 1881.

No. 46.—Lieutenant A. L. Mein, R.E., Assistant Engineer, 1st Grade, is granted three months' leave to study the Native languages, with effect from 1st July 1881, or such subsequent date as he may be able to avail himself of it.

C. W. HUTCHINSON, *Lieut.-Genl., R.E.*,
Inspr. Genl. of Military Works.

Presidency & Oudh Command.

Lucknow, the 22nd June 1881.

No. 11.—With reference to Inspector General, Military Works' Notification No. 36 of 26th ultimo, Lieutenant E. Glennie, R.E., Executive Engineer, 4th Grade (temporary rank), reported his arrival at Allahabad on the forenoon of 17th instant, and took over charge of the Allahabad Division, Military Works, from Captain R. F. Moore, R.E., Executive Engineer, on the afternoon of the following day.

W. R. TUCKER, *Lieut.-Colonel, R.E.*,
Supdg. Engr., Presidency & Oudh Command, Military Works.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATION.

Lahore, the 24th June 1881.

No. 22.—Mr. T. Wood, Store-keeper, 1st Grade, is transferred from the Indus Valley State Railway to the Punjab Northern State Railway, on special duty.

J. G. MEDLEY, *Colonel, R.E.*,
Consulting Engr. to Govt. of India for Guaranteed Railways.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 21st June 1881.

No. 49.—Mr. J. Hogan, Assistant Engineer, 1st Grade, Punjab Northern State Railway, Construction Section, passed the Departmental Standard Examination in Hindustani on the 13th June 1881.

W. S. TREVOR, *Col., R.E.*,
Director General of Rys.

INDUS VALLEY AND KANDAHAR STATE RAILWAYS.
Manager's Office.

NOTIFICATIONS.

Mooltan, the 20th June 1881.

No. 51.—Mr. M. S. Dooley, Executive Engineer, 3rd Division, is granted privilege leave for three months, from 1st July 1881.

The 21st June 1881.

No. 52.—With reference to Manager's Notification No. 47, dated 24th May 1881, Mr. Mathew, Traffic Superintendent, availed himself of leave from the forenoon of 30th May 1881.

No. 53.—With reference to Public Works Department Notification No. 196, dated 20th May 1881, Baboo Russick Lall Roy, Assistant Engineer, 1st Grade, was relieved of his duties on the Kandahar State Railway on the afternoon of 31st May 1881, and reported his departure from Jacobabad on forenoon of 2nd June 1881.

The 25th June 1881.

No. 54.—With reference to Government of India, Public Works Department, Notification No. 194, dated 19th May 1881, Mr. E. H. Johns reported his arrival at Mooltan on the forenoon of the 16th instant.

L. CONWAY-GORDON,
Manager.

KANDAHAR STATE RAILWAY,
Upper Section.

NOTIFICATIONS.

Jacobabad, the 20th June 1881.

No. 2.—With reference to this Office Notification No. 1, dated 30th May 1881, Baboo Bamapad Roy, Sub-Store-keeper, 1st Grade, received charge from Mr. L. Desmazures, Store-keeper, of the Sibi stores, on the afternoon of 7th May 1881.

No. 3.—Mr. H. L. Monk, Executive Engineer, Nari Division, is granted special leave for three months, under Public Works Department Resolution No. 079-80 R.-E., dated 6th February 1881.

Mr. Monk availed himself of the leave from the forenoon of 13th June 1881, on which date he handed over charge of records, &c., of the Nari Division to the Examiner of Accounts, Kandahar State Railway.

No. 4.—With reference to Public Works Department Notification No. 185, dated 7th May 1881, Captain F. W. Joseph, B.S.C., Executive Engineer, 2nd Grade, was relieved of his duties on the Kandahar State Railway on forenoon of 13th June 1881.

H. F. STOREY,
Engineer-in-Chief.

PATNA AND BARAICH SURVEY.

NOTIFICATION.

Lucknow, the 27th June 1881.

Dates of arrival at Lucknow of the following Officers posted to Patna and Baraich Railway Survey :—

Mr. James R. Bell, Executive Engineer, 2nd Grade, arrived on the 27th March and posted to Gorackpore Survey Division.

Mr. H. B. Parry, Executive Engineer, 4th Grade, arrived on the 29th March and posted to Gorackpore Survey Division.

Mr. A. S. Knolles, Assistant Engineer, 2nd Grade, reported his arrival at Lucknow on the 2nd April and posted to Baraich Survey Division.

Mr. R. A. Hodges, Executive Engineer, 4th Grade, reported his arrival at Lucknow on the forenoon of the 7th April and posted to Baraich Railway Survey Division.

Mr. James R. Bell, Executive Engineer, 2nd Grade, made over charge of Gorackpore Survey Division to Mr. H. B. Parry, Executive Engineer, 4th Grade, on the 11th May 1881.

Babu Siva Datta Pande, Assistant Engineer, 2nd Grade, reported his arrival at Dhanowli on the forenoon of the 21st May 1881 and posted to Gorackpore Survey Division.

Mr. C. H. Croudace, Executive Engineer, 2nd Grade, reported his arrival at Lucknow on the 18th June 1881, posted to Gorackpore Railway Survey Division, and took charge on the 21st instant from Mr. H. B. Parry, Executive Engineer, 4th Grade.

F. B. WALKER,
Engineer-in-Chief.

Statement of the Affairs of the Bank of Bengal for the week ending 28th June 1881.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0	Government Securities	1,44,74,961	2	0
Reserve Fund	25,12,051	4	4	Loans on Government Securities at Head Office and Branches	49,88,742	9	2
Public Deposits at Head Office (Rs. A. P. 66,94,329 12 7) + Public Deposits at Branches (1,37,36,468 5 11)	2,04,30,798	2	6	Accounts of Credit on Government Securities at Head Office and Branches.	29,43,117	2	6
Other Deposits at Head Office and Branches	3,18,93,326	11	5	Bills discounted and purchased at Head Office and Branches	1,67,27,536	5	0
Bank Post Bills, &c.	3,31,673	12	2	Balances with other Banks	6,27,320	5	11
Sundries	12,28,878	13	8	Bullion	3,46,295	11	0
				Dead Stock	11,61,068	7	11
				Stamps	9,237	10	0
				Sundries	2,95,975	6	2
					4,15,74,254	11	8
				Cash and Currency Notes at Head Office (Rs. A. P. 1,30,97,087 3 0) + Cash and Currency Notes at Branches (2,17,25,386 13 5)	3,48,22,474	0	5
RUPEES	7,63,96,728	12	1	RUPEES	7,63,96,728	12	1

BANK OF BENGAL, *Calcutta, 30th June 1881.*

J. GORDON, *Chief Accte & Depy. Secretary.*

By order of the Directors.
R. HARDIE, *Secretary & Treasurer.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON: General Treasury.	CERTIFICATES ISSUED ON: Currency Department.	BALANCE OF BULLION: Under Assay.	BALANCE OF BULLION: Assayed.	BALANCE OF BULLION: Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
June 20	...	...	...	1,31,384	42,29,038	2,87,764
„ 21	...	...	...	1,31,384	41,29,005	2,87,764
„ 22	1,837	...	...	1,33,221	40,28,952	2,87,764
„ 23	...	...	...	1,33,221	39,98,997	2,87,764
„ 24	22,091	...	...	1,57,312	38,99,022	2,87,764
„ 25	...	...	1,20,760	26,272	40,00,051	4,18,804

CALCUTTA MINT, *The 27th June 1881.*

J. F. TENNANT, *Col., R.E., Mint Master.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
110	... D 14—46021 ...	20	Hidayet Yarkhan, Moradabad.
29	... D 14—48514 } * „ —48515 }	20	Hajee Ahmud and Mohamed Yakoob, Delhi.

* Mismatched.

ALLAHABAD, *The 29th June 1881.*

GODREZJEE D. PUDUMJEE, *A. A. G., In charge of Paper Currency Office.*

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W33	... M 43—85866 ...	100	K. G. Desai, Karwar.
W34	M 38—34093 ...	500	Wassantrao Bulwant, Bombay.
	M 46—24424 ...	50	
	„ —24425 ...	50	
	„ —24426 ...	50	
	„ —24427 ...	50	
W35	... M 46—95013 ...	50	Lvdha Vigi, Bombay.
	„ —95344 ...	50	
	„ —95375 ...	50	
	„ —95442 ...	50	

NOTES PARTIALLY LOST OR DESTROYED.

1881.		Rs.	
H78	... M 38—22281 ...	500	M. Hishcher, Bombay.
H79	... M 37—05014 ...	100	Maria Luisa N. F. de Carvalho, Damon.
	M 34—61255 ...	20	
	„ —68009 ...	20	
	M 51—00217 ...	10	
	„ —05501 ...	10	
	„ —16175 ...	10	
H80	... M 56—17249 ...	20	Cowasji Jamsetji, Poona.
	„ —36099 ...	20	
H81	... M 44—31277 ...	100	Capt. G. Budgen, Hyderabad.
	M 46—90701 ...	50	
M32	... M 8—32858 ...	5	Edulji Bijonji, Bombay.
	„ —32856 ...	5	
M33	... M 49—44865 ...	10	Messrs. Bapby Brothers, Bombay.
	„ —44869 ...	10	
M34	... M 46—78052 ...	50	A. Hari Dewarkar, Dahiwarri.
	„ —78054 ...	50	

BOMBAY, *The 28th June 1881.*

C. E. CRAWLEY, *Asst. Accts. Genl., Paper Currency Dept.*

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
103	... O 68—85843 ...	100	Babu Issur Chunder Ghose.
	O 32—38860 ...	50	
104	... O 32—67790 ...	50	Khadem Ali.
105	... A 92—63966 ...	50	Babu Koylas Chundra Moitra.
107	... O 64—55803 ...	20	The Sub-Treasury Officer, Goalpara.
	„ —55804 ...	20	
	„ —55805 ...	20	
	„ —91900 ...	20	
	„ —54114 ...	20	
	„ —44836 ...	20	
	„ —50357 ...	20	
	„ —49510 ...	20	
	„ —49508 ...	20	
	O 62—70756 ...	20	
109	... O 74—95121 ...	1,000	Sobharam Ram Pertab Marwaree.
111	... O 71—43765 ...	500	Wazeer Mull and Chooni Lal.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
78	... O 89—05124 ...	1,000	Buldeb Ram, Narayon Ram.
	„ —01800 ...	1,000	
79	... L 44—71782 ...	10	Babu Nobodip Chunder Seal.
	O 51—76927 ...	10	
	O 52—22592 ...	10	
80	... O 66—95119 ...	100	Colonel R. C. Money.
	O 31—10897 ...	50	
	O 32—02626 ...	50	
	„ —02627 ...	50	
	O 62—71267 to „ —71273	20 each	
	O 90—82980 ...	10	
81	... O 68—36847 ...	100	Babu Jagut Chunder Bhaumik.
82	... O 31—24985 ...	50	Babu Ananto Chunder Sen.
	O 93—29561 ...	10	
66	... O 88—65381 } „ —69468 }	100	Rámáji Seth.

CALCUTTA, *The 1st July 1881.*

R. A. STEENDALE, *Asst. Comptlr. Genl., in charge of Paper Currency.*

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 10—39996 ...	100	Ramji Bhanoo, of Bombay.
„ —51042 ...	100	

KURRACHEE, *The 23rd June 1881.*

W. PATTON, *Asst. Depy. Commr., P. C., S. C.*

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
14	... N 5—05813 ...	100	G. Moyle, Esq., Srinagur.
	„ —05814 ...	100	
	O 71—34056 ...	500	
15	... E 17—52523 ...	20	Post Master, Murree.
16	... E 16—83222 ...	10	The Goods Clerk, Sindh, Punjab and Delhi Railway, Meean Meer.
	„ —85075 ...	10	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
25	... E 15—76485 ...	50	Babu Prem Sing, Lahore.
	„ —66638 ...	50	

LAHORE, *The 24th June 1881.*

C. G. VANSITTART, for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
22	... B 61—66290 ...	50	M. Chidambrum Pillai, Erusappah Maistry Street, Madras.
23	... B 47—50201 ...	5	Mathapa Nayadu, Tiruporur, Chingleput.
	„ —50202 ...	5	
	„ —50203 ...	5	
	„ —50204 ...	5	
	„ —50205 ...	5	
	„ —50206 ...	5	
24	... B 47—14504 ...	5	C. J. Mallikarjana Sastri, Narayana Mudali Street, Madras.
	B 57—64122 ...	20	
	„ —64124 ...	20	
	B 64—24160 ...	20	
	„ —26124 ...	20	
	B 61—44716 ...	50	
	„ —51851 ...	50	
	B 62—82811 ...	100	
	B 66—01574 ...	100	
	„ —05915 ..	100	
	„ —05925 ...	100	
	„ —24812 ...	100	
	„ —45895 ...	100	
	„ —73705 ...	100	
25	... B 64—36284 ...	20	V. Varadarajulu Chetti, China Bazar Street, Madras.
	„ —36563 ...	20	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
37	... B 61—10519 ...	50	Hadji Harroon Hadji Adom, Bombay.
38	... B 63—72470 ...	10	Mr. G. P. Antony, Madras.
39	... B 66—70195 ...	100	Amirdin Sahib, Sydenham's Road, Madras.
	„ —78977 ...	100	
	„ —82607 ...	100	
	„ —82608 ...	100	
	„ —82609 ...	100	
7	... B 62—58606 *	100	T. Vishwanath Aiyar, Yagambrapuram, Madras.
	B 66—34248		
	B 39—02296 *	5	
	„ —02298		

* Wrongly joined.

FORT SAINT GEORGE,
The 20th June 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 14th June 1881.

Consequent upon the admission of Paraguay into the Universal Postal Union, the rates and conditions of postage (as given below) appertaining to Union Countries served through the United Kingdom will be applicable, from the 1st July 1881, to correspondence addressed to Paraguay.

2. In like manner the same rates and conditions of postage (as given below) will be applicable to correspondence addressed to Guatemala after the 1st August 1881, as that State will then be admitted into the Universal Postal Union :—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Each post-card.	Printed papers, including books, &c. Each packet. Each newspaper per 4 oz.	Each packet per 2 oz.	Legal and commercial documents. Each packet. Not exceeding 4 oz.	Per 2 oz. additional.	Samples. Each packet, Per 2 oz.
	A.	A.	A. c	A.	A.	A.	A.
With effect from the 1st July 1881.							
Paraguay (South America)—							
Vid Brindisi, through *United Kingdom*	c4½	1½	1½	1½	3	1½	1½
Vid Brindisi, through *French Office, Modane*—							
Additional route from Aden only—							
By French Packet, through *Agent on board*	3	1½	1	1	2	1	1
With effect from the 1st August 1881.							
Guatemala (Central America)—							
Vid Brindisi, through *United Kingdom*	c4½	1½	1½	1½	3	1½	1½
Vid Brindisi, through *French Office, Modane*—							
Additional route from Aden only—							
By French Packet, through *Agent on board*	3	1½	1	1	2	1	1

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

The 21st June 1881.

The registration fee for inland letters and postcards, and for foreign correspondence generally (letters, postcards, printed papers or books, legal and commercial documents and samples), will be reduced from four annas to two annas, with effect from 1st August 1881.

2. The present and revised rates are quoted below :—

Present Registration Fees.	*Fee.* Annas.	*Revised Registration Fees. (With effect from 1st August 1881).*	*Fee.* Annas.
Inland letters and postcards ...	4	Inland letters and postcards ...	2
Inland book and pattern packets, including newspapers ...	2	Inland book and pattern packets, including newspapers ...	2
Foreign letters, postcards, printed papers or books, legal and commercial documents and samples ...	4	Foreign letters, postcards, printed papers or books, legal and commercial documents and samples ...	2

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 27th June 1881.

No. 3390.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, INDIA.

Mr. E. O'Brien has been appointed to act as a 1st Grade Superintendent of Post Offices.

POSTAL CIRCLE, RAJPUTANA.

Mr. J. W. Barwise has been appointed to be Deputy Postmaster General, Rajputana. Mr. A. C. Firth will act until Mr. Barwise joins.

POSTAL CIRCLE, OUDH.

Mr. R. Rose has been appointed to be Deputy Postmaster General, Oudh.

POSTAL CIRCLE, EASTERN BENGAL.

Mr. W. J. B. Mackenzie has been appointed to be *sub. pro tem.* Deputy Postmaster General, Eastern Bengal Circle, but will continue to officiate as Deputy Postmaster General in Central India, and Mr. Barton Groves will act as Deputy Postmaster General, Eastern Bengal.

POSTAL CIRCLE, SIND AND SOUTH AFGHANISTAN.

Mr. J. L. Fendall has been appointed to act as Deputy Postmaster General, Sind and South Afghanistan, in addition to his own duties, until he is relieved by Mr. J. B. Short, who has been appointed *sub. pro tem.* Deputy Postmaster General, Sind and South Afghanistan.

POSTAL CIRCLE, MADRAS.

Mr. H. Smith, Superintendent of Post Offices, 4th Grade, has been promoted to the 3rd Grade.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 1st July 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date. 1881.	Per Steamer
Persian Gulf	7 P. M.	8th July	From Bombay.
Madras, Ceylon and the Intermediate Ports.	7 „	7th „	Str. *Africa.*
Foreign Mails *viâ* Bombay	7 „	9th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	8th „	From Bombay.
Rangoon, Moulmein and Straits	7 „	6th „	Str. *Kilwa.*
Chittagong, Akyab, and Rangoon	7 „	7th „	Str. *Madras.*
Foreign Mails *viâ* Bombay	7 „	2nd „	From Bombay.
Port Blair and Camorta	7 „	6th „	Str. *Satara.*

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

NOTICE.

The following extracts of the report by the Committee appointed to adjudicate the prize of £100 offered by the Government of India for the best "Manual of Hygiene," for the use of the British soldier in India, are published for the information of the competitors :—

"1. We have examined the 37 manuals submitted for competition, and are agreed that no one of them is in all respects suitable for the purposes for which a manual is required, as prescribed in the Notification offering the prize.

"2. They all, more or less, contain theories regarding the causation of disease which are doubtful, and some of which are directly at variance with Indian experience. Their general tendency moreover is to exaggerate the dangers to health from local and climatic causes, and so to instil an unreasonable dread of Indian service."

It is therefore hereby notified that the prize of £100 has not been awarded. Competitors desiring the return of their manuscripts are requested to apply to the Secretary to the Government of India in the Military Department.

G. CHESNEY, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT,
The 27th June 1881.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood	1,196	4	8
279	Benteak	7,848	7	5
208	Karimardu	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

Department Public Works—Half-yearly Examination.

The half-yearly examination of candidates for promotion and employment in the Public Works Department will be held at the Government Engineering College, Howrah, at 10 o'clock, on Monday, the 1st August 1881, and the following days. Applications, with fees for admission to the examination, are required to be filed before the 15th of July 1881. Candidates for the grade of Accountant who are not in Government service should be under 25 years of age, and must prove to the satisfaction of the Principal that they are under that age.

The following are the centres of examination sanctioned by the Government of India as stations

where candidates for 4th grade Accountantships are to appear for examination:—

Agra, Ajmere, Ahmedabad, Allahabad, Akyab, Bolaram, Durbhunga, Howrah, Indore, Jubbulpore, Lucknow, Lahore, Mhow, Mooltan, Mount Aboo, Meerut, Nagpore, Neemuch, Rawalpindi, Rangoon, Saidpore, Shillong, and Simla.

Candidates for the Accountant's examination are therefore requested to select one of the places mentioned above.

J. S. SLATER,
Offg. Principal, Govt. Engrg. College, Howrah.
The 10th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهہ دوا کوئينائين کا خوب قائم مقام هی اور کلکتہ کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهہ دوا کلکتہ کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورۂ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

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No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light Vessel:
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Lighthouse, Java, Sunda Strait.
„ 14. Harbour Light at Belilling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait, Re-exhibition of Flashing light on First Point.
„ 4. Java, North Coast, Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Sorongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
21. Exhibition of fixed white Light—Pulicat.

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☞ *From January 1881 the price of the Army List will be reduced to 1 Rupee per copy; packing and postage, 6 annas.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 9, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, **Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.**

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home, Revenue and Agricultural Department.

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E. J. DEAN,

Publisher, Gazette of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 2nd July 1881.

Offices opened and closed during the month of **June 1881**:—

Name of Station.	Where situated.	Date.	Remarks.
Badani	Sind	27th	Opened.
Hangu	Punjab	30th	Closed.
Hukitollah	Bengal Presdy.	3rd	Opened.
Mahableshwar	Bombay Presdy.	14th	Closed.
Matheran	Ditto	14th	Ditto.
Meesa	Upper Assam	1st	Opened.

R. MURRAY, *Colonel,*
Dir. Genl. of Tels. in India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 30th June 1881.

No. 1199 *G.*—With reference to this Office Notification No. 1083 G., dated 8th June 1881, Major A. R. T. McRae assumed charge of the Station Staff Office, Erinpura, from Lieutenant J. M. Clements on the forenoon of the 1st June 1881.

By Order,

E. A. FRASER,

1st Asst. Agent, Govr. Genl.

CHIEF COMMISSIONER, AJMERE-MERWARA, P. W. D.

NOTIFICATION.

Mount Abu, the 28th June 1881.

No. 1732 *S.*—Whereas land is required in the Ajmere District for a public purpose, *viz.*, as an extension to the jail premises for disposal of refuse, this declaration is made in accordance with the provisions of Section 6 of Act X of 1870:—

District.	Pergana.	Village.	AMOUNT REQUIRED			Purpose for which required.	Remarks.
			For occupation.		Total.		
			Permanent.	Temporary.			
			A. R. P.	A. R. P.	A. R. P.		
Ajmere	Ajmere	Ajmere	12 1 0	...	12 1 0	As an extension to the jail premises for disposal of refuse.	The plan may be seen at the Office of the Assistant Commissioner, Ajmere.

By Order,

J. P. STEEL, *Major, R.E.*,
Secy. to the Chief Commr.,
in the P. W. D., Rajputana.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Camp Mysore, the 25th June 1881.

No. 488.—Kumbiranda Poovanja, Coffee Mutsuddy, Revenue Department, Coorg Superintendent's Office, is appointed Subedar and 3rd Class Magistrate of Virajendrapet, on probation for one year, *vice* Mandepandra Somaiya, deceased.

By Order,
W. J. CUNINGHAM,
Secretary.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 15th June 1881.

No. 29.—The services of 3rd Grade Assistant Surgeon Nagendra Kumar Mullick, of the supernumerary list, are placed at the disposal of the Chief Commissioner of British Burma.

The 18th June 1881.

No. 30.—The services of 3rd Grade Assistant Surgeon Behary Lall Paul, of the Bengal provincial establishment, are replaced at the disposal of the Government of Bengal.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

PUNJAB NORTHERN STATE RAILWAY, Manager's Office.

NOTIFICATION.

Rawalpindi, the 29th June 1881.

No. 26.—Mr. N. M. Carnell, Probationer, Traffic Department, passed the Lower Standard Examination in Hindustani on the 6th June 1881.

E. L. MARRYAT, *Major, R.E.*,
Manager.

Report of a Deserter from the E Battery, B Brigade, Royal Horse Artillery, dated at Kirkee, this 28th day of June 1881.

Number, Rank, and Name,—No. 5067, Gunner Thomas Jones.
Age,—22 years 9 months.
Size,—5 feet 7¼ inches.
Color of—
Complexion, fresh; Hair, light brown; Eyes, hazel.
Parish and County in which Born,—Stoke-on-Trent, Stafford.
Marks,—None.
Trade,—Labourer.
Coat or Jacket,—Serge Jacket.
Waistcoat,—
Breeches or Trowsers,—Cloth Trowsers.
Date of Desertion,—26th June 1881.
Place of Desertion,—Kirkee.
Date of Enlistment,—22nd June 1878.
Place of Enlistment,—Leicester.
Remarks,—
Under 4 years' service.

J. A. TILLARD, *Lieut.-Col.*,
Comdg. E. Batty., B Brig., R.H.A.

STATEMENT of Government Promissory Notes cancelled for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th May 1881.

PARTICULARS.	3½ per cent. Loan of 1853-54.	4 per cent. Loans										4½ per cent. Loans				Transfer Loan of 1879, seven Shillings Sterling per cent. Portion.	5 per cent. Debenture for 15 years, Re-payable June 1882.	5 per cent. Loan of 1866-67.	6½ per cent. Loan of 1869-80.	Total Amount.
		Of 1824-26.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1840-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	Total.	Deduct—Amount written off in the London Registers	Of 1870.	Of 1871.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.					
Balance of 30th April 1881	64,100	38,606	3,413	15,45,493	30,63,000	2,24,38,500	1,00,44,200	1,79,89,200	2,91,42,700	8,50,74,112	...	45,97,400	4,66,000	98,56,900	8,69,70,600	1,00,500	34,08,000	65,800	7,400	18,92,96,712
Stock transferred to London	...	...	...	...	...	...	...	56,000	...	56,000	...	...	...	...	...	...	...	...	...	56,000
Add—Amount enfaced at Madras between 1st and 16th May 1881	...	...	...	...	...	26,700	2,000	...	...	28,700	...	...	...	...	2,70,000	...	...	...	...	2,99,700
Amount enfaced at Bombay between 1st and 16th May 1881	...	...	...	...	...	5,000	1,000	6,000	68,500	80,500	...	...	...	5,500	55,700	8,000	...	...	...	1,47,700
Amount enfaced at Calcutta between 1st and 16th May 1881	...	...	...	...	16,000	84,300	1,000	15,500	29,400	1,46,200	...	...	...	9,700	4,24,300	...	...	...	...	5,80,200
	64,100	38,606	3,413	15,45,493	30,69,000	2,25,44,500	1,00,44,200	1,80,16,700	2,92,38,600	8,52,56,312	...	45,87,400	4,66,000	98,73,600	8,74,20,600	1,06,500	34,08,000	65,800	7,400	19,13,80,312
Deduct—Amount written off in the London Registers	...	...	...	...	21,500	1,09,000	200	1,01,000	85,000	3,16,700	...	10,000	18,000	13,300	3,77,000	...	...	1,500	...	8,37,400
Balance on 16th May 1881	64,100	38,606	3,413	15,45,493	30,47,500	2,23,34,500	1,00,43,200	1,79,15,700	2,91,53,600	8,49,39,612	...	45,77,400	4,56,000	98,60,300	8,70,43,600	1,06,500	34,08,000	64,300	7,400	19,05,42,912

NOTE.—From 9th June 1867 to 16th March 1881, enfaced from India 4,360 lakhs; re-transferred from London, 3,544 lakhs.
" 16th March 1881 to 31st March " " " 8 " 7 "
" 1st April " to 15th April " " " 5 " 10 "
" 16th " " to 30th " " " 6 " 5 "
" 1st May " to 15th May " " " 10 " 8 "
4,139 lakhs. 3,574 lakhs.
5,574 "
Balance against India . 565 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 8th July 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
June 27	...	...	1,771	22,465	39,81,903	4,20,611
„ 28	...	...	...	22,465	39,81,936	4,20,611
„ 29	...	...	...	429	38,41,994	4,20,611
„ 30	...	...	21,939	429	37,42,790	4,42,647
July 1	...	...	...	429	37,21,973	4,42,647
„ 2	...	...	...	429	37,22,018	4,42,647

CALCUTTA MINT, *The 4th July 1881.* } R. V. RIDDELL, *Capt., R.E., Offg. Mint Master.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Akola Circle.

NOTES WHOLLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
K 3—25448 ...	50	Mr. A. J. Borges, Station-master, Amraotee.
K 3—27342 ...	50	Yaseen Khan, Butler, Nagpore, C. P.
K 3—25803 ...	50	Mr. Cecil Bagshaw, Officiating Conservator of Forests, Hyderabad Assigned Districts, Amraotee.

AKOLA, *The 30th June 1881.* }

———————,

Asstt. Commr. of Paper Currency.

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
111 ...	D 6—68113 ...	10	Mr. J. C. Clifton, Allahabad.
	D 16—33529 ...	10	
112 ...	D 14—55762 ...	20	Mr. F. W. Cabaniss, Purneah.
	D 18—70126 ...	100	

ALLAHABAD, *The 6th July 1881.* }

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W36 ...	M 52—98556 ...	10	Presidency Post Master, Madras.
W37 ...	M 44—11171 ...	100	Hiralal Tribhovandass, Bombay.
W38 ...	M 44—42583 ...	100	Surgeon-Major T. Cody, Bombay.
W39 ...	M 53—42471 ...	20	Aderji Sorabji Khoda, Broach.
	M 52—82647 ...	10	

Bombay Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
H82 ...	M 44—14557 ...	100	Surgeon-Major J. Fleming, Bangalore.
	„ —14558 ...	100	
	M 43—17879 ...	100	
	„ —55103 ...	100	
	„ —78263 ...	100	
	„ —81129 ...	100	
	„ —83694 ...	100	
	„ —84708 ...	100	
	„ —92285 ...	100	
	„ —98560 ...	100	
H83 ...	M 34—31414 ...	20	L. Hernandez & Co., Rangoon.
	„ —91331 ...	10	
M35 ...	M 9—35340	5	Sorabji Framji, Bombay.
	„ —35341		
M36 ...	M 50—11772	10	Haji Jan Mahomed, Sukkur.
	„ —11775		

BOMBAY, *The 5th July 1881.* }

C. E. CRAWLEY,
Asst. Accti. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Reg. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
112 ...	O 88—75214 ...	100	Inspector R. Davies, Bow Bazar Thannah, Calcutta.
113 ...	O 88—16891 ...	100	Babu Mohesh Chunder Sarkar.
114 ...	O 88—61264 ...	100	Babu Chundi Churn Choudhury.
116 ...	O 74—48139 ...	1,000	Buldeo Sahoi.
117 ...	O 88—61134 ...	100	Miss L. Crawford.
118 ...	O 88—05875 ...	100	Babu Sarut Chunder Deb.
119 ...	O 88—38387 ...	100	Gokool Chand.
	O 86—03585 ...	20	
121 ...	O 88—79523 ...	100	Khajah Abdul Majed Tajir.
122 ...	O 88—41272 ...	100	Hajee Kodurdena Abdul Khaluck.
	„ —89599 ...	100	
	„ —72316 ...	100	
	„ —78925 ...	100	
	„ —78677 ...	100	
	„ —75550 ...	100	
	„ —39782 ...	100	
	„ —46850 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
83 ...	L 44—36034 ...	10	Babu Upendra Chunder Banerjee.
84 ...	O 57—72720 ...	20	Mr. C. S. Rose.
85 ...	O 88—99766 ...	100	Babu Jagobundo Paul.
86 ...	O 38—80242 ...	5	Mr. P. S. Glass.
67 ...	L 56—92867	5	Babu Moni Ram Das.
	„ —92866		
68 ...	O 78—28234	10	Babu Bholanath Rockhit.
	O 52—40964		

CALCUTTA, *The 8th July 1881.* }

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge of Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 9—57104 ...	10	Miss A. C. Donnelly, Superintendent, Cantonment Girls' School, Trevendrum.
„ —57105 ...	10	
„ —57106 ...	10	
J 9—55094 ...	10	Mrs. S. Drysdale, Black Town, Madras.

CALICUT. *The 29th June 1881.* }

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 8—34536 *	20	Odhowjee Poonja, Grain-dealer, Bombay.
„ —36179		
G 13—47035 *	5	Munshi Niamutrai Hasamul, of Hyderabad.
„ —47049		

* Mismatched.

KURRACHEE, *The 27th June 1881.* }

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
17 ...	E 13—74221 ...	100	Bachoo Lal, Multan.
	„ —74222 ...	100	
	„ —74223 ...	100	
19 ...	E 17—65036 ...	20	Munshi Amir Ali, Attock.
	E 18—32675 ...	10	
20 ...	E 20—05100 ...	100	Mrs. M. A. Smith, Kussowlie.
21 ...	E 18—39024 ...	10	Lieutenant-Colonel W. Howey, Sreenaggur.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
30 ...	E 8—22044 ...	5	Dole Gobind Gosh, Mecan Meer.
6 ...	E 18—12698	10	Noor Deen, Dalhousie.
	E 16—79540		
7 ...	E 16—69847	10	Karumji, Abbottabad.
	„ —69853		

LAHORE, *The 2nd July 1881.* }

H. J. BRERETON,
for Depy. Commr. of Paper Currency.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
26 ...	B 64—10618 ...	20	Ramaswami Pillai, Condaswami Jemadar Street, Vellore.
27 ...	B 47—47609 ...	5	C. Sobhanadri Rao, Royachoti, Cuddapah District.
28 ...	B 63—44251 ...	10	T. Vijiarangam Pillai, Black Town, Madras.
	„ —54796 ...	10	
	„ —62120 ...	10	
	„ —62774 ...	10	
	B 64—27459 ...	20	
	„ —28707 ...	20	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
40 ...	B 61—84693 ...	50	Komandur Ranga Chari, Ranganayakulupet, Nellore.
41 ...	B 62—11812 ...	100	D. Seshagiri A yar, Krishnagiri, Salem.
	„ —57641 ...	100	
42 ...	B 63—38139 ...	10	C. Sobhanadri Rao, Royachoti, Cuddapah District.
43 ...	B 61—74352 ...	50	Vilvanada Chetti & Co., Merchants, Wallajanagar.
9 ...	B 60—13001 *	10	B. Kassim Sahib, Budrien's Street, Madras.
	„ —34118		

* Wrongly joined.

FORT SAINT GEORGE, *The 27th June 1881.* }

C. HALL,
Offg. Chief Clerk to the Accti. Genl., in charge of Paper Currency Dept., for Commissioner.

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881-82.		Rs.	
H6 ...	F 10—75250 ...	100	Balasingh, Clerk, Assistant Engineer's Office, Chhattisgurh State Railway, Gondia, Zillah Bhandara.

NAGPUR, *The 30th June 1881.* }

W. H. EGERTON,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 14th June 1881.

Consequent upon the admission of Paraguay into the Universal Postal Union, the rates and conditions of postage (as given below) appertaining to Union Countries served through the United Kingdom will be applicable, from the 1st July 1881, to correspondence addressed to Paraguay.

2. In like manner the same rates and conditions of postage (as given below) will be applicable to correspondence addressed to Guatemala after the 1st August 1881, as that State will then be admitted into the Universal Postal Union:—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Each post-card.	PRINTED PAPERS, INCLUDING BOOKS, &c.		LEGAL AND COMMERCIAL DOCUMENTS. EACH PACKET.		SAMPLES. EACH PACKET.
			Each newspaper per 4 oz.	Each packet per 2 oz.	Not exceeding 4 oz.	Per 2 oz. additional.	Per 2 oz.
	A.	A.	A. c	A.	A.	A.	A.
With effect from the 1st July 1881.							
Paraguay (South America)—							
Vid Brindisi, through *United Kingdom*	0½	1½	1½	1½	3	1½	1½
Vid Brindisi, through *French Office, Modane*—							
Additional route from Aden only—							
By French Packet, through *Agent on board*	3	1½	1	1	2	1	1
With effect from the 1st August 1881.							
Guatemala (Central America)—							
Vid Brindisi, through *United Kingdom*	0½	1½	1½	1½	3	1½	1½
Vid Brindisi, through *French Office, Modane*—							
Additional route from Aden only—							
By French Packet, through *Agent on board*	3	1½	1	1	2	1	1

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

The 21st June 1881.

The registration fee for inland letters and postcards, and for foreign correspondence generally (letters, postcards, printed papers or books, legal and commercial documents and samples),

will be reduced from four annas to two annas, with effect from 1st August 1881.

2. The present and revised rates are quoted below :—

Present Registration Fees.	*Fee.* Annas.	*Revised Registration Fees. (With effect from 1st August 1881).*	*Fee.* Annas.
Inland letters and postcards ...	4	Inland letters and postcards ...	2
Inland book and pattern packets, including newspapers ...	2	Inland book and pattern packets, including newspapers ...	2
Foreign letters, postcards, printed papers or books, legal and commercial documents and samples ...	4	Foreign letters, postcards, printed papers or books, legal and commercial documents and samples ...	2

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

Calcutta, the 8th July 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	15th July	From Bombay.
Madras, Ceylon and the Intermediate Ports. . . .	7 ,,	14th ,,	Str. *Chanda.*
Madras and Ceylon] . . .	7 ,,	14th ,,	P. & O. Str. *Deccan.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also for Australian Colonies .	7 ,,	12th ,,	From Bombay.
Foreign Mails *vid* Bombay .	7 ,,	16th ,,	From Bombay.
Do. Book Post and Pattern Packets	7 ,,	15th ,,	From Bombay.
Rangoon, Moulmein and Straits.	7 ,,	13th ,,	Str. *Mecca.**
Chittagong, Akyab, Kyouk Phyoo and Rangoon . . .	7 ,,	14th ,,	Str. *Busheer.*
Straits and Hong-Kong . .	7 ,,	16th ,,	Strs. *Lenox* and *Japan.*
Foreign Mails *vid* Bombay .	7 ,,	9th ,,	From Bombay.

* Mail for Port Blair can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

NOTICE.

It is notified, for the information of officers studying at the Presidency and requiring the services of instructors, that the Board of Examiners, Fort William, have appointed Sheikh Mahmúd Gílání Persian Instructor, and Mr. Salim Faraj Arabic Instructor at the Presidency.

NOTICE.

The following extracts of the report by the Committee appointed to adjudicate the prize of £100 offered by the Government of India for the best "Manual of Hygiene," for the use of the British soldier in India, are published for the information of the competitors :—

"1. We have examined the 37 manuals submitted for competition, and are agreed that no one of them is in all respects suitable for the purposes for which a manual is required, as prescribed in the Notification offering the prize.

"2. They all, more or less, contain theories regarding the causation of disease which are doubtful, and some of which are directly at variance with Indian experience. Their general tendency moreover is to exaggerate the dangers to health from local and climatic causes, and so to instil an unreasonable dread of Indian service."

It is therefore hereby notified that the prize of £100 has not been awarded. Competitors desiring the return of their manuscripts are requested to apply to the Secretary to the Government of India in the Military Department.

G. CHESNEY, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT,
The 27th June 1881.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood . . .	1,196	4	8
279	Benteak . . .	7,848	7	5
208	Karimardu . . .	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

Department Public Works—Half-yearly Examination.

The half-yearly examination of candidates for promotion and employment in the Public Works Department will be held at the Government Engineering College, Howrah, at 10 o'clock, on Monday, the 1st August 1881, and the following days. Applications, with fees for admission to the examination, are required to be filed before the 15th of July 1881. Candidates for the grade of Accountant who are not in Government service should be under 25 years of age, and must prove to the satisfaction of the Principal that they are under that age.

The following are the centres of examination sanctioned by the Government of India as stations where candidates for 4th grade Accountantships are to appear for examination :—

Agra, Ajmere, Ahmedabad, Allahabad, Akyab, Bolaram, Durbhunga, Howrah, Indore, Jubbulpore, Lucknow, Lahore, Mhow, Mooltan, Mount Aboo, Meerut, Nagpore, Neemuch, Rawalpindi, Rangoon, Saidpore, Shillong, and Simla.

Candidates for the Accountant's examination are therefore requested to select one of the places mentioned above.

J. S. SLATER,
Offg. Principal, Govt. Engrg. College, Howrah.
The 10th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کولهناهن کا خوب قائم مقام هی اور کلکٹه کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکٹه کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورهٔ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II. 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set :

Terms of subscription, payable annually in advance.

	Without Postage.	With Postage.
For the CALCUTTA SERIES ...	Rs. 35	Rs. 37-8
,, MADRAS SERIES ...	,, 8	,, 9
,, BOMBAY SERIES ...	,, 8	,, 9
,, ALLAHABAD SERIES	,, 8	,, 9
Complete set... ...	,, 45	,, 47-8

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„ 10. Changes in the buoyage of the port, Madras.
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„ 13. Destruction of First Point Lighthouse, Java, Sunda Strait.
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„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of light by fog.
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The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

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Vol.	II.	Nadiya and Jessore.
Vol.	III.	Midnapur, Hugli and Howrah.
Vol.	IV.	Bardwan, Bankura and Birbhum.
Vol.	V.	Dacca, Bakarganj, Faridpur and Maimunsing.
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Manual of Materia Medica in Urdu, compiled by SHAIK AKBAR ALLY, Civil Hospital Assistant, Dinapore. *Price, 8 annas per copy; packing and postage, 2 annas.*

Just published, pp. xxxv + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Fellow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 2 annas.*

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The Quarterly Civil List for Bengal, corrected up to the 1st April 1881. *Price, Rs. 3; postage, 4 annas.*

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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 16, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, **Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March,** all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home, Revenue and Agricultural Department.

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E. J. DEAN,

Publisher, Gazette of India.

NOTICE TO MARINERS.

No. 25 of 1881.

INDIA—WEST COAST.

CALICUT.

Date of Exhibition of Permanent White Light.

With reference to this Department Notice to Mariners, No. 18, dated 15th November 1880, on the temporary exhibition of a fixed light and the intended alteration in the light-apparatus at Calicut Light-house:—

Information has been received that the new permanent light will be exhibited on the 16th July 1881.

The light will be a fixed white light, elevated 102 feet above the level of high water, and should be visible, in clear weather, from a distance of 14 miles.

The apparatus is Dioptric, or by lenses, of the 4th order.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department, *The 5th July 1881.*

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 64, 747, 2737 and 827. West Coast of Hindostan Pilot (1880), page 95. Also Light List for 1881.

INDIAN MARINE SURVEY Chart, No. 15*a*. Light List for 1881. Also Taylor's Sailing Directory, Vol. I, page 405.

If this Notice is received on boardship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

CHIEF COMMISSIONER OF COORG.

Proceedings of the Chief Commissioner of Coorg,—No. 541—59, dated Bangalore, the 9th July 1881.

Read—

Letter No. 180—18, dated 2nd July 1881, from the Superintendent of Coorg, reporting the result of the sale of Coffee Estates held on the 10th June 1881, and submitting a declaration of sale for publication in the Gazette.

Order thereon by the Chief Commissioner of Coorg.

The result of the sale reported in the above is approved, and the sale of the 11 estates named in the declaration is confirmed. The Superintendent is requested to send the latter in duplicate in future.

2. The declaration of sale above mentioned is forwarded to the Publisher of the *Gazette of India*, for publication in Part II of the Gazette, as required by Section 39 of the Regulation III of 1880.

W. J. CUNINGHAM,
Secretary.

PROCLAMATION.

The lands specified in the undermentioned schedule having been sold by public auction under Regulation III of 1880, being an Act for the recovery of arrears of revenue in the Province of Coorg, it is hereby declared, under Section 39 of the said Regulation, that all the rights and property of the former land-holders in the said lands are lawfully transferred to the purchasers named in the said schedule :—

Schedule.

Name of former holder.	Name of Estate.	Situation of the land and description of buildings, if any.				Extent.		Name of purchaser.	Date of purchase.
		Taluk.	Nad.	Village.	Buildings, if any.	Survey No.	Acres.		
Gare Rama ...	Chickandamotte ...	Mercara...	Mercara Haleriuad.	Karnangeri	...	1870	1·08	Telugara Singiah, son of Ruugiah, of Mahadeopet.	1881. 10th June.
Muthusawmy Chetty	Kotebanemotte ...	Ditto ...	Ditto ...	Ditto ...	...	4024	9·16	Shaik Moonoover ...	Ditto.
Putsetti Ramiah ...	Gadde karemale Gunde.	Ditto ...	Ditto ...	Ditto ...	...	1547	1·05	Darjee Munjiah ...	Ditto.
Virabadrana Sannappa.	Kumbalageriniarg a da Tenkamotte.	Ditto ...	Ditto ...	Ditto ...	...	1596	0·45	Thirumaliah, son of Thirumiah.	Ditto.
Are Tukkojee ...	Ittigemotte ...	Ditto ...	Ditto ...	Ditto ...	...	1649	2·00	Ramasawmy, son of Lutchia, of Pension Line.	Ditto.
Ch. Balamuttu ...	Kalluganikadu ...	Ditto ...	Ditto ...	Ditto ...	...	1761	1·15	Telugara Singiah, son of Rungiah, of Mahadeopet.	Ditto.
Mus. Isumiya ...	Ditto ...	Ditto ...	Ditto ...	Ditto ...	...	1865	3·34 ½	Shaik Moonoover ...	Ditto.
Ch. Fonseca ...	Kundinamotte ...	Ditto ...	Ditto ...	Ditto ...	...	0		Ramasawmy, of Pension Liv	Ditto.
Naugamma and her son Naugappa.	Kalachamotte ...	Ditto ...	Ditto ...	Hebbettageri.	...	1395	3·74	Kenchiana annappa...	Ditto.
Mus. Sheik Husein...	Ukadumotte ...	Ditto ...	Ditto ...	Karnangeri	...	2011	0·90	Koothbodeen's Hayathuli.	Ditto.
Darjee Konnur Subbojee.	Suttukadungamotte	Ditto ...	Ditto ...	Ditto ...	...	0	½	Darjee Munjiah ...	Ditto.

COORG SUPERINTENDENT'S OFFICE,
The 2nd July 1881.

W. HILL,
Superintendent.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATION.

Mount Abu, the 8th July 1881.

No. 446.—Munshi Ajudia Prasad, Officiating Extra Assistant Commissioner, Ajmere, is appointed to officiate as Judicial Assistant Commissioner, with effect from the afternoon of the 18th May 1881, *vice* Pundit Bhag Ram, on deputation, performing, in addition, the duties of the Office of Extra Assistant Commissioner and Treasury Officer, Ajmere.

Notification No. 326, dated 16th May 1881, published in Part II of the *Gazette of India*, dated 21st May 1881, is hereby cancelled.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 8th July 1881.

No. 1255 *G.*—Surgeon-Major L. D. Spencer, M.D., Officiating Agency Surgeon, Rajputana, and Superintendent General of Dispensaries and Vaccination in Rajputana, is granted one month and twenty-six days' privilege leave of absence from the 15th July 1881, or from such date as he may avail himself of the same.

The 9th July 1881.

No. 1273 *G.*—Jemadar Roopjee, of the Meywar Bhil Corps, is appointed to be Native Adjutant of the Force, with effect from the 1st December 1880, *vice* Goordial Singh, promoted.

By Order,
E. A. FRASER,
1st Asst. Agent, Govr. Genl.

SURVEY OF INDIA.

NOTIFICATIONS.

Mussoorie, the 11th July 1881.

No. 226.—Mr. H. T. Kitchen, Assistant Surveyor, 2nd Grade, is granted privilege leave for one month, under Section 136 of the Civil Leave Code, with effect from the forenoon of the 8th July 1881.

The 12th July 1881.

No. 227.—Major W. J. Heaviside, R.E., Deputy Superintendent, 3rd Grade, is granted three months' special Afghanistan leave, with effect from the forenoon of the 4th July 1881.

No. 228.—Mr. C. Tapsell, Assistant Surveyor, 1st Grade, is granted three months' privilege leave, under Section 136 of the Civil Leave Code, with effect from the forenoon of the 15th July 1881.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

ECCLESIASTICAL.

The Reverend Welbore MacCarthy, Cathedral Chaplain, to officiate as Archdeacon of Calcutta and Commissary to the Bishop, during the absence of the Venerable Joseph Baly, on privilege leave for three months, with effect from 6th May 1881.

F. J. FERGUSSON,
Registrar and Secretary.

CALCUTTA,
The 5th July 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on		Balance of Bullion		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
July 4	7,242	...	...	7,672	35,92,067	4,42,647
„ 5	...	...	...	7,242	35,89,209	4,42,647
„ 6	...	...	293	7,242	35,28,559	4,42,936
„ 7	...	...	...	7,242	35,28,596	4,42,936
„ 8	2,133	...	...	9,375	34,88,352	4,42,936
„ 9	...	...	7,136	2,167	34,97,915	4,50,144

CALCUTTA MINT,
The 11th July 1881.

R. V. RIDDELL, *Capt., R.E.,*
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
113	... D 8—37062 ...	500	Kanhya Lal Shunker Pershad, Shahjehanpur.
114	... D 10—68005 ...	5	Baboo Ram Lall, Lucknow.
	„ —68015 ...	5	
115	... D 17—24053 ...	50	Buldeo Pershad, Allahabad.
	„ —24054 ...	50	

ALLAHABAD,
The 13th July 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881-82.			
M1	... F 8—59725 } „ —59726 }	20	Pallonjee Sorabjee, 22, Apollo Street, Bombay.

NAGPUR,
The 8th July 1881.

W. H. EGERTON,
Asst. Comptlr., C. P.,
in charge of Paper Currency.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
W40	... M 38—38174 ...	500	Bihareelal Pursram, Nusseerabad.

NOTES PARTIALLY LOST OR DESTROYED.

1881.		Rs.	
H84	... M 44—15067 ...	100	Bhai Jewba, Bombay.
	M 43—75475 ...	100	
	„ —95273 ...	100	
M37	... M 52—00178 } M 55—99295 }	10	Revd. A. O. Walsh, Poona.

BOMBAY,
The 12th July 1881.

C. E. CRAWLEY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
123	... O 71—27571 ...	500	Goban Lal and Hira Lal Mahton.
	„ —33711 ...	500	
	„ —31306 ...	500	
126	... O 86—63995 ..	20	Mr. W. L. Harwood.
	„ —55190 ...	20	
	P 2—46438 ...	10	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
69	... L 41—78119 } „ —78116 }	10	Hafez Imamuddeen.
70	... O 87—59283 } „ —59282 }	5	Babu Huri Das Basu.
	L 29—82715 } „ —82714 }	5	
71	... O 91—83975 } „ —83973 }	10	Messrs. Shaw, Finlayson & Co.

CALCUTTA,
The 15th July 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
22	... E 2—51530 ...	500	The Commissioner, Rohilkhand Division, Bareilly, on behalf of General Azimud Deen Khan of Rampur.
	N 5—08341 ...	100	
23	... N 5—06613 ...	100	Ram Dass, Lahore.
24	... E 1—58557 ...	1,000	Sobha Ram and Ram Fertab, Ahmedabad.
	„ —52901 ...	1,000	
25	... E 17—59084 ...	20	Karam Chand, Multan.
	„ —31921 ...	20	
	„ —22290 ...	20	
	„ —63913 ...	20	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
22	... E 16—51733 ...	10	Private G. W. Bickley, Bangalore.
29	... E 20—04656 ...	100	Ram Bhuj and Sobha Ram, Rawalpindi.
	E 13—11685 ...	100	
32	... E 8—22276 ...	5	Shunker Dass, Dera Doon.
33	... E 16—69505 ...	10	Hydait Yar Khan, Muradabad.

LAHORE,
The 9th July 1881.

H. J. BREERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
29	... B 61—76250 ...	50	Mr. H. D. M. Jones, "Belle Vue," Ootacamund.
30	... B 63—63019 ...	10	Kassi Rao Venkatash Vanaparti, of Krishna.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
44	... B 64—40161 ...	20	Mr. J. Carmoody, Station Master, Guntakal.
9	... B 68—02596 } * „ —02597 }	100	C. Seethiah Chetti, at C. Lakshmikantam & Brothers', Black Town, Madras.
10	... B 36—68783 } * „ —68785 }	5	Thami Chetti, Punniah Chetti, No. 4, Annapillai Street, Madras.

* Wrongly joined.

FORT SAINT GEORGE,
The 4th July 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

ACCOUNTANT GENERAL'S OFFICE.
Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department, received in the Office of the Accountant General, Public Works Department, up to the 1st July 1881.

Order of receipt.	Public Works (Buildings and Roads and Military Works Branch) and Telegraph. Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam	April 1881	June 15, 1881
2	Military Works Branch	Do. "	Do. 18, "
3	Punjab	Do. "	Do. 20, "
4	North-Western Provinces and Oudh.	Do. "	Do. 23, "
5	Central India	Do. "	Do. 24, "
	Rajputana	Do. "	Do. 25, "
	Bengal		
7	Hyderabad (Imperial)		
	Port Blair		
8	Quetta Agency	Do. "	Do. 27, "
	Hyderabad (Assigned Districts).		
	Bombay		
12	Central Provinces	Do. "	Do. 29, "
	Coorg		
	Mysore (Imperial)		
16	Madras	Mar. 1881	May 28, 1881
	British Burmah	Do. "	Do. 30, "
	Telegraph Dept.		
1	Indian Telegraph	Mar. 1881	May 28, 1881
2	Indo-European	Do. "	Do. 30, "

Order of receipt.	Irrigation. Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam	April 1881	June 13, 1881
2	Rajputana	Do. "	Do. 21, "
3	North-Western Provinces and Oudh.	Do. "	Do. 22, "
5	Punjab	Do. "	Do. 24, "
6	Bengal	Do. "	Do. 28, "
7	Bombay	Mar. "	May 31, "
	Madras		
	British Burmah		

Order of receipt.	Guaranteed Railways.	Last month for which received.	Date of receipt.
1	Punjab Northern	April 1881	June 20, 1881
2	North-Western Provinces and Oudh.	Do. "	Do. 23, "
3	Bengal	Do. "	Do. 25, "
4	Bombay	Do. "	Do. 28, "
5	Madras	Mar. "	May 31, "

Order of receipt.	State Railways (Capital). Accounting Offices.	Last month for which received.	Date of receipt.
1	Omraoti	May 1881	June 21, 1881
2	Rangoon and Irrawaddy Valley.	Do. "	Do. 14, "
3	Calcutta & South-Eastern	Do. "	Do. 22, "
	Nalhati		
	Tirhoot		
6	Patna and Gya	Do. "	Do. 23, "
7	Wardah Coal	Do. "	Do. 24, "
8	Northern Bengal	Do. "	Do. 25, "
9	Holkar & Sindia-Nimach	Do. "	Do. 27, "
11	Nagpur & Chhattisgarh	Do. "	Do. 28, "
12	Sindia	Do. "	July 1, "
	Punjab Northern		
	Bhavnagar & Gondal		
14	Indus Valley	Do. "	May 31, "
16	Nizam's	Mar. "	June 8, "
17	Rajputana	Do. "	Do. 15, "
18	Mysore	Do. "	Do. 20, "
19	Dhond & Manmad	Do. "	Do. 29, "
	Mutra-Hathras		
21	Cawnpore-Farrukhabad	Do. "	Do. 13, "
22	East Indian	Feby. "	Mar. "
	Khamgaon		
20	Bhopal Extension	Do. "	Do. 28, "
	Indus Valley		
24	Rajputana (Lower Sec.)	Do. "	Do. 29, "
25	Bombay (Eastern Deccan)	Do. "	Do. 30, "
26	Mysore	Do. "	July 1, "
	Erinpura (Upper Sec.)		
29	Delhi & Fazilpore	Do. "	May 27, "
30	Bhavnagar & Gondal	Mar. "	Do. 25, "
31	Holkar	Do. "	Do. 1, "
	Rajputana		
	Sindia Extension		
	Nagpur & Chhattisgarh		
	Patna-Bahraich		
	Cawnpore-Farrukhabad		
33	Cawnpore-Farrukhabad Extension.	Do. "	Do. 20, "
	Ghazipur-Dildarnagar		
	Ajudhya-Mettra		
	Bareilly-Pilibhit		
	Bhavnagar-Kalpi		
	Lahli Railway Provincial Service, N. W. P. & Oudh.		
42	East Indian	Do. "	Do. 29, "

J. J. McLEOD INNES, *Colonel, R.E.,*
Accountant General, P. W. Dept.

SIMLA,
The 6th July 1881.

POST OFFICE.

NOTIFICATIONS.

Simla, the 21st June 1881.

The registration fee for inland letters and postcards, and for foreign correspondence generally (letters, postcards, printed papers or books, legal and commercial documents and samples), will be reduced from four annas to two annas, with effect from 1st August 1881.

2. The present and revised rates are quoted below :—

Present Registration Fees.	Fee. Annas.
Inland letters and postcards ...	4
Inland book and pattern packets, including newspapers ...	2
Foreign letters, postcards, printed papers or books, legal and commercial documents and samples ...	4

Revised Registration Fees. (With effect from 1st August 1881).	Fee. Annas.
Inland letters and postcards ...	2
Inland book and pattern packets, including newspapers ...	2
Foreign letters, postcards, printed papers or books, legal and commercial documents and samples ...	2

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 11th July 1881.

No. 3944.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, CENTRAL PROVINCES AND BERAR.

Mr. F. Whymper has been appointed to act in the 1st Grade of Superintendent.

POSTAL CIRCLE, PUNJAB.

Mr. C. J. Dease has been appointed to act in the 3rd Grade of Superintendent.

Mr. A. C. W. Lemarchand has been appointed to act in the 4th Grade of Superintendent.

Mr. A. Bean has been appointed to act as a Probationer.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 15th July 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	22nd July	From Bombay.
Madras, Ceylon and the Intermediate Ports.	7 "	21st "	Str. *Madura.*
Foreign Mails *viâ* Bombay . .	7 "	23rd "	From Bombay.*
Do. Book Post and Pattern Packets	7 "	22nd "	From Bombay.
Rangoon, Moulmein, and Straits .	7 "	20th "	Str. *Purulia.*
Chittagong, Akyab, and Rangoon	7 "	21st "	Str. *Busheer.*
Madras, Ceylon, Batavia, Singapore, and China	7 "	20th "	French Str. *Tibre.*
Straits and Hong-Kong . .	7 "	16th "	Stra. *Lenox* and *Japan.*
Foreign Mails *viâ* Bombay . .	7 "	16th "	From Bombay.

* Also *viâ* Aden for Zanzibar, Mozambique; also *viâ* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

NOTICE.

The following extracts of the report by the Committee appointed to adjudicate the prize of £100 offered by the Government of India for the best "Manual of Hygiene," for the use of the British soldier in India, are published for the information of the competitors :—

"1. We have examined the 37 manuals submitted for competition, and are agreed that no one of them is in all respects suitable for the purposes for which a manual is required, as prescribed in the Notification offering the prize.

"2. They all, more or less, contain theories regarding the causation of disease which are doubtful, and some of which are directly at variance with Indian experience. Their general tendency moreover is to exaggerate the dangers to health from local and climatic causes, and so to instil an unreasonable dread of Indian service."

It is therefore hereby notified that the prize of £100 has not been awarded. Competitors desiring the return of their manuscripts are requested to apply to the Secretary to the Government of India in the Military Department.

G. CHESNEY, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT,
The 27th June 1881.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood . . .	1,196	4	8
279	Benteak . . .	7,848	7	5
208	Karimardu . . .	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکتّه کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد ليے سے بقيمت بقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکتّه کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورۂ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا باره آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

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MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—
Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—
Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—
Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moelotivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
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Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30′ N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, R.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Cofinga or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Rs.*

Ceylon, East Coast—
Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—
Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—
Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—
Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang P'ra. *Re. 1.*
Patani Bay. *Annas 8*
Singora Roadstead and Inner Harbour. *Re. 1*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
Langsuen Roads. *Re 1.*

Sailing Directions, &c.—

The Sailing Directory, Part I, India, Africa and South America, with Charts. *Rs. 16; packing and postage, Re. 1-12.*

Return of Wrecks and Casualties in Indian Waters for the year 1877, together with a Chart showing the positions in which they occurred. *Rs. 2.*

Ditto ditto for 1878. *Price, Rs. 2.*

Ditto ditto for 1879. *Price, Rs. 2.*

List of Light-houses and Light-vessels in British India (Suez to Singapore), corrected from official information. *Re. 1.*

Spheroidal Tables, for every ten minutes of the quadrant, showing the length in feet of a degree, minute, and second of latitude and longitude; the corresponding number of statute miles in each degree of latitude; the number of minutes of latitude, or nautic miles contained in a degree of longitude under each parallel of latitude; and the length, in cables, of a minute of longitude, corresponding to each nautic mile, Compression $\frac{1}{192}$. *Re. 1.*

Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light Vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Lighthouse, Java, Sunda Strait.

No. 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing light on Pulo Undau.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait, Re-exhibition of Flashing light on First Point.
„ 4. Java, North Coast, Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white light.

*** *The above rates are exclusive of mounting, colouring, packing, and postage.*

☞ The following books may be had from the Office of Superintendent of Government Printing, No. 8, Hastings Street.

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Just published—revised edition.

General Rules and Circular Orders of the High Court in Bengal, Appellate Side—Civil, Rs. 2-8; Criminal, Re. 1-8; packing and postage, 5 annas and 3 annas respectively.

Printed slips containing alterations and additions will be available to the public quarterly, at 8 annas per quarter, including postage.

P. W. D. Code, 4th Edition.

Vol. I.—(For the use of Sub-divisional as well as Divisional Officers)—

Chap. I. Organization of the Department.—II. Rule for candidates for appointment or promotion.—III. Duties of Departmental Officers.—IV. Rules affecting personal conduct.—V. Special Rules applicable to all branches.—VI. Office arrangements.—VII. Designs and Estimates.—VIII. Contracts.—IX. Execution of works.—X. Cash and stores.—XI. Public buildings.—XII. Accounts. *Price, Rs. 2-8; packing and postage, 4 annas: interleaved copies, Rs. 3; packing and postage, 6 annas.*

Vol. II.—(For the use of Divisional Offi- cers)—

Chap. XIII. Executive Engineers' Accounts.—XIV Duties of Examiner's Office.—XV. Budget Rules and Annual Reports.—XVI. Military Works.—XVII. Irrigation. *Price, Rs. 2; packing and postage, 4 annas: interleaved copies, Rs. 2-8; packing and postage, 6 annas.*

Super-royal octavo, cloth.

Tribes of the Hindoo Koosh. *Price, Rs. 6; packing and postage, 6 annas.*

Army List—New Number.

The Official Quarterly Bengal Army List, corrected up to 30th June 1881.

☞ *From January 1881 the price of the Army List has been reduced to 1 Rupee per copy; packing and postage, 6 annas.*

The Civil Service Gradation List will no longer be appended to the Army List, but will be published separately, and may be obtained from Mr. J. Wetherill, Civil Fund Office, Treasury Buildings. *Price, Re. 1; postage, 2 annas.*

Select Extra-Tropical Plants readily eligi- ble for industrial culture or naturalisation, with indications of their native countries and some of their uses, by Baron Ferd. Von Mueller. Indian edition, 1880. *Price, Rs. 4; Packing and postage, 6 annas.*

Report on Cotton Gins, and on the cleaning and quality of Indian cotton, in two parts; by Dr. FORBES WATSON. *Price, Rs 5; packing and postage, 10 annas.*

THE INDIAN STATUTE-BOOK.
REVISED EDITION.

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Vol. IX.—The Lower Provinces Code, Vol. I, *Price, Rs. 8; packing and postage, 8 annas.*

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In the Press:

Vol. XIV.—The Central Provinces Code.

Vol. XV.—The Statutes relating to India.

The Civil Account Code, Vol. I. Second Edition, corrected to 31st October 1880. *Price, Rs. 2; packing and postage, 6 annas.*

INDEX to the enactments relating to India. Compiled, under the orders of the Government of India, by Stephen Jacob, B.C.S., to which are prefixed Chronological Tables of the Acts and Regulations of the Indian Legislatures. *Price, Rs. 10; packing and postage, 12 annas.*

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Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

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A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 23, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home, Revenue and Agricultural Department.

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NOTICE TO MARINERS.

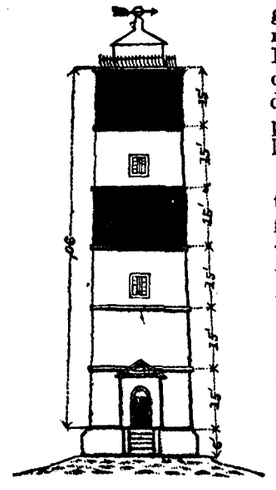
No. 26 of 1881.

BAY OF BENGAL—CHITTAGONG COAST.

KUTUBDEA.

Alteration of Colour of Light-house.

Information has been received from the Superintending Engineer, Eastern Circle, Bengal, that, in order to render Kutubdea Light-house more distinguishable by day, it has been painted in the following manner:—



The basement and the first storey, 21 feet in height from the ground, remain the original colour, *i.e.*, of a dull gray.

The next two storeys, 30 feet in height, are painted white, the fourth storey is painted red, the fifth white, and the top storey red (*see annexed sketch*).

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr.* (*late I.N.*),

Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department;
The 7th July 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 70, 829 and 859. Also Light List for 1881.

INDIAN MARINE SURVEY Charts, Nos. 115*a*, 15*c* and 103*b*. Light List for 1881. Also Taylor's Sailing Directory, Vol. I, page 485.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

NOTICE TO MARINERS.

No. 27 of 1881.

INDIA—COROMANDEL COAST.

PONDICHERRY.

Exhibition of Red and Green Lights.

The Government of Pondicherry has given notice that, in order to mark the position of the pier at Pondicherry, and to facilitate anchorage at night—

A *red* light is permanently exhibited, from the head of a mast situated at the extremity of the pier. This light is elevated 31 feet above the level of the sea, and should be visible in clear weather from a distance of 4 or 5 miles.

Also, that a *green* light will be hoisted on the same mast when the sea is so rough as to prevent communication with the pier. This light will be elevated 26 feet above the sea, and should be visible from a distance of about 3 miles.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr.* (*late I.N.*),
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department;
The 12th July 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 71*d*, 828, 70 and 748*b*. Also Light List for 1881.

INDIAN MARINE SURVEY Charts, Nos. 15*b* and 103*a*. Light List for 1881. Also Taylor's Sailing Directory, Vol. I, page 455.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

NOTICE TO MARINERS.

No. 28 of 1881.

RED SEA.

GULF OF SUEZ.

Suez Bay—Beacon on Kal-ah-Kebireh Shoal.

Information has been received that a new beacon has been recently erected by the Egyptian Government on Kal-ah-Kebireh shoal, Suez bay.

The beacon, 30 feet high, consists of a cairn of stones 8 feet high and black in colour, surmounted by a mast and triangle painted red; it is situated about half a cable northward of the position of the old beacon, or N. ½ E. from the southern extremity of the reef, distant 1½ cables.

(*The bearing is Magnetic. Variation 4½° Westerly in 1881*).

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr.* (*late I.N.*),
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department,
The 16th July 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 734 and 757. Red Sea Pilot (1873), page 37. Also Taylor's Sailing Directory, Vol. I, page 27.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

BANK OF BENGAL.

NOTICE.

Calcutta, the 21st July 1881.

The Annual General Meeting of the Proprietors and Shareholders of the Bank of Bengal will be held at the Bank on Monday, the 15th proximo, at 3 P.M., for the transaction of the following business:—

I. To receive the Directors' Report and the audited accounts up to 30th June 1881.

II. To elect two Directors in room of Messrs. J. J. J. Keswick and F. J. Fergusson, who go out by rotation, but who are eligible for re-election.

III. To elect two Auditors and to fix their remuneration.

By Order of the Board,

R. HARDIE,
Secretary & Treasurer.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 29th June 1881.

No. 31.—The undermentioned Assistant Surgeons are promoted to the grades, and with effect from the dates, specified opposite their respective names:—

Names.	To what grade promoted.	Date of promotion.
Brij Lal Ghose, Rai Bahadoor.	1st Grade	1881. 1st May.
Grees Chunder Mitter	Ditto	16th April.
Mul Raj	2nd Grade	1st May.
Bhola Nath Pal	Ditto	1st May.
Nihal Singh	Ditto	1st May.
Umesh Chundra Sen	Ditto	1st May.
Sobha Ram	Ditto	30th April.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

REVENUE BRANCH, SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 19th July 1881.

No. 8.—Mr. H. Dowman, Surveyor, 4th Grade, is granted privilege leave for one month, under Chapter X, Section 136, of the Civil Leave Code.

J. SCONCE, *Lieut.-Col.*,
Deputy Surveyor General.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 18th July 1881.

No. 11.—Mr. C. L. Schwendler, Electrician, is allowed furlough on medical certificate for twelve months, under Section 51 of the Civil Leave Code, with effect from the forenoon of the 2nd July 1881.

R. MURRAY, *Colonel*,
Dir. Genl. of Tels. in India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 12th July 1881.

No. 1382.—Major F. H. Maitland, Political Superintendent, Charkhari, is allowed three months' privilege leave from the 14th July 1881, or such subsequent date as he may avail himself thereof.

By Order,

D. ROBERTSON,
1st Asst. to the Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 12th July 1881.

No. 1279 *G.*—Lieutenant-Colonel F. W. Boileau, Commandant, Merwara Battalion, returned on the 2nd July 1881 from the privilege leave granted him in this Office Notification No. 780 G., dated 30th April 1881.

The 16th July 1881.

No. 1322 *G.*—With reference to this Office Notification No. 957 G., dated 25th May 1881, Captain A. C. Talbot and Major V. E. Law, respectively, made over and received charge of the Ulwar Political Agency on the afternoon of the 5th July 1881.

By Order,

E. A. FRASER,
1st Asst. Agent, Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATIONS.

Mount Abu, the 16th July 1881.

No. 473.—With reference to Notification No. 386, dated 9th June 1881, Munshi Ajodhya Pershad and Pundit Bhag Ram, respectively, made over and received charge of the Office of Judicial Assistant Commissioner, Ajmere, on the forenoon of the 27th June 1881.

No. 475.—Majors A. W. Roberts and J. H. Lassalle, respectively, delivered over and received charge of the Office of Assistant Commissioner, Ajmere, on the forenoon of the 27th June 1881.

No. 477.—Pundit Bhag Ram and Major A. W. Roberts, respectively, made over and received charge of the Office of Assistant Commissioner, Merwara, on the forenoon of the 27th June 1881.

No. 479.—Major J. H. Lassalle and Mr. L. S. Saunders, C.S., respectively, delivered over and received charge of the Office of Commissioner, Ajmere, on the forenoon of the 27th June 1881.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Bangalore, the 12th July 1881.

No. 551.—Under the authority vested in him by Section 3 of Act XVIII of 1864, the Chief Commissioner is pleased to declare that the village of Baichanhalli is within the municipal limits of Fraserpet in Coorg.

By Order,

W. J. CUNINGHAM,
Secretary.

COMMISSIONER, INLAND CUSTOMS.

NOTIFICATIONS.

Agra, the 9th July 1881.

Mr. G. A. Bradford resumed charge of the Punjab Mines Division, on the forenoon of the 4th July 1881, from Mr. J. Bolster, on return from the leave granted in Order No. 64 of 1st April 1881.

Mr. W. C. Howard, Assistant Commissioner, resumed charge of the Didwana Division, on the forenoon of the 13th July 1881, from Mr. T. L. Barrow, on return from the leave granted in Order No. 58, dated 31st March last.

W. S. HALSEY,
Commissioner, Inland Customs.

GOVERNMENT OF BENGAL.

Medical and Municipal Department,—Municipal.

NOTIFICATION.

Calcutta, the 19th July 1881.

Under the provisions of Section 50, Act X of 1870,—the Land Acquisition Act,—it is hereby notified that the following Agreement has been entered into between the Calcutta Tramways Company, Limited, and the Right Hon'ble the Secretary of State for India in Council, in connection with the acquisition of a plot of land situated at the junction of the Circular Road and the Russapugla Road, required by the said Company for the purpose of erecting a depôt and stables.

H. M. KISCH,
Offg. Secy. to the Govt. of Bengal.

Articles of Agreement made and entered into this sixth day of July one thousand eight hundred and eighty-one *between the Calcutta Tramways Company Limited* hereinafter called the Company of the one part and *the Secretary of State for India in Council* hereinafter called the Secretary of State of the other part. *Whereas* upon the application of the Company the Government of Bengal has consented to take up or acquire on behalf of the Company under the provisions of Act X of 1870 of the Governor General in Council the piece of land and other hereditaments in the plan hereto annexed surrounded with a red line and situate at the junction of the Circular Road and the Russapugla Road in Calcutta it having been shown to the satisfaction of the said Government of Bengal that the proposed acquisition is needed for the construction of a work *viz.* stables and all buildings and erections needed for a general terminus or for a terminus for the Chowringhee Tramway Line of the Company and that such work is likely to prove useful to the public. *And whereas* the said Government of Bengal has called upon the Company under the provisions of Section 49 of the said Act to enter into such Agreement with the Secretary of State as is hereinafter contained. *Now these presents witness* that it is hereby agreed and declared as follows :—

1. Upon the said lands and hereditaments being acquired under the said Act the Company shall pay to the Secretary of State the cost of the acquisition in which shall be included all payments and allowances provided for by the said Act and payable in cases of acquisition of land thereunder.
2. Upon such payment by the Company the Secretary of State shall execute and do all such acts deeds matters and things as may be necessary or proper for vesting the land and hereditaments acquired in the Company and giving them an absolute title thereto as against third parties.
3. The terms upon which the said land and hereditaments shall be acquired and transferred to and held by the Company are that the Company shall (as they hereby undertake and agree to do) construct stables and carriage sheds and other buildings and erections which may be required for the purposes of a general terminus or depôt or of a terminus or depôt for the Chowringhee Tramway Line of the Company upon such plans drawings and designs as may be first approved by the Government of Bengal.
4. That such stables sheds buildings and erections as are intended to be erected for the purpose of a terminus for the Chowringhee Tramway Line shall be constructed forthwith after the land shall be vested in the Company and shall be completed on or before the thirtieth day of June one thousand eight hundred and eighty-two and shall be maintained by the Company in proper repair and condition *provided always* that it shall be lawful at any time thereafter for the Company to erect such other buildings and erections as may be necessary or desirable under clause three thereof.
5. That the public shall be at all times entitled to use the said Chowringhee Tramway Line (for the working of which the said stables sheds and buildings are necessary) upon such conditions as may be in force from time to time under the rules or regulations of the Company and as may be in accordance with the Agreements entered into by the Company with the Corporation of the Town of Calcutta and with the Municipal Commissioners for the Suburbs of Calcutta and also in accordance with the terms of Act I of 1880 of the Bengal Council.

In Witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered by David Robert Lyall, Esq., Officiating Collector of the District of Twenty-four Pergunnahs, for the Hon'ble the Lieutenant-Governor of Bengal, acting in the premises for and on behalf of the Secretary of State for India in Council in the presence of

(Sd.) D. R. LYALL,
Offg. Collr. of 24-Pergunnahs.

(Sd.) UMES CHUNDRA CHACRAVARTI,
Sherishtadar, Collector's Office, 24-Pergunnahs.

Signed, sealed and delivered by the abovenamed Calcutta Tramways Company, Limited, by their duly constituted Attorney Robert Williamson, of Calcutta, in the presence of

The Calcutta Tramways Co., Limited, by their duly constituted Attorney
(Sd.) R. WILLIAMSON.

(Sd.) W. K. EDDIS,
Solicitor, Calcutta.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 13th July 1881.

No. 47.—With reference to Public Works Department Notification No. 46, dated 7th February 1881, Major-General A. Cadell, R.E., on return from furlough, reported his arrival in Simla and assumed charge of his duties as Deputy Inspector General of Military Works on forenoon of 11th July 1881. On the same date, Colonel Æ. Perkins, C.B., R.E., ceased to officiate as Deputy Inspector General of Military Works.

The 14th July 1881.

No. 48.—With reference to Public Works Department Notification No. 236, dated 8th July 1881, Lieutenant E. C. Stanton, R.E., Assistant Engineer, 2nd Grade, is posted to the Presidency and Oudh Command, Military Works.

The 16th July 1881.

No. 49.—With reference to Public Works Department Notification No. 216, dated 10th June 1881, Lieutenant F. B. G. D'Aguilar, R.E., Assistant Engineer, 1st Grade, is posted to the Rawalpindi Command, Military Works.

C. W. HUTCHINSON, *Lieut.-Genl., R.E.,*
Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 15th July 1881.

No. 50.—Mr. E. H. Tuck, Assistant Engineer, 2nd Grade, has passed the colloquial examination in Hindustani.

The 16th July 1881.

No. 51.—Mr. F. W. Morse, Assistant Engineer, 1st Grade, passed the lower standard examination in Hindustani on 4th July 1881.

The 18th July 1881.

No. 52.—With reference to Government of India, Public Works Department, Notification No. 243, dated 13th July 1881, Mr. T. Wood, Stock-verifier, State Railway Department, is placed at the disposal of the Consulting Engineer to the Government of India for Guaranteed Railways, Lahore, for the purpose of verifying the stores of the Punjab Northern State Railway.

W. S. TREVOR, *Col., R.E.,*
Director General of Rys.

TREASURE TROVE.

In accordance with the provisions of Section 5 of Act VI of 1878, notice is hereby given to all whom it may concern that, on some date unknown in May 1881, certain treasure, to wit, 154 old silver coins, were found in a copper vessel in the village of Mhase, Taluka Murbad, of the Thana Collectorate.

All persons claiming the said treasure, or any part thereof, are hereby required to appear personally, or by agent, before the Collector of Thana, on the 15th day of November 1881, at his Office, when the Collector will proceed to hold an enquiry in accordance with the provisions of the Act.

W. B. MULOCK,
Acting Collector.

THANA COLLECTOR'S OFFICE,
The 11th July 1881.

Report of a Deserter from the 1st Battalion, Dorsetshire Regiment, late 39th Regiment of Foot, dated at Jubbulpore, this 18th day of July 1881.

Number, Rank, and Name,—No. 617, Private Samuel Hodgett.	Parish and County in which Born,—Ruddington, Nottingham.
Age,—35 years.	Marks,—Scar on forehead. Tattooed on both arms.
Size,—5 feet 7 inches.	Trade,—Collier.
Color of—Complexion, dark; Hair, brown falling off in front; Eyes, blue.	Coat or Jacket,—Red Serge.
Date of Desertion,—13th July 1881.	Waistcoat,—None.
Place of Desertion,—Jubbulpore.	Breeches or Trowsers,—Dark Serge.
Date of Enlistment,—8th November 1864.	REMARKS,—Helmet; moustache and imperial; strong built man.
At what Place Enlisted,—Doncaster.	Under 17 years' service.

T. F. DIXON, *Lieut.-Col.,*
Comdg. 1st Battn., Dorsetshire Regt.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
July 11	...	...	...	2,167	33,98,000	4,50,144
" 12	...	...	...	2,167	33,97,952	4,50,144
" 13	...	...	...	65	32,61,980	4,59,144
" 14	...	...	2,057	65	32,54,126	4,52,247
" 15	...	...	...	65	32,54,204	4,52,247
" 16	...	...	...	65	31,54,250	4,52,247

CALCUTTA MINT,
The 18th July 1881.
R. V. RIDDELL, *Capt., R.E.,*
Offg. Mint Master.

GOVERNMENT SAVINGS BANK.

No. 1.

ANNUAL STATEMENT.

Abstract of Operations of the Government Savings Bank from 1st April 1880 to 31st March 1881.

	Rs. A. P.	Rs. A. P.
Balance due to Depositors in 1879-80	.....	29,13,854 3 7
Deposits in 1880-81	23,88,205 13 1	
Interest allowed to Depositors in 1880-81	1,34,597 0 6	25,22,802 13 7
TOTAL RS.	.....	54,36,657 1 2
DEDUCT—		
Withdrawals in 1880-81	17,68,042 1 7	
Investment in Government Loans, 1880-81	6,378 3 6	17,74,420 5 1
Balance	.....	36,62,236 12 1
LIABILITIES.		
Balance due to Depositors in 1880-81	.....	36,62,236 12 1
ASSETS.		
Due by General Books	35,27,639 11 7	
Interest allowed to Depositors in 1880-81	1,34,597 0 6	36,62,236 12 1

J. GORDON,
Depy. Secretary.

BANK OF BENGAL,
GOVT. SAVINGS BANK;
Calcutta, 21st July 1881.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st May 1881.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS										5 PER CENT. LOAN OF 1856-57.	5½ PER CENT. LOAN OF 1859-60.	TOTAL AMOUNT.
		Of 1824-25.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1866.	REDUCED 4 PER CENT. LOAN OF 1879.	Of 1870.	Of 1871.	Of 1878.	TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.	TRANSFER LOAN OF 1879, SEVEN SHILLINGS STERLING PER CENT. PORTION.	5 PER CENT. DEBENTURE FOR 15 YEARS, REPAYABLE 1ST JUNE 1882.			
Balance of 15th May 1881	54,100	38,506	3,413	15,45,493	30,47,500	2,23,34,900	1,09,49,300	1,79,74,500	2,91,61,100	45,77,400	4,33,000	95,53,700	8,70,43,600	1,08,500	34,08,000	64,300	7,400	19,05,42,912
Add—																		
Amount enfaced at Madras between 16th and 31st May 1881	...	...	...	...	...	5,000	...	3,000	...	...	...	...	2,06,000	...	...	...	...	2,14,000
Amount enfaced at Bombay between 16th and 31st May 1881	...	...	...	...	...	200	2,000	15,500	5,000	...	...	2,57,500	20,51,000	...	...	...	...	23,61,200
Amount enfaced at Calcutta between 16th and 31st May 1881	...	...	...	...	1,500	23,000	2,500	40,300	2,500	...	...	1,35,000	10,83,700	...	...	...	...	13,43,500
	54,100	38,506	3,413	15,45,493	30,49,000	2,23,63,100	1,09,49,300	1,79,74,500	2,91,61,100	45,77,400	4,33,000	98,53,200	9,03,89,300	1,08,500	34,08,000	64,300	7,400	19,44,61,612
Deduct—																		
Amount written off in the London Registers	...	...	...	...	500	1,22,200	44,600	1,27,500	78,700	...	...	25,000	4,06,000	...	...	...	...	8,04,500
Balance on 31st May 1881	54,100	38,506	3,413	15,45,493	30,48,500	2,22,40,900	1,09,03,700	1,78,47,000	2,90,82,400	45,77,400	4,33,000	98,53,200	8,99,83,300	1,08,500	34,08,000	64,300	7,400	19,36,57,112

NOTE.—From 9th June 1867 to 31st March 1881, enfaced from India 4,168 lakhs; re-transferred from London, 3,581 lakhs.

„	1st April 1881 to 15th April	5	„	10 „
„	16th „ „ 30th „	6	„	5 „
„	1st May „ „ 15th May	10	„	8 „
„	16th May „ „ 31st „	39	„	8 „
		4,168 lakhs.		3,583 lakhs.
Balance against India		3,582 „		
		586 lakhs.		

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 22nd July 1881.

Statement of the Affairs of the Bank of Bengal for the Half-year ending 30th June 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,051	4	4
Public Deposits at Head Office (Rs. 71,42,409 4 9)			
Public Deposits at Branches (Rs. 1,58,58,892 12 1)	2,30,01,302	0	10
Other Deposits at Head Office and Branches	3,22,05,424	7	6
Bank Post Bills, &c.	4,43,964	11	4
Sundries	18,86,829	2	3
RUPEES	8,00,49,571	10	3

ASSETS.	Rs.	A.	P.
Government Securities	1,20,40,277	0	0
Other authorized Investments	27,35,760	0	0
Loans on Government Securities at Head Office and Branches	52,28,478	4	7
Accounts of Credit on Government Securities at Head Office and Branches	29,66,359	8	0
Bills discounted and purchased at Head Office and Branches	1,68,62,361	10	6
Balances with other Banks	6,77,743	12	4
Bullion	2,88,087	14	9
Dead Stock	11,25,439	11	0
Stamps	9,287	7	10
Sundries	3,97,186	1	1
	4,23,30,981	6	1
Cash and Currency Notes at Head Office (Rs. 1,34,00,872 11 7)			
Cash and Currency Notes at Branches (Rs. 2,43,17,717 8 7)	3,77,18,590	4	2
RUPEES	8,00,49,571	10	3

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

BANK OF BENGAL,
Calcutta, 20th July 1881.

J. GORDON,
Chief Accts & Depy. Secretary.

Statement of the Affairs of the Bank of Bengal for the week ending 19th July 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office (Rs. 87,24,596 12 10)			
Public Deposits at Branches (Rs. 1,54,32,161 5 10)	2,41,56,758	2	8
Other Deposits at Head Office and Branches	3,69,71,013	0	3
Bank Post Bills, &c.	5,34,696	13	6
Sundries	10,67,395	0	6
RUPEES	8,52,41,864	5	3

ASSETS.	Rs.	A.	P.
Government Securities	1,04,09,687	12	0
Other authorized Investments	37,52,880	0	0
Loans on Government Securities at Head Office and Branches	52,00,637	2	1
Accounts of Credit on Government Securities at Head Office and Branches	32,78,031	0	11
Bills discounted and purchased at Head Office and Branches	1,60,60,933	11	3
Balances with other Banks	3,35,075	14	3
Bullion	1,92,403	3	10
Dead Stock	11,30,664	8	3
Stamps	9,293	3	10
Sundries	7,30,441	15	3
	4,11,00,048	7	8
Cash and Currency Notes at Head Office (Rs. 1,68,32,731 9 3)			
Cash and Currency Notes at Branches (Rs. 2,73,09,084 4 4)	4,41,41,815	13	7
RUPEES	8,52,41,864	5	3

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

BANK OF BENGAL,
Calcutta, 21st July 1881.

J. GORDON,
Chief Acctt. & Depy. Secretary.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
116	... D 14—54510 ...	20	Syed Mohamed Ahsun, Hauper.
30	... D 16—29186 } „ —29185 }	10	Baboo Akhoy Coomar Seal, Calcutta.

* Mismatched.

ALLAHABAD,
The 20th July 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.*,
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
H85	... M 56—09992 ... M 58—27234 ...	20 10	Rustomji Framji, Bombay.
H86	... M 58—68715 ...	10	Coorji Luckmidass, Bombay.
H87	... M 46—55916 ...	50	Mr. Purkinson, Ootacamond.
H88	... M 46—82159 ...	50	Nivaran Chandra Mukerji, Jubbulpore.
M38	... M 49—10585 „ —10595	10	P. A. deSouza, Goa.

BOMBAY,
The 19th July 1881.

C. E. CRAWLEY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
127	O 62—95842	20	Mr. M. L. Basu.
	O 86—47165	20	
	O 64—65817	20	
	O 95—35400	10	
	O 92—67893	10	
	O 93—25755	10	
	O 14—47065	10	
	O 95—83169	10	
	P 2—37087	10	
	O 81—09219	10	
	O 91—40963	10	
	O 94—60040	10	
129	O 69—33554	100	Babu Palukdhari Sing.
	O 88—65504	100	
	O 66—76726	100	
130	O 94—40658	10	Babu Nitto Gopaul Bhuttacharjee.
	„ —50013	10	
	„ —22513	10	
131	O 88—92024	100	Kunjo Behari Kali Churn.
	O 96—06919	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
73	A 31—54400	10	Babu Juggunnath Sen.
	„ —54398		
75	O 83—31606	10	Babu Lokenath Shome.
	O 84—17072		
76	O 60—18402	20	Chakowry Lal.
	„ —18403		
77	L 27—93649	5	Babu N. C. Biswas.
	„ —93647		
	L 31—41919	5	
	„ —41918		
74	O 38—43067	5	Babu Chundi Churn Ghose.
	„ —43068		
87	O 82—78198	10	Babu Wooma Churn Missry.
	O 95—29943	10	
	P 1—62118	10	
	O 94—11659	10	
	O 91—86351	10	
	O 49—25388	10	
	P 1—90150	10	
	O 83—77739	10	
	O 90—62976	10	
88	O 88—35769	100	Babu Rajkristo Coomar.
89	O 88—96881	100	Taree Chunder Pandi.
90	O 37—21367	5	Babu Roopchand Sen Gupta.
91	O 7—41307	10	Babu Rojoni Kanto Ghosal.
	O 41—59515	10	
92	O 63—09987	20	Babu Kedar Nath Mukerjee.
93	A 95—83333	10	Babu Chunder Nath Ganguli.

CALCUTTA,
The 22nd July 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge of Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 14—62194	10	Salvadore Brothers, Bakers, Kurrachee.
G 8—69764	20	
G 9—33900	50	
„ —32392	50	

KURRACHEE,
The 15th July 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
45	B 47—58882	5	A. Satagopaul Pillai, Rangoon.
46	B 47—75852	5	Messrs. Shaw & Winch, Armenian Street, Madras.
	B 64—01565	20	
47	B 56—80601	10	Mailkaveri Narasinga Rao, Siddicutta, Bangalore.
48	B 63—00279	10	R. Balasubramania Mudali, Chittoor.

FORT SAINT GEORGE,
The 11th July 1881.

C. HALL,
Offg. Chief Clerk to the Accts. Genl., in charge of Paper Currency Dept., for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 13th July 1881.

No. 4049.—Mr. C. A. Stuart, Presidency Post Master, Bombay, has been granted privilege leave for three months.

Mr. Stuart, on the afternoon of the 4th July 1881, made over charge of his Office to Mr. Merrett, who has been appointed to officiate as Presidency Post Master, Bombay.

The 16th July 1881.

No. 4211.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, PUNJAB.

Mr. S. Sullen has been appointed to be Post Master, Lahore.

Lalla Dowlat Ram, who has been appointed to be a Superintendent of Post Offices, 2nd Grade, has been appointed to act as Personal Assistant to the Post Master General, Punjab.

Mr. D. MacDonald has been appointed to be Superintendent of Post Offices, Ludhiana Division.

Mr. J. Harry Smith has been appointed to be Post Master, Delhi.

Mr. H. M. Mehta has been appointed to be Post Master, Peshawar.

Mr. C. Lawder has been appointed to be Superintendent of Post Offices, Derajat Division.

Mr. M. T. McDermott has been appointed to be Post Master, Rawalpindi.

Mr. W. J. Gill has been appointed to be Post Master, Amritsar.

Messrs. W. Hawthorn and C. A. H. Wood have been appointed to be Examiners of Post Office Accounts in the Punjab Circle.

Mr. Cockell has been appointed to be Superintendent of Post Offices, Lahore Division.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 22nd July 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	20th July	From Bombay.
Madras, Ceylon and the Intermediate Ports.	7 „	28th „	Str. *Ethiopia.*
Madras and Ceylon	7 „	28th „	P. & O. Str. *Peshawur.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *viâ* Hong-Kong for Yokohama; also for Australian Colonies	7 „	26th „	From Bombay.
Foreign Mails *viâ* Bombay	7 „	30th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	29th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	27th „	Str. *Oriental.*
Cuttagong, Akyab, Kyouk Phyoo, and Rangoon	7 „	28th „	Str. *Medina.*
Foreign Mails *viâ* Bombay	7 „	23rd „	From Bombay.*

* Also *viâ* Aden for Zanzibar, Mozambique; also *viâ* Aden for Mauritius, Maké (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 17th July 1881.

Barry, G. W.
Benjamen, Mrs. E. G.
Bepeen Behary Pattuck, care of Simla P. O.
Bell, Mrs.
Brown, Mr. (Druggist, &c.)
Burns, W. H.
Clark, A. H.
Caldwell, J.
College Press Manager.
D'Costa, S. E.
Davis, Miss Mary.
Dheitte, Monsieur Chery.
Dutta, Messrs. Dass & Co.
Gonsalves, F. E.
Greaves, W. H.
Green, Captain G. E.
Green, A. O.
Herdman, Mrs. Mary.
James, Miss.
Jones, Miss L.
King, W.
Manager, Java Bank.
Manager, Indian Messenger.
McGown, W.
McCarthy, A.
Mitchell, S.
Morres, Mrs. J. J.
Murrey, Mrs. W.
Nobokrishna Shil & Co.
Nundi, Messrs. R. D.
Rigbee, Mrs. M.
Rogers, F.
Searle, Mrs.
Self, John.
Silbege, N.
Scott, Messrs. C. W.
Stephen, Mrs. M.
Smith, C. N.
Smith. W. C.
Smith, Adam.
Solomon, W. E.
Strong, Miss C.
Twidale, C.
Willoughby, W.

Letters marked "Care of Post Office, to be kept till called for."

A. B. C.
Abinash Chunder Banerjee.
Anderson, A. S.
Archer, Capt. E. B.
Barnswell, D.
Bennett, W. W.
Boulaid, Madame.
Bott, S. R., care of C. Post Office.
Brawley, A.
Bridgenell, J. M.
Brundage, J. D.
Campbell, Major A. D.
Coles, Mrs. Charles.
Cox, F.
Collyer, Mrs. L.
Clefton, R. H.
Dalrymple, W. F.
Deane, Mrs. H. A.
DeBraganzer, C. S.
Dhobbin, P. J.
Dutt, R. N.
Dutt, Surjo Cumar.
Dykes, L. F.
Earl, F. E.
Eisenowsky, Mr.
Enris, W.
Evans, Mrs. P. A.
Feilman, F. B. Collins.
Ferm, Arthur.
Fleming, Miss.
Forster, John.
G. E.
Gheater, Mrs. J.
"Gorse."
Greive, Miss.
Green, Master Albert.
Grimes, T.
Guest, W. H.
Humes, Robert.
Harris, S. P.
Hartley, S. R.
Havard, D.
Hazard, Fred.
Hedderly, Allen.
Herbert, E.
Hodgson, Joseph.
Horridge, Charles.
Houston, A. C.
Hughes, Mrs. W. H.
J. B. P.
J. B. R.
J. R. P.
Jackson, W. F.
Jones, David William.
Kenderick, Geo.
King, J. P.
King, Dr. Henry.
Littlewood, J. H.
MacLaughlin, Dr. A. J. M.
Marshall, W. K.
Marlia, Mrs. A.
Malbrook, P.
Meanera, Lt. J. S. G.
Michael, G.
Miller, John.
Mitter, A. C.
Montgomery, H. J. B.
Morris, Nevill.
Murdock, Mrs.
Nicholas, G.
Obrion, W.
P. M. J.
Pain, J. H. W.
Peterson, C.
Power, Sergt. T. W. G.
Radicie Vincenzo.
Ridley, Fred. J.
Richards, John.
Remick, Captain Edec.
Rendell, T. H.
Read, S.
Ross, W.
Roxburgh, J.
Raymond, Victor.
Rubely, Monsieur.
Span, J. M.
Scotland, W. J.
Smith, Mrs. E.
Smith, John.
Snelling, T. R.
Synnot, W.
Vancum, R. M. (B.A., B.L.)
Vansitart, Mrs. T. P.
"W."
W. E. S.
Watkins, James.
Ware, Mrs. H.
Wallaston, A.
Willis, Albert.
Willson, W. H.
X. Y. Z.

Newspapers.

Anderson, A. S.
Brundage, J. D.
Campbell, Major A. D.
Cowlishaw, J.
Hedderly, Allen.
Henry, Col.
Johnson, E. C.
Peterson, C.
Rendell, T. H.
Sale, M.

Registered Letters.

Bourlinaty, T.
Hayter, Major C.
Herron & Co.
Speyer, E. M.
Todd, W. B.
Woods, Mr.
Z. Y. X. W.

E. HUTTON,
Presidency Post Master.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

os.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood	1,196	4	8
279	Benteak	7,848	7	5
208	Karimardu	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئينائين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے اونكے جوكوئي ايك مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

١ يهه دوا كلكته كے بڑے بڑے دواخانونمين يكتي هى ماسيواے قيمت مذكورة بالا كے محصول ڈاك چار اور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا بارة آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0

	Rs.	A.	P.
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

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THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Sevaia. *Re. 1.*
Cutch Mundvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moeletivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30′ N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Iuff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re.*

Ceylon, East Coast —

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—

Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang P'ra. *Re. 1.*
Patani Bay. *Annas 8.*
Singora Roadstead and Inner Harbour. *Re. 1.*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
Langsuen Roads. *Re 1.*

Sailing Directions, &c.—

The Sailing Directory, Part I, India, Africa and South America, with Charts. *Rs. 16; packing and postage, Re. 1-12.*

Return of Wrecks and Casualties in Indian Waters for the year 1877, together with a Chart showing the positions in which they occurred. *Rs. 2.*

Ditto ditto for 1878. *Price, Rs. 2.*

Ditto ditto for 1879. *Price, Rs. 2.*

List of Light-houses and Light-vessels in British India (Suez to Singapore), corrected from official information. *Re. 1.*

Spheroidal Tables, for every ten minutes of the quadrant, showing the length in feet of a degree, minute, and second of latitude and longitude; the corresponding number of statute miles in each degree of latitude; the number of minutes of latitude, or nautic miles contained in a degree of longitude under each parallel of latitude; and the length, in cables, of a minute of longitude, corresponding to each nautic mile, Compression $\frac{1}{3\,1\,2}$. *Re. 1.*

Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
No. 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Saïd entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sádashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut, Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light-house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 30, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

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E. J. DEAN,

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INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 22nd July 1881.

No. 131.—Dr. C. I. Wills, Assistant Medical Superintendent, has been granted by the Director, Persian Telegraph, furlough for two years, under Section 49, and subsidiary leave not exceeding thirty days, under Sections 63—69 of the Civil Leave Code, with effect from afternoon of 7th April 1881, subject to confirmation by the Director-in-Chief, Indo-European Telegraph.

W. PALMER,

Examiner of Telegraph Accounts.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 18th July 1881.

No. 1336 *G.*—With reference to Foreign Department Notification No. 1003 G.-G., dated 25th May 1881, Dr. C. P. Moreton received medical charge of the Kotah and Jhallawar Political Agencies from Assistant Surgeon Aupoorbo Krishna Dass on the afternoon of the 27th May 1881.

The 23rd July 1881.

No. 1407 *G.*—2nd Class Hospital Assistant Teja Sing is placed in medical charge of the Deoli Irregular Force, with effect from the 25th June 1881.

By Order,

E. A. FRASER,

1st Asst. Agent to the Govr. Genl.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 22nd July 1881.

The following revised rules and regulations for the issue and receipt of instruments from the Calcutta Mathematical Instrument Department are published for the information and guidance of public officers.

By Order,

J. O. N. JAMES,

Assistant Surveyor General,
in charge of Surveyor General's Office.

RULES AND REGULATIONS.

The Calcutta Government Mathematical Instrument Department supplies new and serviceable instruments, &c., and repairs, examines and adjusts, &c., old ones, on book debit, on the public service. As a general rule new instruments are not supplied, if serviceable instruments of the class required are available for issue.

2. All applications for instruments on the public service must be submitted in following indent form. The specification of instruments and particular purposes for which required being made as full as possible:—

Indent No. *on the Calcutta Mathematical Instrument Depôt for instruments required for the use of* *dated* *18* .

Description of Instruments.	Quantity or number in use or in store.	Quantity or number indented for.	Purpose for which required.	Average cost as per printed list.		How and where to be despatched.
				Rs.	As.	The address which should be affixed to the parcels or cases to be distinctly given in full. Abbreviations sometimes lead to mistakes.

I do hereby certify that the articles specified in this indent are indispensably necessary for the purposes set forth, according to the best of my knowledge and belief, after the most careful examination.

Recommended.

Countersignature of approving authority.

Signature of Indenting Officer, with designation of appointment in full.

3. All indents must be duly approved and countersigned by the heads of departments, or of the Government under which indenting officers may be serving, before they can be supplied, *viz.*:—

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Settlement	"	" Boards of Revenue,
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Telegraph Department,		" Director General of Telegraphs,
Marine Department,		" Superintendent of Marine,
Quarter Master General's Department,		" Quarter Master General of the Army,
All other Civil Officers or Military Officers in Civil employ,		" Secretary to Governments under which serving, or Secretary to Board of Revenue,

Indent forms may be had on application being made to the Mathematical Instrument Office.

and they should be addressed to the *Superintendent, Government Mathematical Instrument Department, No. 9, Park Street, Calcutta.*

4. The mode of transit and address, or station to which the instruments are to be consigned, must invariably be specified on indents in the proper column. Indents should not be accompanied with forwarding letters, unless more explanation is necessary than can be given on the face of the indent.

5. All officers, to whom instruments and other stores are issued on public service, have to account for them to the Accountant General to whom their accounts are rendered, in such manner as may be by him directed.

6. All instruments, and component parts of instruments, when no longer required, should be at once returned to the Mathematical Instrument Department, *except when the officer in charge considers that their transit charges may nearly equal, or exceed, their actual value as material*; in which case, he should refer to the Superintendent, Mathematical Instrument Department, for instructions as to their disposal.

7. When instruments are considered unserviceable by any officer, a survey should be held on them by a committee of Government officers, whose report should be forwarded to the Superintendent, Mathematical Instrument Department, who will issue instructions as to which of the articles are to be forwarded to the depôt, Calcutta, and which should be sold by public auction to the best advantage. The proceeds of all articles sold by auction must be deposited in the nearest treasury, and the treasury receipt, with auction account sale, should be forwarded to the Accountant General to whom the accounts of such articles are rendered.

8. When instruments are received for final deposit in store, a receipt will be granted for them by the Superintendent, Mathematical Instrument Department, to enable officers, from whom received, to remove them from their debit, by forwarding their receipt to the Accountant General concerned, with half-yearly or other returns of stores submitted to him.

9. All Government instruments, &c., requiring repair, &c., should be forwarded with an official letter or repair indent. If no longer required and intended to be deposited in store, it should be specifically mentioned.

10. All instruments, &c., received from England and issued on book debit on the public service, will be charged at their invoice cost, *plus* charges incurred in landing, storing, and examining and despatching them, &c., or, when this cost cannot be ascertained, rate book prices will be charged. These are based on average rates.

11. Instruments made in the Department and those purchased locally for issue on book debit, will be charged at the actual cost. Instruments purchased locally for officers not entitled to receive them on book debit will be charged at cost price, *plus* 10 per cent. for incidental charges.

12. Instruments, when they can be spared, are sometimes issued to officers and others on payment of the cost value, *plus* 10 per cent., and instruments, the private property of officers, are repaired, if necessary, on like terms. In such cases the amount must be remitted to the Superintendent, Mathematical Instrument Department, before the instruments can be despatched from the Office of the Superintendent.

13. Instruments returned into store will be valued according to their condition.

14. It is particularly requested that sizes and sorts of instruments, length of scales, how divided, and purposes for which required, and generally any information which will guide this Department in knowing, without further reference, the exact wants of the indenting officer, be put as far as possible on face of indent, instead of in covering letters.

15. The following list shows nomenclature of the various descriptions of instruments ordinarily kept in store of this Department for issue on public service. This nomenclature should be adopted in all indents.

16. To enable the indenting officer, as well as the officer who countersigns and finally passes an indent, to know the cost involved thereby, the average ordinary price of each description of instrument is also given in the annexed list. Indenting officers must invariably enter the value of all instruments required by them in column of indent allotted to the purpose.

17. The supply should be regulated, not according to what an officer would like to have, but by what is absolutely necessary.

R. V. RIDDELL, *Captain, R.E.,*

Calcutta, 10th June 1881. *Superintendent, M. I. D.*

List of Instruments generally kept in Store or manufactured at the Government Mathematical Instrument Department, Calcutta.

NAMES OF INSTRUMENTS.	Approximate rates of issues.			REMARKS.
		Rs. A.	Rs. A.	
Anemometers, Robinson's	Each	From 45 0 to	65 0	
,, Whewhell's	,,	,, 315 0	...	
Arithmometers	,,	,, 200 0 to	325 0	
Barometers, Aneroid	,,	,, 40 0 ,,	75 0	
,, ,, pocket	,,	,, 50 0 ,,	80 0	
,, marine	,,	,, 50 0 ,,	75 0	
,, mountain, Fortin's principle	,,	,, 50 0 ,,	125 0	
,, ,, George's pattern	,,	,, 150 0 ,,	175 0	
,, standard, Fortin's principle	,,	,, 60 0 ,,	200 0	
,, ,, self-compensating	,,	,, 125 0 ,,	275 0	
,, Boylean-Mariotti or pocket mercurial	,,	,, 155 0 ,,	175 0	
Bars, steel, 6 feet	,,	,, 16 0 ,,	25 0	
*Boards, drawing, teak	according to sizes	,, 1 0 ,,	1 8	Per square foot.
,, ,, deal, fluted, with ebony edges	according to sizes	,, 1 2 ,,	2 0	Per square foot.
Chains, iron, measuring 30 feet, with pins complete	Each	,, 4 6	...	
,, ,, ,, 33 ,, ,, ,, ,,	,,	,, 5 10	...	
,, ,, ,, 50 ,, ,, ,, ,,	,,	,, 8 8	...	
,, ,, ,, 66 ,, ,, ,, ,,	,,	,, 10 0	...	
,, ,, ,, 100 ,, ,, ,, ,,	,,	,, 250 0 to	450 0	
Chronometers, box	,,	,, 500 0 ,,	720 0	
,, pocket	,,	,, 1,500 0	...	
Circles, altitude and azimuth	,,	,, 500 0	...	
,, reflecting	,,	,, 1,250 0	...	
,, repeating, astronomical	,,	,, 90 0 to	105 0	
Circumferentors, including stands	,,	,, 25 0 ,,	50 0	
Clinometers	,,	,, 13 0 ,,	15 0	
Combs, acre, calculating, electrum	,,	,, 0 4	...	
,, ,, ,, card	,,	,, 8 0 to	20 0	
Compasses, beam, wooden bar, of sorts and sizes, plain	,,	,, 22 0 ,,	36 0	
,, ,, ,, ,, with adjustment	,,	,, 2 12 ,,	3 12	
,, bow, ink or pencil, brass, single jointed	,,	,, 6 0 ,,	8 8	
,, ,, ,, ,, double ,,	,,	,, 3 6 ,,	5 0	
,, ,, ,, ,, electrum, single ,,	,,	,, 5 0 ,,	12 8	
,, ,, ,, ,, double ,,	,,	,, 2 10 ,,	4 8	
,, spring, bow, ink, pencil, or dividers	,,	,, 6 0 ,,	15 4	
,, ,, ,, sets	,,	,, 3 0 ,,	4 8	
,, drawing, common, brass	,,	,, 2 8 ,,	5 4	
,, ,, ,, electrum	,,	,, 4 6 ,,	6 0	
,, ,, hair, brass	,,	,, 5 4 ,,	8 0	
,, ,, ,, electrum	,,	,, 6 14 ,,	14 0	
,, ,, with pen and pencil legs, brass	,,	,, 13 12 ,,	15 0	
,, ,, ,, ,, electrum	,,	,, 3 0 ,,	12 0	
,, magnetic, pocket, watch pattern	,,	,, 2 0 ,,	3 8	
,, ,, in wooden cases	,,	,, 18 0 ,,	50 0	
,, marine	,,	,, 6 0 ,,	34 0	
,, pocket, Napier's, pillar, or other patterns	,,	,, 26 12 ,,	50 0	About Rs. 11 to Rs. 14 per inch of diameter of cards, exclusive of stand.
,, prismatic card †	,,	,, 27 0 ,,	75 0	Rs. 11 to Rs. 16 per inch of diameter of ring, exclusive of stand.
,, ,, silver ring †	,,	,, 12 0 ,,	20 0	
,, proportional, brass and electrum	,,	,, 6 0 ,,	12 0	About Rs. 2 per inch of needle.
,, rectangular for plane-tables	,,	,, 22 0 ,,	26 8	Inclusive of stand.
,, surveying, Bengali	,,	,, 35 0	...	
,, ,, ,, English manufacture	,,	,, 44 0 to	70 0	
,, ,, English	,,	,, 12 8	...	
,, triangular	,,	,, 3 8 to	5 8	
Curves, French, small, sets of 12	,,	,, 12 8 ,,	17 8	
,, ,, large, ,, ,, 36	,,	,, 14 6	...	
,, Railway, small, ,, ,, 50	,,	,, 12 0 to	24 0	
,, ,, large, ,, ,, 90	,,	,, 7 8 ,,	15 0	
Declinometers with compasses	,,	,, 125 0 ,,	175 0	
Eidographs	,,	,, 35 0 ,,	125 0	
Glasses, binocular, small and large	,,	...	...	From Rs. 6 to Rs. 8 per square foot of glass.
,, copying or tracing	,,	,, 2 0 ,,	3 0	
,, time	,,	,, 25 0 ,,	150 0	From Rs. 6 to Rs. 12-8 per inch of diameter of glass, exclusive of stand.
Heliotropes †	,,	,, 31 4	...	
Horizons, dark glass, plane	,,	,, 60 0 to	80 0	
,, mercurial	,,	,, 60 0	...	
Hydrometers, Syke's, with brass floats	,,			

* Size to be stated on the face of the indent.
† Stands for these instruments are rated separately on page 520.

NAMES OF INSTRUMENTS.	Approximate rates of issues.			REMARKS.
		Rs. A.	Rs. A.	
Hydrometers, Syke's, with glass floats	Each	From 68 12	...	
Hygrometers, Daniel's	,,	,, 43 12	...	
,, Mason's	,,	,, 30 0	...	
Instruments, drawing, mathematical, brass, 1st sort	,,	,, 35 0 to	60 0	The lower prices quoted refer generally to boxes of instruments which having been repaired in the workshop, may be classed as good second-hand instruments.
,, ,, ,, ,, 2nd ,,	,,	,, 25 0 ,,	40 0	
,, ,, ,, ,, 3rd ,,	,,	,, 13 8 ,,	18 0	
,, ,, ,, electrum, 1st sort, with needle points	,,	,, 70 0 ,,	95 0	
,, ,, ,, electrum, 1st sort, without needle points	,,	,, 60 0 ,,	85 0	
,, ,, ,, electrum, 2nd sort	,,	,, 35 0 ,,	50 0	
,, ,, ,, electrum, 3rd sort	,,	,, 16 0 ,,	25 0	
Lamps, reverberatory, with reflectors	,,	,, 75 0 ,,	125 0	
,, bull's eye	,,	,, 2 8 ,,	10 0	
,, referring	,,	,, 3 0 ,,	7 8	
Lenses, reading	,,	,, 1 2 ,,	5 10	About Rs. 1-4 per inch of diameter of glass.
*Levels, dumpy, of sizes with stands	,,	,, 135 0 ,,	300 0	From Rs. 14 to Rs. 20 per inch of length of telescope.
*,, Y pattern ,, ,,	,,	,, 150 0 ,,	300 0	
*,, spirit, in metal cases	,,	,, 3 12 ,,	23 0	From Re. 1 to Rs. 1-10 per inch of length.
,, ,, in wooden cases	,,	,, 3 4 ,,	12 8	From 6 annas to 14 annas per inch of length.
,, reflecting (Abney's)	,,	,, 20 0 ,,	54 0	
Logs, Massey's patent	,,	,, 30 0 ,,	40 0	
Machines, map-printing, Gastrell's pattern	,,	,, 50 0 ,,	70 0	
,, ,, Ordnance ,, in boxes	,,	,, 45 0 ,,	60 0	
Magnets, bar	Per pair	,, 5 0 ,,	10 0	
Meters, current	Each	,, 50 0 ,,	180 0	
Opisometers	,,	,, 3 8 ,,	4 0	
Pens, drawing, common, ivory handle	,,	,, 1 8 ,,	3 0	
,, ,, ,, steel ,,	,,	,, 1 4 ,,	1 8	
,, dotting	,,	,, 4 0 ,,	6 0	
,, ,, double or road	,,	,, 5 0 ,,	6 0	
*Pentagraphs, English	,,	,, 70 0 ,,	145 0	From Rs. 30 to Rs. 50 per foot according to condition.
*,, French (3 feet)	,,	,, 270 0	...	
Perambulators, English pattern	,,	,, 70 0	...	
,, Waugh's	,,	,, 80 0 to	120 0	
Pins for maps, brass	Per doz.	,, 0 12	...	
,, ,, electrum	,,	,, 0 14	...	
Plane-tables, deal-wood, with brass plates and clamping screws, but without stands	Each	,, 8 0 to	10 0	Sizes usually made, are— 30″ × 24″ 24″ × 20″ 20″ × 16″
,, teak ,, ,, ,,	,,	,, 8 0 ,,	10 0	
Stands for above are rated separately, see next page.				
Planimeters, brass	,,	,, 24 0 ,,	33 0	
,, electrum	,,	,, 35 0 ,,	50 0	
Pluviometers, or rain gauges, country pattern	,,	,, 16 0 ,,	20 0	
,, ,, Glaisher's ,,	,,	,, 30 0 ,,	55 0	Including the stands.
,, ,, Symon's ,,	,,	,, 10 0 ,,	50 0	
Pointers, station, brass and electrum	,,	,, 100 0 ,,	165 0	
Prickers with ivory handles	,,	,, 1 4	...	
Protractors, plain, circular, of sizes, brass	,,	,, 10 0 to	35 0	From Rs. 1-12 to Rs. 3 per inch of diameter.
,, ,, ,, ,, electrum	,,	,, 20 0 ,,	50 0	From Rs. 3 to Rs. 4 per inch of diameter.
,, ,, semi-circular, 6″ brass	,,	,, 10 0 ,,	13 0	
,, ,, ,, of sizes, electrum	,,	,, 12 0 ,,	24 0	From Rs. 2-8 to Rs. 3 per inch of diameter.
,, with adjustment, circular, brass	,,	,, 35 0 ,,	48 0	From Rs. 5-8 to Rs. 6 per inch of diameter.
,, ,, ,, electrum	,,	,, 50 0 ,,	90 0	From Rs. 12-8 to Rs. 15 per inch of diameter.
*,, ,, ,, semi-circular, brass, with ¼″ & ⅛″ slates diagonally divided	,,	,, 40 0 ,,	56 0	From Rs. 6-8 to Rs. 9-8 per inch of diameter.
,, card, circular, 12″	,,	,, 0 12	...	
,, ,, ,, 5″ (figures in English and vernacular)	,,	,, 0 2	...	
,, rectangular, ivory, of various patterns	,,	,, 3 12 to	12 0	
,, ,, metals, 6″	,,	,, 9 0 ,,	12 0	
Rods, measuring, wooden	,,	,, 2 0 ,,	5 0	
Rules, carpenter's, boxwood, 1 foot, 2 fold & 4 fold	,,	,, 1 0 ,,	2 8	
,, ,, ,, 2 feet 2 ,, & 4 ,,	,,	,, 1 4 ,,	3 2	
,, flat, ebonite	,,	,, 0 6 ,,	5 12	About 1 anna per inch for smaller sizes, and 1¼ annas per inch for the larger sizes.

* Size to be stated on the face of the indent.

	NAMES OF INSTRUMENTS.		Approximate rates of issues.				REMARKS.
				Rs. A.	Rs. A.		
	Rules, flat, electrum	Each	From	16 0 to	30 0		About Rs. 7-8 per foot.
	,, ,, wooden	,,	,,	0 5 ,,	4 8		
	,, folding, ivory, 1 foot, 4 fold	,,	,,	3 2	...		
	,, ,, ,, 2 feet, 2 ,,	,,	,,	10 0 to	15 0		
	,, ,, ,, 2 ,, 4 ,,	,,	,,	10 0 ,,	15 0		
	,, parallel, bar, ivory, 6 inches	,,	,,	3 0 ,,	6 0		
*	,, ,, ,, wooden, of sizes	,,	,,	1 0 ,,	6 12		From Re. 1 to Rs. 3 per foot.
	,, ,, on rollers, brass, ,,	,,	,,	9 0 ,,	30 0		From about Rs. 9 to Rs. 18 per foot.
	,, ,, ,, electrum, of sizes	,,	,,	11 0 ,,	65 0		From about Rs. 11 to 22 per foot.
	,, ,, ,, wooden (2½ feet in length)	,,	,,	12 8 ,,	20 0		
	,, sight, for plane-tables (with fixed sights)	,,	,,	5 0	...		
	,, straight edges, steel, of sizes	,,	,,	17 0 to	45 0		From Rs. 7 to Rs. 8 per foot in length.
	Scales, acre, calculating, 16″ to 1 mile	,,	,,	13 8 ,,	24 0		
	,, architect's, boxwood, single, 12 inches	,,	,,	1 12 ,,	3 2		
	,, ,, ,, in sets	,,	,,	15 0	...		1/16th, 1/8th, 3/16th, 1/4th, 3/8th, 1/2th, 1/16th, 1/8th.
	,, ,, ivory, single, 12 inches	,,	,,	5 8 to	6 8		
	,, ,, ,, in sets	,,	,,	35 0 ,,	45 0		½, 1, 1½, 3.
	,, Bengalee, card board	,,	,,	0 1	...		
	,, ,, metal	,,	,,	0 12	...		
	,, common, wooden, 2 feet 6 inches long	,,	,,	2 0 to	3 0		Divided to inches, eighths and sixteenths.
	,, diagonal, card board	,,	,,	0 1 ,,	0 4		
	,, ,, metal	,,	,,	3 0 ,,	10 0		
	,, ,, wooden, 1 foot long	,,	,,	1 0	...		
	,, engine divided, card board, 18 inches	,,	,,	0 2 to	0 8		
	,, engineering, box-wood, in sets	,,	,,	10 0 ,,	15 0		Each set contains scales of from 100 to 800 to the foot.
†	,, ,, ivory, ,,	,,	,,	20 0 ,,	30 0		
	,, Gunter's, metal	,,	,,	12 0 ,,	25 0		
	,, ,, wooden	,,	,,	5 0 ,,	6 0		
	,, Marquois', metal	,,	,,	20 0 ,,	45 0		
	,, ,, wooden	,,	,,	7 0 ,,	10 0		
	,, offsets, card board	,,	,,	0 1	...		
	,, ,, ivory, in sets	,,	,,	9 0 to	10 0		
	,, ,, wooden, ,,	,,	,,	4 0 ,,	5 0		
	,, ,, single, ivory	,,	,,	1 4	...		
	,, ,, ,, wooden	,,	,,	0 6 to	0 12		
	,, plotting, ivory, in sets of 6	,,	,,	35 0 ,,	50 0		
	,, ,, wooden ,, ,,	,,	,,	13 0 ,,	20 0		
	,, ,, single, ivory	,,	,,	5 0 ,,	7 0		
	,, ,, metal ,,	,,	,,	2 0 ,,	3 0		
	,, plotting, single, wooden	,,	,,	1 12	...		Each inch divided into 25 parts for plotting plans on the scale of 2½ chains to the mile.
	*Scales, standard, metal, 2 feet, 3 feet, and 4 feet in length	,,	,,	15 0 to	50 0		New from Rs. 10 to Rs. 12 per foot. Second-hand from Rs. 7-8 to Rs. 9 per foot.
	,, ,, diagonal, metal, 3 feet and 4 feet	,,	,,	75 0 ,,	120 0		New from Rs. 30 to Rs. 33 per foot. Second-hand from Rs. 25 to Rs. 27-8 per foot.
	Sectors, ivory	,,	,,	4 0 ,,	5 0		
	,, wooden	,,	,,	1 0 ,,	2 0		
	*Sextants of sizes in cases	,,	,,	100 0 ,,	240 0		A few of these have stands.
	,, ,, pocket	,,	,,	50 0 ,,	75 0		
	Slopes and Batters, sets of 8 pieces	,,	,,	4 0 ,,	5 0		
	Squares, co-ordinate	,,	,,	30 0 ,,	50 0		
	,, optical	,,	,,	6 8 ,,	16 0		
	,, set, ebonite, in sets	,,	,,	7 8	...		
	,, ,, metal, single	,,	,,	1 0 to	1 8		
	,, ,, wooden, in sets	,,	,,	5 0 ,,	7 8		
	,, ,, ,, single	,,	,,	0 8 ,,	2 8		
	Stands for Compasses, Prismatic	,,	,,	9 6	...		
	,, ,, Heliotropes	,,	,,	9 8 to	15 0		
	,, ,, Plane tables	,,	,,	10 0	...		
	Staves, levelling, common pattern	,,	,,	12 0 to	13 0		
	,, ,, G. T. Survey pattern	,,	,,	16 0 ,,	25 0		
	,, ,, Gravatt's	,,	,,	16 0 ,,	18 0		
	,, ,, Roorkee, single	,,	,,	12 0 ,,	13 0		Single staff, 12 feet long.

* Size to be stated on the face of the indent.

† Many scales require a careful description. If there is the least doubt as to the correct denomination of a scale, the indenting officer should specify the number of divisions and sub-divisions in a given measurement, and the method of numbering, for instance, 12″ divided into 60 parts, numbered successively from 1 to 60, each part to the sub-divided into two.

NAMES OF INSTRUMENTS.		Approximate rates of issues.			REMARKS.
			Rs. A.	Rs. A.	
Staves, levelling, Roorkee, double	Each	From	16 0 to	18 0	Two staves, aggregate length 20 feet.
,, ,, telescopic {Sopwith's / Strange's}	,,	,,	13 0 ,,	21 0	
,, offset or cross	,,	,,	5 0	...	
Sun-dial, universal	,,	,,	66 0	...	
Sympiesometers	,,	,,	25 0 to	42 0	
*T. Squares, metal, of sizes	,,	,,	20 0 ,,	52 0	From Rs. 10 to Rs. 12 per foot.
,, wooden ,,	,,	,,	1 8 ,,	7 0	
* Tapes, metallic, measuring 50 feet	,,	,,	4 0 ,,	5 0	
* ,, ,, ,, 66 ,,	,,	,,	5 8 ,,	7 0	
* ,, ,, ,, 100 ,,	,,	,,	6 0 ,,	9 0	
Telescopes, astronomical	,,	,,	150 0 ,,	270 0	Inclusive of stands.
,, reconnoitring	,,	,,	30 0 ,,	110 0	
,, marine	,,	,,	40 0 ,,	165 0	
,, terrestrial, 3′ 6″ in length	,,	,,	150 0 ,,	220 0	
*Theodolites, Everest's, with vertical arc, 4″ & 4½″	,,	,,	140 0 ,,	300 0	From Rs. 35 to Rs. 75 per inch of diameter.
,, ,, ,, ,, 5″, 6″, & 7″	,,	,,	210 0 ,,	530 0	From Rs. 42 to 75 per inch of diameter.
,, ,, ,, ,, 10″ & 12″	,,	,,	580 0 ,,	1,240 0	From Rs. 58 to Rs. 100 per inch of diameter.
* ,, without vertical arc, 5″	,,	,,	250 0	...	
* ,, transit, with vertical circle, 4″ & 6″	,,	,,	375 0 to	530 0	
,, ,, without ,, ,, 5″, 6″, & 7″	,,	,,	275 0 ,,	400 0	
Value of stands for Theodolites included in the value columns.					
Thermometers, boiling, with apparatus complete	,,	,,	45 0 ,,	60 0	
,, spare for above	,,	,,	18 0 ,,	20 0	
,, chemical, of sizes	,,	,,	7 8	...	
,, common ,,	,,	,,	2 0 to	3 0	
,, for solar radiation	,,	,,	13 0 ,,	18 0	
,, for terrestrial radiation	,,	,,	11 0 ,,	14 0	
,, maximum, common, self-registering	,,	,,	9 0 ,,	14 0	
,, ,, black bulb	,,	,,	9 0 ,,	14 0	
,, ,, wet ,,	,,	,,	9 0 ,,	14 0	
,, maximum and minimum on the same board, 6″ and 9″	,,	,,	22 0 ,,	36 0	
,, minimum	,,	,,	10 0 ,,	15 0	
,, ,, black bulb	,,	,,	7 8 ,,	16 0	
,, ,, wet ,,	,,	,,	10 0 ,,	15 0	
,, standard 1/2°	,,	,,	15 0 ,,	22 0	
,, ,, 1/8°	,,	,,	15 0 ,,	32 0	
,, spare, for Syke's hydrometer	,,	,,	5 5	...	
Vanes, wind, iron, small and large	,,	,,	3 0 to	30 0	
Watches, common, pinchbeck	,,	,,	25 0 ,,	32 0	

* Size to be stated on the face of the indent.

BOOKS.	Approximate rates of issues.			REMARKS.
		Rs. A.	Rs. A.	
Manual of Surveying for India	Each	From	12 0	
Nautical Almanacs	,,	,,	1 12	
Navigation, Norie's	,,	,,	10 0	
,, Raper's	,,	,,	10 0	
Tables, auxiliary, for facilitating computations of a trigonometrical survey, Hennessey's	,,	,,	3 0	
,, Glaisher's	,,	,,	0 10	
,, for hydrometer, by Casella	,,	,,	3 0	
,, logarithmic Chambers'	,,	,,	2 0 to	3 0
,, ,, Hutton's	,,	,,	8 0	
,, ,, Shortrede's, with sines, &c.	,,	,,	16 8	
,, ,, ,, numbers	,,	,,	5 0	
,, lunary and horary, Thomson's	,,	,,	5 0	
,, traverse, Boileau's	,,	,,	3 0	
,, ,, Shortrede's	,,	,,	10 0	
Hints to Travellers, Galton's	,,	,,	1 10	

Mussoorie, the 22nd July 1881.

No. 229.—Mr. C. P. Torrens, Assistant Surveyor, 2nd Grade, is granted privilege leave for one month, under Section 136, Chapter X, of the Civil Leave Code, with effect from the forenoon of the 20th July 1881.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

CHIEF COMMISSIONER, AJMERE-MERWARA, P. W. D.

NOTIFICATION.

Mount Abu, the 21st July 1881.

No. 1913 *S.*—Whereas land is required in the Merwara District for a public purpose, *viz.*, for the construction of side drains on the Rajputana Railway line, this declaration is made in accordance with the provisions of Section 6 of Act X of 1870:—

District.	Pargana.	Village.	Amount required for occupation. Permanent.	Amount required for occupation. Temporary.	Total.	Purpose for which required.	Remarks.
			A. R. P.	A. R. P.	A. R. P.		
Merwara	Beawar	Umur-poora.	1 0 19	...	...	Construction of side drain on the Rajputana Railway line.	The plans may be seen at the Office of the Assistant Commissioner, Merwara.
		Lall-poora.	0 1 33	...	...		
		Ratan-poora.	1 0 39	...	...		
		Fateh-pore.	6 1 15	...	...		
		Chang.	1 3 18	...	...		
		Umur-poora.	1 0 39	...	...		
		Subbul-poora.	0 3 36	...	...		
					13 0 39		

By Order,
J. P. STEEL, *Major, R.E.,*
Secy. to the Chief Commr., in the P. W. D., Rajputana.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATION.

Mount Abu, the 23rd July 1881.

No. 512.—Third Class Hospital Assistant Devi-Lall, transferred by the Surgeon General with the Government of India for permanent civil employment in Rajputana, is appointed to the medical charge of the Ramsar Dispensary, with effect from the afternoon of the 30th June 1881.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 8th July 1881.

No. 32.—The services of 3rd Grade Assistant Surgeon Bure Khan are replaced temporarily at the disposal of the Punjab Government.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 21st July 1881.

No. 50.—Captain J. T. Wright, R.E., Executive Engineer, 2nd Grade, on return from furlough, is posted to the Presidency and Oudh Command, Military Works.

C. W. HUTCHINSON, *Lieut.-Genl., R.E.,*
Inspr. Genl. of Military Works.

INDUS VALLEY AND KANDAHAR STATE RAILWAYS, Manager's Office.

NOTIFICATION.

Mooltan, the 21st July 1881.

No. 56.—ERRATUM.—In Manager's Notification No. 52 of 21st ultimo, *for* "forenoon," *read* "afternoon."

L. CONWAY-GORDON,
Manager.

Statement of the Affairs of the Bank of Bengal for the week ending 27th July 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office (Rs. 76,70,245 14 1)	2,25,24,639	1	8
Public Deposits at Branches (Rs. 1,48,54,393 3 7)			
Other Deposits at Head Office and Branches	3,92,95,997	5	5
Bank Post Bills, &c.	3,61,364	6	8
Sundries	10,15,317	0	0
RUPEES	8,57,09,319	2	1

ASSETS.	Rs.	A.	P.
Government Securities	1,14,87,956	4	0
Other authorized Investments	37,52,880	0	0
Loans on Government and other authorized Securities	52,75,078	11	2
Accounts of Credit on Government and other authorized Securities	29,25,579	4	5
Bills discounted and purchased	1,69,28,577	0	7
Balances with other Banks	3,37,935	1	1
Bullion	2,81,976	7	2
Dead Stock	11,33,569	7	2
Stamps	9,147	11	11
Sundries	6,75,140	5	1
	4,28,07,840	4	7
Cash and Currency Notes at Head Office (Rs. 1,64,81,921 8 7)	4,29,01,478	13	6
Cash and Currency Notes at Branches (Rs. 2,64,19,557 4 11)			
RUPEES	8,57,09,319	2	1

BANK OF BENGAL, *Calcutta, 28th July 1881.*

J. GORDON, *Chief Accit. & Depy. Secretary.*

By order of the Directors,
R. HARDIE.
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on General Treasury.	Certificates issued on Currency Department.	Balance of Bullion Under Assay.	Balance of Bullion Assayed.	Balance of Bullion Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
July 18	...	...	...	65	31,44,286	4,52,247
,, 19	...	...	...	65	31,35,375	4,52,247
,, 20	...	...	...	65	31,20,377	4,52,247
,, 21	...	...	...	65	30,20,457	4,52,247
,, 22	...	...	...	...	29,90,639	4,52,304
,, 23	...	...	...	...	29,92,051	4,52,304

CALCUTTA MINT, *The 25th July 1881.*

R. V. RIDDELL, *Capt., R.E., Offg. Mint Master.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
		Rs.	
117	... D 17—19507 ...	50	Bucktawar Singh Nanuck Chund, Delhi.

ALLAHABAD, *The 27th July 1881.*

GODREZJEE D. PUDUMJEE, *A. A. G., In charge of Paper Currency Office.*

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881.		Rs.	
W41	... M53—71702 ...	20	Post Master General, Bombay.

Bombay Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
M39	... M 53—63253 to —63223	20	Haji Joosab Posonan, Bombay.
M40	... M 46—07912 to —07910	50	Damusa Tryambaksa, Kolhapur.
M41	... M 58—86160 to —86158	30	Jootha Luckmidass, Bombay.
M42	... M 55—98397 to —98398	10	B. B. Clough, Kulburga.

BOMBAY, *The 26th July 1881.*

C. E. CRAWLEY,
Asst. Accit. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
134	... O 86—09457	20 each.	Babu Radha Gobindo Kuar.
	,, —09458		
	,, —09459		
	,, —09461		
	,, —09463		
	,, —09465		
	,, —09467		
	,, —09468		
	,, —09470		
	,, —09471		
	,, —09472		
	,, —09473		
	,, —09476 to —09485		
	,, —09487 to —09494		
	,, —09496 to —09500		
135	... O 96—06199 ...	100	The District Superintendent of Police, Midnapore.
136	... O 96—10632 ...	100	Gobind Ram Rickjee Das.

Calcutta Circle —*continued.*

NOTES WHOLLY LOST OR DESTROYED —*contd.*

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
134	... O 86—09412	20 each.	Babu Radha Gobindo Kuar.
	„ —09413		
	„ —09414		
	„ —09419		
	„ —09420		
	„ —09425		
	„ —09427		
	„ —09429		
	to		
	„ —09433		
	„ —09435		
	to		
	„ —09439		
	„ —09444		
	„ —09446		
	„ —09447		
	„ —09450		
	„ —09451		
	„ —09452		
	„ —09454		
	„ —09455		
134	... P 1—50958	10 each.	Babu Radha Gobindo Kuar.
	to		
	„ —50967		
	„ —50969		
	to		
	„ —50973		
	„ —50975		
	to		
	„ —50981		
	„ —50983		
	„ —50984		
	„ —50985		
	„ —50988		
	to		
	„ —50991		
	„ —50995		
	to		
	„ —50999		
	O 86—09401	20 each.	
	to		
	„ —09410		
134	... P 1—46101	10 each.	Babu Radha Gobindo Kuar.
	to		
	„ —46125		
	„ —46127		
	to		
	„ —46136		
	„ —46139		
	to		
	„ —46144		
	„ —46146		
	to		
	„ —46226		
	„ —46229		
	to		
	„ —46276		
	„ —46279		
	to		
	„ —46287		
	„ —46291		
	to		
	„ —46295		
	„ —46297		
	„ —46298		
	„ —46299		
	„ —50901		
	to		
	„ —50950		
	„ —50952		
	„ —50954		
	„ —50955		
	„ —50956		
134	... N 1—48838	5 each.	Babu Radha Gobindo Kuar.
	to		
	„ —48843		
	„ —48845		
	to		
	„ —48851		
	„ —48854		
	„ —48855		
	„ —48857		
	to		
	„ —48862		
	„ —48864		
	„ —48865		
	„ —48869		
	„ —48871		
	to		
	„ —48875		
	„ —48877		
	to		
	„ —48892		
	„ —48894		
	to		
	„ —48900		

Calcutta Circle —*continued.*

NOTES WHOLLY LOST OR DESTROYED —*contd.*

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
132	... O 19—75411 ...	10	Babu Hury Narain Roy.
133	... O 57—36285 ...	20	Babu Raj Narain Banerjee.
	O 85—60436 ...	20	
	„ —53025 ...	20	
	O 86—78189 ...	20	
	P 13—03113 ...	5	
134	... N 1—48701	5 each.	Babu Radha Gobindo Kuar.
	to		
	„ —48806		
	„ —48814		
	to		
	„ —48818		
	„ —48822		
	„ —48823		
	„ —48826		
	„ —48828		
	to		
	„ —48833		
	„ —48835		
	„ —48836		

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
80	... O 52—08149	10	Chooni Lal Patonee.
	„ —08150		
	A 78—51881	10	
	„ —56161		
81	... O 98—01785	5	Babu Brojendra Nath Mullick.
	„ —01786		
82	... O 38—82300	5	Babu K. L. Chatterjee.
	„ —82294		
83	... O 37—58675	5	The Chief Paymaster, E. I. Railway, Calcutta.
	„ —58676		
84	... O 81—63183	10	Babu Jogendra Nath Roy.
	„ —63179		
85	... O 58—17719	20	Messrs. Smith, Stanistreet & Co.
	„ —17716		
86	... O 91—53758	10	Mr. P. Bradley.
	O 79—34765		
79	... L 41—66984	10	Monee Ram Sukul.
	„ —66988		
	L 10—07456	5	
	„ —07455		
94	... O 32—54268 ...	50	Babu Gokul Chunder Mitra.
	O 86—00416 ...	20	
	O 83—53860 ...	10	
	O 95—49273 ...	10	
	N 1—18158 ...	5	
	„ —02292 ...	5	
95	... O 44—37273 ...	10	Babu Hury Narain Roy.
96	... L 23—99727 ...	5	Tez Kurram Bachawt.
97	... O 88—01262 ...	100	Bucktawar Sing, Nannick Chand.
98	... O 85—01260 ...	20	Keshu Lal.
	L 33—84279 ...	10	
	L 40—09894 ...	10	
	„ —14723 ...	10	

CALCUTTA,
The 29th July 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge of Paper Currency.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
26	... E 13—98959 ...	100	Karam Chand, Merchant, Multan.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
13	... E 18—08922 ...	10	A. E. Wild, Esq., Deputy Conservator of Forests, Wazeerabad.
27	... E 2—49581 ...	500	Baboo Prosono Comar Mukerje, Jonni, District Hooghly.
	„ —48502 ...	500	
	E 1—45437 ...	1,000	
31	... E 17—39615 ...	20	Bhugwan Das and Balmukand, through Jewan Keshore, Umballa.

LAHORE.
The 23rd July 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
31	... B 68—13168 ...	100	A. R. Alston, Esq., Chendrapoor Estate, Moodgherry.
32	... B 66—78294 ...	100	Puvala Ranga Nayudu, of Guntur.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
49	... B 60—41300 ...	10	Mr. James Chisholm, Elk Hill, Amutty.
	B 57—95248 ...	20	
50	... B 63—71803 ...	10	S. Lutchmana Pillai, Black Town, Madras.
51	... B 68—16213 ...	100	Mrs. Rose, Military Female Orphan Asylum, Madras.
52	... B 64—40386 ...	20	Muthuvirappa Chetti and Ramaswami Chetti, Tirupur.
53	... B 63—78460 ...	10	Mr. W. Thomas Fischer, Signaller, Madras Railway Telegraph Department, Raichoor.
54	... B 47—75324 ...	5	Mr. S. Vurdaiyangar, High Court, Madras.
	B 64—43499 ...	20	

FORT SAINT GEORGE,
The 18th July 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881-82.			
H7	... F 8—73549 ...	20	Jaitram Mahadeo, Banker, Raipur.
	„ —72233 ...	20	

NAGPUR,
The 21st July 1881.

W. H. EGERTON,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 29th July 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	5th Aug.	From Bombay.
Madras, Ceylon and the Intermediate Ports.	7 „	4th „	Str. *Khandalla.*
Foreign Mails *viâ* Bombay	7 „	6th „	From Bombay.
Do. Book Post and Patteru Packets	7 „	5th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	3rd „	Str. *Pemba.*
Chittagong, Akyab, and Rangoon	7 „	4th „	Str. *Madras.*
Foreign Mails *viâ* Bombay	7 „	30th July	From Bombay.
Port Blair and Camorta	7 „	3rd Aug.	Str. *Satara.*

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 24th July 1881.

Barker, W.
Bartlett, E. H.
Barton, H A.
Bepeen Behary Pattuck, care of Simla P. O.
Benjamin, R. C.
Brown, Mr. (Druggist, &c.)
Burkley, Mrs. M.
Cameron, Ceeil C.
Clark, Mrs.
Crawford, Miss.
Dey, Messrs. Doorga Prosad & Co.
Gee, T. J.
Georgeson, Lawrence.
Glasson, Jas. St. Clair.
Gregory, Miss K.
Harte, Miss.
Herdman, Mrs. Mary.
Jardine, Miss D.
Jones, H. K.
Kavanagh, Dr. M. D.
Keogh, Mrs. M. C.
Michael, Miss H.
McDonell, J.
Murrey, Mrs. W.
Neish, F.
Pant. H. C.
Portugal, Mrs. E. A.
Proprietor of the Mirjani Press.
Rigbee, Mrs. M.
Secretary, Calcutta Boat Club.
Self, John.
Silbege, N.
Sharpies, Richard.
Smith. W.
Stevens, W. R.
Tobin, J. T.
Vieux, E. T.
Wellard, H. W. W.
Wells, C. R.
Wight, W. C.
Willoughby, W.
White, Dr., 34th Regt.
Yeats, S.

Letters marked "Care of Post Office, to be kept till called for."

A. B. C.
Abinash Chunder Banerjee.
Anderson, A. S.
Archer, Capt. E. B.
Barlow, E. H.
Bennett, W. W.
Boulaid, Madame.
Bott, S. R., care of C. Post Office.
Brawley, A.
Bridgenell, J. M.
Brundage, J. D.
Campbell, Major A. D.
Coles, Mrs. Charles.
Cox, F.
Collyer, Mrs. L.
Clefton, R. H.
Dalrymple, W. F.
DeBrauganzer, C. S.
Dutt, R. N.
Dutt, Surjo Cumar.
Dykes, L. F.
Earl, F. E.
Elschowsky, Mr.
Enris, W.
Feilman, F. B. Collins.
Fern, Arthur.
Fleming, Miss.
Forster, John.
G. E.
Gheater, Mrs. J.
"Gorse."
Greive, Miss.
Grimes, T.
Harbert, Edward.
Harris, S. P.
Hartley, S. R.
Havard, D.
Hazard, Fred.
Hedderly, Allen.
Herbert, E.
Hodgson, Joseph.
Horridge, Charles.
Houston, A. C.
Hughes, Mrs. W. H.
J. B. B. P.
J. B R.
J. R. P.
Jackson, W. F
Jash, Captain F. H.
Jones, David William.
Kelly, W. Raywood.
Kenderick, Geo.
King, J. P.
Lindenan, L. K.
Littlewood, J. H.
MacLaughlin, Dr. A. J.
Malbrook, P.
Marshall, W. K.
Marlla, Mrs. A.
McAlpine, James.
Meanera, Lt. J. S. G.
Michael, G.
Miller, John.
Mitter, A. C.
Montgomery, H. J. B.
Morris, Nevill.
Murdock, Mrs.
Nicholas, G.
Pain, J. H. W.
Peterson, C.
Peters, D.
Phillips, H. H.
Power, Sergt. T. W. G.
Radiele Vincenzo.
Raymond, Victor.
Read, S.
Remick, Captain Edec.
Rendell, T. H.
Richards, John.
Ross, W.
Roxburgh, J.
Rubely, Monsieur.
Sapperstan, Jossep.
Scott, Mrs. E.
Scotland, W. J.
Sevenoaks, C. E.
Smith, Mrs. E.
Snelling, T. R.
Symot, W.
Van, Lack.
Vancure, R. M. (B.A., B L.)
Vansitart, Mrs. T. P.
"W."
W. E. S.
Wallaston, A.
Ware, Mrs. H.
Willis, Albert.
Willson, W. H.
Wilson, T. E.
X. Y. Z.

Newspapers.

Anderson. A. S.
Brundage, J. D.
Campbell, Major A. D.
Cowleshaw, J.
Hedderly, Allen.
Henry, Col.
Johnson, E. C.
Peterson, C.
Rendell, T. H.

Registered Letters.

Bourillaiy, T.
Devereux, G. H.
Hayter, Major C.
Herren & Co.
Millaeludes, N.
Rengen, G.
Rodrigues, D.
Rubely, C.
Sohaulai.
Speyer, E. M.
Todd. W. B.
Weiss, F.
Woods, Mr.
Z. Y. X W.

E. HUTTON,
Presidency Post Master.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood . . .	1,196	4	8
279	Benteak . . .	7,848	7	5
208	Karimardu . . .	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce

tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور ميواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورهٔ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

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„ „ ALLAHABAD SERIES.	„	1 0
Complete set	„	4 0

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MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingoria to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
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Rules for the Guidance of Officers in the Administration of Wards' and Attached Estates. Published by the authority of the Board of Revenue, Lower Provinces. *Price, Re. 1; packing and postage, 2 annas.*

Board's Rules, or Rules for the guidance of Officers engaged in the administration of the Revenue Department in the Lower Provinces of Bengal. Revised edition, Vol. I. *Price, Rs. 4; postage, 5 annas: interleaved copy, Rs. 5; postage, 8 annas.*

☛ *Printed slips containing alterations and additions will be available to purchasers monthly, at Rs. 2 per annum, including postage.*

Rules for the Lease of Waste Lands in Bengal, May 1880. Published by the authority of the Board of Revenue, Lower Provinces. *Price, 8 annas; packing and postage, 2 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 2 annas.*

Civil Suits, 1880. Published by the authority of the Board of Revenue, Lower Provinces. *Price, 2 annas; packing and postage, 1 anna.*

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

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Annual Report on Inland Emigration for 1879-80. *Price, Re. 1 per copy; packing and postage, 3 annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs. 3; postage, 3 annas.*

List of the Trees, Shrubs, and large Climbers found in the Darjeeling District, Bengal. By J. S. GAMBLE, M.A., Assistant Conservator of Forests, Bengal. *Price, Re. 1-8; postage, 1 anna.*

Report on the Internal Trade of Bengal for the year 1879-80. Published by the Government of Bengal. *Price, Rs. 6; postage, 8 annas.*

Report on the Internal Trade of Bengal for the year 1878-79. Published by the Government of Bengal. *Price, Rs. 6; postage, 6 annas.*

Report on the Internal Trade of Bengal for the year 1877-78. Published by the Government of Bengal. *Price, Rs. 3-8; postage, 4 annas.*

Report on the Internal Trade of Bengal for the year 1876-77. Published by the Government of Bengal. *Price, Rs. 5; Colored Map, Rs. 2-8.*

Report on the Cultivation of, and Trade in, Ganja in Bengal. By HEM CHUNDER KERR, Deputy Collector, on special duty. *Price, Re. 1-8; postage, 2 annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 7 annas.*

Report on the Food-grain Supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 6 annas.*

Prices of Food-grains, Firewood, and Salt in Bengal from 1866 to 1878, compiled in the Bengal Secretariat, Statistical Department. *Price, Rs. 2; packing and postage, 3 annas.*

Report on the Census of Bengal, 1872, By H. BEVERLEY, Esq., C.S., Registrar-General of Bengal. *Price, Rs. 10; postage, 9 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 4 annas.*

Memorandum on the Revenue History of Chittagong. By H. J. S. COTTON, Esq., Collector and Magistrate of Chittagong. *Price, Rs. 2-4; packing and postage, 4 annas.*

A Report on the District of Jessore: its Antiquities, its History and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 3 annas.*

The Bengal Administration Report for 1879-80. *Price, Rs. 6; packing and postage, 10 annas.*

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The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, 10 annas.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

Vol.	I.	24-Pergunnahs and Sundarbans.
Vol.	II.	Nadiya and Jessore.
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Price, per volume, Rs. 4; postage, 5 annas.

Manual of Materia Medica in Urdu, compiled by SHAIK AKBAR ALLY, Civil Hospital Assistant, Dinapore. *Price, 8 annas per copy; packing and postage, 2 annas.*

Just published, pp. xxxv + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Fellow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 2 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 4 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 6 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 3 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1881. *Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 3 annas.*

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—Bound copies ... ... Rs. 45 0 0
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The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

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Annual Statement of the Sea-borne Trade and Navigation of the Bengal Presidency, and of its Chief Port and each of the Subordinate Ports, with Foreign Countries, for the official year 1875-76. Vol. I. *Price, Rs. 12; postage, 10 annas.*

Rules for the Examination of, and grant of Certificates of Competency to, Masters, Mates and Engineers. *Price, Re. 1; postage, 1 anna.*

Abstract of the Rules of the Road at Sea, in English. *Price, Re. 1-4; packing and postage, 1 anna 6 pies.*

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Sanitary Primers in English and in Bengali. *Price, Rs. 6 per hundred, including transit and packing charges; single copies, 1 anna each.*

The Book named below having been declared a part of the obligatory equipment of Emigrant vessels, is now obtainable at the Bengal Secretariat Press at the price noted:—

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 6, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, **Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.**

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

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Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 1st August 1881.

The Directors have made the following changes in the Bank's Establishment:—

Mr. W. E. Carbery, on his return from leave, has resumed his appointment as Agent at Hyderabad.

Mr. H. K. Gordon, Acting Accountant, Bombay Agency, has obtained leave to Europe.

Mr. J. J. Hills, Accountant at Akyab, has been appointed to act as Accountant at Bombay Agency.

Mr. F. M. Young, Accountant, Lucknow, has been appointed to act as Agent at Benares, during the absence of Mr. A. F. Carr, on short leave.

Mr. D. E. Burne, Accountant, Cawnpore, has been appointed Accountant at Patna.

R. HARDIE,
Secretary & Treasurer.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 30th July 1881.

No. 1517.—Surgeon P. M. Grant, M.B., in medical charge of the 1st Regiment, Central India Horse, Goona, is granted three months' privilege leave from 25th July 1881, or such date as he may avail himself of the same.

By Order,
J. BURNE, *Captain,*
2nd Asst. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D., Railway Branch.

NOTIFICATION.

Indore, the 29th July 1881.

No. 3.—Mr. W. H. P. Sherman, Executive Engineer, 3rd Grade, posted to Central India by Government Notification No. 198, dated 26th May 1881, is appointed Personal Assistant to the Engineer-in-Chief, Bhopal State Railway, with effect from the afternoon of the 19th instant.

By Order,

C. S. THOMASON, *Lieut.-Col., R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 26th July 1881.

No. 1436 *G.*—Third Class Hospital Assistants Nidhi Lal and Nazir Khan are placed on the Reserve List of the Civil Hospital Assistant Establishment of Rajputana, with effect from the 23rd and 13th June 1881, on which dates they respectively reported their arrival.

Second Class Hospital Assistant Mohan Lal is transferred from the Rajputana State Railway to the Reserve List of the Civil Hospital Assistant Establishment of Rajputana, with effect from the 27th June 1881.

The 29th July 1881.

No. 1512 *G.*—Major V. E. Law and Captain A. C. Talbot, respectively, delivered over and received charge of the Ulwar Political Agency on the afternoon of the 12th July 1881.

The 31st July 1881.

No. 1520 *G.*—With reference to Foreign Department Notification No. 1275 G.-G., dated 6th July 1881, Misr Rama Charan assumed charge of his duties as Attaché to the Governor General's Agent for Rajputana on the forenoon of the 28th July 1881.

No. 1524 *G.*—With reference to Foreign Department Notification No. 1370 G.-G., dated 21st July 1881, Major G. L. K. Hewett assumed command of the Erinpura Irregular Force from Lieutenant-Colonel W. Tweedie, C.S.I., on the forenoon of the 25th July 1881.

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATIONS.

Mount Abu, the 29th July 1881.

No. 524.—With reference to Foreign Department Notification No. 1324 G.-G., dated 13th July 1881, Mr. W. Jenkins and Mr. R. A. D'O. Bignell, respectively, delivered over and received charge of the Office of District Superintendent of Police, Ajmere, on the forenoon of the 1st July 1881.

The 1st August 1881.

No. 536.—In continuation of this Office Notification No. 323, dated 16th May 1881, Mr. L. S. Saunders, C.S., Commissioner of Ajmere, is granted an extension of privilege leave for seven days to 26th June 1881.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

RESIDENT IN MYSORE.

NOTIFICATION.

Bangalore, the 23rd July 1881.

No. 888—327 *J.*—Mr. E. Pereira, 2nd Magistrate, Civil and Military Station of Bangalore, is appointed to exercise the powers of a Magistrate of Police under Act XIII of 1859 (an Act to provide for the punishment of breaches of contract by artificers, workmen and labourers) in the Civil and Military Station of Bangalore.

By Order,

W. J. CUNINGHAM,
Asst. to the Resident.

CHIEF COMMISSIONER OF COORG.

Proceedings of the Chief Commissioner of Coorg,—No. 638—112, dated Bangalore, the 27th July 1881.

Order thereon by the Chief Commissioner of Coorg.

The Government having decided that the *Mysore Gazette* is no longer the Official Gazette for Coorg, Notifications that must be gazetted will be sent to the *Gazette of India*, Part II, and only advertisements (which must also appear in a Bangalore Newspaper) can be sent to the *Mysore Gazette*.

W. J. CUNINGHAM,
Secretary.

NOTIFICATION.

Bangalore, the 27th July 1881.

No. 639—113.—With reference to the Notification of the Government of India in the Home Department, No. 941, dated 6th July 1881, the Chief Commissioner of Coorg hereby notifies that Lieutenant-Colonel W. Hill has been Magistrate of the District of Coorg from the 9th April 1881.

2. Major H. M. S. Magrath, 1st Assistant Superintendent of Coorg, is hereby appointed, under the provisions of Section 35 of the Code of Criminal Procedure, to be Magistrate of the District of Coorg.

By Order,

W. J. CUNINGHAM,
Secretary.

Proceedings of the Chief Commissioner of Coorg,—No. 648—115, dated Bangalore, the 28th July 1881.

Read—

Letter No. 173—44, dated 30th June 1881, from the Superintendent of Coorg, submitting a statement showing the amount to be remitted on account of certain rice lands put up to auction in satisfaction of Government dues on the 21st March 1881, but which were resumed for want of bids; also a notice for the resale of lands owing to default of purchasers, and a declaration of the sale and transfer of lands sold, for publication in the Gazette.

Order thereon by the Chief Commissioner of Coorg.

* * * *

3. The results of the sale of the five rice lands mentioned in the proclamation of sale are approved and confirmed. The latter is forwarded to the Publisher of the *Gazette of India* for publication in Part II of the Gazette, as required by Section 39 of the Regulation III of 1880.

W. J. CUNINGHAM,
Secretary.

PROCLAMATION.

The lands specified in the undermentioned schedule having been sold by public auction on the 21st March 1881, under Regulation III of 1880, being an Act for the recovery of arrears of revenue in the Province of Coorg, it is hereby declared under Section 39 of the said Regulation that all rights and property of the former land-holders in the said lands are lawfully transferred to the purchasers:—

Serial No.	Name of former holder.	Situation of the land and description of building, if any. Taluk.	Nad.	Village.	Extent of battles.	Name of purchaser.	Date of purchase.
1	Bithijanda Kalappa ...	Mercara Talook.	Ulugulimadigernad.	Ulugali ...	255	Chowriro Somappa ...	Mar. 21, 1881.
2	Sivachar Rachanya ...	Ditto ...	Ditto ...	Anjanageribettakeri.	73¾	Rajoo Ningappa, of Haradoo Village.	Ditto.
3	Kuttatti Chengappa ...	Ditto ...	Hudikerikantannernad.	Arekadugrama	225	Chowriro Somappa ...	Ditto.
4	Machamada Sonna Ganapati...	Kiggatnad Talook.	Tavalgerirnernad.	Nemalegrama	181½	Bojungala Madiah ...	Ditto.
5	Tillhire Boppanna ...	Ditto ...	Ditto ...	Manchalli ...	693¾	Machamada Atchiah ...	Ditto.

W. HILL,
Acting Superintendent.

Statement of the Affairs of the Bank of Bengal for the week ending 2nd August 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office (Rs. 1,52,78,194 0 7) / Public Deposits at Branches (Rs. 1,49,33,191 2 9)	3,02,11,385	3	4
Other Deposits at Head Office and Branches	3,43,34,237	9	2
Bank Post Bills, &c.	4,30,274	0	10
Sundries	9,84,791	13	8
RUPEES	8,84,72,689	15	4

ASSETS.	Rs.	A.	P.	Rs.	A.	P.
Government Securities				1,25,87,526	12	0
Other authorized Investments				37,52,880	0	0
Loans on Government and other authorized Securities				50,58,728	2	4
Accounts of Credit on Government and other authorized Securities				36,81,029	10	5
Bills discounted and purchased				1,77,38,104	6	4
Balances with other Banks				5,91,826	10	10
Bullion				2,39,590	4	6
Dead Stock				11,32,532	6	7
Stamps				9,126	10	11
Sundries				6,68,008	0	0
				4,54,59,352	15	11
Cash and Currency Notes at Head Office / Cash and Currency Notes at Branches	1,67,74,487 / 2,62,38,849	9 / 5	6 / 11	4,30,13,336	15	5
RUPEES				8,84,72,689	15	4

By order of the Directors,

R. HARDIE,
Secy. & Treasurer.

BANK OF BENGAL,
Calcutta, 2nd August 1881.

J. GORDON.
Chief Accts. & Depy. Secretary.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 27th July 1881.

No. 51.—With reference to Public Works Department Notification No. 249, dated 22nd July 1881, Lieutenant C. C. Ellis, R.E., Assistant Engineer, 1st Grade, is posted to the Meerut Command, Military Works.

C. W. HUTCHINSON, *Lieut.-Genl., R.E.,*
Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 28th July 1881.

No. 53.—Mr. E. H. Tuck, Assistant Engineer, 2nd Grade, has passed the professional examination prescribed in Public Works Department Code, Chapter II, Section i, paragraphs 16, 17 and 18.

W. S. TREVOR, *Col., R.E.,*
Director General of Rys.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on		Balance of Bullion		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
July 25	...	...	...	...	29,57,153	4,52,304
„ 26	...	...	...	...	29,57,283	4,52,304
„ 27	...	...	...	...	29,22,307	4,52,304
„ 28	...	...	...	...	28,82,866	4,52,304
„ 29	...	...	...	...	28,42,945	4,52,304
„ 30	...	...	...	...	28,42,249	4,52,304

CALCUTTA MINT, *The 1st Aug. 1881.* } R. V. RIDDELL, *Capt., R.E.,* *Offg. Mint Master.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881.		Rs.	
W42	... M39—20462 ...	1,000	Poonumchand Lalchand, Ahmedabad.

BOMBAY, *The 2nd August 1881.* }
C. E. CRAWLEY,
Asst. Accts. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
139	... O 96—11636 ...	100	Jungbeer, Havildar.
	O 32—64684 ...	50	
140	... O 32—67962 ...	50	Ram Chand Poonum Chand.
141	... O 69—36446 ...	100	Babu Grish Chunder Das, Roy Bahadoor.
	„ —11758 ...	100	
	„ —17525 ...	100	
	„ —37215 ...	100	
	„ —37331 ...	100	
	O 32—03909 ...	50	
	„ —03911 ...	50	
	„ —03912 ...	50	
	„ —03920 ...	50	
	„ —03926 ...	50	
	„ —03936 ...	50	
	„ —03938 ...	50	
	„ —03946 ...	50	
	„ —03948 ...	50	
	„ —03953 ...	50	
	„ —03954 ...	50	
	„ —03960 ...	50	
	„ —03961 ...	50	
	„ —03966 ...	50	
	„ —03968 ...	50	
	„ —03970 ...	50	
142	... O 62—96493 ...	20	The Superintendent of Post Offices, Burdwan Division.
143	... O 68—92830 ...	100	Babu Kristo Sunder Roy.
	O 88—79368 ...	100	
	„ —57154 ...	100	
	„ —83390 ...	100	
	„ —79375 ...	100	
	„ —68717 ...	100	
	L 2—52287 ...	10	
144	... P 3—99409 to „ —99426	10 each	Babu Preonath Dey.
145	... O 96—24300 ...	100	Babu Gopee Kissen Sadani.
	„ —17579 ...	100	
	„ —08395 ...	100	
	„ —15273 ...	100	
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CALCUTTA, *The 5th August 1881.* }
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I 12—20248 ...	50	Saladi Lakshminarayana, of Palkole, near Nursapur, Godavery District.

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Lahore Circle.

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for *Deputy Commr. of Paper Currency.*

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* Wrongly joined.

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Nagpur Circle.

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1881-82.		Rs.	
M2	... F 7—56256 * „ —56257	10	Cowasjee Dorabjee, 1st Assistant Shroff, Chartered Bank, Bombay.
	F 7—90916 * „ —90919	10	

* Mismatched.

NAGPUR, *The 28th July 1881.* }
W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

Report of a Deserter escaped from the Sialkot Military Prison, dated at Sialkot, this 30th day of July 1881.

Number, Rank, and Name,—No. 999, Private James Duffy, 1st Battalion, the Durham Regiment.
Age,—21 years 8 months.
Size,—5 feet 6 inches.
Color of—
Complexion, fresh; Hair, light brown; Eyes, grey.
Date of Desertion,—30th July 1881.
Place of Desertion,—Sialkot.
Date of Enlistment,—30th August 1877.
At what Place Enlisted,—Sunderland.
Parish and County in which Born,—Gateshead, County Durham.
Marks,—None.
Trade,—Miner.
Coat or Jacket,—Light blue drill (letter P on left arm).
Waistcoat,—White flannel (marked S M P), white army helmet without puggree.
Breeches or Trowsers,—Light blue drill (marked S M P).
REMARKS,—Escaped from the Sialkot Military Prison between the hours of 4 and 5 A.M. on the 30th July 1881.

C. M. STOCKLEY, *Major,*
Brigade Major.

Report of a Deserter escaped from the Sialkot Military Prison, dated at Sialkot, this 30th day of July 1881.

Number, Rank, and Name,—No. 2717, Gunner James Beaney, 6-8th R.A.
Age,—27 years 10 months.
Size,—5 feet 7 inches.
Colour of—
Complexion, fair; Hair, light; Eyes, blue.
Date of Desertion,—30th July 1881.
Place of Desertion,—Sialkot.
Date of Enlistment,—4th June 1873.
At what Place Enlisted,—Lewes.
Parish and County in which Born,—Hastings, County of Sussex.
Marks,—None.
Trade,—Labourer.
Coat or Jacket,—Light blue drill jacket (letter P on left arm).
Waistcoat,—White flannel (marked S M P).
Breeches or Trowsers,—Light blue drill (marked S M P), white army helmet without puggree.
REMARKS,—Escaped from the Sialkot Military Prison between 4 and 5 A.M. on the 30th July 1881.
Under 7 years' service.

C. M. STOCKLEY, *Major,*
Brigade Major.

Report of a Deserter escaped from the Sialkot Military Prison, dated at Sialkot, this 30th day of July 1881.

Number, Rank and Name,—No. 5814, Gunner James Curwin, 19-8th R.A.
Age,—27 years.
Size,—5 feet 9 inches.
Colour of—
Complexion, fresh; Hair, auburn; Eyes, blue.
Date of Desertion,—30th July 1881.
Place of Desertion,—Sialkot.
Date of Enlistment,—30th November 1877.
At what Place Enlisted,—Dublin, Ireland.
Parish and County in which Born,—Dublin (Parish not known).
Marks,—None.
Trade,—Sailor.
Coat or Jacket,—Light blue drill jacket (letter P on left arm)
Waistcoat,—White flannel (marked S M P).
Breeches or Trowsers,—Light blue drill (marked S M P), white army helmet without puggree.
REMARKS,—Escaped from the Sialkot Military Prison between 4 and 5 A.M. on the 30th July 1881.
Under 4 years' service.

C. M. STOCKLEY, *Major,*
Brigade Major.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th August 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P.M.	12th Aug.	From Bombay.
Madras, Ceylon and the Intermediate Ports.	7 „	11th „	Str. *Chindwara.*
Madras and Ceylon	7 „	8th „	P. & O. Str. *Cathay.**
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *viâ* Hong-Kong for Yokohama; also for Australian Colonies	7 „	9th „	From Bombay.
Foreign Mails *viâ* Bombay	7 „	13th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	12th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	10th „	Str. *Henzada.*†
Chittagong, Akyab, Kyouk Phyoo, and Rangoon	7 „	11th „	Str. *Commilla.*
Foreign Mails *viâ* Bombay	7 „	6th „	From Bombay.

* Mails for Melbourne and Sydney can be forwarded by this opportunity

† Mail for Port Blair can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 31st July 1881.

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Barker, W.
Barton, H. A.
Beaufort, Lieutenant F.
Beer, J. G.
Bengal Import & Co.
Benjamin, R. C.
Bepeen Behary Pattuck, care of Simla P. O.
Berthold, Messrs. Smith & Co.
Broughton, W.
Cameron, Cecil C.
Cameron, J.
Clark, Mrs.
D'Silva, J. N.
Dutt, Messrs. Doss & Co.
Gangooly, P. C.
Georgeson, Lawrence.
Glascott, Mrs. M. A.
Gregory, Miss K.
Green, A. B.
Harte, Miss.
Jackson, G.
Keogh, Mrs. M. C.
Ketter Mohon Bysack & Sons.
Malins, Mrs. P.
McDonell, J.
Murray, Mrs.
Peterson & Co.
Proprietor of the Mirjani Press.
Sharples, Richard.
Stevens, Mrs W.
Stevens, W. R.
Strong, Sydney.
Sutton & Sons.
Swatman, C. A.
Tarapprokash Gangooly.
Thomas, E. E.
Thompson, H. D.
Wallace, C. W.
Webb, A. E.
Williams, G. L.
Wood, J.

E. HUTTON
Presidency Post Master.

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The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood . . .	1,196	4	8
279	Benteak . . .	7,848	7	5
208	Karimardu . . .	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8 ;* per eight ounce tin, *Rs. 8-8 ;* per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8 ;* per eight ounce tin *Rs. 10-8 ;* per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

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يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکتّه کے بوٹانکل گارڈن يعنی کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے ازيں جو کوئي ايک مشت بيس پونڈ خريد ليے سے بقيمت بعد حسب نرخ ذيل خريد کرسکتے هيں يعنی نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

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يهه دوا کلکتّه کے بڑے بڑے ولايتي اور ديسي دواخانونميں بکتي هی ماسيواے قيمت مذکورۂ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا باره آنه

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„ 5 Kyouk Phyou Harbour. *Annas 4.*
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„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
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„ 24. Harbours of Karwar and Bankot.

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Notices issued during the year 1880—

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No. 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
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„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
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„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
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„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
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Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 13, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India* and the Weather and Crop Report, will be published at Simla. After the [illegible] March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 8th August 1881.

Notice is hereby given that the Bank of Bengal [illegible]blic Debt Office will be closed on Tuesday [illegible]h instant, on account of the Hindu [illegible]anmo Ostomee."

By Order of the Directors,

R. HARDIE,

Secretary & Treasurer.

SURVEY OF INDIA.

NOTIFICATIONS.

Mussoorie, the 1st August 1881.

No. 230.—Consequent on the return from furlough of Major H. R. Thuillier, R.E., Deputy Superintendent, 1st Grade, the following reversions are made, with effect from the forenoon of the 27th July 1881:—

Lieutenant-Colonel C. T. Haig, R.E., Officiating Deputy Superintendent, 1st Grade, to revert to his substantive appointment of Deputy Superintendent, 2nd Grade.

Mr. J. O. N. James, Officiating Deputy Superintendent, 2nd Grade, to revert to his substantive appointment of Deputy Superintendent, 3rd Grade.

Captain J. Hill, R.E., Officiating Deputy Superintendent, 3rd Grade, to revert to his substantive appointment of Assistant Superintendent, 1st Grade.

Major R. Beavan, S.C., Officiating Assistant Superintendent, 1st Grade, to revert to his substantive appointment of Assistant Superintendent, 2nd Grade.

No. 231.—Mr. E. S. P. Atkinson, Surveyor, 3rd Grade, is granted privilege leave for three months, under Chapter X, Section 136, of the Civil Leave Code, with effect from the forenoon of the 27th July 1881.

The 9th August 1881.

No. 232.—Major W. H. Wilkins, Deputy Superintendent, 3rd Grade, Survey of India, is granted privilege leave for one month, under Chapter V, Sections 70 and 71, of the Civil Leave Code, from such date as he may avail himself of it.

No. 233.—Mr. F. E. Warde, Assistant Surveyor, 1st Grade, is granted privilege leave for one month, under Chapter X, Section 136, of the Civil Leave Code, with effect from the forenoon of 1st August 1881.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

REVENUE BRANCH, SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 5th August 1881.

No. 9.—Mr. E. P. S. Hill, Assistant Surveyor, 2nd Grade, passed an examination in Hindustani by the 2nd or Higher Standard, as laid down in Section 24, Bengal Army Regulations.

J. SCONCE, *Lieut.-Col.,*
Deputy Surveyor General.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 4th August 1881.

Offices opened during the month of July 1881 :—

Name of Station.	Where situated.	Date.	Remarks.
Hoshungabad .	Central India .	5th .	Opened.
Khojac . .	Beluchistan . .	5th .	Ditto.
Vepery . .	Suburbs of Madras	1st .	Ditto.

R. MURRAY, *Colonel,*
Dir. Genl. of Tels. in India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 18th July 1881.

No. 33.—The services of 3rd Class Hospital Assistant Beharilal, of the military list, are placed at the disposal of the Agent, Governor General, for permanent civil employment in Central India.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The undermentioned Students have passed the L. C. E. Examination :—

SECOND DIVISION.

In Order of Merit.

1 Lalitmohan Basak ... Govt. Engineering College, Howrah.
2 Satyacharan Bandyopadhyay... Do.
3 Haripada Ghosal ... Presidency College, C. E. Department.
4 T. B. Byers ... Do.
5 Prankrishna Sen ... Govt. Engineering College, Howrah.
6 P. W. Byers ... Do.

CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 10th June 1881.

CALCUTTA UNIVERSITY.

NOTICE.

The University Examinations in Arts of 1881-82 will be held on the undermentioned dates :—

Entrance Examination and First Examination in Arts on Monday, the 5th December, and following days.

B. A. Examination on Monday, the 2nd January, and following days.

Applications from candidates for admission to the Entrance and First Arts Examinations must be lodged with the Registrar on or before the 5th November.

Applications from candidates for admission to the B. A. Examination must be lodged with the Registrar before the 2nd December.

All candidates from the same Institution must appear at one and the same place of examination.

By order of the Vice-Chancellor,

CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 10th August 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on		Balance of Bullion		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Aug. 1	...	...	...	...	28,15,988	4,52,304
,, 2	...	...	...	...	28,17,776	4,52,304
,, 3	...	...	...	...	27,79,517	4,52,304
,, 4	...	...	...	...	27,49,441	4,52,304
,, 5	4,969	...	...	4,969	27,49,403	4,52,304
,, 6	...	...	...	4,969	27,49,768	4,52,304

CALCUTTA MINT,
The 8th Aug. 1881.

R. V. RIDDELL, *Capt., R.E.,*
Offg. Mint Master.

ACCOUNTANT GENERAL'S OFFICE.
Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department, received in the Office of the Accountant General, Public Works Department, up to the 1st August 1881.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
State Railways (Capital).			
1	Dhond & Manmad ...	May 1881	July 13, 1881
2	Nalhati ...	Do. ,,	Do. 16, ,,
3	Umballa & Kalka ...	Do. ,,	Do. 18, ,,
4	Patna and Gya ...	Do. ,,	Do. 19, ,,
5	Tirhoot ...		
6	Rangoon and Irrawaddy Valley.	Do. ,,	Do. 22, ,,
7	Lala Moosa to Chak Nizam		
8	Punjab Northern ...	Do. ,,	Do. 23, ,,
9	Delhi & Ferozepore ...		
10	Bhopal Extension Survey		
11	Calcutta & South-Eastern	Do. ,,	Do. 26, ,,
12	Wardah Coal ...		
13	Nagpur & Chhattisgarh ...		
14	Northern Bengal ...		
15	Rajputana ...		
16	Holkar Railway Stores	Do. ,,	Do. 27, ,,
17	State Branch.		
18	Sindia Extension ...		
19	Indore-Nasirabad ...		
20	Calcutta & South-Eastern Extension.	Do. ,,	Do. 28, ,,
21	Indus Valley ...		
22	Kandahar (North & South Secs.)	Do. ,,	Do. 29, ,,
23	Mysore ...		
24	Bombay (Eastern Deccan) ...		
25	Central Bengal ...	Do. ,,	Aug. 1, ,,
26	Bhavnagar & Gondal ...		
27	Sindia ...		
28	Nizam's ...	Apl. ,,	July 1, ,,
29	Muttra-Hathras ...		
30	Cawnpore-Farukhabad Extension.		
31	Achneyra-Muttra ...	Do. ,,	Do. 4, ,,
32	Bareilly-Pilibhit ...		
33	Bhawpore-Kalpi ...		
34	Patna-Bahraich ...		
35	East Indian ...	Do. ,,	Do. 22, ,,
36	Rangoon & Sittang Valley	Do. ,,	Do. 26, ,,
37	Cawnpore-Farukhabad ...	Do. ,,	Do. 27, ,,
Irrigation.			
1	Assam ...	May 1881	July 18, 1881
2	Rajputana ...	Do. ,,	Do. 20, ,,
3	Punjab ...	Do. ,,	Do. 25, ,,
4	Bengal ...	Do. ,,	Do. 27, ,,
5	North-Western Provinces and Oudh.	Apl. ,,	June 23, ,,
6	Bombay ...	Do. ,,	Do. 28, ,,
7	Madras ...	Do. ,,	July 4, ,,
8	British Burmah ...	Do. ,,	Do. 6, ,,
	Guaranteed Railways.		
1	Punjab ...	May 1881	July 22, 1881
2	Bengal ...	Do. ,,	Do. 23, ,,
3	Bombay ...	Do. ,,	Aug. 1, ,,
4	North-Western Provinces and Oudh.	Apl. ,,	June 23, ,,
5	Madras ...	Do. ,,	July 4, ,,
Public Works (Buildings and Roads and Military Works Branch) and Telegraph.			
1	Assam ...	May 1881	July 19, 1881
2	Military Works Branch ...	Do. ,,	Do. 21, ,,
3	Punjab ...	Do. ,,	Do. 22, ,,
4	Central India ...		
5	Rajputana ...	Do. ,,	Do. 25, ,,
6	Port Blair ...		
7	Hyderabad (Imperial) ...	Do. ,,	Do. 26, ,,
8	Bengal ...		
9	Coorg ...		
10	Hyderabad (Assigned Districts).	Do. ,,	Do. 27, ,,
11	Mysore (Imperial) ...	Do. ,,	Do. 28, ,,
12	Beluchistan Agency ...	Do. ,,	Do. 29, ,,
13	North-Western Provinces and Oudh.	Do. ,,	Aug. 1, ,,
14	Bombay ...	Apl. ,,	June 29, ,,
15	Central Provinces ...	Do. ,,	July 4, ,,
16	Madras ...	Do. ,,	Do. 6, ,,
17	British Burmah ...		
	Telegraph Dept.		
1	Indo-European ...	Apl. 1881	July 2, 1881
2	Indian ...	Do. ,,	Do. 5, ,,

J. J. McLEOD INNES, *Colonel, R.E.,*
Accountant General, P. W. Dept.

SIMLA,
The 6th August 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 9th August 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office (Rs. 1,63,41,451 14 6)	3,37,97,951	0	7
Public Deposits at Branches (Rs. 1,74,56,499 2 1)			
Other Deposits at Head Office and Branches	3,07,28,515	2	6
Bank Post Bills, &c.	4,33,330	6	7
Sundries	9,71,385	14	3
RUPEES	8,84,43,183	12	3

ASSETS.	Rs	A.	P.
Government Securities	1,28,10,307	12	0
Other authorized Investments	37,55,080	0	0
Loans on Government and other authorized Securities	55,55,297	11	11
Accounts of Credit on Government and other authorized Securities	48,52,880	11	4
Bills discounted and purchased	1,98,37,403	12	11
Balances with other Banks	5,04,576	5	7
Bullion	1,80,761	10	5
Dead Stock	11,30,629	0	11
Stamps	8,809	1	11
Sundries	6,26,534	14	9
	4,92,62,281	1	9
Cash and Currency Notes at Head Office (Rs. 1,09,67,984 4 11)	3,91,80,902	10	6
Cash and Currency Notes at Branches (Rs. 2,82,12,918 5 7)			
RUPEES	8,84,43,183	12	3

BANK OF BENGAL,
Calcutta, 11th August 1881.

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors.
R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W43	... M 58—09307 ...	10	Inspector of Police, Bombay, Baroda and Central India Railway, Bombay.
W44	... M 58—61445 ...	10	Ardesir Cowasji, Patel, Poona.
W45	... M 43—82296 ...	100	Dinga bin Manjaya Naik, Carwar.
W46	... M 53—67035 ...	20	Mahadeo Ramchandra Gokhle, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

1881.		Rs.	
H90	... M 46—70655 ...	50	Hormusji Framji Nanavaty, Palanpur.
H91	... M 53—62219 ...	20	A. Dinshaw & Co., Poona.
H92	... M 43—63652 ...	100	Pandurang Sakharam Barve, Baroda.
M43	... M 52—22730 / M 49—98330	10	Nathoo Moolji, Bombay.
M44	... M 55—06840 / „ —28303	10	Damodar Jadowji, Bombay.

BOMBAY,
The 8th August 1881.

C. E. CRAWLEY,
Asst. Accti. Genl., Paper Currency Dept.

Calicut Circle.

NOTE WHOLLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 8—22828 ...	5	Post Master General, Madras, for the Deputy Assistant Quarter Master General, Malabar and Canara.

Calicut Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 12—09567 ...	50	P. Choyi, Calicut.
J 12—09409 ...	50	Moothooverapah Chetty and Ramasawmy Chetty, Teroopoor.
J 7—94741 / „ —94740 *	5	S. Raghunathaiyer, High Court Vakil, Madras.

* Mismatched.

CALICUT,
The 1st August 1881.

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
147	... O 89—12087 ...	1,000	Babu Durga Mohan Das.
148	... O 88—97953 ...	100	Lieutenant N. C. Perkins.
149	... O 96—12068 ...	100	The Head Clerk, Lawrence Military Asylum, Sanawar.
151	... O 31—82098 ...	50	Babu Juggomohan Dey.
	„ —81471 ...	50	
	„ —81806 ...	50	
	„ —84581 ...	50	
	„ —82183 ...	50	
	„ —80965 ...	50	
	„ —85010 ...	50	
	„ —85014 ...	50	
	O 32—56475 ...	50	
	„ —35898 ...	50	
	„ —35895 ...	50	
	O 88—21225 ...	100	
	O 54—52852 ...	10	
	O 81—04791 ...	10	
	O 78—83733 ...	10	
	O 76—06442 ...	10	
	O 36—40187 ...	5	
	„ —40188 ...	5	
152	... O 96—24758 ...	100	The District Superintendent of Police, Kungpur.
	O 35—509.0 ...	100	
	O 66—61306 ...	100	
	O 35—35921 ...	100	
	O 66—26171 ...	100	
	O 88—60326 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
101	... L 99—32906 ...	10	Babu Iswar Chunder Singh.
102	... O 91—14037 ...	10	Babu Pittambur Ghose.
103	... P 1—84965 ...	10	Babu Bissumbur Bose.
90	... O 79—12621 / „ —26621	10	Babu Obhoy Churn Addy.
91	... L 20—85119 / „ —85115	5	Messrs. Hinde, Allen & Co.
93	... O 80—05952 / „ —05953	10	Babu Kedar Nath Bhuttacharji.
94	... L 30—65175 / „ —65174	5	Babu Srikanto Sen.
	L 11—45470 / „ —45416	5	
257	... L 46—51646 / „ —51649	20	Babu Troylucko Nath Ghose.

CALCUTTA,
The 12th August 1881.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
G 8—11231 ...	20	Fazul Jooma, Stamp-vendor, Kurrachee.

KURRACHEE,
The 5th August 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant
		Rs.	
28	... E 13—72879 ...	100	Lieutenant A. Daniell, Cashmere.
29	... N 5—08665 ...	100	Jamna Das and Cashmeri Mal, Delhi.
30	... E 13—92115 ...	100	Mohamed Sarfraz Khan, Laddakh.
31	... E 2—39460 ... / „ —39461 ...	500 / 500	Baboo Sriram Chander Ghosal, Jullunder.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
8	... E 17—32672 * / „ —32673	20	Ram Dial and Gurdhan Dass, Bankers, Lahore.

* Wrongly joined.

LAHORE,
The 6th August 1881.

R. E. HAMILTON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
56	... B 68—13270 ...	100	Azim Beg, for Haji Khudabux, Anwargunj, Cawnpore.
	„ —13271 ...	100	
	„ —13272 ...	100	
	„ —13273 ...	100	
	„ —13274 ...	100	
57	... B 68—29308 ...	10	Sister M. de St. Michel, Convent du Bon Pasteur, Bangalore.
	„ —57694 ...	10	
58	... B 66—60038 ...	100	B. Krishna Rao, Shimoga.
	„ —60512 ...	100	
12	... B 47—46479 * / „ —46499	5	Sama Rao Monium, Munsiff, Punganum, South Arcot.

* Wrongly joined.

FORT SAINT GEORGE,
The 1st August 1881.

C. HALL,
Offg. Chief Clerk to the Accts. Genl., in charge of Paper Currency Dept., for Commissioner.

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881-82.		Rs.	
H8	... F 9—76502 ...	50	Prosono Coomar Chattoorjee, Ghala *vid* Sodepore Post Office, Bengal.

NAGPUR,
The 4th August 1881.

W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 1st August 1881.

Consequent upon the admission of Barbadoes and St. Vincent (British West Indies) into the Universal Postal Union, the rates and conditions of postage (as given below) appertaining to Union countries served through the United Kingdom, will be applicable from the 1st September 1881 to correspondence addressed to Barbadoes and St. Vincent:—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Each post-card.	Printed papers, including books, &c. Each packet. Each newspaper per 4 ozs.	Printed papers, including books, &c. Each packet. Each packet per 2 ozs.	Legal and commercial documents. Each packet. Not exceeding 4 ozs.	Legal and commercial documents. Each packet. Per 2 ozs. additional.	Samples, each packet. Per 2 ozs.
	A.	A.	A. c	A.	A.	A.	A.
Barbadoes and St. Vincent (West Indies, British)— *Vid* Brindisi, through *United Kingdom*	c1½	1½	1½	1½	3	1½	1½
Vid Brindisi, through *French Office, Modane*— Additional route from Aden only— *By French Packet*, through *Agent on board*	3	1½	1	1	2	1	1

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

The 8th August 1881.

No. 5056.—Appointments in the Post Office Department made by the Director General of the Post Office of India:—

POSTAL CIRCLE, NORTH-WESTERN PROVINCES.

Mr. F. J. Jordan has been appointed to be Superintendent, Saharanpur Division.

Mr. C. S. Haygarth is appointed to be Superintendent, Agra Division.

Pundit Sunder Lal is appointed to officiate in the 1st Grade of Superintendents.

Mr. R. G. Haygarth is appointed to be Superintendent, 2nd Grade, and is attached to the Office of the Post Master General, North-Western Provinces.

Lala Peari Lal is appointed to be Superintendent, Mirzapore Division.

Mr. H. D. Theobold is appointed to be Superintendent, Gorakhpur Division.

Pundit Kuar Pal is appointed to be Manager of the Dead Letter Office, Allahabad.

Mr. E. B. MacDonald is appointed to be Superintendent, 4th Grade, and posted to the Jhansi Division.

Lala Shumbhunath is appointed to officiate in the 2nd Grade of Superintendents.

Mr. C. E. Mountford is appointed to be Post Master, Cawnpore.

Mr. H. H. Jehans is appointed to be Post Master, Meerut.

Mr. A. H. Sparling is appointed to officiate in the 3rd Grade of Superintendents.

Lala Girdhari Lal is temporarily appointed to be Superintendent, Fatehgarh Division.

Lala Debi Pershad is appointed to be Superintendent, 3rd Grade, and posted to the Fatehpur Division.

POSTAL CIRCLE, BOMBAY.

Mr. W. Merrett is appointed to be Deputy Post Master, Bombay.

Mr. Max Goldmann is appointed to be *sub. pro tem.* Post Master, Aden.

Mr. A. F. Ingle is appointed to officiate as Deputy Post Master, Bombay, during the time that Mr. Merrett officiates as Presidency Post Master, Bombay.

Mr. H. P. Todd is appointed to officiate as a 1st Class Mail Officer.

Mr. G. A. T. Bennett is appointed to officiate as a 1st Class Mail Officer.

Mr. Cursetjee Sorabjee is appointed to officiate in the 2nd Grade of Superintendents.

Mr. Dinshaw Jijibhai is appointed to officiate in the 3rd Grade of Superintendents.

Mr. Ram Chundra Moreshwar Baput is appointed to officiate in the 4th Grade of Superintendents.

Mr. H. J. Hewett is appointed to officiate as a 2nd Class Mail Officer.

Mr. C. H. Watts is appointed to officiate as a 3rd Class Mail Officer.

POSTAL CIRCLE, MADRAS.

Mr. J. DeCaster is appointed to be 2nd Grade Superintendent, and is attached to the Post Master General's Office. Mr. DeCaster has been appointed to officiate in the 1st Grade of Superintendents.

Mr. E. H. Gregory is appointed to be an Examiner of Post Office, Madras Circle.

Mr. J. Bower is appointed to officiate in the 2nd Grade of Superintendents.

Mr. T. D. Diuwiddie is appointed to officiate in the 3rd Grade of Superintendents.

Mr. W. G. Wright is appointed to officiate in the 4th Grade of Superintendents.

Mr. J. Dique is appointed to be Post Master, Bangalore.

POSTAL CIRCLE, BENGAL.

Mr. J. H. Cornwall is appointed to be Personal Assistant to the Post Master General, Bengal.

Mr. J. Owens is appointed to officiate in the 1st Grade of Superintendents.

Baboo Gyan Chundra Datta is appointed to officiate in the 4th Grade of Superintendents.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 12th August 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	19th Aug.	From Bombay.
Madras, Ceylon and the Intermediate Ports.	7 ,,	18th ,,	Str. *Culna.*
Foreign Mails *vid* Bombay	7 ,,	20th ,,	From Bombay.*
Do. Book Post and Pattern Packets	7 ,,	19th ,,	From Bombay.
Rangoon, Moulmein, and Straits.	7 ,,	17th ,,	Str. *Malda.*
Chittagong, Akyab, and Rangoon	7 ,,	18th ,,	Str. *Commilla.*
Madras, Ceylon, Batavia, Singapore, and China	7 ,,	17th ,,	French Str. *Tibre.*
Straits and Hong-Kong	7 ,,	17th ,,	Strs. *A. Apcar* & *Suez.*
Foreign Mail *vid* Bombay	7 ,,	18th ,,	From Bombay.

* Also *vid* Aden for Zanzibar, Mozambique; also *vid* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 7th August 1881.

Bailey, H. G.
Bany Madhob Sen.
Beer, J. G.
Bepeen Behary Pattuck, care of Simla P. O.
Berthold, Messrs. Smith & Co.
Brewer, T. S. M. (C.E.)
Caldwell, Mrs.
Caston, Mrs. Norman.
Crofton, G.
Damodhur Shen & Co.
Daniel, E.
David, A. Cole.
Dutt, Messrs. Doss & Co.
Fielman, F. B. Collins.
Fox, Mrs. C. E.
Goodwin, R.
Green, B.
Green, Dr.
Guest, William.
Halden, Mrs. A.
Hem Chunder Dey Brothers.
Horris, Mrs.
Malins, Mrs. P.
Murray, Mrs.
Pain, J. H. W.
Richards, Mrs.
Robertson, J. S.
Rose, E. C.
Roughsedge, Mrs.
Savage, E.
Savage, Mrs. Alice Couridge.
Secretary, Calcutta Club.
Shircore, C. M.
Sleegur, J.
Smith, Mrs.
Smyth, H.
Stevens, W. R.
Stewart, Alex.
Swaun, J. T.
Thompson, Mrs.
Wallace, C. W.
Ware, R. C.
Williams, G. L.
Wharton, Miss A.
Zig Zag.

Letters marked "Care of Post Office, to be kept till called for."

A. B. C.
Abinash Chunder Banerjee.
Adcock, W.
Allan, L. S.
Anderson, A.S.
Barlow, E. H.
Billinge, Dudley.
Bott, S. R., care of C. Post Office.
Brawley, A.
Brundage, J. D.
Campbell, Major A. D.
Cars, B.
Cartwell, J. T.
Clefton, R. H.
Collyer, Mrs. L.
Daniel, A. A.
Dobbin, Philip T.
Dutt, R. N.
Dutt, Surjo Cumar.
Dykes, L. F.
Earl, F. E.
Eisenowsky, Mr.
Earis, W.
Evanson, Major, R. C.
Ferm, Arthur.
Fleming, Miss.
Forster, John.
G. E.
Gheater, Mrs. J.
Gilchrist, D.
"Gorse."
Greive, Miss.
Grimes, T.
Harbert, Edward.
Harris, S. P.
Hartley, S. R.
Havard, D.
Hazard, Fred.
Hedderly, Allen.
Horridge, Charles.
Houston, A. C.
Hughes, Mrs. W. H.
J. B. B. P.
J. B. R.
J. B. P.
Kelly, W. Raywood.
Kenderick, Geo.
King, J. P.
Lindenau, L. K.
Littlewood, J. H.
Malbrook, P.
Marshall, W. K.
Martin, C. M.
Michael, G.
Miller, John.
Mitter, A. C.
Montgomery, H. J. B.
Nicholas, G.
O'Brien, W.
Peters, D.
Power, Sergt. T. W. G.
Raymond, Victor.
Read, S.
Richards, John.
Rose, W.
Roxburgh, J.
Scott, Mrs. E.
Sinclair, W. Gordon.
Smith, T. H.
Snelling, T. R.
Synnot, W.
Vancum, R. M. (B.A., B.L.)
Vansittart, Mrs. T. P.
W. E. S.
Ware, Mrs. H.
Willis, Albert.
Wilson, J. E.
X. Y. Z.

Newspapers.

Anderson. A. S.
Brundage, J. D.
Campbell, Major A. D.
Cowleshaw, J.
Hedderly, Allen.
Henry, Col.
Johnson, E. C.

Registered Letters.

Ardaser, C.
Bourillaiy, T.
Graves, H,
Hills, Major.
Mitchell, H.
Palmer W. A. M.
Rengan, G.
Rubely, C.
Sevestre, J.
Sohanlal.
Songouloff, A.
White, Mrs.
Z. Y. X. W.

E. HUTTON,
Presidency Post Master.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood	1,196	4	8
279	Benteak	7,848	7	5
208	Karimardu	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE, NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئيناڤين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورۂ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

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HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

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Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
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Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagno Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnaputam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moeletivoe. *Annas 8.*
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Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re.*

Ceylon, East Coast—

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
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Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
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Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light-house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.

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☞ Printed slips containing alterations and additions will be available to the public monthly, at Rs. 3 a year payable in advance.

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Chap. I. Organization of the Department.—II. Rules for candidates for appointment or promotion.—III. Duties of Departmental Officers.—IV. Rules affecting personal conduct.—V. Special Rules applicable to all branches.—VI. Office arrangements.—VII. Designs and Estimates.—VIII. Contracts.—IX. Execution of works.—X. Cash and stores.—XI. Public buildings.—XII. Accounts. *Price, Rs. 2-8; packing and postage, 4 annas: interleaved copies, Rs. 3; packing and postage, 6 annas.*

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A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 20, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, **Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.**

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

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E. [illegible] DEAN,

Publisher, Gazette of India.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The undermentioned Estates having come under charge of this Office, all persons having claims upon, being indebted to, or holding property belonging to the said Estates, are requested to place themselves in immediate communication with the undersigned:—

Robert Charles Tucker, Manager of Tipling Tea Factory in the District of Sibsagar in Assam, died at Nazirah, Sibsagar, on the 13th October 1880.

Henry Raymond Fink, of No. 3, Fancy Lane, in the Town of Calcutta, Solicitor, at Calcutta, on the 3rd March 1881.

James Hadden, otherwise James Farquhar Hadden, a Manufacturer, in Aberdeen, at Union Grove, Aberdeen, on the 10th September 1879.

Hugh Edward Fleschi Heneage, a Lieutenant in the Royal Artillery, at Cawnpore, on the 28th August 1878.

Anne Watson, of Dum-Dum, in the 24-Pergunnahs, widow of the late George Watson, a Pensioned Sergeant in the Royal Bengal Artillery, at Dum-Dum, on the 12th April 1881.

Richard Barett, Quarter Master in Her Majesty's 18th Regiment of Foot, at Ali Musjid in Afghanistan, on the 17th October 1880.

Charles Edward Grinter, Proprietor of the Park Hotel, Simla, at Simla, on the 26th November 1880.

Edward Goodeve, of Drimagh, in the Parish of Westbury-on-Tryon, in the County of Gloucester, Bachelor of Medicine, Retired Deputy Inspector-General of Hospitals in Her Majesty's Bengal Army, in England, on the 27th October 1880.

Hugh Lloyd Jones, formerly of Pubna, but late of Julpigorie, in Bengal, District Superintendent of Police, at Sea, on the 21st September 1880.

George Waddington, Field Superintendent of the Government Pontoon Bridge at Agra, at Calcutta, on the 26th July 1880.

George Falkner, of the Town of Mozufferpore, in Bengal, at Mozufferpore, on the 12th April 1881.

William C. Spain, Commander of the Steam Tug *Conqueror*, at Calcutta, on the 15th April 1873.

John Duncan Campbell Wallace, a Major-General in the Retired List of the Indian Army, in England, in July 1877.

Charles Herbert, of Boyle Cottage, Thames Ditton, in the County of Surrey, in England, Companion of the Bath, formerly a Colonel in Her Majesty's 54th Regiment of Foot, afterwards Major-General, but late a Lieutenant-General in Her Majesty's Army, in England, on the 19th September 1879.

William John Henry Wagentreiber, of the Amgoorie Tea Factory, in Assam, a Tea Planter, in Assam, on the 24th October 1880.

Edward Heneage, of Stag's End, in the Parish of Great Gadderden, near Hennel, Hempstead, in the County of Hertford, Esq., in England, on the 25th June 1880.

Francis Pinto, a Christian inhabitant of the Town of Calcutta, at Calcutta, on the 23rd May 1881.

Robert Duncan Graham, a Veterinary Surgeon in the British Veterinary Department, at Simla, on the 16th November 1880.

Henry Scott, of Hilkha Tea Factory, in the District of Sibsagar, in Assam, at Hilkha Factory, on the 12th July 1879.

In the following Estates certificates have been granted under Section 36, Act II of 1874, by the Administrator General, and all persons having claims against the said Estates should communicate with the persons to whom certificates have been granted :—

Charles Henry FitzGibbon, of the Customs Preventive Service, died at Calcutta on the 3rd May 1878, to Mary Elizabeth Dudrenec, widow of the deceased.

Joseph Martin D'Cruze, of Calcutta, a Government Pensioner, at Calcutta, on the 16th January 1881, to Amelia Aurora D'Cruze, widow and executrix of the deceased's will.

Perin D'Cruze, of No. 7, Bebee Rozio's Lane, in the Town of Calcutta, at Calcutta, on the 6th February 1881, to Jonathan Dias, executor of the deceased's will.

George McDonald, a Sergeant in the 59th Regiment, at Deolali, to Ann McDonald, widow of the deceased.

Edward Masters, of Calcutta, a Government Pensioner, at Calcutta, on the 10th June 1881, to Sarah Anne Masters, widow of the deceased.

F. CLARKE,
Offg. Administrator Genl.

HIGH COURT, CALCUTTA,
The 5th July 1881.

NOTICE TO MARINERS.

No. 29 of 1881.

CEYLON—EAST COAST.

Reported Reef off Batticaloa.

The Master Attendant, Colombo, has issued the following Notice to Mariners :—

"Notice is hereby given that the S. S. *Brennus*, drawing 22 feet of water, struck on what is supposed to be a coral reef off Batticaloa (East Coast, Ceylon), and had to be beached to save her from sinking. The reef is about 4 miles off shore and bears from Batticaloa Flagstaff about N. E. by E. ½ E.; and Mariners are hereby cautioned to give that part of the coast a wide berth."

NOTE.—It is very probable that this reef is not so far off shore as reported.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr.* (*late I.N.*),
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department;
The 15th August 1881.

This Notice affects the following :—

BRITISH ADMIRALTY Charts, Nos. 2031, 828, 70 and 748*b*.

INDIAN MARINE SURVEY Charts, Nos. 15*b* and 103*a*. Also Taylor's Sailing Directory, Vol. I, page 442.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

SURVEY OF INDIA.

NOTIFICATIONS.

Mussoorie, the 15th August 1881.

No. 234.—Major J. E. Sandeman, Deputy Superintendent, 3rd Grade, Survey of India, having availed himself, on the forenoon of the 1st August 1881, of the furlough granted to him in Military Department Notification No. 391, dated 15th July 1881, the following temporary promotions will have effect from the same date :—

Captain J. Hill, R.E., Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 3rd Grade.

Major R. Beavan, S.C., Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade.

No. 235.—Mr. G. Campbell, Assistant Surveyor, 2nd Grade, is granted furlough for one year, under Chapter X, Section 131, of the Civil Leave Code.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 15th August 1881.

No. 12.—Mr. W. C. N. Jones, an Assistant Superintendent of the 1st Grade, is allowed furlough for two years, under Section 49 of the Civil Leave Code, with effect from the forenoon of the 17th March 1880.

R. MURRAY, *Colonel,*
Dir. Genl. of Tels. in India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 9th August 1881.

No. 1601 *G.*—APPOINTMENT.—Captain E. A. Fraser, 1st Assistant Agent to the Governor General, Rajputana, held charge of the current duties of the Office of Agent to the Governor General, Rajputana, and Chief Commissioner of Ajmere, in addition to his own duties, from the 28th to 30th July 1881, both days inclusive, during the absence of Lieutenant-Colonel C. K. M. Walter, on special duty at Ahmedabad.

No. 1604 *G.*—Lieutenant J. A. Bell, Adjutant, Merwara Battalion, returned from the privilege leave granted him in this Office Notifications Nos. 1010 G. and 1094 G., dated, respectively, the 2nd and 10th June 1881, and assumed charge of his duties on the forenoon of the 1st August 1881.

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

The 13th August 1881.

No. 1645 *G.*—2nd Class Hospital Assistant Goolam Mahomed is appointed to the medical charge of No. 7 Topographical Party, with effect from the forenoon of the 25th July 1881.

3rd Class Hospital Assistant Sheikh Fazeelut Hoosein is transferred from the Rajputana State Railway to the Customs Hospital at Bhatki, with effect from the afternoon of 12th July 1881.

By Order,

F. T. HEWSON,
for *1st Asst. Agent to the Govr. Genl.*

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATIONS.

Lahore, the 10th August 1881.

No. 23.—Mr. R. J. Wood, Assistant Engineer, 2nd Grade, Indus Valley State Railway, passed the Lower Standard Examination in Hindustani on the 4th July 1881.

The 11th August 1881.

No. 24.—Mr. M. McInerny, Officiating Assistant Locomotive Superintendent, Kandahar State Railway, is granted furlough to Europe for one year, with effect from 15th August 1881, of such subsequent date as he may avail himself or it.

R. C. B. PEMBERTON, *Lt.-Col., R.E.,*
Consulting Engr. to Govt. of India for Guaranteed Railways, Offg. at Lahore.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 11th August 1881.

No. 54.—With reference to Government of India, Public Works Department, Notification No. 269, dated 9th August 1881, Mr. H. T. Ferguson, Locomotive Superintendent, is placed at the disposal of the Consulting Engineer to the Government of India for Guaranteed Railways, Lahore, to take charge of the Locomotive Department, Punjab Northern State Railway.

The 13th August 1881.

No. 55.—Mr. F. W. Morse, Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani on the 29th July 1881.

W. S. TREVOR, *Col., R.E.,*
Director General of Rys.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The undermentioned Students have passed the L. C. E. Examination :—

SECOND DIVISION.

In Order of Merit.

1 Lalitmohan Basak	...	Govt. Engineering College, Howrah.
2 Satyacharan Bandyopadhyay	...	Do.
3 Haripada Ghosal	...	Presidency College, C. E. Department.
4 T. B. Byers	...	Do.
5 Prankrishna Sen	...	Govt. Engineering College, Howrah.
6 P. W. Byers	...	Do.

CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 10th June 1881.

CALCUTTA UNIVERSITY.

NOTICE.

The University Examinations in Arts of 1881-82 will be held on the undermentioned dates :—

Entrance Examination and First Examination in Arts on Monday, the 5th December, and following days.

B. A. Examination on Monday, the 2nd January, and following days.

Applications from candidates for admission to the Entrance and First Arts Examinations must be lodged with the Registrar on or before the 5th November.

Applications from candidates for admission to the B. A. Examination must be lodged with the Registrar before the 2nd December.

All candidates from the same Institution must appear at one and the same place of examination.

By order of the Vice-Chancellor,
CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 10th August 1881.

Report of a Deserter from the 2nd Battalion, The Cheshire Regiment of Foot, dated at Allahabad, this 11th day of August 1881.

Number, Rank and Name,—No. 18B.—501, Private Andrew Clarke.
Age,—27 years 1 month.
Size,—5 feet 7¼ inches.
Color of—
Complexion, dark; Hair, black; Eyes, hazel.
Date of Desertion,—8th August 1881.
Place of Desertion,—Allahabad.
Date of Enlistment,—16th March 1874.
At what Place Enlisted,—Chester.
Parish and County in which Born,—Preston, Lancashire.
Marks,—A tattoo mark, blue and red.
Trade,—Painter.
Coat or Jacket,— } Regimentals.
Waistcoat,— ... }
Breeches or Trowsers— ... }
REMARKS,—Deficient of most of kit.

F. W. B. PARRY, *Major,*
Comdg. 2nd Battn., Cheshire Regt. of Foot.

Report of an Absentee from the 2nd Battalion, R. I. Fusiliers, dated at Belgaum, this 10th day of August 1881.

Number, Rank and Name,—No. 1722, Private William Lucas.
Age,—34 years 10 months.
Size,—5 feet 6½ inches.
Colour of—
Complexion, sallow; Hair, brown; Eyes, grey.
Date of Absence,—5th August 1881.
Place of Absence,—Belgaum.
Date of Enlistment,—7th September 1870.
At what Place Enlisted,—Westminster, London.
Parish and County in which Born,—Elmordew, Warwick.
Marks,—Scar on back and between shoulders.
Trade,—Engine-driver.
Coat or Jacket,—Serge coat.
Waistcoat,—None.
Breeches or Trowsers,—Serge trowsers.
REMARKS,—None.
Under 11 years' service.

J. FULTON, *Colonel,*
Lt.-Col. Comdg. 2nd Battn., R. I. Frs.

Report of a Deserter from the 2nd Battalion, (Prince of Wales' Own) Regiment of Foot, dated at Nowshera, this 11th day of August 1881.

Number, Rank, and Name,—No. 10B.—1977, Private Joseph Emsley.
Age,—27 years.
Size,—5 feet 5¾ inches.
Colour of—
Complexion, dark; Hair, dark; Eyes, hazel.
Date of Desertion,—6th August 1881.
Place of Desertion,—Nowshera, Punjab.
Date of Enlistment,—25th April 1878.
At what Place Enlisted,—Skipton, Yorkshire.
Parish and County in which Born,—Yeadon, Yorkshire, England.
Marks,—A soft wart near angle, right scapula.
Trade,—Labourer.
Coat or Jacket,—Regimental white clothing.
Waistcoat,—None.
Breeches or Trowsers,—Regimental white clothing.
REMARKS,—None.
Under 3 years' service.

R. S. LEMON, *Major,*
Comdg. 2nd Battn. (P. W. O.), West Yorkshire Regt.

Report of an Absentee from the 2nd Battalion, R. I. Fusiliers, dated at Belgaum, this 12th day of August 1881.

Number, Rank, and Name,—No. 1179, Private John Loftus.
Age,—31 years 10 months.
Size,—5 feet 11 inches.
Color of—
Complexion, sallow; Hair, brown; Eyes, hazel.
Date of Absence,—7th August 1881.
Place of Absence,—Belgaum.
Date of Enlistment,—9th October 1868.
At what Place Enlisted,—Liverpool.
Parish and County in which Born,—Liverpool, Lancashire.
Marks,—Scar under chin and in right groin.
Trade,—Labourer.
Coat or Jacket,—Serge coat.
Waistcoat,—None.
Breeches or Trowsers,—Serge trowsers.
REMARKS,—None.
Under 13 years' service.

J. DUNN, *Major,*
Comdg. 2nd Battn., R. I. Frs.

NOTICE

Is hereby given that eleven Hay Presses, the property of Government, used by the Commissariat Department for pressing hay for despatch to the front during the late war, will be sold by public auction at the following stations, where they now are, on 1st September 1881:—

By the Deputy Commissioner, Gujranwalla	5
By Assistant Commissary General, Meean Meer	4
By Assistant Commissary General, Rawalpindi	2
	11

These Presses are believed to be in thorough working order, and parties wishing to see them before day of sale can do so, on application to the Officers named above, who will also furnish information regarding hour and place of sale.

J. BARNARD SMITH, *Major,*
Offg. Depy. Commsy. Genl.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Aug. 8	...	...	...	4,969	26,74,739	4,62,304
,, 9	...	...	...	4,969	26,73,170	4,62,304
,, 10	...	...	...	4,969	26,18,111	4,53,304
,, 11	...	...	4,832	34	25,90,979	4,57,238
,, 12	...	...	...	34	25,90,936	4,57,238
,, 13	...	...	...	34	25,90,897	4,57,238

CALCUTTA MINT,
The 15th Aug. 1881.

R. V. RIDDELL, *Capt., R.E.,*
Offg. Mint Master.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th June 1881.

PARTICULARS.	3½ PER CENT. LOAN OF 1865-64.	4 PER CENT. LOANS								4½ PER CENT. LOANS				TRANSFER LOAN OF 1879, SEVEN SHILLINGS STERLING PER CENT. PORTION.	5 PER CENT. DEBENTURE FOR 15 YEARS, RE-PAYABLE JUNE 1882.	5 PER CENT. LOAN OF 1856-57.	5½ PER CENT. LOAN OF 1859-60.	TOTAL AMOUNT.
		Of 1824-25.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1866.	REDUCED 4 PER CENT. LOAN OF 1879.	Of 1870.	Of 1871.	Of 1878.	TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.					
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Balance of 31st May 1881	54,100	38,506	3,413	15,45,493	30,48,500	2,22,83,500	1,00,95,200	1,78,47,000	2,90,32,400	45,77,400	4,38,000	1,03,06,300	8,26,73,800	1,08,500	34,08,000	64,300	7,400	19,70,81,412
Add—																		
Amount enfaced at Madras between 1st and 15th June 1881	...	...	...	...	...	...	...	5,000	...	...	...	1,83,000	9,17,000	...	...	...	...	11,66,000
Amount enfaced at Bombay between 1st and 15th June 1881	...	...	...	...	...	26,500	1,000	61,200	24,500	...	...	22,000	1,21,100	...	1,01,000	...	...	8,16,120
Amount enfaced at Calcutta between 1st and 15th June 1881	...	...	...	...	...	17,100	500	77,000	54,000	25,000	...	3,17,000	11,17,500	...	33,07,000	64,300	7,400	19,62,14,992
Deduct—																		
Amount written off in the London Registers	...	...	...	35,520	...	1,48,000	81,000	77,000	1,01,200	...	1,79,000	22,000	1,21,100	...	1,01,000	...	...	8,16,120
Balance on 15th June 1881	54,100	38,506	3,413	15,09,973	30,48,500	2,21,35,500	1,00,15,200	1,78,36,200	2,90,59,700	45,52,400	4,38,000	1,04,89,300	8,25,52,700	1,08,500	34,08,000	64,300	7,400	19,62,14,992

NOTE.—From 9th June 1867 to 15th April 1881, enfaced from India 4,113 lakhs; re-transferred from London, 3,561 lakhs.

,,	16th April 1881 to 30th	,,	6 ,,
,,	1st May	,, to 15th May	10 ,,
,,	16th	,, to 31st	30 ,,
,,	1st June	,, to 15th June	24 ,,
			4,113 lakhs.
			3,561 ,,
		Balance against India	613 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 19th August 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 15th August 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office (Rs. 1,74,83,883 13 4)	3,58,45,782	5	6
Public Deposits at Branches (Rs. 1,83,61,898 8 2)			
Other Deposits at Head Office and Branches	3,19,75,345	12	11
Bank Post Bills, &c.	4,13,076	0	8
Sundries	9,88,635	15	2
RUPEES	9,17,34,841	6	7

ASSETS.	Rs.	A.	P.
Government Securities	1,24,30,830	4	0
Other authorized Investments	37,55,080	0	0
Loans on Government and other authorized Securities	59,77,585	3	1
Accounts of Credit on Government and other authorized Securities	53,59,901	1	8
Bills discounted and purchased	2,15,29,888	8	5
Balances with other Banks	5,36,743	4	6
Bullion	1,28,631	6	5
Dead Stock	11,29,504	4	11
Stamps	8,685	14	11
Sundries	5,28,028	5	9
	5,13,84,878	5	8
Cash and Currency Notes at Head Office (Rs. 1,24,47,805 13 2)	4,03,49,963	0	11
Cash and Currency Notes at Branches (Rs. 2,79,02,157 3 9)			
RUPEES	9,17,34,841	6	7

BANK OF BENGAL,
Calcutta, 18th August 1881.

J. GORDON,
Chief Acctt. & Depy. Secretary.

By order of the Directors.
R. HARDIE.
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Akola Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
K 7—24448, „ —24449	5	Dayabhoy Runjildass, Pay Clerk, Great Indian Peninsula Railway, Bombay.
C 91—24765 ...	10	Mrs. Maria L. N. J. DeCarvalho, Damon.
K 3—25651 ...	50	Narain Dass Prabhu, Kumpta.
K 4—32089 ...	100	Mr. Pestonjee Ruttonjee, Contractor, Kharaghora, Ahmedabad.

AKOLA,
The 12th August 1881.

C. A. W. DAVIES,
Asstt. Commr. of Paper Currency.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
W48 ...	M 44—04358, „ —04612, „ —11964, „ —15059, „ —18058, „ —21273, M 43—80058, M 37—98508	100 each.	Mr. G. Wilson, C.S., Collector of Rutnagherry.
W49 ...	M 38—38809 ...	500	T. Cozens, Poona.

Bombay Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
H93 ...	M 53—18311 ...	20	J. Baker, Jeypur.
H94 ...	M 46—93878 ..., M 56—08803 ..., M 52—42103 ...	50, 20, 10	Morton and Co., Bombay.
H95 ...	M 58—43957 ...	10	Goostadji Jamsetji, Neemuch.
H96 ...	M 4—08993 ...	5	Jaganath Narsinh, Mhow.
H97 ...	M 53—46383 ...	20	Luxumon Dhondew, Wái.
H98 ...	M 46—77714 ...	50	Major C. W. Brereton, Madras.
H99 ...	M 43—97354 ..., M 46—58864 ..., M 35—61059 ..., M 46—62405 ...	100, 50, 50, 50	Cowasji Cursetji Jamsetji, Karwar.
M46 ...	M 6—45294, „ —45293	5	Deoji Jeswant, Bombay.

BOMBAY,
The 16th August 1881.

C. R. CRAWLEY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
153 ...	O 96—00455 ...	100	Mrs. C. Field.
155 ...	O 61—60743 ..., O 63—35392 ..., O 85—82181 ..., „ —21890 ..., „ —16240 ..., O 64—49796 ..., „ —52203 ..., „ —62749 ..., „ —78523 ..., „ —87412 ..., O 86—27908 ..., „ —27810 ..., „ —27811 ..., „ —27813 ..., „ —27814 ..., „ —40440 ...	20 each	The District Superintendent of Police, Midnapore.
156 ...	O 71—56204 ...	500	Hafiz Abdool Karim.
157 ...	O 69—13943 ...	100	Messrs. Ram Lal Buddree Das.

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
95 ...	O 88—43835, O 67—48853	100	Mr. Currimbhoy Ebrahim.
96 ...	O 86—28379, „ —28376	20	Babu Biresshur Bhuttacharjee.
97 ...	L 46—49559, „ —49556	20	Babu Radha Nath Jana.
98 ...	L 25—94356, L 24—65873	5	Babu Potit Pabun Shaha.
104 ...	O 53—33016 ...	10	Babu Hury Lal Das Dey.
105 ...	O 95—20932 ...	10	Babu Umes Chunder Banerjee.
106 ...	L 72—72092 ..., O 82—02593 ..., „ —02594 ..., L 21—11554 ...	10, 10, 10, 5	Messrs. Smith, Stanistreet & Co.
107 ...	O 85—83194 ...	20	Babu Potit Pabun Shaha.
108 ...	O 78—83378 ..., O 38—04539 ...	10, 5	Babu Mohavarut Dey.
109 ...	O 38—66210 ...	5	Babu Ram Lal Singha.
110 ...	O 59—98937 ...	20	Kamaruddin Mohamed.

CALCUTTA,
The 19th August 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., Paper Currency.

Coconada Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
I 10—29747 ..., I 12—22083 ..., I 14—24364 ..., „ —24863 ...	10, 50, 100, 100	Mathinany Butchiah, of Allur.

COCONADA,
The 2nd August 1881.

E. G. RICKETTS,
Depy. Collr., in charge of Paper Currency.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value. Rs.	Name of Claimant.
G 14—29478 ...	10	Munshi Suchanund Raimull, of Hyderabad.

KURRACHEE,
The 11th August 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant
32 ...	E 17—68131 to „ —68145	20 each	The Adjutant, 30th N. I., Jhelum.

LAHORE,
The 13th August 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
33 ...	B 54—91450 ..., B 64—09628 ..., B 66—75753 ...	20, 20, 100	Adaji Rayachand Maravadi, Shimoga, Mysore Province.
35 ...	B 61—84062 ...	50	Yemmanur Nagiah, Pleader, District Munsiff's Court, Proddatore.

Madras Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
59 ...	B 57—98700 ...	20	Syed Abdool Mabood, Tripliken, Madras.
60 ...	B 63—41667 ...	10	Kutbuddin Sahib, Iron
	B 57—25506 ...	20	Merchant, Palmaner.
61 ...	B 61—90832 ...	50	B. Subbiah Chetti, Peddanayadupetta, Madras.
13 ...	B 61—91827, „ —80027 *	50	Amarapathi Chetti, care of M. Nagappa Chetti, Salt Merchant, Madras.

* Wrongly joined.

FORT SAINT GEORGE,
The 8th August 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 1st August 1881.

Consequent upon the admission of Barbadoes and St. Vincent (British West Indies) into the Universal Postal Union, the rates and conditions of postage (as given below) appertaining to Union countries served through the United Kingdom, will be applicable from the 1st September 1881 to correspondence addressed to Barbadoes and St. Vincent :—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Each post-card.	Printed papers, including books, &c. Each newspaper per 4 oz.	Printed papers, including books, &c. Each packet per 2 oz.	Legal and commercial documents. Each packet. Not exceeding 4 oz.	Legal and commercial documents. Each packet. Per 2 oz. additional.	Samples. Each packet. Per 2 oz.
	A.	A.	A. c	A.	A.	A.	A.
Barbadoes and St. Vincent (West Indies, British)— *Vid* Brindisi, through United Kingdom	c4½	1½	1½	1½	3	1½	1½
Vid Brindisi, through French Office, Modane— Additional route from Aden only— *By French Packet*, through *Agent on board*	3	1½	1	1	2	1	1

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

The 13th August 1881.

No. 5264.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, BEHAR.

Babu Bissen Chandra Datta is appointed to officiate as Deputy Post Master General, Behar.

POSTAL CIRCLE, ASSAM.

Mr. J. J. T. Bennett is appointed to be Examiner of Post Office Accounts, Assam.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 19th August 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	26th Aug.	From Bombay.
Madras, Ceylon and the Intermediate Ports.	7 „	25th „	Str. *Kerbela.*
Madras and Ceylon	7 „	25th „	P. & O. Str. *Australia.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also for Australian Colonies	7 „	23rd „	From Bombay.
Foreign Mails *vid* Bombay	7 „	27th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	26th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	24th „	Str. *Simla.*
Chittagong, Akyab, Kyouk Phyoo, and Rangoon	7 „	25th „	Str. *Medina.*
Foreign Mails *vid* Bombay	7 „	20th „	From Bombay.*

* Also *vid* Aden for Zanzibar, Mozambique; also *vid* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 14th August 1881.

Alcock, Thomas.
Bepeen Behary Pattuck, care of Simla P. O.
Berthold, Messrs. Smith & Co.
Bickwell, E.
Brewer, T. S. M. (C.E.)
Cooper & Co.
Corbete, Lionel E. H.
Crofton, G.
Daniel, E.
D'Cruze, Master E. H.
Duncan, L. A.
Fenton, Master.
Fielman, F. B. Collins.
Francis, John A.
Green, Dr.
Green, Messrs. Thomas.
Halden, Mrs. A.
Hurley, Mrs. M. A.
Ivey, W.
Jackson, M. P.
Joseph, D. H.
Kellock, Mrs.
Keogh, Mrs.
Kiddle, S.
Kock, Mrs.
Malins, Mrs. P.
McMillen, C.
Morrison, Mr.
Priestley, Miss Lily May.
Rose, E. C.
Savage, E.
Savage, Mrs. Alice Couridge.
Smith, R. W.
Smyth, H.
Stevens, W. R.
Stevens, Mrs. E. H.
Swan, Mrs.
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Newspapers.

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J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE, NILAMBUR; *The 17th June 1881.*

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No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
No. 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
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„ 12. Jiddah Harbour Red Sea. *Annas 4.*
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„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Belilling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
No. 18. Port Saïd entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.

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A sketch of the Túrkí language as spoken in Eastern Turkistan (Káshghar and Yarkand), together with a collection of Extracts, by R. B. Shaw, F.R.G.S. *Price, Rs. 5; packing and postage, 8 annas.*

Suggestions regarding the demarcation and management of the Forests in Kulu with Map. *Price, Re. 1; packing and postage, 3 annas.*

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A Manual of Chinchona Cultivation in India, by Dr. G. King, M.B., F.L.S. Second Edition, 1880. *Price, Re. 1; packing and postage, 4 annas.*

Silk in India. Some account of Silk in India, especially of the various atttempts to encourage and extend sericulture in that country. Compiled by J. Geoghegan. *Price, Rs. 2; packing and postage, 4 annas.*

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A Collection of Treaties, Engagements, and Sunnuds relating to India and neighbouring countries. *Price per Volume Rs. 6 to the general public, and Rs. 4-8 to Government Officers who require the book for their examination. Packing and postage, Vols. I, V and VII, 8 annas each; Vols. II, III, IV and VI, 10 annas each.*

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Public Works Department Classified List and Distribution Return of Establishment, corrected up to 30th June 1881. *Price, Rs. 2; packing and postage, 4 annas.*

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Accounts of the External Land Trade of British India for the three months, April to June 1880. *Price, Re. 1; packing and postage, 2 annas.*

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta.*

A Manual of Tibetan, being a Guide to the Colloquial Speech of Tibet, in a Series of Progressive Exercises, by Major T. H. Lewin, F.R.G.S., of the Bengal Staff Corps, late Deputy Commissioner of Darjeeling. *Price, Rs. 6; postage, 3 annas.*

Copies are to be had at the Office of the Director of Public Instruction.

Publications for Sale at the Bengal Secretariat Press.

Reprint of the Report of the Rent Law Commission, with the draft of a Bill to consolidate and amend the law of Landlord and Tenant in Bengal. Vols. I and II. *Price, Rs. 3-8; packing and postage, 9 annas.*

Rules for the Guidance of Officers engaged in the Administration of the Salt Department. *Price, Re. 1-4; packing and postage, 3 annas.*

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Papers regarding the Tea Industry in Bengal. *Price, Rs. 3; postage, 3 annas.*

List of the Trees, Shrubs, and large Climbers found in the Darjeeling District, Bengal. By J. S. GAMBLE, M.A., Assistant Conservator of Forests, Bengal. *Price, Re. 1-8; postage, 1 anna.*

Report on the Internal Trade of Bengal for the year 1879-80. Published by the Government of Bengal. *Price, Rs. 6; postage, 8 annas.*

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Report on the Internal Trade of Bengal for the year 1876-77. Published by the Government of Bengal. *Price, Rs. 5; Colored Map, Rs. 2-8.*

Report on the Cultivation of, and Trade in, Ganja in Bengal. By HEM CHUNDER KERR, Deputy Collector, on special duty. *Price, Re. 1-8; postage, 2 annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 7 annas.*

Report on the Food-grain Supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 6 annas.*

Prices of Food-grains, Firewood, and Salt in Bengal from 1866 to 1878, compiled in the Bengal Secretariat, Statistical Department. *Price, Rs. 2; packing and postage, 3 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar-General of Bengal. *Price, Rs. 10; postage, 8 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 4 annas.*

Memorandum on the Revenue History of Chittagong. By H. J. S. COTTON, Esq., Collector and Magistrate of Chittagong. *Price, Rs. 2-4; packing and postage, 4 annas.*

A Report on the District of Jessore: its Antiquities, its History and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 3 annas.*

The Bengal Administration Report for 1879-80. *Price, Rs. 6; packing and postage, 10 annas.*

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The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 7 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 5 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, 10 annas.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

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Manual of Materia Medica in Urdu, compiled by SHAIK AKBAR ALLY, Civil Hospital Assistant, Dinapore. *Price, 8 annas per copy; packing and postage, 2 annas.*

Just published, pp. xxxv + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Fellow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 2 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 4 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 6 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 3 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1881. *Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 3 annas.*

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

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Annual Statement of the Sea-borne Trade and Navigation of the Bengal Presidency, and of its Chief Port and each of the Subordinate Ports, with Foreign Countries, for the official year 1875-76. Vol. I. *Price, Rs. 12; postage, 10 annas.*

Rules for the Examination of, and grant of Certificates of Competency to, Masters, Mates and Engineers. *Price, Re. 1; postage, 1 anna.*

Abstract of the Rules of the Road at Sea, in English. *Price, Re. 1-4; packing and postage, 1 anna 6 pies.*

Ditto ditto in Bengali. *Price, Re. 1; packing and postage, 1 anna 6 pies.*

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Sanitary Primers in English and in Bengali. *Price, Rs. 6 per hundred, including transit and packing charges; single copies, 1 anna each.*

The Book named below having been declared a part of the obligatory equipment of Emigrant vessels, is now obtainable at the Bengal Secretariat Press at the price noted:—

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 27, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

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Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 19th August 1881.

The Honorable the Chief Justice of the High Court of Judicature at Fort William in Bengal has appointed William Richard Augustine Kime, of No. 49, Bedford Row, in the County of Middlesex, England, Solicitor, a Commissioner, within all parts of England, for the purpose of taking under the law in force in British India the acknowledgments of married women of deeds to be executed by them in respect of property in British India.

By Order,

R. BELCHAMBERS,

Registrar.

NOTICE TO MARINERS.

No. 30 of 1881.

BAY OF BENGAL—COROMANDEL COAST. MADRAS.

Revised Rules for regulating the Entry and Departure of Vessels using the Harbour.

In supersession of the Notification published in this Department Notice to Mariners, No. 2, dated 10th February 1881, the Government of Madras has issued the following:—

"Under the authority vested in him by Section 7 of the Indian Ports Act, 1875, the Honorable the Governor in Council is pleased to prescribe the following rules for regulating the entry and departure of vessels using the Madras Harbour:—

RULE 1.—No vessel shall enter or leave the Madras Harbour at any time without having on board a Pilot or Harbour Master, unless authority in writing so to do has been obtained from the Conservator of the port.

RULE 2.—Vessels about to leave the Harbour shall hoist Flag N of the International (Commercial) Code at the Fore.

RULE 3.—Vessels about to enter the Harbour shall hoist Flag F of the International (Commercial) Code at the Fore.

RULE 4.—Not more than one vessel shall enter or leave the port at the same time.

Under Clause 2, Section 42, and Section 67 of the Act, Masters or other persons in charge of vessels disobeying any of the foregoing rules will, on conviction before a Magistrate, be liable to a fine not exceeding one hundred rupees for every such offence, and also to the payment of the costs of such conviction."

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department;
The 22nd August 1881.

NOTICE TO MARINERS.
No. 31 of 1881.
BAY OF BENGAL—MADRAS COAST.

Buoy marking Wreck off Pentacottah.

Information has been received from the Port Officer, Madras, that a green wreck-buoy has been laid to mark the position of the sunken vessel *Mariana* in Pentacottah roadstead.

The buoy lies in 6¾ fathoms of water, with Pentacottah flagstaff bearing W. ¼ N., distant about 1¼ miles.

The bearing is Magnetic;—Variation 2° Easterly in 1881.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department,
The 22nd August 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 71*a*, 829 and 70.

INDIAN MARINE SURVEY Charts, Nos. 1172, 15*c* and 103*a*.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it.

BANK OF BENGAL.

Proceedings at the Annual General Meeting of the Proprietors and Shareholders of the Bank of Bengal, held on Monday, the 15th August 1881, in terms of Section 49 of the Presidency Banks' Act, 1876.

MR. J. J. J. KESWICK, PRESIDENT OF THE BOARD OF DIRECTORS, IN THE CHAIR.

The Secretary having read the advertisement convening the Meeting, the Chairman submitted the papers noted below,* relative to the business for the year ended 30th June last.

On the motion of the Chairman, seconded by Mr. D. G. Landale, the accounts for the year were passed and approved.

On the motion of Mr. John Thomas, seconded by Mr. E. C. Daniell, Mr. J. J. J. Keswick and Mr. F. J. Fergusson were re-elected Directors.

On the motion of Mr. John Thomas, seconded by Baboo Dwarkanath Datt, Messrs. H. W. I. Wood and W. A. Browne were re-elected Auditors for the ensuing year, and their remuneration fixed at Rs. 2,500 for each audit, or Rs. 1,250 to each Auditor.

J. J. J. KESWICK,
Chairman.

* I. Copy of the Statement of the affairs of the Bank on 31st December 1880, transmitted to Government agreeably to Section 43, Act XI of 1876.

II. Directors' Report for the half-year ended 31st December 1880, and the Report of the Auditors.

III. Copy of the Statement of the affairs of the Bank on 30th June 1881, transmitted to Government agreeably to Section 43, Act XI of 1876.

IV. Directors' Report for the half-year ended 30th June 1881, and the Report of the Auditors.

V. Statement of the Profits for six months, *viz.*, from 1st July to 31st December 1880.

VI. Statement of the Profits for six months, *viz.*, from 1st January to 30th June 1881.

VII. Statement of the whole Profits for twelve months, *viz.*, from 1st July 1880 to 30th June 1881.

VIII. List of Proprietors and Shareholders.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 25th July 1881.

No. 34.—Third Grade Assistant Surgeon Mahendra Nath Gangooly, of the supernumerary list, is permitted to resign the service, with effect from the 15th July 1881.

No. 35.—Third Grade Assistant Surgeon Norendra Prosanna Sing, of the supernumerary list, is permitted to resign the service.

The 3rd August 1881.

No. 36.—Assistant Surgeon Manmatha Nath Datta, of the supernumerary list, is dismissed the service, with effect from the 3rd August 1881.

The 29th July 1881.

No. 37.—The services of the undermentioned Hospital Assistants, of the military establishment, are permanently placed at the disposal of the Agent, Governor General, for Rajputana, for civil employment in that province:—

1st Class, Shaik Rumzan Allee.
2nd ,, Goolam Mahomed.
3rd ,, Nidhe Lall.
3rd ,, Devi Lall.
3rd ,, Nazeer Khan.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 19th August 1881.

No. 1667 *G.*—Lieutenant C. W. Ravenshaw, Officiating Superintendent, Rajputana State Railway Police, is granted one month's privilege leave from such date as he may avail himself of the same.

No. 1672 *G.*—With reference to Foreign Department Notification No. 1501 G.-G., dated 5th August 1881, Surgeon J. F. Tuohy, M.D., assumed medical charge of the Haroti and Tonk Agency on the forenoon of the 9th August 1881.

2nd Class Hospital Assistant Mohamad Husain held medical charge of the Haroti and Tonk Agency from 11th to 30th January 1881, both days inclusive, in addition to his own duties.

3rd Class Hospital Assistant Said Nur Khan held medical charge of the Haroti and Tonk Agency from the 26th June to the 8th July, both days inclusive, in addition to his own duties.

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATIONS.

Mount Abu, the 16th August 1881.

No. 569.—Referring to Notification No. 319, dated 14th May 1881, Munshi Imamudin officiated as Deputy Magistrate, Kekree, from the afternoon of the 19th May to the forenoon of the 30th June 1881, during the absence on privilege leave of Rae Bishen Sarup.

No. 571.—Rae Bishen Sarup, Deputy Magistrate, Kekree, availed himself, on the afternoon of the 19th May 1881, of the privilege leave granted in Notification No. 286, dated 29th April 1881.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 20th August 1881.

No. 52.—Lieutenant H. W. Duperier, R.E., Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani on the 3rd June 1881.

C. W. HUTCHINSON, *Lieut.-Genl., R.E.,*
Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 15th August 1881.

No. 56.—Mr. H. G. S. Savory, Assistant Engineer, 2nd Grade, Punjab Northern State Railway, Construction Section, passed the Professional Examination prescribed in Public Works Department Code, Chapter II, Section i, paragraphs 16 to 18, on the 16th July 1881.

The 19th August 1881.

No. 57.—Mr. H. G. S. Savory, Assistant Engineer, 2nd Grade, passed the Lower Standard Examination in Hindustani on the 4th July 1881.

No. 58.—Mr. R. Sivewright, Assistant Engineer, 2nd Grade, passed the Departmental Standard Examination in Hindustani on the 4th instant.

No. 59.—With reference to Public Works Department Notification No. 345, dated 21st October 1880, Mr. W. Monies, Assistant Engineer, 2nd Grade, is posted to the Delhi-Ferozepore Railway Survey.

W. S. TREVOR, *Col., R.E.,*
Director General of Rys.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that **on or about the 2nd June last, treasure, consisting of certain jewels valued at Rs. 39-12, was found in the village of Manjakollai, Negapatam Taluq, Tanjore District, Madras Presidency.**

All persons claiming the treasure, or any part thereof, are required to appear personally or by agent before the Collector of Tanjore, at his office, on the 15th day of December 1881, in order to the matter being inquired into and determined in accordance with the provisions of the said Act.

C. A. BIRD,
Acting Collector.

VALLAM,
The 6th August 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Departments.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Aug. 15	...	...	...	34	25,45,860	4,57,238
,, 16	Holiday.					
,, 17	...	...	...	34	25,05,819	4,57,238
,, 18	...	...	...	34	25,05,773	4,57,238
,, 19	...	...	...	34	24,[illegible]	4,57,238
,, 20	...	...	...	34	24,[illegible]	4,57,238

CALCUTTA MINT,
The 22nd Aug. 1881.

R. V. RIDDELL, *Major, R.E.,*
Offg. Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 23rd August 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office 1,55,96,259 2 0 / Public Deposits at Branches 1,74,42,570 3 11	3,30,38,829	5	11
Other Deposits at Head Office and Branches	2,83,93,825	0	2
Bank Post Bills, &c.	8,57,952	13	11
Sundries	10,51,249	8	9
RUPEES	8,58,53,858	1	1

ASSETS.	Rs.	A.	P.
Government Securities	1,33,58,203	4	0
Other authorized Investments	37,94,980	0	0
Loans on Government and other authorized Securities	52,53,396	4	6
Accounts of Credit on Government and other authorized Securities	55,22,139	2	9
Bills discounted and purchased	2,33,65,563	0	9
Balances with other Banks	8,18,322	5	7
Bullion	1,25,278	14	3
Dead Stock	11,29,422	13	11
Stamps	8,317	2	11
Sundries	5,39,753	15	5
	5,39,15,377	0	1
Cash and Currency Notes at Head Office 80,72,852 0 2 / Cash and Currency Notes at Branches 2,38,65,629 0 10	3,19,38,481	1	0
RUPEES	8,58,53,858	1	1

By order of the Directors.

BANK OF BENGAL,
Calcutta, 25th August 1881.

J. GORDON,
Chief Accti. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
119	... D 18—54407 ... 100 / " —55252 ... 100		T. W. Mercer, Esq., Bombay.
31	... L 45—47836* / D 14—39138	† 20	Babu Umbica Churn Banerjee, Calcutta.

* Calcutta Circle. † Mismatched.

ALLAHABAD,
The 24th August 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.*,
In charge of Paper Currency Office.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W50	... M 44—08616 ...	100	J. Aranjo, Bombay.

NOTE PARTIALLY LOST OR DESTROYED.

1881.			
H100	... M 5—40255 ...	50	Cowasji Temulji, Poona.

BOMBAY,
The 23rd August 1881.

C. E. CRAWLEY,
Asst. Accti. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
158	... O 96—26861 ...	100	Messrs. Framjee and Co.
159	... O 74—82881 ... 1,000 / O 96—29150 ... 100 / " —20036 ... 100 / O 81—72177 ... 10		The Manager, Agra Bank, Limited, Calcutta.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
111	... P 1—28841 ...	10	Babu Goar Gopal Bysack.
112	... O 46—71509 ... 10 / O 15—18050 ... 10		Mr. J. M. Hollinsworth.
113	... O 85—92559 ...	20	Mr. Wm. Kingham.
114	... O 81—54137 ...	10	Babu Shib Sunker Lal.
115	... O 98—57529 ...	5	Babu Kali Churn Roy.
116	... O 68—72973 ...	100	Jewrakhun Sing.
117	... L 70—43698 ...	1,000	Hakim Syed Ahmed Mirza.
118	... O 93—56462 ... 10 / O 36—68304 ... 5		Babu Kanahaiya Lal.
119	... P 3—79142 ...	10	Babu Ram Narayon Turkorutna.
120	... O 90—37509 ...	10	Mr. Edward Cleghorn.
392 of '75	L 17—78537 ... 20 / L 20—08578 ... 5		Mrs. E. Sharpe.

CALCUTTA,
The 26th August 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., Paper Currency.

Coconada Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
I 10—32790 ...	10	Seetamraj Ramajagaswara Row, of Coconada.

COCONADA,
The 8th August 1881.

E. G. RICKETTS,
Depy. Collr., in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant
		Rs.	
33	... E 17—46886 ... 20 / E 15—76734 ... 50 / " —76735 ... 50		The District Superintendent of Police, Delhi.

LAHORE,
The 20th August 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
62	... B 68—09114 ... 100 / " —09138 ... 100 / " —09139 ... 100 / " —09140 ... 100 / " —09141 ... 100		Mr. C. S. Fernandes, Merchant, Mangalore.
63	... B 61—91323 ...	50	P. Murugesa Mudali, Sunnadi Street, Mailapur.

FORT SAINT GEORGE,
The 15th August 1881.

C. HALL,
Offg. Chief Clerk of the Accti. Genl.,
in charge of Paper Currency Dept.,
for *Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Simla, the 1st August 1881.

Consequent upon the admission of Barbadoes and St. Vincent (British West Indies) into the Universal Postal Union, the rates and conditions of postage (as given below) appertaining to Union countries served through the United Kingdom, will be applicable from the 1st September 1881 to correspondence addressed to Barbadoes and St. Vincent:—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Each post-card.	Printed papers, including books, &c. Each newspaper per 4 oz.	Printed papers, including books, &c. Each packet per 2 oz.	Legal and commercial documents. Each packet. Not exceeding 4 oz.	Legal and commercial documents. Each packet. Per 2 oz. additional.	Samples. Each packet. Per 2 oz.
	A.	A.	A. c	A.	A.	A.	A.
Barbadoes and St. Vincent (West Indies, British)— *Vid* Brindisi, through United Kingdom	c4½	1½	1½	1½	3	1½	1½
Vid Brindisi, through French Office, Modane— Additional route from Aden only— *By French Packet*, through *Agent on board*	3	1½	1	1	2	1	1

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India,
Foreign Post Branch.

Calcutta, the 26th August 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	2nd Sep.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 ,,	2nd ,,	Str. *Chinsura.*
Madras and Ceylon	7 ,,	3rd ,,	P. & O. Str. *Mongolia.*
Foreign Mails *vid* Bombay	7 ,,	3rd ,,	From Bombay.
Do. Book Post and Pattern Packets	7 ,,	2nd ,,	From Bombay.
Rangoon, Moulmein, and Straits	7 ,,	31st Aug.	Str. *Kilwa.*
Chittagong, Akyab, and Rangoon	7 ,,	1st Sep.	Str. *Madras.*
Foreign Mail *vid* Bombay	7 ,,	27th Aug.	From Bombay.
Port Blair and Camorta	7 ,,	31st ,,	Str. *Satara.*

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

NOTICE

Is hereby given that eleven Hay Presses, the property of Government, used by the Commissariat Department for pressing hay for despatch to the front during the late war, will be sold by public auction at the following stations, where they now are, on 1st September 1881:—

By the Deputy Commissioner, Gujranwalla	5
By Assistant Commissary General, Mecan Meer	4
By Assistant Commissary General, Rawalpindi	2
	11

These Presses are believed to be in thorough working order, and parties wishing to see them before day of sale can do so, on application to the Officers named above, who will also furnish information regarding hour and place of sale.

J. BARNARD SMITH, *Major,*
Offg. Depy. Commsy. Genl.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers:—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood	1,196	4	8
279	Benteak	7,848	7	5
208	Karimardu	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسواے قيمت مذکورهٔ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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MESSRS. THACKER AND CO., BOMBAY;
MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

The Rámáyana of Tulsi Dás. Translated from the original Hindi: by F. S. Growse, M.A., Oxon

Price ...	Book I ...	Rs. 3 0 0	Per copy, including postage.
	Do. II ...	„ 2 8 0	
	Do. III to VI	„ 2 8 0	
	Do. VII ...	„ 1 12 0	

Prepayment is required.

GOVT. PRESS, ALLAHABAD.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingoria to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmugao Roadsteads. *Annas 12.*
Naraked Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moeletivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30′ N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re.*

Ceylon, East Coast—

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—

Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang Pra. *Re. 1.*
Patani Bay. *Annas 8*
Singora Roadstead and Inner Harbour. *Re. 1.*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
Langsuen Roads. *Re 1.*

Sailing Directions, &c.—

The Sailing Directory, Part I, India, Africa and South America, with Charts. *Rs. 16; packing and postage, Re. 1-12.*

Return of Wrecks and Casualties in Indian Waters for the year 1877, together with a Chart showing the positions in which they occurred. *Rs. 2.*

Ditto ditto for 1878. *Price, Rs. 2.*

Ditto ditto for 1879. *Price, Rs. 2.*

List of Light-houses and Light-vessels in British India (Suez to Singapore), corrected from official information. *Re. 1.*

Spheroidal Tables, for every ten minutes of the quadrant, showing the length in feet of a degree, minute, and second of latitude and longitude; the corresponding number of statute miles in each degree of latitude; the number of minutes of latitude, or nautic miles contained in a degree of longitude under each parallel of latitude; and the length, in cables, of a minute of longitude, corresponding to each nautic mile, Compression $\frac{1}{362}$. *Re. 1.*

Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jookdea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Saïd entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 3, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

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E. J. DEAN,
Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATIONS.

Simla, the 25th August 1881.

No. 236.—Mr. R. F. Warwick, Assistant Surveyor, 3rd Grade, is granted privilege leave for one month and twenty-five days, under Chapter X, Section 136, of the Civil Leave Code, from such date as he may be allowed to avail himself of it.

The 29th August 1881.

No. 237.—Mr. R. W. Senior, Assistant Surveyor, 3rd Grade, is granted privilege leave for twenty-eight days, under Chapter X, Section 136, of the Civil Leave Code, with effect from the forenoon of the 4th August 1881.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 2nd September 1881.

No. 13.—Mr. C. L. Schwendler, Electrician, is allowed furlough on medical certificate for sixteen months, under Section 49 of the Civil Leave Code, with effect from the forenoon of the 2nd July 1881.

This cancels Notification No. 11 of 18th July 1881.

No. 14.—Mr. T. D. Berrington, an Assistant Superintendent of the 4th Grade, is allowed furlough on medical certificate for six months, under Section 51 of the Civil Leave Code, with effect from the forenoon of the 13th August 1881.

R. MURRAY, *Colonel,*
Dir. Genl. of Tels. in India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 5th August 1881.

No. 38.—The services of 2nd Class Hospital Assistant Wuzeer Khan are permanently placed at the disposal of the Chief Commissioner of the Central Provinces for employment in those provinces.

The 9th August 1881.

No. 39.—The services of the undermentioned Hospital Assistants of the military list are placed permanently at the disposal of the Punjab Government for civil employment in that province :—

1st Class, Velyeth Hoosain.
" Golam Hoosain.
" Kirpa Ram.
" Mahomed Abdool Rohman Khan.
2nd Class, Busharut Oollah.
" Narain Sing.
" Shaikh Hafiz Ally.
" Assa Ram.
" Aya Sing.
" Bishumbur Dass.
" Shaikh Abdoollah.
" Rymul Dass.
" Abdool Gafore.
" Mahomed Ali.
3rd Class, Kirpa Ram.
" Deen Dyal.
" Jhuboo Sing.
" Hamid Hossein.
" Fazl Ilahee.
" Hushmut Alli.
" Kumal Oodeen.
" Kaloo Ram.
" Muzhar Khan.
" Koodrut Hossein.
" Khazan Sing.
" Moomraiz Khan.
" Sherebaz.

The 15th August 1881.

No. 40.—In accordance with the orders of the Government of India provincializing Assistant Surgeons, the following Assistant Surgeons are transferred for permanent employment in the North-Western Provinces and Oudh :—

No.	NAME.	Grade.	Date of rank.	REMARKS.
1	Kally Doss Nundy	1st	April 12, 1849.	
	Samuel Pollock Johns	1st	May 12, 1851.	
	Chundee Churn Ghose	2nd	April 24, 1855.	
	Grees Chunder Chatterjee	2nd	April 24, 1855.	
5	Mookund Loll	1st	April 26, 1856.	
	Nobin Chunder Mitter	3rd	May 23, 1861.	
	Greesh Chunder Mitter	1st	April 16, 1867.	
	Troylucko Nath Ghose	2nd	June 17, 1867.	
	Neelmoni Chowdhuree	2nd	June 19, 1867.	
10	Hem Chunder Bhuttacharjee	2nd	June 28, 1867.	
	Nobin Chunder Chuckerbutty	2nd	July 1, 1867.	
	Parbutty Churn Ghose	3rd	July 19, 1867.	
	Haran Chunder Banerjee	2nd	August 1, 1867.	
	Ram Rich Paul	2nd	August 1, 1868.	
15	Ishan Chunder Roy, M.B.	2nd	April 21, 1869.	
	Ram Lall Chuckerbutty	3rd	April 21, 1869	
	Chunnoo Lall	2nd	August 1, 1869.	
	Behary Lall Ghose	2nd	Sept. 25, 1869.	
	Awmoola Rutton Bysack	2nd	August 10, 1870.	
20	Abinash Chunder Goopt	3rd	May 9, 1871.	
	Mul Raj	2nd	August 1, 1871.	
	Rutty Kanta Ghose	2nd	April 12, 1872.	
	Doorga Dass Sen	2nd	July 15, 1872.	
	Baney Madhav Dass	3rd	April 24, 1873	Now serving in Bengal.
25	Haran Chunder Dass	3rd	May 1, 1873.	
	Gunga Singh	3rd	August 1, 1873.	
	Nihal Singh	2nd	August 1, 1873.	
	Debender Nauth Goho	3rd	April 13, 1874	Now serving in Bengal.
	Suresh Chunder Ghose	3rd	April 13, 1874.	
30	Benud Behary Ghosh	3rd	April 22, 1874.	
	Hara Kanto Banerji	3rd	May 28, 1874.	
	Munnalall	3rd	July 22, 1874	Now serving in the Punjab.
	Jognesvar Roy	3rd	June 3, 1875	Now serving in Bengal.
	Rajendra Nath De	3rd	April 17, 1876.	
35	Bana Mali Pal	3rd	May 2, 1876	} Now serving in Bengal.
	Kedar Nath Bosu	3rd	July 3, 1876	
	Harprasad Chooramoni	3rd	August 1, 1876	Now serving in the Punjab.
	Lalita Mohan Sen	3rd	August 1, 1876.	
	Proksa Chandra Mukhopadhya	3rd	October 12, 1876.	
40	Hera Lal Dass	3rd	July 18, 1877	Now serving in Bengal.
	Shostevar Roy	3rd	July 18, 1877.	
	Man Mohun Dass	3rd	July 18, 1877	} Now serving in Bengal.
	Amar Nath Das	3rd	March 1, 1878	
	Fuzlai Rohman	3rd	April 30, 1878	
45	Nrependra Chandra Mookerji	3rd	April 30, 1878.	
	Jagandro Nath Mukerji	3rd	August 1, 1878.	
	Charan Singh	3rd	August 1, 1878.	
	Manohar Parshad	3rd	August 1, 1878.	
	Sasibhusun Kumar	3rd	July 29, 1879.	
50	Mohendro Nath Ohdedar	3rd	August 1, 1879.	
	Jwala Prasad	3rd	August 1, 1879.	
	Manohur Lall	3rd	December 4, 1879.	
	Kali Kristo Chatterjee	3rd	April 12, 1880.	
	Rasraj Bhattacharji	3rd	August 1, 1880.	
55	Iktidarud-deen	3rd	August 1, 1880.	

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No. 41.—In accordance with the orders of the Government of India provincializing Assistant Surgeons, the following Assistant Surgeons are transferred for permanent employment in the Punjab :—

No.	NAME.	Grade.	Date of rank.	REMARKS.
1	Abdool Hamid	2nd	April 6, 1852.	
	Beharee Lall	2nd	April 24, 1855.	
	Rahim Khan, Khan Bahadur	Hony. Surgeon	April 14, 1858.	
	Radha Kishen	2nd	August 1, 1866.	
5	Brij Lal Ghose, Rai Bahadur	1st	August 1, 1866.	
	Muhammad Hussain Khan	2nd	August 1, 1866.	
	Chetan Shah, Khan Bahadur	1st	August 1. 1866.	
	Juswant Roy	2nd	August 1, 1867.	
	Sahib Ditta	2nd	August 1, 1867.	
10	Bhawnee Dass	2nd	August 1, 1868.	
	Futteh Singh	2nd	August 1, 1868.	
	Mul Chund	3rd	August 1, 1868.	
	Nutha Mul	2nd	October 1, 1868.	
	Mehtab Singh	2nd	October 1, 1868.	
15	Bhugwan Dass, 1st	2nd	August 1, 1869.	
	Tabu Singh	2nd	August 1, 1870.	
	Gokal Chand	3rd	April 1, 1871.	
	Urjun Dass	2nd	August 1, 1871.	
	Bhagwan Dass, 2nd	3rd	August 1, 1871.	
20	Jai Chund	3rd	May 4, 1872.	
	Muthra Dass	2nd	October 1, 1872.	
	Mehr Chund, 1st	3rd	August 1, 1873.	
	Darri Mul	3rd	August 1, 1873.	
	Amir Shah	2nd	August 1, 1873.	
25	Thakur Dass, Rai Bahadur	2nd	April 30, 1874.	
	Sobha Ram	3rd	June 16, 1874	Now serving in the N. W. P.
	Gholam Nabi	3rd	July 22, 1874.	
	Sobhan Ali	3rd	July 22, 1874	Now serving in the N. W. P.
	Jawahir Singh	3rd	July 22, 1874.	
30	Lachman Dass	3rd	July 22, 1874.	
	Kally Nauth Roy	3rd	July 22, 1874.	
	Duni Chand	3rd	July 22, 1874.	
	Bure Khan	3rd	July 22, 1874.	
	Mehr Chand, 2nd	3rd	July 22, 1874.	
35	Malik Jowala Sahai	3rd	July 22, 1874.	
	Rumzan Bux	3rd	July 22, 1874.	
	Jhangee Ram	3rd	July 28, 1874.	
	Fazal-ud-din	3rd	April 14, 1875.	
	Brij Lal	3rd	July 27, 1875.	
40	Ram Kishan	3rd	July 27, 1875.	
	Allah Ditta	3rd	July 27, 1875.	
	Bhagat Ram, 1st	3rd	July 27, 1875.	
	Gobind Ram	3rd	August 1, 1876.	
	Fatteh Chand	3rd	August 1, 1876.	
45	Jagendro Chandra Banerji	3rd	August 1, 1877.	
	Bali Ram	3rd	August 1, 1877.	
	Sundar Mal	3rd	August 1, 1878.	
	Pandit Bishan Das	3rd	August 1, 1878.	
	Hira Lal	3rd	August 1, 1878.	
50	Bhagat Ram, 2nd	3rd	August 1, 1878.	
	Natha Mal	3rd	August 1, 1878.	
	Atar Chand	3rd	August 1, 1878.	
	Krishna Chandra	3rd	August 1, 1878.	
	Shekh Ata Muhammad	3rd	August 1, 1878.	
55	Duni Chand Rai	3rd	August 1, 1879.	
	Sada Nand	3rd	August 1, 1879.	
	Jai Singh,	3rd	August 1, 1879.	
	Khazan Chand	3rd	August 1, 1879.	
	Dowlat Ram	3rd	August 1, 1879.	
60	Jai Kishan Das	3rd	August 1, 1879.	
	Parma Nand	3rd	August 1, 1879.	
	Balia Singh	3rd	August 1, 1879.	
	Jagan Nath	3rd	August 1, 1879.	
	Hira Lal Chatterji	3rd	August 1, 1880.	
65	Nanak Chand	3rd	August 1, 1880.	
66	Elahi Baksh	3rd	August 1, 1880.	

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 30th August 1881.

No. 132 *I.-E.*—CORRECTION.—In Notification No. 130 I.-E., dated 20th May 1881 (*Gazette of India* for 28th May 1881, Part II, page 393), *for* Section 131, *read* Section 49.

W. PALMER,
Examiner of Telegraph Accounts.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 24th August 1881.

No. 1682.—With reference to G. O. G. G. No. 430, dated 5th August 1881, the leave granted to Captain H. A. Vincent, Bombay Staff Corps, Squadron Commander, 1st Central India Horse, in Notification No. 370, dated 25th February 1881, is hereby cancelled.

By Order,
J. BURNE, *Captain,*
2nd Asst. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 22nd August 1881.

No. 1682 *G.*—2nd Class Hospital Assistant Mohun Lal, of the Reserve List, has been granted privilege leave for one month from the 12th July to the 11th August 1881.

2nd Class Hospital Assistant Runjeet Singh is transferred from the Rajputana State Railway to the Reserve List of Hospital Assistants from the 2nd August 1881.

The 26th August 1881.

No. 1707 *G.*—2nd Class Hospital Assistant Golam Mahomed, transferred by the Surgeon-General with the Government of India for permanent civil employment in Rajputana, was borne on the Reserve List of Hospital Assistants from the 25th May to the 5th July 1881.

No. 1709 *G.*—With reference to Foreign Department Notification No. 1577 G.-G., dated 18th August 1881, Lieutenant J. M. Clements assumed charge of his duties as Officiating Assistant to the Governor General's Agent in Rajputana on the forenoon of the 22nd August 1881.

By Order,
F. T. HEWSON,
for *1st Asst. Agent to the Govr. Genl.*

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATIONS.

Mount Abu, the 24th August 1881.

No. 595.—In supersession of Notification No. 410, dated 21st June 1881, Major P. W. Smith, Deoli Irregular Force, is appointed to officiate temporarily as Cantonment Magistrate, Deolie, and is invested with the powers of a Magistrate of the 2nd Class, as described in Section 20 of the Criminal Procedure Code, with effect from the forenoon of the 17th June 1881.

Major P. Smith is also appointed, with effect from the above date, to officiate temporarily as Judge of the 2nd Class, to hear suits of a civil nature up to Rs. 500 in value.

The 27th August 1881.

No. 607.—The Chief Commissioner of Ajmere-Merwara is pleased to invest Allah Nur Khan, Naib Tehsildar of Beawar, with the undermentioned powers to be exercised within the limits of the Beawar Tehsil:—

(1).—Powers of a Munsiff.

(2).—Magistrate of the 3rd Class, as described in Section 20 of Act X of 1872.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

TREASURE TROVE.

In terms of Section 5 of Act VI of 1878, notice is hereby given that, on or about the 20th October 1880, certain treasure (52 old Chandwadi Rupees) was found in excavating the foundation of the house of one Ramchandra Govinda, in the village of Nagardeola Budruk, in the Pachora Taluka, of the Khandesh Collectorate of the Bombay Presidency. Claimants are hereby required to appear personally, or by agent, before the Collector of Khandesh on the 5th January 1882, when he will proceed to hold an enquiry according to law.

W. A. EAST,
Acting Collector, Khandesh.

TREASURE TROVE.

In terms of Section 5 of Act VI of 1878, notice is hereby given that, on 15th June 1881, certain treasure (Chandwadi Rupees 1,150, weighing 403 tolas, a silver bracelet weighing 7½ tolas, and a metal pot) was found buried in Survey No. 291 of the village of Nyahalod, in the Dhulia Taluka, of the Khandesh Collectorate of the Bombay Presidency. Claimants are hereby required to appear personally, or by agent, before the Collector of Khandesh on the 5th January 1882, when he will proceed to hold an enquiry according to law.

W. A. EAST,
Acting Collector, Khandesh.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, on or about the 28th May 1881, treasure, consisting of Rs. 36 (current coins), was found in an Inam (called Hanumannahchenu) belonging to one Venkata Rama Reddi, of Venkatempalli, Hamlet of Kottakota, Pattikonda Taluq, Kurnool District, in the Madras Presidency.

Any person or persons claiming the said treasure, or any part thereof, are hereby required to appear personally or by agent before the Collector of Kurnool, at his office, on Friday, the 6th January 1882, in order to the matter being enquired into and determined in accordance with the provisions of the law.

W. H. GLENNY,
Collector.

KURNOOL COLLECTOR'S OFFICE,
The 16th August 1881.

CALCUTTA UNIVERSITY.

NOTICE.

The Senate will proceed in the month of March 1882 to the election of a Tagore Professor for the term of one year to commence on the 1st of September 1882.

The salary of the Professorship is Rs. 10,000 per annum, and the Professor will be expected to deliver a course of not less than twelve lectures upon *one* of the following subjects:—

(1.) The Law relating to the Disposition of Property among the Muhammadans.

(2.) The Law of Testamentary Devise as administered in British India.

(3.) The Law relating to Negotiable Instruments.

(4.) The Hindu Law of Inheritance, Partition and Adoption, according to the Smritis.

Candidates for the Professorship are requested to forward their applications to the Registrar on or before the 1st of January 1882, and at the same time to state on which of the abovementioned four subjects they are prepared to lecture.

By order of the Vice-Chancellor,
CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 23rd August 1881.

Report of a Deserter from the Royal Regimen of Artillery, dated at Colaba, Bombay, this 29th day of August 1881.

Number, Rank and Name,—No. 2955, Gunner James Robinson.
Age,—22 years.
Size,—5 feet 9 inches.
Colour of—Complexion, fresh; Hair, brown; Eyes, hazel.
Parish and County in which Born,—Cartmel, Cartmel, Lancaster.
Marks,—None.
Trade,—Laborer.

Coat or Jacket,—Waistcoat,—Breeches or Trowsers,— } R. A. (white) uniform.
Date of Desertion,—23rd August 1881.
Place of Desertion,—Colaba, Bombay.
Date of Enlistment,—1st January 1879.
Place of Enlistment,—Preston.
REMARKS,—Believed to have gone on boardship.
Under 3 years' service.

A. H. DAWSON, *Colonel, R.A.,*
Comdg. R. A., Bombay District.

Report of a Deserter from the Royal Regiment of Artillery, dated at Colaba, Bombay, this 29th day of August 1881.

Number, Rank, and Name,—No. 3397, Gunner William Wilcock Heyworth.
Age,—28 years.
Size,—5 feet 2¾ inches.
Colour of—Complexion, fresh; Hair, sandy; Eyes, grey,
Parish and County in which Born,—Bacup, Bacup, Lancaster.
Marks,—None.
Trade,—Carpet-maker.

Coat or Jacket,—Waistcoat,— ...Breeches or Trowsers,— ... } R. A. (white) uniform.
Date of Desertion,—23rd August 1881.
Place of Desertion,—Colaba, Bombay.
Date of Enlistment,—7th June 1876.
Place of Enlistment,—Burnley.
REMARKS,—Believed to have gone on boardship.
Under 6 years' service.

A. H. DAWSON, *Colonel, R.A.,*
Comdg. R. A., Bombay District.

Statement of the Affairs of the Bank of Bengal for the week ending 30th August 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office . 1,38,97,798 13 6 / Public Deposits at Branches . 1,76,37,022 3 4	3,15,34,821	0	10
Other Deposits at Head Office and Branches	2,78,63,614	3	8
Bank Post Bills, &c.	3,93,624	0	8
Sundries	10,87,905	5	10
RUPEES	8,33,91,965	15	4

ASSETS.	Rs.	A.	P.
Government Securities	1,29,71,606	7	0
Other authorized Investments	37,94,980	0	0
Loans on Government and other authorized Securities	53,64,407	11	7
Accounts of Credit on Government and other authorized Securities	51,64,433	6	10
Bills discounted and purchased	2,35,00,423	13	1
Balances with other Banks	7,58,200	7	7
Bullion	1,08,041	6	3
Dead Stock	11,29,795	14	4
Stamps	8,970	8	11
Sundries	4,84,871	5	11
	5,32,85,731	1	6
Cash and Currency Notes at Head Office (Rs. 78,31,983 4 7) / Cash and Currency Notes at Branches (Rs. 2,22,74,251 9 3)	3,01,06,234	13	10
RUPEES	8,33,91,965	15	4

BANK OF BENGAL,
Calcutta, 1st Sept. 1881.

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Aug. 22	...	...	...	34	24,10,524	4,67,238
,, 23	...	...	32		24,10,514	4,57,269
,, 24	...	...	...	...	23,45,560	4,57,269
,, 25	...	...	...	...	23,84,370	4,57,269
,, 26	...	...	...	...	23,14,302	4,57,269
,, 27	...	...	...	...	23,14,261	4,67,269

CALCUTTA MINT, *The 29th Aug. 1881.*

R. V. RIDDELL. *Major, R.E.,*
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
190	... D 16—01350 ...	10	Tunsook Ram, Nasirabad.
	,, —12474 ...	10	
	,, —18297 ...	10	
	D 14—41348 ...	20	
	D 4—97597 ...	50	
	D 17—04486 ...	50	
	,, —17476 ...	50	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
120	... D 16—32768 ...	10	Ram Sarun Dass, Lucknow.
	D 14—50070 ...	20	
	,, —55708 ...	20	
	,, —55710 ...	20	
	D 17—22137 ...	50	
121	... D 12—08489 ...	5	Mrs. Fleming, Allahabad.

ALLAHABAD, *The 31st August 1881.*

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W51	... M 57—00754 ...	50	Captain W. W. Prengree, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

1881.		Rs.	
H102	... M 53—11144 ...	20	Bhicaji Cowasji, Mhow.
H103	... M 58—36522 ...	10	Khetsee Lilladhar, Bombay.
M48	... M 8—11730	5	Lakshman Shivaram, Nasik.
	,, —11733		

BOMBAY, *he 30th August 1881.*

C. E. CRAWLEY,
Asst. Accts. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
161	... O 96—46453 ...	100	Babu Aukhoy Coomar Basak.
162	... O 88—20427 ...	100	Chintamoni Das.
163	... O 96—47882 ...	100	Fakiruddin Purwalla.
165	... P 1—18718 ...	10	Babu B. N. Sarkar.
166	... O 96—01470 ...	100	Babu Kristo Sunder Roi.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
121	... O 99—49317 ...	10	Babu Joguesvar Roi Choudhury.
99	... L 55—61104	5	Babu Sidessur Neogy.
	,, —61103		
100	... L 31—82581	5	Babu Sharodaprosad Chatterjee.
	,, —82362		
101	... L 15—07855	5	Nobin Chunder Mondle and Manick Chunder Mondle
	,, —07942		

R. A. STERNDALE,
Asst. Comptlr. Genl., Paper Currency.

CALCUTTA, *The 2nd September 1881.*

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 5—75717 ...	20	Seshagiri Row, Mulvally, Mysore.
J 9—65354	10	E. Rungiah Chetty, Black Town, Madras.
,, —65353		

* Wrongly joined.

CALICUT, *The 23rd August 1881.*

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Coconada Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
I 11—28578 ...	20	Mr. E. Winckler, Head Master, Hindu College, Vizagapatam.

COCONADA, *The 19th August 1881.*

D. PURUSHOTTAMAYA,
Tempy. Depy. Collr., in charge of Paper Currency.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
G 14—00551 ...	10	Roopchand Sukramdass, Shroff, Kurrachee.

* Mutilated.

KURRACHEE, *The 25th August 1881.*

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
35	... E 15—90839 ...	50	Bhuktawar Sing and Nanuckchaud, Bankers, Delhi.
37	... E 16—86603 ...	10	The Post Master General, Bombay, on behalf of Mr, John Baker, Jeypore.
38	... E 16—77340 ...	10	T. Baily, Esq., Arundal House, Mussowrie.
39	... E 15—82399 ...	50	Kaushi Ram and Anant Ram, Phugwara.

LAHORE, *The 26th August 1881.*

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
36	... B 64—45313 ...	20	Mahomed Ghouse, Sanitary Inspector, Salem.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
64	... B 46—42733 ...	5	Revd. E. H. deSilva, Armenian Street, Madras.
	B 49—26242 ...	10	

FORT SAINT GEORGE, *The 22nd August 1881.*

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 25th August 1881.

No. 5687.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, PUNJAB.

Mr. S. Sullen is appointed to be Post Master of Lahore.

Mr. J. H. Smith is appointed to officiate as Post Master of Lahore during Mr. Sullen's absence on leave.

Mr. J. P. Grice is appointed to officiate as Post Master of Delhi.

Mr. C. J. Carty is promoted to the 1st Grade of Superintendents.

Mr. F. P. Williams is appointed to be Superintendent, Rawalpindi Division.

POSTAL CIRCLE, INDIA.

Mr. E. C. O'Brien is promoted substantively *pro tem.* to the 1st Grade of Superintendents and posted to the Office of the Director General of the Post Office of India.

POSTAL CIRCLE, BOMBAY.

Mr. H. J. Hewett is appointed to officiate as a 1st Class Mail Officer.

Mr. M. F. Ingle is appointed to officiate as a 2nd Class Mail Officer.

Mr. E. Jardine is appointed to officiate as a 3rd Class Mail Officer.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 2nd September 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	9th Sep.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 ,,	9th ,,	Str. *Africa.*
Madras and Ceylon	7 ,,	3rd ,,	P. & O. Str. *Mongolia.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also for Australian Colonies	7 ,,	6th ,,	From Bombay.
Foreign Mails *vid* Bombay	7 ,,	10th ,,	From Bombay.
Do. Book Post and Pattern Packets	7 ,,	9th ,,	From Bombay.
Rangoon, Moulmein, and Straits	7 ,,	7th ,,	Str *Khandalla**.
Chittagong, Akyab, Kyouk Phyoo, and Rangoon	7 ,,	8th ,,	Str. *Avogyee.*
Foreign Mail *vid* Bombay	7 ,,	3rd ,,	From Bombay.

* Mail for Port Blair can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

COMMISSARIAT NOTICE.

The sale by auction of Hay Presses at Rawalpindi, Meean Meer, and Goozranwalla will now not take place.

J. BARNARD SMITH, *Major,*
Offg. Depy. Commsy. Genl.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents.
		C. feet In. P.
371	Teak	9,230 8 6
33	Blackwood . . .	1,196 4 8
279	Benteak . . .	7,848 7 5
208	Karimarda . . .	7,028 4 1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.	

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE, NILAMBUR; *The 17th June 1881.*

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئينائين كا خوب قائم مقام هى اور كلكته ے بوٹانكل گارڈن يعنے كمپني باغ ے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات ے اور سيواے اونكے جو كوئي ايك مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريه كرسكتے هين يعنے نرخ چار اونس ے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس ے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ ے ٹين كا سوله روپيه آٹهه آنه

اور عوام‌الناس بوٹانکل گارڈن یعنے کمپنی باغ کے سپرنٹنڈنٹ صاحب سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے ہیں یعنے نرخ چار اونس ٹین کا پانچ روپیہ آٹھہ آنہ ; آٹھہ اونس کے ٹین کا دس روپیہ آٹھہ آنہ ; ایک پونڈ کے ٹین کا بیس روپیہ

یہہ دوا کلکتہ کے بڑے بڑے ولایتی اور دیسی دواخانوںمیں بکتی ہی ماسیوائے قیمت مذکورۂ بالا کے محصول ڈاك چار اور آٹھہ اونس کے ٹین کا آٹھہ آنہ ; اور ایک پونڈ کے ٹین کا بارہ آنہ

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The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

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HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

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Vingorla to Cape Comorin. *Re. 1-12.*
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Hydrographic Notices—

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„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
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„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma. Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 10, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

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BANK OF BENGAL.

NOTICE.

Calcutta, the 5th September 1881.

DOORGA POOJAH HOLIDAYS.

The Bank will be open till 1 P.M. for the transaction of urgent business on the following days:—

Wednesday, September	28th.	
Thursday,	„	29th.
Tuesday,	October	4th.
Wednesday,	„	5th.
Thursday,	„	6th.

By Order of the Directors,

R. HARDIE,
Secretary & Treasurer.

SURVEY OF INDIA.

NOTIFICATION.

Simla, the 5th September 1881.

No. 238.—Mr. T. H. Rendell, Surveyor, 4th Grade, is granted privilege leave for one month, under Chapter X, Section 136, of the Civil Leave Code, with effect from the forenoon of the 15th September 1881.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

REVENUE BRANCH, SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 6th September 1881.

No. 10.—Mr. H. T. Hanby, Surveyor, 4th Grade, is granted privilege leave for one month,

under Chapter X, Section 136, of the Civil Leave Code.

J. SCONCE, *Lieut.-Col.*,
Deputy Surveyor General.

TELEGRAPH DEPARTMENT.

NOTIFICATIONS.

Simla, the 5th September 1881.

Offices opened during the month of August 1881:—

Name of Station.	Where situated.	Date.	REMARKS.
Kemendine .	Suburbs of Rangoon.	1st.	
Poozoondoung .	Ditto . .	17th.	

Calcutta, the 8th September 1881.

No. 15.—Mr. H. P. Owen, a Superintendent of the 3rd Grade, is allowed furlough for two years, under Section 49, of the Civil Leave Code, with effect from the forenoon of the 30th August 1881.

R. MURRAY, *Colonel*,
Dir. Genl. of Tels. in India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.

Indore Residency, the 1st September 1881.

No. 1741.—Lieutenant-Colonel C. Martin, C.B., Commandant, Central India Horse, and Political Agent, Western Malwa, is granted ninety days' privilege leave from the 29th August 1881.

No. 1742.—Major and Brevet Lieutenant-Colonel H. M. Buller, Commandant, 1st Regiment, Central India Horse, and Political Assistant, Goona, is granted sixty days' privilege leave from the 20th September, or such subsequent date as he may avail himself of the same.

By Order,
D. ROBERTSON,
1st Asst. to the Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 3rd September 1881.

No. 1780 *G.*—With reference to Foreign Department Notification No. 1608 G.-G., dated 25th August 1881, Lieutenant H. Ramsay and Major A. W. Roberts, respectively, made over, and received, charge of the Office of the Assistant to the Governor General's Agent in Rajputana (Sujangarh), and Assistant General Superintendent, Thuggee and Dacoity Department, Upper Rajputana, on the forenoon of the 26th August 1881.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATIONS.

Mount Abu, the 6th August 1881.

No. 549.—The following rules, made by the Chief Commissioner of Ajmere-Merwara under Section 39 of the Ajmere Laws Regulation, 1877, and with the previous sanction of the Governor General in Council, for taxation in the Deoli Cantonment, are published for general information:—

1.—On and after the 1st day of November 1881, a tax at the rates specified in the schedule hereto annexed shall be levied upon all articles named in the said schedule which are imported into and sold within the Cantonment of Deoli.

2.—A rawanah shall be given, for each consignment of such articles imported when passing an outpost, to the person in charge of such consignment by the mohurrir at such outpost. In such rawanah, the description and amount of the articles imported shall be entered.

3.—All such articles shall be taken direct from the outpost to a spot to be determined by the Cantonment Magistrate, which shall be called the ganj where the darogah shall check the rawanah.

4.—The importer of any such articles shall be called upon at the time of their arrival at the ganj to declare whether such articles are for sale in the Cantonment or not.

5.—If such articles be declared to be for sale, they shall remain in the bonded ware-house of the ganj until sale and payment of the tax leviable thereon under the said schedule: provided that the importer of any such articles declared to be for sale as aforesaid, may at any time pay the said tax and remove the goods.

6.—The darogah of the ganj shall grant a receipt for all payments made under these rules.

7.—When any articles brought to the ganj are declared not to be for sale as aforesaid, the importer thereof may remove the same: provided that if such articles are merely in transit they shall be stored in the bonded ware-house and shall remain there till the importer finds it convenient to remove them.

8.—No person shall sell goods declared not to be for sale without the permission, in writing, of the daroga, and without having paid the tax leviable on the sale thereof.

9.—The importer of any articles, who has paid duty thereon under these rules, shall, if he subsequently exports such articles, be entitled to a refund of such duty on application to the Cantonment Magistrate and production of a receipt testifying to the amount paid: provided that the goods have not meanwhile changed owners.

10.—Whoever infringes any of these rules shall be liable, on conviction before a Magistrate, to the maximum penalties mentioned in Section 41, Ajmere Laws Regulation.

Schedule of duties to be levied in the Deoli Cantonment.

Class.	Name of Articles.	Rate per md.
I.		Rs. A. P.
Articles of food and drink for men and animals.	Gur. . . .	0 1 0
	Sugar . . .	0 4 0
	Grains of every description.	0 0 6

The 3rd September 1881.

No. 639.—With reference to Foreign Department Notification No. 1608 G.-G., dated 25th August 1881, Major A. W. Roberts and Pundit Bhag Ram, respectively, delivered over, and received, charge of the Office of Assistant Commissioner, Merwara, on the forenoon of the 23rd August 1881.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

RESIDENT IN MYSORE.

NOTIFICATIONS.

Bangalore, the 29th August 1881.

No. 1376—490.—Lieutenant-Colonel R. A. Cole, Acting Civil and Sessions Judge, Civil and Military Station, Bangalore, is granted furlough in India for six months on private affairs, from such date as he avail himself of it.

The 2nd September 1881.

No. 1377—491.—Colonel R. A. Cole delivered over, and Colonel H. G. Thomson received, charge of the Civil and Sessions Judge's Court, Civil and Military Station, Bangalore, on the forenoon of the 30th August 1881.

Colonel R. A. Cole, Officiating Civil and Sessions Judge, Civil and Military Station, Bangalore, availed himself of the furlough granted in Notification dated 29th August 1881, on the 30th idem.

By Order,
W. J. CUNINGHAM,
Asst. to the Resident.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 25th August 1881.

ERRATUM.—In Notification No. 6 of the 17th March 1881, published in the *Gazette of India*, Part II, of the 19th idem, against the name of Assistant Surgeon Jadub Kristo Sen, in the 3rd column, *for* 3rd, *read* 2nd Grade.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 1st September 1881.

No. 53.—Mr. F. W. Morse, Assistant Engineer, officiated as Executive Engineer of the Peshawar Division, Military Works, from afternoon of 5th January 1880 to afternoon of 16th March 1881.

C. W. HUTCHINSON, *Lieut.-Genl., R.E.*,
Inspr. Genl. of Military Works.

TREASURE TROVE.

In terms of Section 5 of Act VI of 1878, notice is hereby given that, on 16th July 1881, certain treasure (old copper coin of the value of Rs. 32-1-6) was found buried in ground belonging to one Parwatibai Bhratar Chandrarao Patil, of the village of Waghadi in the Shirpur Taluka, of the Khandesh Collectorate, of the Bombay Presidency. Claimants should appear personally, or by agent, before the Collector of Khandesh on the 10th January 1882, when he will enquire into the matter.

W. A. EAST,
Acting Collector,
Khandesh.

CALCUTTA UNIVERSITY.

NOTICE.

The Senate will proceed in the month of March 1882 to the election of a Tagore Professor for the term of one year to commence on the 1st of September 1882.

The salary of the Professorship is Rs. 10,000 per annum, and the Professor will be expected to deliver a course of not less than twelve lectures upon *one* of the following subjects:—

(1.) The Law relating to the Disposition of Property among the Muhammadans.

(2.) The Law of Testamentary Devise as administered in British India.

(3.) The Law relating to Negotiable Instruments.

4.) The Hindu Law of Inheritance, Partition and Adoption, according to the Smritis.

Candidates for the Professorship are requested to forward their applications to the Registrar on or before the 1st of January 1882, and at the same time to state on which of the abovementioned four subjects they are prepared to lecture.

By order of the Vice-Chancellor,
CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 23rd August 1881.

COMPTROLLER GENERAL'S OFFICE.

Telegraphic Statement of Receipts and Outgoings from Treasuries during August 1881.

In Thousands of Rupees.

	Civil Revenue.	Civil Debt and Remittance Heads.	Forest, Telegraph, and Marine.	Post Office.	Guaranteed Railways.	Military Department.	P. W. Department.	Opening Balance.	TOTAL.
Receipts.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
India General ...	29,25	4,74,33	48	3,57	7,78	50	31,47	3,34,78	8,82,16
Central Provinces	3,85	13,36	96	1,57	...	14	40	59,59	79,87
British Burmah ...	16,72	8,16	2,01	1,69	...	11	83	43,57	73,09
Assam ...	3,55	7,27	11	91	...	8	10	21,18	33,20
Bengal ...	1,29,97	34,45	1,65	5,40	...	6	4,13	1,07,09	2,82,75
N.-W. Provinces and Oudh ...	36,93	53,07	28	1,93	3,32	81	5,00	2,65,48	3,66,82
Punjab ...	25,96	45,12	71	2,68	5,67	1,93	9,24	1,31,74	2,23,05
Madras ...	41,56	93,05	76	2,61	9,04	59	81	1,43,87	2,92,29
Bombay ...	36,54	1,64,80	2,10	2,85	21,76	93	1,20	1,96,58	4,26,76
Remittance Adjustment ...	...	...	...	...	...	...	...	14,61	14,61
TOTAL RECEIPTS ...	3,24,33	8,93,61	9,06	23,21	47,57	5,15	53,18	13,18,49	26,74,60
Outgoings.									
India General ...	38,18	3,12,97	1,28	26	2,00	20,00	19,07	4,88,40	8,82,16
Central Provinces	4,47	12,87	45	16	...	2,84	3,29	55,79	79,87
British Burmah ...	6,38	6,70	1,41	5	...	2,50	3,68	52,37	73,09
Assam ...	2,65	7,53	30	19	...	1,06	1,09	20,38	33,20
Bengal ...	56,66	1,13,95	1,51	6,51	...	1,73	12,37	90,02	2,82,75
N.-W. Provinces and Oudh ...	39,38	50,28	51	7,13	2,70	15,60	9,44	2,41,78	3,66,82
Punjab ...	16,37	40,32	76	2,79	3,45	24,79	17,15	1,17,42	2,23,05
Madras ...	31,11	97,38	1,51	3,20	5,03	12,61	5,14	1,36,31	2,92,29
Bombay ...	27,55	1,68,55	3,27	4,53	13,94	18,79	10,47	1,79,66	4,26,76
Remittance Adjustment ...	...	2,87	...	...	...	...	...	11,74	14,61
TOTAL OUTGOINGS	2,22,75	8,13,42	11,00	24,82	27,12	99,92	81,70	13,93,87	26,74,60

Telegraphic Summary of Accounts for the five months ending August 1881.

Lakhs of Rupees.

	Receipts.					Outgoings.				
	Accounts till June.	Preliminary. July.	Preliminary. August.	Total 5 months	Budget Estimate, 5 months.	Accounts till June.	Preliminary. July.	Preliminary. August.	Total, 5 months.	Budget Estimate, 5 months.
Civil Revenue	14,88	3,96	3,24	22,08	21,37	...	...	...	...	...
Civil Expenditure	...	...	...	...	...	6,52	1,87	2,23	10,62	10,55
Military Department	37	7	5	49	46	3,79	1,07	1,00	5,86	6,40
Public Works Department	2,15	54	53	3,22	2,67	3,06	79	81	4,66	4,38
Forest, Telegraph, and Marine Departments (net) ...	...	...	...	...	...	3	2	2	7	3
Post Office Department (net) ...	...	...	...	...	...	4	0	2	6	9
Guaranteed Railways (net) ...	1,12	18	20	1,50	1,19	...	...	...	...	...
Imperial Loan...	...	68	1,96	2,64	1,50	...	...	...	...	...
Council Bills, including Exchange ...	...	...	...	...	...	5,65	1,91	99	8,55	8,61
Civil Debt and Remittance (net), ...	28	35	—17	46	0	...	...	...	...	...
Total ...	18,80	5,78	5,81	30,39	27,19	19,09	5,66	5,07	29,82	30,06
Balance, April 1st	13,37	...	...	13,37	...	...	...	...	...	...
Balance, end of month ...	...	...	...	...	...	13,08	...	...	13,94	...
GRAND TOTAL ...	32,17	...	...	43,76	...	32,17	...	...	43,76	...

September 9th, 1881.

J. WESTLAND,
Comptroller General.

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JOHN O. N. JAMES,
Assistant Surveyor General,
In charge, Surveyor General's Office.

SURVEYOR GENERAL'S OFFICE,
Calcutta, the 22nd July 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 6th September 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office . 1,20,54,954 8 11			
Public Deposits at Branches . 1,68,53,191 3 7	2,89,08,145	12	6
Other Deposits at Head Office and Branches	2,61,96,937	8	0
Bank Post Bills, &c.	11,70,432	4	8
Sundries	11,35,043	10	4

ASSETS.	Rs.	A.	P.
Government Securities . . .	1,07,63,712	4	0
Other authorized Investments . .	37,94,980	0	0
Loans on Government and other authorized Securities . . .	62,67,828	8	3
Accounts of Credit on Government and other authorized Securities . .	57,31,899	15	8
Bills discounted and purchased . .	2,23,28,666	8	10
Balances with other Banks . . .	7,17,729	5	0
Bullion	1,33,944	4	11
Dead Stock	11,28,882	13	6
Stamps	8,689	12	11
Sundries	4,84,173	0	1
	5,13,60,506	9	2
Cash and Currency Notes at Head Office .	97,61,123	6	1
Cash and Currency Notes at Branches .	1,88,00,930	8	7
	2,85,62,053	14	8
RUPEES .	7,99,22,560	7	10
RUPEES .	7,99,22,560	7	10

BANK OF BENGAL,
Calcutta, 8th Sept. 1881.

J. GORDON,
Chief Accit. & Depy. Secretary.

By order of the Directors.
R. HARDIE.
Secy. & Treasurer.

Report of a Deserter from the 2nd Battation, Royal Warwickshire Regiment of Foot (late 2-6th Foot), dated at Cawnpore, this 3rd day of September 1881.

Number, Rank, and Name,—No. 548, Private, Henry William Thomas.
Age,—28 years 4 months.
Size,—5 feet 5¾ inches.
Colour of—
Complexion, fresh; Hair, black; Eyes, brown.
Date of Desertion,—30th August 1881.
Place of Desertion,—While on furlough to Agra.
Date of Enlistment,—17th January 1876.
Place of Enlistment,—Warwick.
Parish and County in which Born,—Bedminster, near Bristol, Somersetshire.
Marks,—Tattoo, left forearm, tombstone and willow and H. W. T. on upper arm.
Trade,—Bricklayer.
Regimentals: Coat or Jacket,—; Waistcoat,— ...; Breeches or Trowsers,— ...
Remarks,—Deserted while on furlough to Agra.
Under 6 years' service.

S. FIELD, *Major,*
Comdg. 2nd Battn., Royal Warwickshire Regt.

Report of a Deserter from the 10th Battery, 9th Brigade, Royal Regiment of Artillery, dated at Colaba, Bombay, this 2nd day of September 1881.

Number, Rank and Name,—No. 2036, Gunner Charles Brown.
Age,—33 years 7 months.
Size,—6 feet 1¾ inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, hazel.
Parish and County in which Born,—Weedon, Northampton.
Marks,—None.
Trade,—Labourer.
Coat or Jacket,—White.
Waistcoat,—None.
Breeches or Trowsers,—White.
Date of Desertion,—29th August 1881.
Place of Desertion,—Colaba, Bombay.
Date of Enlistment,—4th January 1871.
Place of Enlistment,—Bristol.
Remarks,—Deserted previously 5th September 1876.
Under 11 years' service.

———, *Major, R.A.,*
Comdg. 10-9th R.A., Colaba, and R.A., Bombay District.

Report of a Deserter from the 2nd Battalion (The Liverpool) Regiment of Foot, dated at Mian Mir, this 31st day of August 1881.

Number, Rank, and Name,—No. 13—1810, Private Fenton Murray.
Age,—34 years.
Size,—5 feet 5¾ inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, grey.
Date of Desertion,—28th August 1881.
Place of Desertion,—Changa Manga.
Date of Enlistment,—22nd June 1868.
At what Place Enlisted,—London.
Parish and County in which Born,—Timinohoe, Abbey Leakes, Queen's County.
Marks,—None.
Trade,—Groom.
Coat or Jacket,—White, Regimental.
Waistcoat,—None.
Breeches or Trowsers,—White, Regimental.
Remarks,—None.

C. E. GROGAN, *Colonel,*
Comdg. 2nd Battn. (The Liverpool) Regt. of Foot.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on: General Treasury.	Certificates issued on: Currency Department.	Balance of Bullion: Under Assay.	Balance of Bullion: Assayed.	Balance of Bullion: Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Aug. 29	...	...	...	...	23,14,354	4,57,269
„ 30	...	...	...	...	22,29,295	4,57,269
„ 31	1,30,000	...	...	1,30,000	22,28,387	4,57,269
Sept. 1	...	...	...	1,30,000	22,28,303	4,57,269
„ 2	...	...	...	1,30,000	21,16,943	4,57,269
„ 3	...	...	...	1,30,000	21,16,892	4,57,269

CALCUTTA MINT,
The 5th Sept. 1881.

R. V. RIDDELL, *Major, R.E.,*
Offg. Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
122	... D 4—97225 ...	50	Hurgopal Durbaree, Allahabad.
123	... D 16—15774 ...	10	Bharon Dial, Aligarh.
32	... D 6—88485 *	10	Babu Shib Chunder Auddy, Calcutta.
	„ —88484 *		

ALLAHABAD,
The 6th September 1881.

* Mismatched.

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant
1881.			
H104	... M 51—06519 ...	10	Mr. G. W. Ryan, Shikarpur.
	M 52—18037 ...	10	
	M 54—96426 ...	10	
M50	... M 52—26954	10	Mr. J. F. Muir, Dharwar.
	—26953		
M51	... M 7—34385	5	Ayeb Jackaria, Bombay.
	„ —34384		

BOMBAY,
The 6th September 1881.

C. E. CRAWLEY,
Asst. Accti. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
167	... O 89—10048 ...	1,000	Gouri Bhoojwa.
	O 71—53455 ...	500	
168	... O 95—26599 ...	10	Babu Basanta Coomar Gooha.
169	... O 88—95065 ...	100	Bulluck Khan.
	„ —24407 ...	100	
170	... O 71—57754 ...	500	Mr. H. Deveria.
171	... P 2—39694 ...	10	Babu Shama Churn Kundu.
	O 95—39135 ...	10	

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
122	... O 95—26598 ...	10	Babu Basanta Cooma Gooha.
123	... O 31—94345 ...	50	Mohun Das.
	O 64—69559 ...	20	
	„ —14199 ...	20	
	O 60—90770 ...	20	
	O 85—25782 ...	20	
	O 99—36971 ...	10	
	O 80—52508 ...	10	
	O 77—51481 ...	10	
	O 91—59006 ...	10	
	O 92—49751 ...	10	
	O 99—84710 ...	10	
	O 95—35201 ...	10	
124	... O 35—36301 ...	100	Isan Chunder Chakravarti, Koylas Chunder Chakravarti, and Sorasi Bala Devi.
	A 84—30153 ...	100	
	„ —29432 ...	100	
	„ —44527 ...	100	
	L 68—37582 ...	100	
	L 50—95403 ...	100	
	„ —95402 ...	100	
	L 38—69866 ...	100	
	A 90—01427 ...	100	
	L 8—16911 ...	100	
	„ —16341 ...	100	
	A 91—17230 ...	100	
	L 81—58402 ...	50	
	A 92—84874 ...	50	
	„ —84875 ...	50	
	„ —84876 ...	50	
	„ —84877 ...	50	
	„ —84878 ...	50	
	L 19—69421 ...	50	
	L 49—92383 ...	50	
125	... P 1—65211 ...	10	Abdul Rahaman.
	„ —82280 ...	10	
126	... L 25—18172 ...	5	Babu M. L. Mitter.
127	... L 11—52696 ...	5	Hur Buksh Sing.
128	... O 36—75283 ...	5	Babu Jattra Mohan Biswas.
129	... O 69—60624 ...	100	Major C. W. Brereton.
130	... O 42—50891 ... *	10	Mr. J. O. B. Sceales.
131	... L 24—34842 ...	5	Babu Ambica Churn Kur.
132	... O 79—25928 ...	10	Babu Shama Churn Kundu.
	O 78—31411 ...	10	
	P 1—54012 ...	10	
	O 51—71110 ...	10	
	O 99—94904 ...	10	
	O 93—85032 ...	10	
102	... O 21—05672	20	Babu Kali Churn Sen.
	„ —05674		
103	... O 99—09420	10	Babu Shib Chunder Auddy.
	„ —09424		
104	... A 96—80996	10	Babu Kali Kumar Das.
	L 2—17303		

* Wrongly joined.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

CALCUTTA,
The 9th September 1881.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 5—75717 ...	20	Sheshagiri Row, Mulvally, Mysore.
J 9—65354 *	10	E. Rungiah Chetty, Black Town, Madras.
„ —65353 *		

* Wrongly joined.

CALICUT,
The 1st September 1881.

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 14—39277 ...	10	Nahalchund Khemchund, Tea Merchant, Patan.
G 10—52421 ...	100	
G 7—80127 ...	10	Mr. Jeyramdas Nandiram, Clerk, Assistant Engineer's Office, Mehur.
G 14—12402 *	10	Mr. A. Wilkins, District Traffic Manager, Sind, Punjab and Delhi Railway, Umballa.
„ —12403 *		

* Mismatched.

KURRACHEE,
The 29th August 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
34 ...	E 15—57802 ...	50	Tansukh Ram, Draftsman, Executive Engineer's Office, Nasirabad.
	„ —56024 ...	50	

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
44 ...	E 16—72209 ...	10	Mohan Lall, Treasurer Kohat.

LAHORE.
The 3rd September 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
37 ...	B 68—11575 ...	100	P. Velayudah Mudali, Negapatam.
	„ —22549 ...	100	
38 ...	B 68—11767 ...	100	R. S. Amurthum Pillai, Pleader, Negapatam.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
65 ...	B 57—44357 ...	20	Revd. John Harrison, Church Missionary Society, Masulipatam.
66 ...	B 61—76935 ...	50	Major A. LeMessurier, R.E., Bangalore.
	B 66—58429 ...	100	
	„ —58494 ...	100	
67 ...	B 52—46105 ...	10	A. Nagalingum Mudali, Bangalore.

FORT SAINT GEORGE,
The 29th August 1881.

C. HALL,
Offg. Chief Clerk to the Accts. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

Nagpur Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881-82.		Rs.	
W2 ...	F 10—79185 ...	100	Messrs. Cursetjee & Co., Merchants, Kamptee.

NAGPUR.
The 2nd Sept. 1881.

W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 2nd September 1881.

No. 6069.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, BENGAL.

Babu Sasipada Banerjee, a Superintendent of the 3rd Grade, is temporarily transferred from the Krishnagar to the Barrackpore Division.

Mr. W. R. Monks is appointed to act as a 4th Grade Superintendent, and posted to the Cuttack Division.

Mr. N. G. Wait is appointed to be Superintendent, Rungpur Division.

Babu Madhab Chundra Chackravarti is appointed to act as a 4th Grade Superintendent, and posted to the Krishnagar Division.

Babu Anandagopal Sen, B.A., is appointed to be a 4th Grade Superintendent, and posted to the Burdwan Division.

Mr. M. E. Monks is appointed to be an Examiner of Post Office Accounts.

Babu Akhoy Kumar Sanyal is appointed *sub. pro tem.* to be a 4th Grade Superintendent and Examiner of Post Office Accounts.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 9th September 1881.

From the 29th September 1881, and until further notice, the Foreign Mail Steamer will be despatched from Bombay every Thursday, the Mails closing in Calcutta every Monday.

The last Saturday Mail will be closed at the Calcutta General Post Office on the 17th September, and the first Monday Mail on the 26th September 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	16th Sep.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	16th „	Str. *Chanda.*
Foreign Mails *viâ* Bombay	7 „	17th „	From Bombay.*
Do. Book Post and Pattern Packets	7 „	16th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	15th „	Str. *Pardlia.*
Chittagong, Akyab, and Rangoon	7 „	15th „	Str. *Medina.*
Madras, Ceylon, Batavia, Singapore, and China	7 „	14th „	French Str. *Tibre.*
Straits and Hong-Kong	7 „	16th „	Strs. *Leanor* and *Japan.*
Foreign Mail *viâ* Bombay	7 „	10th „	From Bombay.

* Also *viâ* Aden for Zanzibar, Mozambique; also *viâ* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

From and after the 15th September 1881 Mails for Rangoon and Moulmein will be closed at the Calcutta General Post Office every Thursday instead of Wednesday. The first Thursday Mail will be closed on the 15th September 1881.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood . . .	1,196	4	8
279	Benteak . . .	7,848	7	5
208	Karimaddu . . .	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE,
NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دواخانوںميں بکتي هی ماسيواے قيمت مذکورهٔ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا باره آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set :

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MESSRS. HIGGINBOTHAM AND CO., MADRAS;

THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;

THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingoria to Cape Comorin. *Re. 1-12.*
Port of Salaya or Sernia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moeletivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30' N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re.*

Ceylon, East Coast—

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
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" 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
" 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
" 5. Kyouk Phyou Harbour. *Annas 4.*
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" 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
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" 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
" 22. Red Sea. Notes from various sources, 1880.
" 23. Coast of Orissa. False Point Harbour and Approaches.
" 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

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" 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
" 3. Exhibition of the new fixed Light at False Point.
" 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
" 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
" 6. Alteration of position and elevation of the red Light at Cannanore.
" 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
" 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
" 9. Lights at Port Ibrahim, Suez.
" 10. Changes in the buoyage of the port, Madras.
" 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
" 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
" 13. Destruction of First Point Light-house, Java, Sunda Strait.
" 14. Harbour Light at Beliling, Baly Island.
" 15. Position of Gwalia Reef, Carimata Strait.
" 16. Position of Parkin Rock, Hanish Islands.
" 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
" 18. Intended alteration in Light Apparatus, Calicut.
" 19. Lights at Port Ibrahim, Suez.
" 20. Intermittent flashing Light on Pulo Undan.

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" 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
" 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
" 4. Java, North Coast. Harbour Light at Tegal.
" 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
" 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulient red fixed Light to a white fixed Light.
" 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
" 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
" 9. Exhibition of red Light on Breakwater, Colombo.
" 10. Red Buoy off point Gordeware (Godavery.)
" 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
" 12. Particulars of first point Light, Java, approach to Sunda Strait.
" 13. Alteration in character of Flat Cape Light, Sumatra.
" 14. Removal of North Buoy, entrance to Madras Harbour.
" 15. Range of visibility of Paumben Light.
" 16. Leading beacons for clearing the S. W. Prong, Kolaba.
" 17. Zanzibar Island—
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(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
" 18. Port Said entrance—Experimental Buoy lighted by gas.
" 19. Exhibition of revolving Light, Armeghon.
" 20. Beacon on Tucker's Patch—Bombay Harbour.
" 21. Exhibition of fixed white Light—Pulicat.
" 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
" 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
No. 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
" 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
" 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
" 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
" 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
" 29. Reported reef off Batticaloa, Ceylon—East Coast.
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No. LXI.—Report on the Land Revenue Settlement of the Saugor District, Jubbulpore Division, Central Provinces, effected by Lieutenant-Colonel J. N. H. Maclean, 1867. *Price, Re. 1-8; packing and postage, 5 annas.*

No. LXII.—Report on the Land Revenue Settlement of the Bhundara District, Central Provinces, effected by A. J. Lawrence, B.C.S., 1868. *Price Re. 1-8; packing and postage, 6 annas.*

No. LXXV.—Report on the Political Administration of the Territories comprised within the Central India Agency for 1868-69, by Col. H. D. Daly, C.B. *Price, Rs. 2-8; packing and postage, 8 annas.*

No. LXXIX.—Official Narrative of the Expedition to explore the Trade Routes to China *vid* Bhamo, under the guidance of Major E. B. Sladen, Political Agent, Mandalay. *Price, Rs. 2-8; packing and postage, 8 annas.*

No. CI.—Report on the various Arab Tribes in the neighbourhood of Aden. *Price, 8 annas; packing and postage, 2 annas.*

No. CV.—Voyage on the Euphrates, Suklewieh to Muskeneh. *Price, Re. 1-8; packing and postage, 5 annas.*

No. CIX.—Annual Administration Report of the Munnipoor Agency for the year ending 30th June 1873. *Price, 4 annas; packing and postage, 2 annas.*

No. CXVIII.—Annual Administration Report of the Munipoor Agency for the year ending 30th June 1873-74. *Price, annas 4; packing and postage, 2 annas.*

No. CXIX.—Report on the Administration of the Ajmere and Mhairwarra Districts for 1873-74, by A. C. Lyall, Esq., Officiating Chief Commissioner. *Price, Re. 1; packing and postage, 6 annas.*

☞ *The above to be had at the Office of Superintendent of Government Printing, 8, Hastings Street, Calcutta.*

A Manual of Tibetan, being a Guide to the Colloquial Speech of Tibet, in a Series of Progressive Exercises, by Major T. H. Lewin, F.R.G.S., of the Bengal Staff Corps, late Deputy Commissioner of Darjeeling. *Price, Rs. 6; postage, 3 annas.*

Copies are to be had at the Office of the Director of Public Instruction.

Publications for Sale at the Bengal Secretariat Press.

Reprint of the Report of the Rent Law Commission, with the draft of a Bill to consolidate and amend the law of Landlord and Tenant in Bengal. Vols. I and II. *Price, Rs. 3-8; packing and postage, 9 annas.*

Rules for the Guidance of Officers engaged in the Administration of the Salt Department. *Price, Re. 1-4; packing and postage, 3 annas.*

Rules for the Guidance of Officers in the Administration of Wards' and Attached Estates. Published by the authority of the Board of Revenue, Lower Provinces. *Price, Re. 1; packing and postage, 2 annas.*

Board's Rules, or Rules for the guidance of Officers engaged in the administration of the Revenue Department in the Lower Provinces of Bengal. Revised edition, Vol. I. *Price, Rs. 4; postage, 5 annas: interleaved copy, Rs. 5; postage, 8 annas.*

☞ *Printed slips containing alterations and additions will be available to purchasers monthly, at Rs. 2 per annum, including postage.*

Rules for the Lease of Waste Lands in Bengal, May 1880. Published by the authority of the Board of Revenue, Lower Provinces. *Price, 8 annas; packing and postage, 2 annas.*

Rules for the Guidance of Officers in the Opium Department. *Published by authority of the Board of Revenue, Lower Provinces. Price, Rs. 3; postage, 2 annas.*

Civil Suits, 1880. Published by the authority of the Board of Revenue, Lower Provinces. *Price, 2 annas; packing and postage, 1 anna.*

The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

Annual Report on Colonial Emigration for 1879-80. *Price, 12 annas per copy; packing and postage, 3 annas.*

Moore's Manual of Family Medicine for India, Third Edition. *Price—*
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Bengali Translations of the Rules and Notifications under the Arms Act issued by the Governments of India and Bengal. *Price, 2 annas; packing and postage, 1 anna.*

Hindi Translation of the Rules and Notifications under the Indian Arms Act, 1878. *Price, As. 3; packing and postage, 1 anna.*

Urya ditto ditto. *Price, As. 2; packing and postage, 1 anna.*

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Annual Report on Inland Emigration for 1879-80. *Price, Re. 1 per copy; packing and postage, 3 annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs. 3; postage, 3 annas.*

List of the Trees, Shrubs, and large Climbers found in the Darjeeling District, Bengal. By J. S. GAMBLE, M.A., Assistant Conservator of Forests, Bengal. *Price, Re. 1-8; postage, 1 anna.*

Report on the Internal Trade of Bengal for the year 1879-80. Published by the Government of Bengal. *Price, Rs. 6; postage, 8 annas.*

Report on the Internal Trade of Bengal for the year 1878-79. Published by the Government of Bengal. *Price, Rs. 6; postage, 6 annas.*

Report on the Internal Trade of Bengal for the year 1877-78. Published by the Government of Bengal. *Price, Rs. 3-8; postage, 4 annas.*

Report on the Internal Trade of Bengal for the year 1876-77. Published by the Government of Bengal. *Price, Rs. 5; Colored Map, Rs. 2-8.*

Report on the Cultivation of, and Trade in, Ganja in Bengal. By HEM CHUNDER KERR, Deputy Collector, on special duty. *Price, Re. 1-8; postage, 2 annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 7 annas.*

Report on the Food-grain Supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 6 annas.*

Prices of Food-grains, Firewood, and Salt in Bengal from 1866 to 1878, compiled in the Bengal Secretariat, Statistical Department. *Price, Rs. 2; packing and postage, 3 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar-General of Bengal. *Price, Rs. 10; postage, 9 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 4 annas.*

Memorandum on the Revenue History of Chittagong. By H. J. S. COTTON, Esq., Collector and Magistrate of Chittagong. *Price, Re. 2-4; packing and postage, 4 annas.*

A Report on the District of Jessore: its Antiquities, its History and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 3 annas.*

The Bengal Administration Report for 1879-80. *Price, Rs. 6; packing and postage, 10 annas.*

The Bengal Administration Report for 1878-79. *Price, Rs. 6; packing and postage, 8 annas.*

The Bengal Administration Report for 1877-78. *Price, Rs. 4-8; postage, 8 annas.*

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The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 7 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 5 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, 10 annas.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

Vol.	I.	24-Pergunnahs and Sundarbans.
Vol.	II.	Nadiya and Jessore.
Vol.	III.	Midnapur, Hugli and Howrah.
Vol.	IV.	Bardwan, Bankura and Birbhum.
Vol.	V.	Dacca, Bakarganj, Faridpur and Maimunsing.
Vol.	VI.	Chittagong Hill Tracts, Chittagong, Noakhali, Tipperah and Hill Tipperah.
Vol.	VII.	Maldah, Rangpur and Dinagepur.
Vol.	VIII.	Rajshahi and Bogra.
Vol.	IX.	Murshidabad and Pabna.
Vol.	X.	Darjiling, Jalpaiguri and Kuch Behar State.
Vol.	XI.	Patna and Saran.
Vol.	XII.	Gaya and Shahabad.
Vol.	XIII.	Tirhut and Champaran.
Vol.	XIV.	Bhagalpur and Santal Parganas.
Vol.	XV.	Monghyr and Purniah.
Vol.	XVI.	Hazaribagh and Lohardaga.
Vol.	XVII.	Singbhum, Tributary States and Manbhum.
Vol.	XVIII.	Cuttack and Balasor.
Vol.	XIX.	Puri and Tributary States of Orissa.
Vol.	XX.	Fisheries and Botany of Bengal, with General Index.
Vol.	XX.	General Index only.

Price, per volume, Rs. 4; postage, 5 annas.

Manual of Materia Medica in Urdu, compiled by SHAIK AKBAR ALLY, Civil Hospital Assistant, Dinapore. *Price, 8 annas per copy; packing and postage, 2 annas.*

Just published, pp. xxxv + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Fellow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 2 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 4 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 6 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 3 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1881. *Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 3 annas.*

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—Bound copies	...	... Rs.	45 0 0
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The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

Vol. I, bound in full cloth, lettered	...	Rs.	10 0 0
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Annual Statement of the Sea-borne Trade and Navigation of the Bengal Presidency, and of its Chief Port and each of the Subordinate Ports, with Foreign Countries, for the official year 1875-76. Vol. I. *Price, Rs. 12; postage, 10 annas.*

Rules for the Examination of, and grant of Certificates of Competency to, Masters, Mates and Engineers. *Price, Re. 1; postage, 1 anna.*

Abstract of the Rules of the Road at Sea, in English. *Price, Re. 1-4; packing and postage, 1 anna 6 pies.*

Ditto ditto in Bengali. *Price, Re. 1; packing and postage, 1 anna 6 pies.*

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Sanitary Primers in English and in Bengali. *Price, Rs. 6 per hundred, including transit and packing charges; single copies, 1 anna each.*

The Book named below having been declared a part of the obligatory equipment of Emigrant vessels, is now obtainable at the Bengal Secretariat Press at the price noted:—

West India Pilot, Vol. II	... Rs.	6 0 0

☞ *Cash must be sent with order.*

Apply to Accountant, Bengal Secretariat, 28 Chowringhee Road, Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 17, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

	Rs.	A.	P.
Subscription for *Gazette* and Supplement per annum	15	0	0
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For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	8	0

Postage on single copies varies according to weight.

E. J. DEAN,

Publisher, Gazette of India.

ADMINISTRATOR GENERAL'S OFFICE.

NOTICE.—The undermentioned Estates having come under charge of this Office, all persons having claims upon, being indebted to, or holding property belonging to the said Estates, are requested to place themselves in immediate communication with the undersigned:—

Edward Straton, a Captain in the 2nd Battalion, 22nd Regiment of Foot, died at Kandahar, on the 1st September 1880.

Oswald Eric Stewart Forbes, a Lieutenant in the 3rd Hussars, attached to the 14th Bengal Lancers, at Chardeh Valley, in Cabul, on the 11th December 1879.

James Daniel MacGiveron, of Monghyr, in the District of Bhaugulpore, at Monghyr, on the 25th August 1880.

Charles T. Brigden, of Allahabad, late an Assistant in the business of Mr. Thomas A. Rust, Photographer, in Allahabad, at Allahabad, on the 13th December 1880.

Elizabeth Sylva, of No. 6, Grant's Lane, in the Town of Calcutta, widow, at Calcutta, on the 25th June 1881.

Thomas John Nuthall, of Torquary, in the County of Devon, a Major-General in Her Majesty's Indian Army, Retired List, in England, on the 21st December 1880.

Thomas Nall Haigh, Locomotive Superintendent, Punjab Northern State Railway, at Jhelum, on the 23rd September 1880.

William Longheed, a Surgeon-Major in the Army Medical Department, at Peshawur, on the 25th September 1880.

James Andrews, a Band-supplier, and a Christian Inhabitant of the Town of Calcutta, at Calcutta, on the 9th June 1881.

Stephen William Woodstock, Chief Officer of the Screw Steamer *Hazara*, at Howrah, on the 3rd July 1881.

Thomas Brown, Inspector of Police, Sandoway District, British Burmah, in the Kyouk Phyoo District, on the 14th April 1881.

Charles Thomas Osmond Woodford, a European British Subject of Her Majesty, and a Doctor of Medicine, at Coonoor, in Madras, on the 19th June 1881.

William Phaire, a Lieutenant-Colonel in the Bengal Staff Corps, at Fyzabad, on the 2nd June 1881.

Kenneth Mackay, of the Government Telegraph Department, at Agra, on the 15th June 1881.

In the following Estates certificates have been granted under Section 36, Act II of 1874, by the Administrator General, and all persons having claims against the said Estates, should communicate with the persons to whom certificates have been granted:—

Emily Adeline Louisa Houston, of Howrah, widow of the late Peter Houston, at Howrah, on the 22nd March 1878, to Edward Clinton Stevenson, brother of the deceased.

Henry Granger, a Signaller in the Government Telegraph Department, Lahore, at Lahore, on the 13th September 1879, to Ann Johnson, sister of the deceased.

Grace Barnes, of Purneah, widow, at Purneah, on the 9th May 1881, to Robert Charles Poulson Perry, nephew of the deceased.

Henry Walter Moore Sleigh, a Passed Hospital Apprentice, at Howrah, on the 28th April 1881, to Henry Sleigh, father of the deceased.

William Charles Herd, Station Master, Arrah, East Indian Railway, at Sea, on board the P. and O. Company's Steamer *Siam*, on the 16th July 1881, to Isabella Herd, widow and executrix of the deceased's will.

F. CLARKE,
Offg. Administrator Genl.

HIGH COURT, CALCUTTA,
The 10th September 1881.

BANK OF BENGAL.

NOTICES.

Calcutta, the 5th September 1881.

DOORGA POOJAH HOLIDAYS.

The Bank will be open till 1 P.M. for the transaction of urgent business on the following days:—

Wednesday, September 28th.
Thursday, ,, 29th.
Tuesday, October 4th.
Wednesday, ,, 5th.
Thursday, ,, 6th.

By Order of the Directors,
R. HARDIE,
Secretary & Treasurer.

The 13th September 1881.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Friday, the 23rd instant, on account of Hindoo festival "Mohalaya."

By Order of the Directors,
R. HARDIE,
Secretary & Treasurer.

SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 9th September 1881.

No. 239.—Lieutenant the Hon'ble M. G. Talbot, R.E., Assistant Superintendent, 3rd Grade, is granted special Afghanistan leave for forty-seven days, from the forenoon of this date.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 9th September 1881.

No. 1819 *G.*—Second Class Hospital Assistant Runjeet Singh is granted forty days' privilege leave from the 9th August 1881.

No. 1821 *G.*—Second Class Hospital Assistant Gholam Ahmed and 3rd Class Hospital Assistant Nidhe Lal are transferred from the Reserve List of Hospital Assistants, for service in the Jeypore State, with effect from 1st September 1881.

The 10th September 1881.

No. 1828 *G.*—With reference to this Office Notification No. 1512 G., dated 29th July 1881, Captain A. C. Talbot and Major V. E. Law, respectively, delivered over, and received, charge of the Ulwar Political Agency on the forenoon of the 13th August 1881.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

RESIDENT IN MYSORE.

NOTIFICATION.

Bangalore, the 3rd September 1881.

No. 1402—499.—Mr. A. B. Bride is appointed Special Sub-Registrar of Assurances of the Civil and Military Station of Bangalore, on probation for six months, from the 1st September 1881.

By Order,
W. J. CUNINGHAM,
Asst. to the Resident.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th June 1881.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS									REDUCED 4 PER CENT LOAN OF 1879.	TOTAL AMOUNT.
		Of 1824-25.	Of 1829-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.				
Balance of 15th June 1881	54,100	38,506	3,413	15,09,973	30,48,500	2,21,35,500	1,08,73,800	1,79,36,200			2,90,59,700	19,62,44,992
Add—												
Amount enfaced at Madras between 16th and 30th June 1881	...	...	...	...	...	...	...	...			...	3,500
Amount enfaced at Bombay between 16th and 30th June 1881	...	...	...	...	...	1,000	...	...			...	2,66,500
Amount enfaced at Calcutta between 16th and 30th June 1881	...	...	...	10,666	9,400	68,500	3,000	1,40,500			10,000	7,37,666
	54,100	38,506	3,413	15,20,639	30,57,900	2,23,05,000	1,08,76,800	1,79,85,700			2,90,69,700	19,72,52,658
Deduct—												
Amount written off in the London Registers	...	...	...	83,986	1,000	2,32,000	10,800	2,79,100			1,26,700	9,82,986
Balance on 30th June 1881	54,100	38,506	3,413	14,26,773	30,56,900	2,19,73,000	1,08,65,700	1,77,06,600			2,89,43,000	19,62,69,792

TRANSFER LOAN OF 1879, SEVEN SHILLINGS STERLING PER CENT. PORTION.	5 PER CENT. DEBENTURE FOR 15 YEARS, RE-PAYABLE JUNE 1882.	5 PER CENT. LOAN OF 1856-57.	6½ PER CENT. LOAN OF 1859-60.	TOTAL AMOUNT.
1,08,500	33,07,000	64,300	7,400	19,62,44,992
...	...	...	...	3,500
...	...	...	...	2,66,500
...	...	...	...	7,37,666
1,08,500	33,07,000	64,300	7,400	19,72,52,658
...	...	...	...	9,82,986
1,08,500	33,07,000	64,300	...	19,62,69,792

NOTE.—From 9th June 1867 to 30th April 1881, enfaced from India 4,119 lakhs; re-transferred from London, 3,566 lakhs.
" 1st May 1881 to 15th May " " " 10 " "
" 16th " " to 31st " " " 39 " "
" 1st June " to 15th June " " " 34 " "
" 16th " " to 30th " " " 10 " "
4,212 lakhs.
3,599 "
613 lakhs.

Balance against India

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 6th September 1881.

ACCOUNTANT GENERAL'S OFFICE.
Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 1st September 1881.

Order of receipt.	Public Works (Buildings and Roads and Military Works Branch) and Telegraph. Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam ...	June 1881	Aug. 18, 1881
2	Coorg ...	Do.	Do. 19, ,,
3	Mysore ...	,,	Do. 20, ,,
4	Military Works Branch ...	Do.	Do. 22, ,,
	Port Blair ...	,,	Do. 24, ,,
6	Punjab ...	Do.	Do. 25, ,,
7	Rajputana ...	,,	Do. 26, ,,
8	Central India ...	Do.	Do. 27, ,,
9	Hyderabad (Imperial) ...	,,	Do. 29, ,,
	Hyderabad (Assigned Districts).	Do.	Do. 31, ,,
11	Bengal ...	,,	Sep. 1, ,,
	Baluchistan Agency ...	Do.	Aug. 2, ,,
13	Madras ...	,,	Do. 29, ,,
	North-Western Provinces and Oudh.	Do.	Do. 31, ,,
15	British Burmah ...	Do.	Sep. 1, ,,
16	Bombay ...	Do.	Aug. 2, ,,
17	Central Provinces ...	May	
	Telegraph Dept.		
1	Indian Telegraph ...	May 1881	Aug. 5, 1881
	Indo-European ...		

Order of receipt.	Irrigation. Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam ...	June 1881	Aug. 17, 1881
2	Punjab ...	Do.	Do. 22, ,,
3	North-Western Provinces and Oudh.	Do.	Do. 23, ,,
	Rajputana ...	,,	Do. 24, ,,
4	British Burmah ...	Do.	
6	Bengal ...	,,	Do. 26, ,,
7	Madras ...	,,	Do. 29, ,,
8	Bombay ...	,,	Sep. 1, ,,
	Guaranteed Railways.		
1	Punjab ...	June 1881	Aug. 22, 1881
2	Bengal ...	Do.	Do. 24, ,,
	Madras ...		
3	North-Western Provinces and Oudh.	Do.	Do. 29, ,,
5	Bombay ...	Do.	Sep. 1, ,,

Order of receipt.	State Railways (Capital). Accounting Offices.	Last month for which received.	Date of receipt.
1	Rangoon and Irrawaddy Valley.	June 1881	Aug. 17, 1881
2	Calcutta & South-Eastern	Do.	Do. 26, ,,
	Northern Bengal ...	,,	Do. 31, ,,
4	Nizam's ...	Do.	July 13, ,,
5	Dhond & Manmad ...	May	Do. 20, ,,
6	Nalhati ...	Do.	
	Tirhoot ...	,,	
7	Patna and Gya ...	Do.	Do. 25, ,,
	Wardah Coal ...	,,	
10	Nagpur & Chhattisgarh ...	Do.	Do. 24, ,,
11	Holkar & Sindia-Nimach ...	Do.	Do. 27, ,,
12	Indus Valley ...	Do.	Do. 30, ,,
	Rajputana ...	,,	
13	Sindia ...	Do.	Aug. 1, ,,
	Punjab Northern ...	,,	
16	Mysore ...	Do.	Do. 2, ,,
	Bhavnagar & Gondal ...	,,	
18	Mutra-Hathras ...	Do.	Do. 13, ,,
	Cawnpore-Farukhabad ...	,,	Do. 22, ,,
20	East Indian ...	Do.	

J. J. McLEOD INNES, *Colonel, R.E.,*
Accountant General, P. W. Dept.

SIMLA,
The 8th September 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 13th September 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,12,001	4	4
Public Deposits at Head Office (Rs. 1,14,82,791 3 7)			
Public Deposits at Branches (1,61,36,273 0 10)	2,76,19,064	4	5
Other Deposits at Head Office and Branches	2,47,49,962	14	6
Bank Post Bills, &c.	3,73,702	3	9
Sundries	11,20,584	1	5
RUPEES	7,63,75,314	12	5

ASSETS.	Rs.	A.	P.
Government Securities	1,00,42,602	0	0
Other authorized Investments	37,94,980	0	0
Loans on Government and other authorized Securities	59,19,239	15	9
Accounts of Credit on Government and other authorized Securities	57,01,325	6	11
Bills discounted and purchased	2,06,13,425	15	6
Balances with other Banks	6,66,042	15	6
Bullion	1,51,414	5	5
Dead Stock	11,25,841	3	3
Stamps	8,321	2	11
Sundries	4,90,301	5	6
	4,85,13,494	6	9
Cash and Currency Notes at Head Office (Rs. 1,10,16,375 12 1)			
Cash and Currency Notes at Branches (1,68,45,444 9 7)	2,78,61,820	5	8
RUPEES	7,63,75,314	12	5

BANK OF BENGAL,
Calcutta, 15th Sept. 1881.

J. GORDON,
Chief Accott. & Depy. Secretary.

By order of the Directors.
R. HARDIE.
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on: General Treasury.	Certificates issued on: Currency Department.	Balance of Bullion: Under Assay.	Balance of Bullion: Assayed.	Balance of Bullion: Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sept. 5	...	...	...	1,29,034	21,14,032	4,57,269
,, 6	...	...	...	1,29,034	21,13,973	4,57,269
,, 7	...	...	1,24,004	12,421	22,30,585	5,79,881
,, 8	...	...	...	12,421	21,96,585	5,79,881
,, 9	...	...	18,129	72	20,43,969	5,96,221
,, 10	...	...	...	72	20,43,969	5,96,221

CALCUTTA MINT,
The 12th Sept. 1881.

R. V. RIDDELL, *Major, R.E.,*
Offg. Mint Master.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 8th September 1881.

No. 60.—Mr. H. S. Harington, Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani in January 1881.

F. S. STANTON, *Col., R.E.,*
Offg. Director General of Rys.

Report of a Deserter from the 1st Regiment of Dragoon Guards, dated at Meerut, this day of September 1881.

Number, Rank, and Name,—Unpassed Hospital Apprentice Edwin Murray.
Age,—19 years 1 month.
Size,—5 feet 8 inches.
Colour of—
Complexion, fair; Hair, brown; Eyes, grey.
Date of Desertion,—9th September 1881.
Place of Desertion,—Meerut.
Date of Enlistment,—Not known.
Place of Enlistment,—Not known.
Parish and County in which Born,—Not known.
Marks,—Not known.
Trade,—Not known.
Coat or Jacket, } White or plain clothes.
Waistcoat,— ... }
Breeches or Trowsers,— ... }
REMARKS,—Supposed to have gone to Saharunpur.

H. ALEXANDER, *Col.,*
Comdg. 1st Dragoon Guards.

Report of a Deserter from the I Battery, 5th Brigade, Royal Regiment of Artillery, dated at Barrackpore, this 13th day of September 1881.

Number, Rank and Name,—No. 4479-4, Acting Bombardier Mathew Treacey.
Age,—22 years 6 months.
Size,—5 feet 11 inches.
Color of—
Complexion, fresh; Hair, dark brown; Eyes, hazel.
Parish and County in which Born,—In India.
Marks,—None.
Trade,—None.
Coat or Jacket, } Regimentals (white).
Waistcoat,— ... }
Breeches or Trowsers— ... }
Date of Desertion,—10th September 1881.
Place of Desertion,—Barrackpore.
Date of Enlistment,—31st May 1875.
Place of Enlistment,—Barrackpore.
REMARKS,—None.
Under 7 years' service.

H. C. L. HOLDEN, *Lieut., R.A.,*
Comdg. I-5th R.A.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
191	D 17—16008 ...	50	Pundit Peyarey Kishon, Lucknow.
	,, —27725 ...	50	
	,, —29496 ...	50	
	D 18—27991 ...	100	
	,, —65923 ...	100	
	,, —70429 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
125	D 11—46322 ...	10	Omrao Singh, Lahore.
126	D 17—11735 ...	50	Mr. L. B. B. King, B.C.S., Dinagepur.

ALLAHABAD,
The 14th September 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
174	... O 88—49173 ...	100	Hullodhur Shaha.
175	... O 88—08863 ...	100	Babu Jogendra Nath Banerjee.
178	... O 96—02116 ...	100	Brojobasi Shama bin Shaha.
179	.. O 96—46133 ...	100	Balgobind Shah.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
106	... L 11—42679	5	Babu Prosanno Comar Paul.
	L 9—40085		
	L 21—03361	5	
	„ —03360		
	O 43—40418	10	
	O 12—04679		
	O 80—51047	10	
	O 92—13695		
107	... O 60—57755	20	Mr. W. Rahn.
	O 62—85812		
108	... L 59—06154	10	Mr. J. Dyer.
	„ —06152		
133	... O 96—49239 ...	100	Messrs. J. Dickinson & Co.
	O 87—28673 ...	20	
134	... L 20—22414 ...	5	Abdul Rouff.
135	... O 75—60788 ...	10	Mr. Dorabjee Hormusjee Mehta.
	O 61—91723 ...	20	
136	... O 96—39786 ...	100	Mohamed Syeed.
137	... O 71—52789 ...	500	Deby Chand.
	O 96—28034 ...	100	
138	... O 78—27157 ...	10	Hajee Abdul Latif.
	„ —27158 ...	10	

CALCUTTA,
The 16th September 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
35	... O 71—37110 ...	500	Sohan Shah, Banker, Lahore.
	„ —37111 ...	500	
36	... E 13—56269 to „ —56279	100 each.	Baboo Sri Ram Chander Ghosal, Cantonment, Jullundur.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
36	... E 4—67623 ...	50	Jai Ram Das, Nandi Ram, Mehar.
41	... N 5—03351 ...	100	Pandit Rakhi Kosh, Lahore.

LAHORE,
The 10th September 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
39	... B 64—26636 ...	20	R. C. Chapman, Esq., Financial Department, Madras.
	„ —53517 ...	20	
	„ —53520 ...	20	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
68	... B 68—02690 ...	100	N. Krishnaswami Mudali, Subroya Mudali Street, Madras.
69	... B 47—64924 ...	5	Mrs. Tingey, St. John's Hill, Bangalore.
	B 63—82856 ...	10	
71	... B 56—07598 ...	10	Venkata Rao, Record-keeper, Banavar Taluk, Kadur District, Mysore Province.

FORT SAINT GEORGE,
The 5th September 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 7th September 1881.

No. 6308.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, BEHAR.

Mr. J. W. Buckner, 1st Grade Superintendent, is posted to the Bhagalpur Division.

Munshi Habibul Rahmon Ahmed, 4th Grade Superintendent, is posted to the Purneah Division.

Mr. J. F. Meik is promoted to the 3rd Grade of Superintendents, and posted to the Arrah Division.

Mr. Colin Currie is appointed to be a 4th Grade Superintendent, and posted to the Mozufferpore Division.

Mr. R. H. Grainger, 4th Grade Superintendent, is posted to the Patna Division.

Mr. H. Tulloch is appointed to be an Examiner of Post Office Accounts.

The 13th September 1881.

No. 6551.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, MADRAS.

Mr. V. Kanakasabai Pellay, B.A., B.L., is appointed temporarily to be Personal Assistant to the Post Master General.

Mr. P. Auantha Charlu, B.A., 4th Grade Superintendent, on probation, is posted temporarily to the St. Thomas' Mount Division.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

The 8th September 1881.

Tenders are invited for a service by steamer from Calcutta to Port Blair and thence to Camorta, and back *vid* Port Blair, Rangoon and Port Blair to Calcutta, once in every four weeks. The contract to commence on the 1st May 1882 and to last two years.

Tenders should state—

(1).—Tonnage of steamer, both gross register and net register.

(2).—The horse-power of the engines.

(3).—The maximum number of passengers of each class that can be carried.

(4).—The rates of fares for Government passengers of each class.

(5).—The rates of freight at which cargo will be carried.

(6).—The time to be occupied between port and port.

(7).—The subsidy required.

(8).—Any further particulars of importance.

2. Tenders should be submitted on or before the 1st January 1882, addressed to the Director General of the Post Office of India, Calcutta, to whom intending tenderers may in the meantime apply for any further information they desire.

3. The Director General does not bind himself to accept the lowest tender, or any tender, or to assign any reason for rejection of tender.

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

Calcutta, the 16th September 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	23rd Sep.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	23rd „	Str. *Madura.*
Madras and Ceylon . . .	7 „	22nd „	P. & O. Str. *Khedive.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also for Australian Colonies .	7 „	20th „	From Bombay.
Foreign Mails *vid* Bombay .	7 „	26th „	From Bombay.
Do. Book Post and Pattern Packets . . .	7 „	25th „	From Bombay.
Rangoon, Moulmein, and Straits .	7 „	22nd „	Str. *Rajpootana.*
Chittagong, Akyab, Kyouk Phyoo, and Rangoon . . .	7 „	22nd „	Str. *Madras.*
Foreign Mail *vid* Bombay .	7 „	17th „	From Bombay.*

* Also *vid* Aden for Zanzibar, Mozambique; also *vid* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

From the 29th September 1881 and until further notice the Foreign Mail Steamer will be despatched from Bombay every Thursday, the Mails closing in Calcutta every Monday. The last Saturday Mail will be closed at the Calcutta General Post Office on the 17th September 1881 and the first Monday Mail on the 26th September 1881.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. Tenders will be received up to the 15th November 1881.

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,
Exe. Engr. for Irrigation, Poona Division.

POONA,
The 31st August 1881.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers :—

Nos.	Varieties.	Contents. C. feet	In.	P.
371	Teak	9,230	8	6
33	Blackwood . . .	1,196	4	8
279	Benteak . . .	7,848	7	5
208	Karimardu . . .	7,028	4	1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.			

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE, NILAMBUR;
The 17th June 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورهٔ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارهٔ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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Complete set	„	4 0

Persons desiring to subscribe for or purchase the Reports, should apply to—

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MESSRS. HIGGINBOTHAM AND CO., MADRAS;

THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;

THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Serain. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moeletivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30′ N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*

False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re.*

Ceylon, East Coast—

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Prevaris North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
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„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
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„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

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„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
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„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

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„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
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„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.

No. 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 24, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 16th September 1881.

Mr. F. J. Fergusson, the Official Trustee of Bengal, having obtained two months' leave of absence during the ensuing annual vacation, commencing from the 19th of September instant, the Honorable the Chief Justice has, under Section VII of Act XVII of 1864, appointed Mr. Tindal A. Pearson, Barrister-at-law, to officiate as Official Trustee during the absence of Mr. Fergusson, or until further order.

By Order,
R. BELCHAMBERS,
Registrar.

BANK OF BENGAL.

NOTICE.

Calcutta, the 19th September 1881.

DOORGA POOJAH HOLIDAYS.

With reference to the notice of 5th instant, intimating that the Bank will be open till 1 P.M. for the transaction of urgent business on the 28th and 29th instant, and 4th, 5th and 6th proximo, notice is hereby given that the following days will be observed as close holidays:—

Friday, September 30th, to Monday, October 3rd, both days inclusive.

Friday, October 7th.

Saturday, October 8th.

The Public Debt Office and Government Savings Bank will be closed from the 28th September to 8th October, both days inclusive.

By Order of the Directors,
R. HARDIE,
Secretary & Treasurer.

SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 13th September 1881.

No. 240.—Major H. S. Hutchinson, S.C., Assistant Superintendent, 2nd Grade, Officiating 1st Grade, Survey of India, having availed himself of the furlough granted to him in Military Department Notification No. 470, dated 26th August 1881, on the 29th idem, the following temporary promotion is made, with effect from the same date:—

Lieutenant-Colonel E. P. Leach, R.E., V.C., Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATIONS.

Indore Residency, the 13th September 1881.

No. 1839.—With reference to Central India Agency Notification No. 1517, dated the 30th July 1881, Surgeon P. M. Grant, in medical charge, 1st Regiment, Central India Horse, Goona, availed himself, on the 14th August 1881, of the privilege leave for three months therein granted.

No. 1840.—With reference to Foreign Department Notification No. 1541 G.-G., dated the 12th August 1881, Surgeon P. M. Grant and Surgeon H. C. Banerji, respectively, made over and received medical charge of the 1st Regiment, Central India Horse, and Political Agency, Goona, on the 14th idem.

By Order,
J. BURNE, *Captain,*
2nd Asst. Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 13th September 1881.

No. 1833 *G.*—LEAVE.—Major J. H. L. Greenfield, 2nd-in-Command, Deoli Irregular Force, is granted thirty-six days' privilege leave from the 3rd September 1881, or such subsequent date as he may avail himself of the same.

The 14th September 1881.

No. 1854 *G.*—Brevet Lieutenant-Colonel A. Conolly, Officiating Commandant, Deoli Irregular Force, returned from the privilege leave granted him in this Office Notification No. 1102 G., dated 14th June 1881, on the 3rd September 1881, and assumed charge of his duties.

The 17th September 1881.

No. 1870 *G.*—Major J. H. L. Greenfield, 2nd-in-Command, Deoli Irregular Force, availed himself, on the 12th September 1881, of the privilege leave granted him in this Office Notification No. 1833 G., dated 13th September 1881.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Bangalore, the 13th September 1881.

No. 909—146.—Under Section 4 of the Indian Registration Act No. III of 1877, the Chief Commissioner of Coorg is pleased to appoint the Superintendent of Coorg and Inspector of Registration in Coorg to be Inspector General of Registration in Coorg from the 1st October 1881, and it is hereby declared that the Office of Inspector of Registration in Coorg is abolished from that date.

2. Mr. H. Hudson, the present Inspector General of Registration in Coorg, will cease to exercise those functions from the above date.

By Order,
W. J. CUNINGHAM,
Secretary.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATION.

Port Blair, the 15th September 1881.

No. 13.—During the absence of Surgeon W. Owen, M.D., on the privilege leave granted him in this Office Notification No. 12 of the 8th instant, the following arrangements are made for the conduct of the duties of the 2nd and 3rd Medical Officers of the Settlement:—

Assistant Surgeon Aushoke Krishna Shah, 3rd Medical Officer, to officiate as 2nd Medical Officer.

Apothecary J. T. Peters, to officiate as 3rd Medical Officer.

T. CADELL, *Lieut.-Col.,*
Chief Commr. of the Andaman and Nicobar Islands, and Supdt. of Port Blair and Nicobars.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 31st August 1881.

No. 42.—Third Class Hospital Assistant, No. 211, Shaik Arrung Sha, of the military list, is placed at the disposal of the Chief Commissioner for permanent civil employment in Assam.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 14th September 1881.

No. 54.—Lieutenant H. Appleton, R.E., Assistant Engineer, is appointed to officiate as Executive Engineer, Peshawar Division, Military Works, during the absence of Lieutenant T. P. Cather, R.E., Executive Engineer, on privilege leave.

C. W. HUTCHINSON, *Lieut.-Genl., R.E.,*
Inspr. Genl. of Military Works.

Report of a Deserter from the I Battery, 5th Brigade, Royal Regiment of Artillery, dated at Barrackpore, this 16th day of September 1881.

Number, Rank and Name,—No. 6013, Gunner George Graves.
Age,—25 years 5 months.
Size,—5 feet 7¼ inches.
Color of—
Complexion, sallow; Hair, black; Eyes, grey.
Parish and County in which Born,—Bloomsbury, London, Middlesex.
Marks,—Left thumb nail ridged.
Trade,—Carpenter.
Coat or Jacket,— } Regimentals (white).
Waistcoat,— ... } Regimentals (white).
Breeches or Trowsers— ... } Regimentals (white).
Date of Desertion,—16th September 1881.
Place of Desertion,—Barrackpore.
Date of Enlistment,—24th February 1881.
Place of Enlistment,—Barrackpore.
REMARKS,—None.
Under 1 year's service.

H. C. L. HOLDEN, *Lieut., R.A.,*
Comdg. I-5th R.A.

Report of a Deserter from the 2nd Battalion, Royal Light Regiment of Foot, dated at Colaba, Bombay, this 17th day of September 1881.

Number, Rank, and Name,—No. 11B.—1268, Private John Davies.
Age,—24 years 9 months.
Size,—5 feet 7½ inches.
Colour of—
Complexion, fresh; Hair, brown; Eyes, hazel.
Date of Desertion,—12th September 1881.
Place of Desertion,—Colaba, Bombay.
Date of Enlistment,—21st December 1876.
Place of Enlistment,—Portsmouth, England.
Parish and County in which Born,—Liverpool, Lancaster.
Marks,—Tattoo mark back of left hand.
Trade,—Seaman.
Coat or Jacket,—White kirkee.
Waistcoat,—*Nil.*
Breeches or Trowsers,—White kirkee.
REMARKS,—None.
Under 5 years' service.

C. P. STOKES, *Lieut.-Col.,*
Comdg. 2nd Battn., R. I. Regt. of Foot.

NOTICE.

The Office of the Registrar of the Diocese of Calcutta and Lahore has been removed to the south-east room of the lower floor of the Town Hall from the 1st September 1881.

F. J. FERGUSSON,
Registrar.

TOWN HALL, CALCUTTA;
The 10th September 1881.

NOTICE.

IN THE COURT OF THE COMMISSIONER OF AJMERE-MERWARA.

Insolvency of Nadir, son of Subhani, a resident of Nasirabad, in the Ajmere District.

Notice is hereby given that Nadir, son of Subhani, of Nasirabad, has been declared insolvent, and discharged by this Court under the provisions of Section 351, Act X of 1877.

Given under my hand and the seal of the Court, this 14th day of September 1881.

L. S. SAUNDERS,
Commissioner.

AJMERE,
The 13th September 1881.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. **Tenders will be received up to the 15th November 1881.**

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,
Exe. Engr. for Irrigation, Poona Division.

POONA,
The 31st August 1881.

NOTICE.

The following stock in the Nilambur Division is open to inspection and offers:—

Nos.	Varieties.	Contents.
		C. feet In. P.
371	Teak	9,230 8 6
33	Blackwood	1,196 4 8
279	Benteak	7,848 7 5
208	Karimardu	7,028 4 1
45,500	Teak saplings of classes according to size varying from 15 to 40 feet in length and from 3 to 10 inches diameter butt-end.	

The above stock is stored in the Forest and Plantation Depôts, respectively, on the river bank, convenient for tying into rafts for transport to the sea coast at Calicut and Beypore. For further particulars, apply to the undersigned.

J. FERGUSON,
Depy. Conservator.

DEPY. CONSVR.'S OFFICE, NILAMBUR;
The 17th June 1881.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th July 1881.

PARTICULARS.	3½ per cent. Loans	4 per cent. Loans							4½ per cent. Loans					5 per cent. Debenture for 15 years, re-payable June 1882.	5 per cent. Loan of 1856-57.	6 per cent. Loan of 1859-60.	TOTAL AMOUNT.
	3½ per cent. Loan of 1863-64.	Of 1824-25.	Of 1826-29.	Of 1833-53.	Of 1853-54.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1870.	Of 1870.	Of 1871.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Transfer Loan of 1879, seven Shillings Sterling per cent. Portion.				
Balance of 30th June 1881	54,100	38,506	3,413	14,26,773	30,86,800	1,08,65,700	1,77,49,000	2,89,50,000	46,04,400	2,59,000	1,09,61,100	9,37,98,200	1,06,500	33,07,000	64,300	...	19,72,30,193
Add—																	
Amount enfaced at Madras between 1st and 16th July 1881	...	...	...	...	...	...	...	...	...	...	...	14,500	...	...	...	...	14,500
Amount enfaced at Bombay between 1st and 16th July 1881	...	...	...	...	1,000	1,500	7,000	500	...	...	87,400	7,65,100	...	...	...	...	8,73,500
Amount enfaced at Calcutta between 1st and 16th July 1881	...	...	...	...	...	...	34,400	6,500	2,000	...	4,700	17,000	...	...	...	...	63,400
	54,100	38,506	3,413	14,26,773	30,87,800	1,08,67,200	1,77,49,000	2,89,50,000	46,04,400	2,59,000	1,09,61,100	9,37,98,200	1,06,500	33,07,000	64,300	...	19,72,30,193
Deduct—																	
Amount written off in the London Registers	...	...	...	...	...	44,000	1,79,500	3,000	1,000	72,000	2,000	1,37,600	...	...	...	...	5,90,600
Balance on 15th July 1881	54,100	38,506	3,413	14,26,773	30,87,800	1,08,23,200	1,75,69,500	2,89,47,000	46,03,400	1,87,000	1,09,59,100	9,36,60,600	1,06,500	33,07,000	64,300	...	19,66,35,592

NOTE.—From 9th June 1867 to 14th May 1881, enfaced from India 4,129 lakhs; re-transferred from London, 3,574 lakhs.

14th May 1881 to 31st	39	8	
1st June to 15th June	34	8	
16th " to 30th "	10	9	
1st July to 15th July	0	5	
	4,221 lakhs.	3,604 lakhs.	
Balance against India	3,604		
	617 lakhs.		

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 20th September 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 20th September 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 1,00,62,000 4 7) and Public Deposits at Branches (Rs. 1,56,33,761 6 5)	2,56,95,761	11	0
Other Deposits at Head Office and Branches	2,82,06,406	9	2
Bank Post Bills, &c.	4,50,477	4	5
Sundries	11,73,432	11	8
RUPEES	7,80,38,044	8	7

ASSETS.	Rs.	A.	P.
Government Securities	1,09,28,310	0	0
Other authorized Investments	37,94,980	0	0
Loans on Government and other authorized Securities	72,22,766	9	3
Accounts of Credit on Government and other authorized Securities	55,94,178	8	2
Bills discounted and purchased	2,19,03,996	4	4
Balances with other Banks	7,57,832	1	8
Bullion	2,15,173	12	3
Dead Stock	11,33,814	3	1
Stamps	8,074	3	11
Sundries	5,06,514	3	0
	5,20,65,639	13	8
Cash and Currency Notes at Head Office (Rs. 96,07,934 3 6) and Cash and Currency Notes at Branches (Rs. 1,63,64,470 7 5)	2,59,72,404	10	11
RUPEES	7,80,38,044	8	7

BANK OF BENGAL,
Calcutta, 22nd Sept. 1881.

J. GORDON,
Chief Acctt. & Depy. Secretary.

By order of the Directors,
R. HARDIE.
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sept. 12	1,908	...	...	1,961	20,43,868	5,86,231
" 13	...	...	...	1,961	20,43,913	5,86,231
" 14	...	...	...	1,961	19,77,717	5,86,231
" 15	...	...	79	1,961	19,77,717	5,86,231
" 16	...	...	...	1,906	22,27,068	5,86,300
" 17	...	...	1,834	33	22,38,966	5,88,186

CALCUTTA MINT,
The 19th Sept. 1881.

R. V. RIDDELL, *Major, R.E.*,
Offg. Mint Master

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
H105	M 11—95166	5	Sorabji Bomanji, Bombay.
H106	M 54—14411	10	Joseb Mahomed, Belgaum.
	M 10—20878	5	
H107	M 55—10714	10	N. Harrippa, Chick Maglur'
H108	M 58—34216	10	J. H. Fernandez, Bombay.
M52	M 47—78886	10	Pestonji Merwanji, Bombay.
	" —78887		

BOMBAY,
The 20th September 1881.

W. T. PIERCY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
181	O 96—25374	100	The District Superintendent of Police, Shahabad.
	" —34459	100	
	" —29104	100	
	" —48073	100	
	" —48074	100	
182	O 32—66149	50	The Post Master, Calcutta.
183	P 2—70218	10	Jogodanund Auddy.
184	O 32—76962	50	Mr. F. C. Brown.
	" —76963	50	
185	O 96—18566	100	Mr. R. Willis.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
139	O 32—40618	50	Mr. R. J. Bailey.
140	L 29—11274	5	Babu Rup Narayon Chatterjee.
141	O 94—84262	10	Mohamed Yakoob.
142	O 76—33852	10	Syed Abdul Latiff.
143	O 78—32033	10	Babu Khetter Mohun Das.
144	O 69—94631	100	Mr. L. B. B. King.
	O 31—92253	50	
	O 32—43485	50	
	" —39423	50	
	O 31—08599	50	
	O 30—11506	50	
145	O 64—22890	20	Didar Buksh.
146	O 1—23818	10	Moulvie Abedul Akbor.
147	O 85—12828	20	Jogodanund Auddy.
148	O 88—56612	100	Shaik Kurreem Tollee.
	" —40220	100	
149	O 66—26861	100	Messrs. Framjee and Sons.
150	O 51—82988	10	Babu Durgauarayon Roy.
151	L 28—51552	5	Bunseedhur.
	" —51553	5	
152	O 93—40969	10	Mr. Geo. Chater.
109	O 60—52735	20	Babu Ottul Behari Sen.
	O 26—10493		
110	O 88—69780	100	The Treasury Officer, Rajshahye.
	" —69781		
111	O 87—33605	20	Mr. R. D. Oldham.
	" —33606		
112	L 56—25502	5	Mr. E. C. Bird.
	" —25504		

CALCUTTA,
The 22nd September 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 13—08504 ...	20	Sister M. de St. Michel' Convent du Bon Pasteur' Bangalore.
J 9—34862 ...	10	V. K. Raghavacharry, Madras.
J 7—78535 } * B 40—72726 }	5	C. Chinnayan Pillay, Calicut.
J 10—57847... } „ —50467... }	100	M. Ramen Shetty, Palghat.

* Wrongly joined.

CALICUT,
The 16th September 1881.

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
50	... E 15—89287 ...	50	Messrs. King, King & Co., of Bombay, on behalf of Major Haywood.
10	... E 17—16272 „ —41116	20	F. Keighley, Esq., Dalhousie.

LAHORE,
The 17th September 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
72	... B 68—31510 ...	100	M. Muthumira Rowther, 22, Mutakaren Street, Madras.
	„ —31511 ...	100	
	„ —31512 ...	100	
	„ —31513 ...	100	
	„ —31514 ...	100	
	B 51—66790 ...	500	
	„ —66812 ...	500	

FORT SAINT GEORGE,
The 12th September 1881.

C. HALL,
Offg. Chief Clerk to the Accts. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881-82.		Rs.	
H10	... F 9—87181 ...	50	Sheikh Boolakhy, Nandkeshore, Merchants, Pachmarhi.

NAGPUR,
The 15th Sept. 1881.

W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 8th September 1881.

Tenders are invited for a service by steamer from Calcutta to Port Blair and thence to Camorta, and back *viâ* Port Blair, Rangoon and Port Blair to Calcutta, once in every four weeks. The contract to commence on the 1st May 1882 and to last two years.

Tenders should state—

(1).—Tonnage of steamer, both gross register and net register.

(2).—The horse-power of the engines.

(3).—The maximum number of passengers of each class that can be carried.

(4).—The rates of fares for Government passengers of each class.

(5).—The rates of freight at which cargo will be carried.

(6).—The time to be occupied between port and port.

(7).—The subsidy required.

(8).—Any further particulars of importance.

2. Tenders should be submitted on or before the 1st January 1882, addressed to the Director General of the Post Office of India, Calcutta, to whom intending tenderers may in the meantime apply for any further information they desire.

3. The Director General does not bind himself to accept the lowest tender, or to assign any reason for rejection of tender.

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 13th September 1881.

No. 6564.—Mr. M. Percy, Presidency Post Master, Madras, resumed charge of his office, on return from one year's furlough, before noon on the 1st September.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 23rd September 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	1st Oct.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	30th Sep.	Str. *Ethiopia.*
Foreign Mails *viâ* Bombay	7 „	26th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	25th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	29th „	Str. *Malda.*
Chittagong, Akyab, and Rangoon	7 „	29th „	Str. *Commilla.*
Port Blair and Camorta	7 „	30th „	Str. *Satara.*

From the 29th September 1881 and until further notice the Foreign Mail Steamer will be despatched from Bombay every Thursday, the Mails closing in Calcutta every Monday. The first Monday Mail will be closed at the Calcutta General Post Office on the 26th September 1881.

N.B.—The Letter Box will close at 7 P.M. precisely, after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 18th September 1881.

Agents, Harrison Line Steam Co.
Alcock, Thomas.
Anderson, Mrs. A. K.
Ashdown, Alcock & Co.
Aviett, G.
Bengham, Captain C. T.
Blunt, Lt. E. W.
Bolst, Miss R. E.
Brown, Rev. J.
Campbell, Lt. Grey.
Cane, Miss.
Cassarley, J.
Chapman, Mrs. H. D.
Chatterjee, M. L.
Collett, C. W.
Coulson, C. J. G.
Cullodin, Mrs. M.
Davies, S. P.
D'Cruz, W.
Deane, J. H.
D'Souza, Mrs.
Dovcett, T. R.
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Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
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„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Belilling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

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No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma. Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
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„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
No. 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
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The Quarterly Civil List for Bengal, corrected up to the 1st July 1881. *Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 3 annas.*

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

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Annual Statement of the Sea-borne Trade and Navigation of the Bengal Presidency, and of its Chief Port and each of the Subordinate Ports, with Foreign Countries, for the official year 1875-76. Vol. I. *Price, Rs. 12; postage, 10 annas.*

Rules for the Examination of, and grant of Certificates of Competency to, Masters, Mates and Engineers. *Price, Re. 1; postage, 1 anna.*

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Sanitary Primers in English and in Bengali. *Price, Rs. 6 per hundred, including transit and packing charges; single copies, 1 anna each.*

The Book named below having been declared a part of the obligatory equipment of Emigrant vessels, is now obtainable at the Bengal Secretariat Press at the price noted:—

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☞ *Cash must be sent with order.*

Apply to Accountant, Bengal Secretariat, 28, Chowringhee Road, Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 1, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

	Rs.	A.	P.
Subscription for *Gazette* and Supplement per annum	15	0	0
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Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	8	0

Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 21st September 1881.

No. 1900.—Colonel J. W. Willoughby Osborne, C.B., Resident, 3rd Class, Political Agent, Gwalior, is granted privilege leave for thirty days, from the 17th September 1881.

By Order,
J. BURNE, *Captain,*
2nd Asst. to the Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 22nd September 1881.

No. 1891 *G.*—Surgeon-Major L. D. Spencer, M.D., Officiating Agency Surgeon, Rajputana, and Superintendent General of Dispensaries and Vaccination, Rajputana, availed himself of the privilege leave granted him in this Office Notification No. 1255 G., dated 8th July 1881, from the afternoon of the 13th July to the afternoon of the 9th September 1881.

Surgeon A. Adams, Officiating Medical Officer of the Western Rajputana States Agency and the Erinpura Irregular Force, held visiting medical charge of the Civil Stations, Rajputana, in addition to his own duties, from the afternoon of the 9th September 1881.

The 23rd September 1881.

No. 1932 *G.*—Lieutenant C. W. Ravenshaw, Officiating Superintendent, Rajputana State Railway Police, availed himself, on the afternoon of the 16th September 1881, of the privilege leave

granted him in this Office Notification No. 1667 G., dated 19th August 1881.

Mr. J. R. Tregear, Assistant Superintendent, Rajputana State Railway Police, will hold charge of the current duties of the Office of Superintendent, Rajputana State Railway Police, in addition to his own, during Lieutenant Ravenshaw's absence on leave.

By Order,

E. A. FRASER,

1st Asst. Agent to the Govr. Genl.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATIONS.

Mount Abu, the 20th September 1881.

No. 2321 *S.*—Mr. F. St. G. M. Smith, Assistant Engineer, 2nd Grade, attached to the Jodhpore Branch Railway Division, is granted leave of absence for three months to enable him to study the native language, under paragraph 27, Section i, Chapter II, of the Public Works Department Code, with effect from such date as he may be permitted to avail himself of the same in December next.

By Order,

J. P. STEEL, *Major, R.E.,*

Secy. to the Agent, Govr. Genl., and Chief Commr., in the P. W. D., Rajputana.

The 24th September 1881.

No. 2379 *R.*—Mr. F. St. G. M. Smith, Assistant Engineer, 2nd Grade, is transferred from the Military Works and Roads Division, to the Jodhpore Branch Railway Division.

Mr. Smith joined the latter division on the afternoon of the 13th August 1881.

No. 2381 *R.*—Mr. Bhagat Singh, Assistant Engineer, 1st Grade, is transferred from the Jodhpore Branch Railway Division, to the Military Works and Roads Division, which he joined on the forenoon of the 2nd September 1881.

J. P. STEEL, *Major, R.E.,*

Supdg. Engr., Rajputana.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 10th September 1881.

No. 43.—The undermentioned student of the Lahore Medical School, having passed the final examination, is admitted into the service as an Assistant Surgeon, with effect from the 1st August 1881, and is placed on the provincial list of the Punjab:—

Miran Bakhsh Utarid.

No. 44.—The undermentioned students of the Lahore Medical School, having passed their final examination, are admitted into the service as Assistant Surgeons, with effect from 1st August 1881, and are placed on the provincial list of the North-Western Provinces and Oudh:—

Gopal Chundra Gupta.
Nil Rattan Banerjee.
Bhola Nath.

The 5th August 1881.

J. M. CUNINGHAM, M.D.,

Surgeon-General with the Govt. of India.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 23rd September 1881.

No. 61.—Lieutenant J. Burn-Murdoch, R.E., Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani on the 20th August 1881.

F. S. STANTON, *Col., R.E.,*

Offg. Director General of Rys.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. Tenders will be received up to the 15th November 1881.

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,

Exe. Engr. for Irrigation,

Poona Division.

POONA,
The 31st August 1881.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st July 1881.

PARTICULARS.	3½ per cent. Loan of 1853-54.	4 per cent. Loans: Of 1824-25.	4 per cent. Loans: Of 1828-29.	4 per cent. Loans: Of 1832-33.	4 per cent. Loans: Of 1835-36.	4 per cent. Loans: Of 1842-43.	4 per cent. Loans: Of 1854-55.	4 per cent. Loans: Transfer of 1865.	4 per cent. Loans: Reduced 4 per cent. Loan of 1879.	4½ per cent. Loans: Of 1870.	4½ per cent. Loans: Of 1871.	4½ per cent. Loans: Of 1878.	4½ per cent. Loans: Transfer Loan of 1879, 4½ per cent. Portion.	Transfer Loan of 1879, seven shillings sterling per cent. Portion.	5 per cent. Debenture for 15 years, re-payable June 1882.	5 per cent. Loan of 1856-57.	5½ per cent. Loan of 1859-60.	TOTAL AMOUNT.
Balance of 15th July 1881	54,100	38,506	3,413	14,26,773	30,57,900	2,18,36,300	1,08,23,200	1,76,68,500	2,89,47,000	46,03,400	1,87,000	1,09,59,100	9,36,50,600	1,08,500	33,07,000	64,300	...	19,68,35,592
Stock transferred to London	...	...	...	...	...	...	...	1,500	...	...	...	...	...	...	...	...	...	1,500
Add—																		
Amount enfaced at Madras between 16th and 31st July 1881	...	...	...	...	...	12,000	7,000	21,500	...	...	...	...	22,800	...	...	...	...	63,300
Amount enfaced at Bombay between 16th and 31st July 1881	...	...	...	...	...	...	...	15,500	...	...	...	10,000	1,09,000	...	...	...	...	1,34,500
Amount enfaced at Calcutta between 16th and 31st July 1881	...	...	...	5,333	33,200	63,200	1,62,800	29,300	13,800	...	...	78,300	2,31,200	...	...	...	...	6,17,133
	54,100	38,506	3,413	14,32,106	30,91,100	2,19,11,500	1,09,93,000	1,76,36,300	2,89,60,800	46,03,400	1,87,000	1,10,47,400	9,40,13,600	1,08,500	33,07,000	64,300	...	19,74,52,025
Deduct—																		
Amount written off in the London Registers	...	...	...	7,040	4,000	94,500	5,000	1,54,900	1,01,500	...	...	80,000	87,000	...	...	...	...	5,33,940
Balance on 31st July 1881	54,100	38,506	3,413	14,25,066	30,87,100	2,18,17,000	1,09,88,000	1,74,81,400	2,88,59,300	46,03,400	1,87,000	1,09,67,400	9,39,26,600	1,08,500	33,07,000	64,300	...	19,69,18,085

NOTE.—From 9th June 1867 to 31st May 1881, enfaced from India 4,108 lakhs; re-transferred from London, 3,582 lakhs.
" 1st " 1881 to 15th June " " 34 " " " 8 "
" 16th " " to 30th " " " 10 " " " 9 "
" 1st July " to 15th July " " 8 " " " 5 "
" 16th " " to 31st " " " 8 " " " 5 "
4,168 lakhs. 3,609 lakhs.
3,609 "
Balance against India 559 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 26th September 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sept. 19	...	...	...	23	22,42,474	5,88,186
,, 20	...	...	...	23	22,42,426	5,88,186
,, 21	...	...	...	23	22,42,426	5,88,186
,, 22	...	...	20	...	22,43,021	5,88,205
,, 23	Holiday.					
,, 24	...	...	...	...	22,43,021	5,88,205

CALCUTTA MINT, *The 26th Sept. 1881.* } R. V. RIDDELL. *Major, R.E., Offg. Mint Master.*

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
H109	... M 57—04975 ...	50	Pallonji Hirjibhoy, Hurda.
H110	... M 43—92183 ...	100	Narotumdass Ranchordoss, Bombay.
M53	... M 22—99563 } ,, —99564 }	10	Govindji Vellji, Bombay.
M54	... M 41—05821 } ,, —05822 }	10	Lalji Jodowji, Bombay.
	M 8—70109 } ,, —83464 }	5	

BOMBAY, *The 27th September 1881.* }

W. T. PIERCY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
187	... O 96—64941 ...	100	Binraj Futehchand.
190	... O 71—63530 ...	500	Peary Lal Raja Sing.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
153	... O 77—19855 ...	10	Mr. Geo. Graham, Officiating Traffic Superintendent, Tirhoot, Patna and Gya State Railway.
154	... O 85—54980 ...	20	Soonoor Sing.
113	... O 63—24208 } L 36—21201 }	20	Chintamony Dey.

CALCUTTA, *The 27th September 1881.* }

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Calicut Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
J 10—57582 ...	100	Pershothum Bhanjee, Cochin.

CALICUT, *The 22nd September 1881.* }

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Coconada Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
I 11—27331 ...	20	Doctor Daniel Gillespie, Retired Surgeon-Major, Coconada.

COCONADA, *The 15th September 1881.* }

E. G. RICKETTS,
Depy. Collr., in charge of Paper Currency.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
37 ...	O 74—82881 ...	1,000	John Gibson, Esq., Assam.

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
43 ...	E 17—51383 ...	20	Mrs. M. Atkins, Allahabad.

LAHORE, *The 23rd September 1881.* }

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
41 ...	B 63—50535 ...	10	Narasimha Charri, Madura.
42 ...	B 61—19085 ...	50	S. Mathawala, on account of Roopram, North Arcot.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
73 ...	B 60—35670 ...	10	C. B. Seshaghiri Ráo, Bangalore.
	B 57—85369 ...	20	
74 ...	B 40—25993 ...	5	Nursey Juggeevun, Madras.
75 ...	B 64—05628 ...	20	Maravadi Adaji, Rávachand, Shimoga.
76 ...	B 47—13706 ...	5	R. Srírámulu Chetti, Clerk, Accountant General's Office, Madras.
77 ...	B 46—85649 ...	5	Mr. B. Hounsfield Conyers, Dindigul.
	,, —85660 ...	5	
78 ...	B 68—25477 ...	100	V. Subroya Chetti, Chidambaram, South Arcot District.
79 ...	B 61—88977 ...	50	Ranganswámi Chetti, Rice Merchant, Tripliken, Madras.
	B 68—21659 ...	100	
	,, —25750 ...	100	
14 ...	B 61—47196 } * ,, —45763 }	50	Nursey Juggeevun, Madras.
	B 66—61362 } * ,, —61358 }	100	

* Wrongly joined.

FORT SAINT GEORGE, *The 19th September 1881.* }

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1880-81.		Rs.	
H19 ...	F 8—73606 ...	20	Wazeerbi, widow of Nabi Bux, Chowkey Mohulla, near Nagpoda, Bombay.
1881-82.			
M3 ...	F 10—78738 } * ,, —78739 }	100	Lalljee Poonsey, Bombay.

* Mismatched.

NAGPUR, *The 22nd September 1881.* }

W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 8th September 1881.

Tenders are invited for a service by steamer from Calcutta to Port Blair and thence to Camorta, and back *viâ* Port Blair, Rangoon and Port Blair to Calcutta, once in every four weeks. The contract to commence on the 1st May 1882 and to last two years.

Tenders should state—

(1).—Tonnage of steamer, both gross register and net register.
(2).—The horse-power of the engines.
(3).—The maximum number of passengers of each class that can be carried.
(4).—The rates of fares for Government passengers of each class.
(5).—The rates of freight at which cargo will be carried.
(6).—The time to be occupied between port and port.
(7).—The subsidy required.
(8).—Any further particulars of importance.

2. Tenders should be submitted on or before the 1st January 1882, addressed to the Director General of the Post Office of India, Calcutta, to whom intending tenderers may in the meantime apply for any further information they desire.

3. The Director General does not bind himself to accept the lowest tender, or any tender, or to assign any reason for rejection of tender.

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 22nd September 1881.

No. 6915.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, CENTRAL PROVINCES AND BERAR.

Mr. J. A. Betham is appointed to be Superintendent of the Nagpur Division.

Mr. D. Schmid is appointed to act as Superintendent of the Nagpur Division during the absence on leave of Mr. Betham.

Mr. P. Gorman is appointed sub. *pro tem.* to be Superintendent, 4th Grade, and is posted to the Chhatisgarh Division.

Mr. G. Stanyon is appointed to be Superintendent of the Nerbada Division.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 30th September 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	8th Oct.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 ,,	7th ,,	Str. *Huzara.*
Madras and Ceylon	7 ,,	8th ,,	P. & O. Str. *Siam.*
Galle, Penang, Singapore, Hong Kong, and Shanghai; also *viâ* Hong-Kong for Yokohama; also for Australian Colonies	7 ,,	4th ,,	From Bombay.
Foreign Mails *viâ* Bombay	7 ,,	3rd ,,	From Bombay.
Do. Book Post and Pattern Packets	7 ,,	2nd ,,	From Bombay.
Rangoon, Moulmein, and Straits	7 ,,	6th ,,	Str. *Simla.**
Chittagong, Akyab, Kyouk Phyoo and Rangoon	7 ,,	6th ,,	Str. *Commilla.*
Persian Gulf	7 ,,	1st ,,	From Bombay.

* Mail for Port Blair can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے اونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسواے قيمت مذکورۂ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 8, 1881.

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PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, **and the Weather and Crop Report, will be published at Simla. After the 26th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.**

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

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SURVEY OF INDIA.

NOTIFICATIONS.

Mussooree, the 19th September 1881.

No. 241.—Mr. J. F. Macarthy, Assistant Surveyor, 2nd Grade, is granted leave on private affairs for six months, under Chapter X, Section 129, of the Civil Leave Code, with effect from 1st October next.

The 20th September 1881.

No. 242.—The services of Lieutenant-Colonel Tanner, Deputy Superintendent, 3rd Grade, having been placed at the disposal of the Foreign Department, with retrospective effect from the 17th November 1880, by Notification No. 111, dated 9th September 1881, in the Revenue and Agricultural Department, the following temporary promotions are made in connection with the promotions and reversions which were announced in Notifications No. 205, dated 26th January 1881, No. 209, dated 11th March 1881, No. 224, dated 24th June 1881, No. 230, dated 1st August 1881, No. 234, dated 15th August 1881, and No. 240, dated 13th September 1881, in the Survey Department:—

Major Lees Smith, Assistant Superintendent, 2nd Grade, to officiate as Deputy Superintendent, 3rd Grade, from 17th November to 13th December 1880, from 15th June to 26th July 1881, and from 1st August 1881 until further orders, all dates inclusive.

Captain J. Hill, R.E., Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 3rd Grade, from the 27th to 31st July 1881, both dates inclusive.

Major R. Beavan, Assistant Superintendent, 2nd Grade, to officiate in the 1st Grade, from 17th November to 13th December 1880, and from 27th to 31st July 1881, all dates inclusive.

Mr. W. H. Cole, Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 3rd Grade, from 14th December 1880 to 14th June 1881, both dates inclusive.

Captain and Brevet Lieutenant-Colonel E. P. Leach, R.E., V.C., Assistant Superintendent, 2nd Grade, to officiate in the 1st Grade, from 14th December 1880 to 31st January 1881, from 15th June to 26th July 1881, and from 1st to 28th August 1881, all dates inclusive.

Mr. W. G. Beverley, Officiating Assistant Superintendent, 2nd Grade, to officiate in the 1st Grade, from 1st February to 14th June 1881, and from 29th August 1881 until further orders, all dates inclusive.

The 26th September 1881.

No. 243.—Mr. F. E. Warde, Assistant Surveyor, 1st Grade, is granted an extension of privilege leave for nineteen days, in continuation of the leave granted in Notification No. 233, dated the 9th August last.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 28th September 1881.

No. 1968 *G.*—The privilege leave granted to Hospital Assistant Runjeet Singh in this Office Notification No. 1819 G., dated the 9th September 1881, is commuted into six months' furlough from the 9th August 1881, under Section 129 of the Civil Leave Code.

1st Class Hospital Assistant Ramzan Allee, transferred (by Surgeon-General with the Government of India) for permanent civil employment in Rajputana, is appointed to the Raj Dispensary at Baran, in Kotah, with effect from the 13th August 1881.

3rd Class Hospital Assistant Nazeer Khan, of the Reserve List of Civil Hospital Assistant Establishment, is transferred to the Ramsar Dispensary from the 10th September 1881.

3rd Class Hospital Assistant Devi Lal, of the Ramsar Dispensary, is transferred to the Jeypore Raj Service from the 10th September 1881.

2nd Class Hospital Assistant Ausgur Hoosein, of the Abu Dispensary, is granted privilege leave for twenty days from the 19th September 1881.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 19th September 1881.

No. 45.—The services of 1st Class Assistant Apothecary John Davis are placed at the disposal of the Government of Bengal.

No. 46.—The services of 1st Class Apothecary John Fitzpatrick are temporarily placed at the disposal of the Government of the North-Western Provinces and Oudh.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

Report of a Deserter from the 2nd Battalion, Royal Light Regiment of Foot, dated at Colaba, Bombay, this 1st day of October 1881.

Number, Rank, and Name,—No. 11B.—3233, Private Lawrence Kavanagh.	At what Place Enlisted,—Poona, E. I.
Age,—24 years 3 months.	Parish and County in which Born,—Mullingar, Cork.
Size,—5 feet 8 inches.	Marks,—Scar on inner side of right arm.
Colour of—Complexion, fair; Hair, light brown; Eyes, blue.	Trade,—Policeman.
Date of Desertion,—27th September 1881.	Coat or Jacket,— } White kirkee.
Place of Desertion,—Colaba, Bombay.	Waistcoat,— ... } White kirkee.
Date of Enlistment,—22nd May 1880.	Breeches or Trowsers,— ... } White kirkee.
	REMARKS,—Under 2 years' service.

C. P. STOKES, *Lieut.-Col.,*
Comdg. 2nd Battn., R. L. Regt. of Foot.

Report of a Deserter from the 2nd Battalion, Liverpool Regiment of Foot, dated at Mian Mir, this 2nd day of October 1881.

Number, Rank, and Name,—No. 13Bde.—1833, Sergeant Charles Smith.	Date of Enlistment,—
	At what Place Enlisted,—
Age,—31 years.	Parish and County in which Born,—
Size,—5 feet 7 inches.	Marks,—Tattooed on both arms.
Colour of—Complexion, fresh; Hair, brown; Eyes, blue.	Trade,—Sailor.
Date of Desertion,—1st October 1881.	Clothing,—When last seen was dressed in Regimental white clothing.
Place of Desertion,—Camp Chunnoo.	REMARKS,—Absconded with about Rs. 200.

C. E. GROGAN, *Colonel,*
Comdg. 2nd Battn., Liverpool Regt. of Foot.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
192	D 17—09522 ...	50	Jahangir Khan, Gwalior.
	—17607 ...	50	
193	D 18—74294 ...	100	Mr. H. D. Moule, Mussoorie.
191	D 17—24725 ...	50	Pundit Peyaray Kishen, Lucknow.
	D 18—65924 ...	100	

ALLAHABAD, *The 5th October 1881.*

J. F. FINLAY, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W29 ...	M 39—27790 ...	1,000	Mrs. Macpherson, Bombay.

NOTES PARTIALLY LOST OR DESTROYED.

1881.		Rs.	
H111 ...	M 44—35232 ...	100	Rama Seetaram, Erandale.
H112 ...	M 59—21842 ...	10	Hyderally Esmailji, Bombay.

BOMBAY, *The 4th October 1881.*

W. T. PIERCY,
Asst. Acctt. Genl., Paper Currency Dept.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 14—42805 ...	10	Mr. Dorabji Hormusji, Head Clerk, Commissariat Office, Nusseerabad.
G 10—55101 } *	100	Mr. L. Kennedy, Commissariat Department, Assirgurh.
„ —55501 }		

* Mismatched.

KURRACHEE, *The 28th September 1881.*

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
38 ...	N 5—05303 ...	100	The District Superintendent of Police, Delhi.

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
55 ...	E 18—23830 ...	10	A. H. Benton, Esq., Dalhousie.

LAHORE. *The 28th September 1881.*

H. J. BRERETON,
for Depy. Commr. of Paper Currency.

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
43 ...	B 68—32950 ...	100	Jaun Mahomed & Co., Bangalore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
80 ...	B 68—31850 ...	100	Jaun Mahomed & Co., Bangalore.
	„ —35833 ...	100	
	B 45—14354 ...	1,000	
81 ...	B 67—13011 ...	10	K. Kishna Rao, Clerk, Government Office, Fort St. George.

FORT SAINT GEORGE, *The 26th September 1881.*

C. HALL,
Offg. Chief Clerk of the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

Nagpur Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881-82.		Rs.	
W3 ...	F 10—78498 ...	100	Sergeant R. Papwarth, G Company, the 1st Battalion, Halifax Regiment (Duke of Wellington's), Dilkosha, Oudh, Lucknow.

NOTE PARTIALLY LOST OR DESTROYED.

1881-82.		Rs.	
H12 ...	F 9—82967 ...	50	Major C. W. Brereton, Bombay.

NAGPUR, *The 29th September 1881.*

W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 8th September 1881.

Tenders are invited for a service by steamer from Calcutta to Port Blair and thence to Camorta, and back *viâ* Port Blair, Rangoon and Port Blair to Calcutta, once in every four weeks. The contract to commence on the 1st May 1882 and to last two years.

Tenders should state—

(1).—Tonnage of steamer, both gross register and net register.

(2).—The horse-power of the engines.

(3).—The maximum number of passengers of each class that can be carried.

(4).—The rates of fares for Government passengers of each class.

(5).—The rates of freight at which cargo will be carried.

(6).—The time to be occupied between port and port.

(7).—The subsidy required.

(8).—Any further particulars of importance.

2. Tenders should be submitted on or before the 1st January 1882, addressed to the Director General of the Post Office of India, Calcutta, to whom intending tenderers may in the meantime apply for any further information they desire.

3. The Director General does not bind himself to accept the lowest tender, or any tender, or to assign any reason for rejection of tender.

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 29th September 1881.

Correspondence addressed to Queensland, Australia, is at present forwarded *vid Melbourne* fortnightly as shown below :—

Date of despatch from Bombay.
October 7th and 21st.
November 4th and 18th.
December 2nd, 16th and 30th.
January 13th (1882).

On and after the 21st October next an alternative route once in four weeks *vid Torres Straits* will be available for correspondence addressed to the colony in question, and as the Torres Straits route is shorter than the route *vid* Melbourne, all correspondence for Queensland, not *specially marked* for transmission *vid* "*Melbourne,*" will be forwarded through Singapore and the Torres Straits.

2. Mails for Queensland *vid Torres Straits* will be despatched from Bombay on the dates given below :—

October 21st.
November 18th.
December 16th.
January 13th (1882).

3. The rates and conditions of postage are the same by either route, and will be found in the

Postal Guide, dated April 1881. The rates are given below :—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Each post-card.	Printed papers, including books, &c. Each newspaper per 4 oz.	Printed papers, including books, &c. Each packet per 2 oz.	Legal and commercial documents. Each packet Not exceeding 4 oz.	Legal and commercial documents. Each packet Per 2 oz. additional.	Samples. Each packet. Per 2 oz.
	A.	A.	A. c	A.	A.	A.	A.
Queensland (Australia)— *Viâ* Bombay (or from Aden, Rangoon or Moulmein) and Torres Straits *Viâ* Tuticorin and Torres Straits . . *Viâ* Bombay (or from Aden) and Melbourne *Viâ* Tuticorin and Melbourne . . .	c6	...	1	1½	3	1½	1½

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India,
Foreign Post Branch.

Calcutta, the 7th October 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	15th Oct.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	14th „	Str. *Chindwara.*
Madras and Ceylon	7 „	8th „	P. & O. Str. *Siam.*
Foreign Mails *viâ* Bombay	7 „	10th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	9th „	From Bombay.
Rangoon, Moulmein, and Straits.	7 „	13th „	Str. *Khandalla.*
Chittagong, Akyab and Rangoon	7 „	13th „	Str. *Madras.*
Madras, Ceylon, Batavia, Singapore, and China	7 „	12th „	French Str. *Tibre.*
Persian Gulf	7 „	8th „	From Bombay.

N.B.—The Letter Box will close at 7 P.M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. Tenders will be received up to the 15th November 1881.

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,
Exe. Engr. for Irrigation,
Poona Division.

POONA,
The 31st August 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکٹه کے بوٹانکل گارڈن يعنی کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے ونکے جو کوئي ايک مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنی نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنی کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنی نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکٹه کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورهٔ بالا کے محصول ڈاک چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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Persons desiring to subscribe for or purchase the Reports, should apply to—
MESSRS. THACKER, SPINK AND CO., CALCUTTA;
MESSRS. THACKER AND CO., BOMBAY;
MESSRS. HIGGINBOTHAM AND CO., MADRAS;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Verâwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Cherapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moeletivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Re. 2.*
Bay of Bengal, Eastern Sheet. *Re. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30′ N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re. 1.*

Ceylon, East Coast —

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—

Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang P'ra. *Re. 1.*
Patani Bay. *Annas 8*
Singora Roadstead and Inner Harbour. *Re. 1.*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
Langsuen Roads. *Re 1.*

Sailing Directions, &c.—

The Sailing Directory, Part I, India, Africa and South America, with Charts. *Rs. 16; packing and postage, Re. 1-12.*

Return of Wrecks and Casualties in Indian Waters for the year 1877, together with a Chart showing the positions in which they occurred. *Rs. 2.*

Ditto ditto for 1878. *Price, Rs. 2.*

Ditto ditto for 1879. *Price, Rs. 2.*

List of Light-houses and Light-vessels in British India (Suez to Singapore), corrected from official information. *Re. 1.*

Spheroidal Tables, for every ten minutes of the quadrant, showing the length in feet of a degree, minute, and second of latitude and longitude; the corresponding number of statute miles in each degree of latitude; the number of minutes of latitude, or nautic miles contained in a degree of longitude under each parallel of latitude; and the length, in cables, of a minute of longitude, corresponding to each nautic mile, Compression $\frac{1}{12}$. *Re. 1.*

Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8 *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
No. 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Joolden Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Saïd entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light-house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.

No. 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 15, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 15th March 1881.

From the 2nd April, till further notice, Parts I, IV, and V of the *Gazette of India*, and the Weather and Crop Report, will be published at Simla. After the 28th March, all Notifications and other matter intended for publication in those Parts, should be addressed to the Officiating Publisher at that station.

Parts II and III and the Supplement will continue to be published in Calcutta.

NOTIFICATION.

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NOTICE TO MARINERS.

No. 32 of 1881.

BAY OF BENGAL—COROMANDEL COAST. MADRAS.

Removal of South Buoy, Harbour Entrance.

Telegraphic information has been received from the Port Officer, Madras, announcing that the large Red Buoy off the head of the South Harbour Pier has been removed.

The rubble base of the South Pier extends 40 feet beyond the blocks.

By direction of the Government of India,
A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department,
The 7th October 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Chart, No. 71*c*.

INDIAN MARINE SURVEY Charts, Nos. 105 and 1257*a*. Also Taylor's Sailing Directory, Vol. I, page 458.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it and introduced into the Sailing Directions to which it relates.

BANK OF BENGAL.

Calcutta, the 14th October 1881.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Saturday, the 22nd instant, on account of the Hindu festival "Kali Pobjah."

By Order of the Directors,
R. HARDIE,
Secretary & Treasurer.

REVENUE BRANCH, SURVEY OF INDIA.

NOTIFICATION.

Mussoorie, the 29th September 1881.

No. 11*F*.—Mr. J. H. O'Donel, Surveyor, 4th Grade, is granted privilege leave for two months, under Chapter X, Section 136, of the Civil Leave Code, with effect from 22nd September.

J. SCONCE, *Lieut.-Col.,*
Deputy Surveyor General.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 4th October 1881.

Offices opened and closed during the month of September 1881 :—

Name of Station.	Where situated.	Date.	REMARKS.
Badani . .	Sind . . .	15th .	Closed.
Debra Dhoon .	N. W. Provinces .	7th .	Re-opened.

R. MURRAY, *Colonel,*
Dir. Genl. of Tels. in India.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D., Railway Branch.

NOTIFICATION.

Indore, the 8th October 1881.

No. 6.—Mr. St. J. Hewitt, Assistant Engineer, 2nd Grade, has passed the prescribed examination required by Public Works Code, Chapter II, paragraphs 16 to 20.

By Order,
C. S. THOMASON, *Lieut.-Col., R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 4th October 1881.

No. 2055 *G.*—With reference to Foreign Department Notification No. 1736 G.-G., dated 15th September 1881, Major P. W. Smith assumed charge of his duties as Officiating Adjutant, Deoli Irregular Force, from Lieutenant R. A. Cole on the 26th September 1881.

The 5th October 1881.

No. 2064 *G.*—Surgeon T. H. Hendley, in medical charge of the Eastern Rajputana States Agency, is granted fifteen days' privilege leave, with effect from the 15th September 1881, or such subsequent date as he may avail himself of it.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATIONS.

Mount Abu, the 7th October 1881.

No. 712.—With reference to Foreign Department Notification No. 1608 G.-G., dated 25th August 1881, Mr. W. R. Lawrence assumed charge of the Office of Assistant Commissioner, Merwara, on the forenoon of the 14th September 1881.

No. 714.—With reference to Notification No. 639, dated 3rd September 1881, Pandit Bhag Ram, Officiating Judicial Assistant Commissioner, Ajmere, was in charge of the Assistant Commissionership of Merwara from the forenoon of the 23rd day of August 1881 to the afternoon of the 13th September 1881, in addition to his own duties.

The 10th October 1881.

No. 732.—Major T. H. Lassalle, Officiating Assistant Commissioner of Ajmere, is granted one month's privilege leave, with effect from the 23rd September or such subsequent date as he may avail himself of the same.

No. 733.—Mr. W. R. Lawrence, C.S., Officiating Assistant Commissioner, Merwara, is appointed to officiate as Assistant Commissioner, Ajmere, with effect from the date of receiving charge, *vice* Major Lassalle, on leave, or until further orders.

No. 734.—Pandit Bhag Ram, Officiating Judicial Assistant Commissioner, is appointed to officiate as Assistant Commissioner, Merwara, with effect from the afternoon of the 23rd September 1881, *vice* Mr. Lawrence, on deputation, or until further orders.

No. 735.—Pandit Bhag Ram, while officiating as Assistant Commissioner, Merwara, is invested with the ordinary and the special powers which may be exercised by a Magistrate of the 1st Class under the Criminal Procedure Code.

No. 736.—Munshi Ajudhia Parshad, Officiating Extra Assistant Commissioner, is appointed to officiate as Judicial Assistant at Ajmere, with effect from the afternoon of the 23rd September 1881, *vice* Pandit Bhag Ram, on deputation, performing in addition the duties of the Office of Extra Assistant Commissioner and Treasury Officer, Ajmere, or until further orders.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 21st September 1881.

No. 47.—Third Grade Assistant Surgeon Khiroda Prosad Chattopadhyay, of the supernumerary list, is permitted to resign the service.

No. 48.—Assistant Surgeon Debendro Nauth Chatterjee, of the supernumerary list, is permitted to resign the service.

The 27th September 1881.

No. 49.—The services of 2nd Class Hospital Assistant, No. 148, Nur Ahmed, of the military list, are placed permanently at the disposal of the Agent, Governor General, Central India, for civil employment.

No. 50.—With reference to Notification by the Government of the North-Western Provinces and Oudh, No. 653, dated 16th September 1881, the services of Assistant Surgeon Doorga Das Sen are placed at the disposal of the Chief Commissioner of the Central Provinces.

No. 51.—The services of the undermentioned Hospital Assistants of the military establishment are placed permanently at the disposal of the Government of the Punjab :—

2nd Class Hospital Assistant, No. 66, Gholam Hyder.

2nd Class Hospital Assistant, No. 69, Gholam Mahomed.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that on or about the 29th day of March 1881, treasure consisting of—

3 Faranghi Varagan fanams,
3 old rupees,
5 silver rings,
8 silver pieces,
1 silver girdle string,
1 silver wire,

valued at Rs. 18-14-6 in the aggregate, was found in field No. 756, said to belong to one Kothukara Subbaroya Reddi and his brother Yerra Reddi, situated in the village of Vellianai, Karur Taluq, Coimbatore District, in the Presidency of Fort St. George.

All persons claiming the treasure, or any part thereof, are required to appear personally or by agent before the Collector of Coimbatore, at his office, on the 15th February 1882, in order to the matter being inquired into and determined in accordance with the provisions of the said Act.

J. WEDDERBURN,
for *Acting Sub-Collector in charge.*

Report of a Deserter from the L Battery, 3rd Brigade, Regiment of Royal Artillery, dated at Dinapore, this 11th day of October 1881.

Number, Rank and Name,—No. 7595, Gunner William Jackson.	Parish and County in which Born,—Warrington, Lancashire.
Age,—27 years.	Marks,—None.
Size,—6 feet ½ inch.	Trade,—Labourer.
Colour of—Complexion, fresh; Hair, brown; Eyes, blue.	Coat or Jacket,— } White uniform of R. A.
Date of Desertion,—9th October 1881.	Waistcoat,— ... }
Place of Desertion,—Dinapore.	Breeches or Trowsers,— ... }
Date of Enlistment,—25th September 1878.	REMARKS,—Supposed to have left in company with a civilian, Dinapore Station, by mail train towards Calcutta, 4-36 P.M., 9th October 1881.
At what Place Enlisted,—Birkenhead.	Under 4 years' service.

V. WING, *Major, R.A.,*
Comdg. L-3rd R.A.

COMMISSARIAT NOTICE.

The following number of elephants not required by Government are for sale and will be on view at Meean Meer and Umballa about dates noted :—

Most of them are fine valuable animals.

Meean Meer.

About 6th October, 15 males, 11 females.
„ 20th „ 31 „ 23 „
Of the males, 24 are tuskers, 7 muknas.
Eighteen of the females are 8 feet and upwards in height.

Umballa.

Eight now on view, 4 males (tuskers), 4 females.
Two, 8 feet and upwards in height.

2. Commissariat Officers, Meean Meer and Umballa, will facilitate inspection by intending purchasers on application.

Descriptive rolls can be obtained from, and offers for purchase of these elephants should be addressed to, Assistant Commissary General, Meean Meer and Umballa, for communication to Commissary General.

BARNARD SMITH, *Major,*
Offg. Depy. Comsy. Genl.

Statement of the Affairs of the Bank of Bengal for the week ending 11th October 1881.

LIABILITIES.	Rs.	A.	P.	ASSETS.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0	Government Securities	1,04,95,221	12	0
Reserve Fund	25,11,966	4	4	Other authorized Investments	37,94,980	0	0
Public Deposits at Head Office 90,22,793 3 0				Loans on Government and other authorized Securities	81,96,082	0	3
Public Deposits at Branches 1,58,77,837 8 5	2,49,00,630	11	5	Accounts of Credit on Government and other authorized Securities	48,57,404	15	8
Other Deposits at Head Office and Branches	2,58,57,428	15	3	Bills discounted and purchased	1,92,96,964	15	3
Bank Post Bills, &c.	14,24,161	7	0	Balances with other Banks	7,14,841	1	7
Sundries	11,64,148	10	10	Bullion	2,10,039	8	2
				Dead Stock	11,33,420	1	3
				Stamps	8,064	9	11
				Sundries	4,87,123	7	0
					4,91,94,142	7	1
				Rs. A. P.			
				Cash and Currency Notes at Head Office 1,03,71,904 13 1			
				Cash and Currency Notes at Branches 1,62,92,288 12 8	2,66,64,193	9	9
RUPEES	7,58,58,336	0	10	RUPEES	7,58,58,336	0	10

BANK OF BENGAL.
Calcutta, 13th Oct. 1881.

J. GORDON,
Chief Accti. & Depy. Secretary.

By order of the Directors,
R. HARDIE.
Secy. & Treasurer.

COMPTROLLER GEN

No. 1335.—*Account of Revenue and Expenditure of the Government of India for the*

N.B.—Amounts are converted into

REVENUE.	Estimates, 1881-82.	April 1880.	April 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue	22,495,000	1,508,307	1,697,623	189,316	...
II.—Tributes	705,000	83,272	58,803	...	24,469
III.—Forest	768,100	14,858	15,234	376	...
IV.—Excise on Spirits and Drugs	3,031,000	265,252	268,816	3,564	...
V.—Assessed Taxes	550,000	8,654	24,635	15,981	...
VI.—Provincial Rates	2,863,000	170,592	203,887	33,295	...
VII.—Customs	2,367,000	223,389	222,210	...	1,179
VIII.—Salt	7,153,000	535,300	586,240	50,940	...
IX.—Opium	8,763,000	746,483	732,972	...	13,511
X.—Stamps	3,290,000	299,807	300,784	977	...
XI.—Registration	290,000	23,388	22,276	...	1,112
XII.—Mint	89,000	9,176	776	...	8,400
XIII.—Post Office	967,000	96,627	81,555	...	15,072
XIV.—Telegraph	452,600	47,306	23,441	...	23,865
XV.—Minor Departments	62,500	3,090	3,965	875	...
XVI.—Law and Justice	664,000	47,584	41,840	...	5,744
XVII.—Police	236,000	16,579	14,681	...	1,898
XVIII.—Marine	210,000	14,910	9,659	...	5,251
XIX.—Education	143,000	11,974	13,484	1,510	...
XX.—Medical Services	37,700	1,976	2,341	365	...
XXI.—Stationery and Printing	61,000	4,264	2,763	...	1,501
XXII.—Interest	668,000	102,458	53,290	...	49,168
XXIII.—Pensions	215,600	6,910	8,118	1,208	...
XXIV.—Miscellaneous	265,000	16,015	15,760	...	255
XXX.—Gain by Exchange	412,000	3,884	54,483*	50,599	...
TOTAL	56,758,500	4,262,055	4,459,636	197,581	...
XXV.—Railways — *Guaranteed Railways.* Traffic Receipts	7,489,800	611,989	683,736	71,747	...
XXV.—Railways — *State Railways.* Gross Traffic Earnings	2,420,000	134,531	127,594	...	6,937
XXV.—Railways — *State Railways.* Net Traffic do. East Indian	2,800,000	...	273,117	273,117	...
XXVI.—Irrigation and Navigation, including Net Traffic Receipts, &c., Madras Irrigation.	902,500	15,264	11,060	...	4,204
XXVII.—Other Public Works	472,500	26,872	28,261	1,389	...
XXVIII.—Provincial and Local Deficits	821,000	...	...	...	...
XXIX.—Army	777,000	64,554	50,878	...	9,733
XXIX.—Military Operations in Afghanistan	61,000	...	3,943	...	
TOTAL	72,502,300	5,115,265	5,638,225	522,960	...
England, including Army, Public Works, &c.	3,238,700	19,413	37,632	18,219	...
GRAND TOTAL	75,741,000	5,134,678	5,675,857	541,179	...

* Includes Gain by Exchange on

COMPTROLLER GENL.'S OFFICE,
CALCUTTA.
The 14th October 1881.

ERAL'S OFFICE.

1st month of the year 1881-82, as compared with the corresponding period of 1880-81.

sterling @ Rs. 10 to the Pound Sterling.

EXPENDITURE.	Estimates, 1881-82.	April 1880.	April 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt	3,576,700	225,035	369,580	144,545	...
2.—Interest on Service Funds and other Accounts	407,300	12,246	19,901	7,655	...
3.—Refunds and Drawbacks	350,000	29,424	26,975	...	2,449
4.—Land Revenue	3,031,100	233,400	231,248	...	2,152
5.—Forests	565,800	12,681	10,003	...	2,678
6.—Excise on Spirits and Drugs	99,000	23,955	7,541	...	16,414
7.—Assessed Taxes	15,000	1,296	617	...	679
8.—Provincial Rates	48,000	1,493	1,580	87	...
9.—Customs	206,000	15,955	16,629	674	...
10.—Salt	428,000	21,518	23,379	1,861	...
11.—Opium	2,262,500	601,426	653,922	52,496	...
12.—Stamps	74,000	6,578	6,542	...	36
13.—Registration	186,000	14,559	13,862	...	697
14.—Mint	85,200	6,307	5,572	...	735
15.—Post Office	997,900	97,935	83,267	...	14,668
16.—Telegraph	459,600	32,421	32,069	...	352
17.—Administration	1,298,900	104,815	99,037	...	5,778
18.—Minor Departments	438,700	33,444	37,723	4,279	...
19.—Law and Justice	3,349,600	267,993	258,506	...	9,487
20.—Police	2,571,000	205,574	212,312	6,738	...
21.—Marine	432,100	29,753	26,298	...	3,455
22.—Education	1,057,600	75,645	75,454	...	191
23.—Ecclesiastical	158,200	13,945	13,350	...	595
24.—Medical Services	690,500	48,952	51,520	2,568	...
25.—Stationery and Printing	424,400	32,672	25,089	...	7,583
26.—Political	535,700	35,311	33,002	...	2,309
27.—Allowances and Assignments	1,881,900	91,091	153,486	62,395	...
28.—Civil Furlough and Absentee Allowances	4,000	514	896	382	...
29.—Superannuation, Retired and Compassionate Allowances	708,000	135,341	123,771	...	11,570
30.—Miscellaneous	251,000	24,641	23,248	...	1,393
31.—Famine Relief	1,500,000	3,842	59	...	3,783
37.—Loss by Exchange	3,475,000	322,448	350,704	28,256	...
TOTAL	31,568,700	2,762,210	2,987,142	224,932	...
32.—Railways — *Guaranteed Railways.* Working Expenses	4,760,000	191,543	181,746	...	9,797
32.—Railways — *Guaranteed Railways.* Land and Supervision	78,900	4,148	4,764	616	...
32.—Railways — *Guaranteed Railways.* Interest in India	4,800	...	...	...	...
32.—Railways — *Guaranteed Railways.* Surplus Profits paid to Railway Companies	165,300	515	...	...	515
32.—Railways — *State Railways.* Working Expenses	2,086,000	258,503	128,426	...	130,077
32.—Railways — *State Railways.* Surplus Profits &c., East Indian Railway	204,600	...	...	...	...
32.—Railways — *State Railways.* Frontier Railways	386,000	...	156,624	156,624	...
33.—Irrigation and Navigation, including Madras Irrigation Interest, &c.	1,351,700	35,829	33,775	...	2,054
34.—Other Public Works	4,939,400	59,100	118,547	59,447	...
35.—Provincial and Local Surpluses	114,000	...	...	...	...
36.—Army	12,392,000	1,064,386	940,114	...	22,930
36.—Military Operations in Afghanistan	2,271,000	...	101,342	...	
TOTAL	60,322,400	4,376,234	4,652,480	276,246	...
England, including Army, Public Works and Guaranteed Interest, &c.	14,563,600	1,420,084	2,054,552	634,468	...
TOTAL	74,886,000	5,796,318	6,707,032	910,714	...
39.—*Productive Public Works*— Capital Expenditure in India	3,010,000	179,965	121,870	...	58,095
Ditto ditto in England	1,863,000	20,071	23,453	3,382	...
TOTAL	4,873,000	200,036	145,323	...	54,713
GRAND TOTAL	79,759,000	5,996,354	6,852,355	856,001	...

Capital transactions of E. I. £48,103.

E. W. KELLNER,
Depy. Comptroller General.

J. WESTLAND,
Offg. Comptroller General.

COMPTROLLER GENERAL'S OFFICE.

Statement V.

PRELIMINARY STATEMENTS FROM TREASURIES.

13th October 1881.

Telegraphic Statement of Receipts and Outgoings from Treasuries during September 1881.

Thousands of Rupees.

	Civil Revenue.	Civil Debt and Remittance Heads.	Forest, Telegraph, and Marine.	Post Office.	Guaranteed Railways.	Military Department.	P. W. Department.	Opening Balance.	TOTAL.
Receipts.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
India General ...	17,41	2,34,11	85	3,04	7,77	40	34,88	4,95,42	7,93,88
Central Provinces	4,07	7,12	67	1,52	...	8	47	55,79	69,72
British Burmah ...	19,84	14,34	1,77	1,56	...	8	1,21	52,16	90,96
Assam ...	3,94	3,43	13	81	...	6	9	20,38	28,84
Bengal ...	1,50,14	69,15	1,47	5,17	...	13	4,27	90,02	3,20,35
N.-W. Provinces and Oudh ...	21,91	43,77	47	1,90	3,00	58	2,61	2,41,78	3,16,02
Punjab ...	9,84	1,08,01	78	2,82	4,89	1,42	6,30	1,17,42	2,51,48
Madras ...	35,89	90,71	76	2,86	9,23	65	1,21	1,36,24	2,77,05
Bombay ...	44,12	2,39,24	2,50	2,85	24,52	1,15	3,20	1,79,59	4,97,17
Remittance Adjustment ...	...	20	...	...	...	...	...	4,72	4,92
TOTAL RECEIPTS ...	3,06,66	8,10,08	9,40	22,53	49,41	4,55	54,24	13,93,52	26,50,39
Outgoings.									
India General ...	24,24	3,69,03	1,79	10	2,36	23,12	16,70	3,56,54	7,93,88
Central Provinces	4,71	6,21	37	13	...	2,70	3,11	52,49	69,72
British Burmah ...	6,43	14,02	97	4	...	2,40	3,96	63,14	90,96
Assam ...	3,62	6,01	30	27	...	92	93	10,79	28,84
Bengal ...	60,82	1,24,03	1,61	8,71	...	2,12	16,14	1,06,92	3,20,35
N.-W. Provinces and Oudh ...	45,83	51,96	76	7,50	2,38	15,53	8,95	1,83,11	3,16,02
Punjab ...	13,59	22,57	90	2,42	3,01	25,16	15,51	1,68,32	2,51,48
Madras ...	30,88	86,67	1,07	2,67	4,92	11,95	5,31	1,33,55	2,77,05
Bombay ...	25,77	2,11,17	3,55	3,26	11,43	16,26	10,25	2,15,48	4,97,17
Remittance Adjustment ...	...	...	...	...	...	...	...	4,92	4,92
TOTAL OUTGOINGS	2,15,89	8,91,67	11,32	25,10	24,10	1,00,16	80,89	13,01,26	26,50,39

Telegraphic Summary of Accounts for the six months ending September 1881.

Lakhs of Rupees.

	RECEIPTS.					OUTGOINGS.				
	Accounts till July.	TELEGRAPHIC. August.	TELEGRAPHIC. Sept.	Total, 6 months	Budget Estimate, 6 months.	Accounts till July.	TELEGRAPHIC. August.	TELEGRAPHIC. Sept.	Total, 6 months.	Budget Estimate, 6 months.
Civil Revenue	18,81	3,24	3,07	25,12	24,82	...	...	...	...	...
Civil Expenditure	...	...	...	...	...	8,31	2,23	2,16	12,70	12,96
Military Department	46	5	5	56	56	4,88	1,00	1,00	6,88	7,60
Public Works Department	3,21	53	54	4,28	3,19	4,38	81	81	6,00	5,20
Forest, Telegraph, and Marine Departments (net)	...	...	...	...	...	6	2	2	10	3
Post Office Department (net) ...	...	...	...	...	...	2	2	2	6	10
Guaranteed Railways (net) ...	1,29	20	25	1,74	1,35	...	...	...	...	...
Imperial Loan...	59	1,96	45	3,00	2,97	...	...	...	...	...
Council Bills, including Exchange ...	...	...	...	...	...	7,28	99	1,87	10,14	10,34
Civil Debt and Remittance (net) ...	39	—17	60	82	0	...	...	...	...	...
Total ...	24,75	5,81	4,96	35,52	32,89	24,93	5,07	5,88	35,88	36,23
Balance, April 1st	13,37	...	...	13,37	...	...	...	...	...	...
Balance, end of month ...	...	...	...	...	...	13,19	...	...	13,01	...
GRAND TOTAL ...	38,12	...	...	48,89	...	38,12	...	...	48,89	...

October 13th, 1881.

J. WESTLAND,
Offg. Comptroller General.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th August 1881.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS										4½ PER CENT. LOANS				5 PER CENT. LOANS			TOTAL AMOUNT.
		Of 1824-25.	Of 1829-29.	Of 1832-33.	Of 1835-38.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	REDUCED 4 PER CENT. LOAN OF 1873.	TRANSFER LOAN OF 1879, 4 PER CENT. PORTION.	Of 1870.	Reduced 4 per cent. Loan of 1881.	Of 1878.	TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.	TRANSFER LOAN OF 1870, 5 PER CENT. STERLING PER CENT. PORTION.	5 PER CENT. DEBENTURE FOR 15 YEARS, RE-PAYABLE JUNE 1882.	5 PER CENT. LOAN OF 1856-57.	5½ PER CENT. LOAN OF 1858-60.	
Balance of 31st July 1881	54,100	38,506	3,413	14,25,066	30,87,600	2,18,24,700	1,04,89,200	1,79,72,700	2,87,81,800	9,45,73,200	46,04,100	1,87,000	1,01,73,300	1,08,500	33,03,000	62,200	...	...	19,66,88,395
Stock transferred from 4½ of 1878 to 4 of 1879 in London	...	...	...	...	...	...	...	...	...	...	...	...	7,73,700	...	...	...	...	...	7,73,700
Add—																			
Amount enfaced at Madras between 1st and 15th August 1881	...	...	...	...	...	...	...	2,18,000	...	...	...	...	...	...	...	...	...	...	2,18,000
Amount enfaced at Bombay between 1st and 15th August 1881	...	...	...	...	600	11,500	...	...	...	...	...	...	...	...	...	...	...	...	12,100
Amount enfaced at Calcutta between 1st and 15th August 1881	...	...	...	...	...	1,27,600	53,000	3,44,300	2,000	1,37,900	700	...	600	...	4,000	...	...	...	9,66,100
	54,100	38,506	3,413	14,25,066	30,87,600	2,19,56,100	1,10,42,200	1,83,45,000	2,87,83,800	9,50,23,200	46,04,100	1,87,000	1,09,53,600	1,08,500	33,07,000	64,300	...	...	19,87,92,895
Deduct—																			
Amount written off in the London Registers	...	...	...	...	...	...	...	...	79,500	4,55,000	...	...	8,09,700	...	4,000	2,100	...	...	21,04,500
Balance on 15th August 1881	54,100	38,506	3,413	14,25,066	30,87,600	2,18,24,700	1,04,89,200	1,79,72,700	2,87,81,800	9,45,73,200	46,04,100	1,87,000	1,01,73,300	1,08,500	33,03,000	62,200	...	...	19,66,88,395

NOTE.—From 9th June 1867 to 15th June 1881, enfaced from India 4,342 lakhs; re-transferred from London, 3,690 lakhs.
" 16th " 1881 to 30th " " " 10 " " "
" 1st July " to 15th July " " 9 " " "
" 16th " to 31st " " " 8 " " "
" 1st August " to 15th August " " 18 " " "
4,347 lakhs.
3,630 "
Balance against India . 617 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 13th October 1881.

ACCOUNTANT GENERAL'S OFFICE.
Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department, up to the 1st October 1881.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
	PUBLIC WORKS (ORDINARY) AND ROADS AND MILITARY WORKS BRANCH AND TELEGRAPH.		
1	Assam ...	July 1881	Sept. 17, 1881
2	Port Blair ...	Do.	Do. 19, "
3	Rajputana ...	"	Do. 20, "
	Military Works Branch ...	Do.	Do. 20, "
5	Punjab ...	Do.	Do. 22, "
	North-Western Provinces and Oudh.		
6	Central Provinces ...	Do.	" Do. 23, "
	Coorg ...		
	Mysore (Imperial) ...		
10	Central India ...	Do.	" Do. 24, "
11	Baluchistan Agency ...	Do.	" Do. 26, "
12	Bengal ...	"	"
	Madras ...		
13	Bombay ...		
	Hyderabad (Imperial) ...	Do.	" Do. 27, "
	Hyderabad (Assigned Districts) ...		
17	British Burmah ...	Do.	" Do. 29, "
	TELEGRAPH DEPT.		
1	Indian ...	July 1881	Sept. 21, 1881
2	Indo-European ...	Do.	" Do. 23, "

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
	STATE RAILWAYS (CAPITAL).		
1	Calcutta & South-Eastern ...	July 1881	Sep. 21, 1881
2	Nalhati ...	Do.	Do. 23, "
3	Northern Bengal ...	Do.	Do. 24, "
4	Patna & Gya ...	Do.	Do. 26, "
5	Wardah Coal ...	Do.	Do. 27, "
6	Tirhoot ...	Do.	Do. 27, "
8	Dhond & Manmad ...	Do.	Do. 27, "
	Hissar & Sindia-Nimach ...	Do.	Do. 27, "
9	Rangoon and Irrawaddy Valley.	Do.	Do. 27, "
	Nazpur-Chhattisgarh ...	Do.	Do. 30, "
11	Nizam's ...	Do.	Do. 31, "
12	Punjab Northern ...	June	Do. 1, "
13	Indus Valley ...	Do.	Do. 1, "
14	Khandesh & Narmoti ...	Do.	Do. 2, "
	Muttra-Hathras ...	Do.	Do. 20, "
15	Cawnpore-Farrukhabad ...	Do.	Do. 20, "
	Ghazipore-Bidarnagar ...	Do.	Do. 22, "
18	Bhavnagar & Gondal ...	Do.	Do. 20, "
19	Rajputana ...	Do.	Do. 20, "
	Sindia ...	Do.	Do. 20, "
21	Mysore ...	Do.	Do. 20, "
22	East Indian ...	Do.	Do. 22, "

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
	IRRIGATION.		
1	Assam ...	July 1881	Sep. 16, 1881
2	Rajputana ...	Do.	Do. 21, "
3	British Burmah ...	Do.	Do. 22, "
4	Punjab ...	Do.	Do. 24, "
5	North-Western Provinces and Oudh.	Do.	Do. 26, "
6	Bengal ...	Do.	Do. 26, "
7	Madras ...	Do.	Do. 27, "
8	Bombay ...	Do.	Do. 29, "
	GUARANTEED RAILWAYS:		
	Punjab ...	July 1881	Sep. 22, 1881
	Bengal ...	Do.	" Do. 23, "
	North-Western Provinces and Oudh.		
	Bombay ...	Do.	Do. 25, "
	Madras ...	Do.	Do. 27, "

A. FILGATE, *Major, R.E.,*
Accountant General, P. W. Dept.

SIMLA,
The 6th October 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sept. 26	58,694	...	...	58,694	22,43,021	5,88,205
" 27	...	...	62,531	23	23,01,495	6,46,877
" 28	Holidays.					
" 29						
" 30						
Oct. 1						

CALCUTTA MINT,
The 10th Oct. 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W53	... M44—42932 ...	100	A. D. Younghusband, Surat.

NOTES PARTIALLY LOST OR DESTROYED.

1881.		Rs.	
M57	... M49—11749 } „ —11748 }	10	A. J. Brooks, Bombay.

BOMBAY,
The 11th October 1881.

W. T. PIERCY,
Asst. Acott. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
175	... O 88—08863 ...	100	Babu Jogendra Nath Roy.
191	... O 96—70307 ...	100	Babu Sarodaprosad Roy.
192	... O 96—70134 ...	100	Shaik Hossein Ali.
194	... O 32—83410 ...	50	Babu Ram Das Mukerjee.
197	... O 31—73961 ...	50	Babu Keshub Lal Dhur.
198	... O 82—96352 ...	50	Babu Behari Lal Pal.
	„ —96353 ...	50	
199	... O 96—74703 ...	100	Babu Ram Das Mozoomdar.
201	... O 61—18052 ...	20	Har Gobind Dastidar.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
114	... O 47—97020 } O 42—35874 }	10	Ellias Hajee Abdul Koreem.
115	... O 87—44627 } „ —44617 }	20	The Chief Pay Master, E. I. Railway, Calcutta.
116	... L 45—33901 } „ —33902 }	20	Messrs. D. L. Cowie and Co.
117	... L 55—99296 } „ —99294 }	5	Mr. C. W. Thomas.
118	... O 57—30290 } „ —30291 }	20	Babu Joy Kissen Das.
128 of '80	L 98—38861 } O 5—15642 }	10	Babu Gopaul Chunder Bromho.
155	... O 29—79458 ...	1,000	Poorusottuun Das.
156	... O 95—71985 ...	10	Mr. G. A. MacCutchan.
157	... O 89—34804 ...	1,000	Rajkissore Dhursha.
	„ —22975 ...	1,000	
158	... O 96—79819 ...	100	Govindo Chunder Dutt.
	O 86—33608 ...	20	
	„ —69379 ...	20	
159	... O 86—50990 ...	20	Mr. F. A. Swaries.
	O 93—21942 ...	10	
160	O 77—01351 ...	10	Babu Ananda Chunder Biswas.
	O 83—63284 ...	10	

CALCUTTA,
The 14th October 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 7—94016 } „ —94013 } *	5	K. Gulam Hussain, Merchant, Calicut.

* Wrongly joined.

CALICUT,
The 7th October 1881.

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
39	... E 15—80722 ...	50	Secretary to Government of the Punjab, Public Works Department, Simla.
	„ —74265 ...	50	
	„ —94889 ...	50	
	„ —98768 ...	50	
	E 19—01058 ...	50	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
40	... E 13—72879 ...	100	Lieutenant A. Daniell, Edwardesabad.
46	... E 16—59842 ...	10	Dr. J. Cooper, Hissar.
49	... O 71—36454 ...	500	Balmukand and Baluk Ram, Shahjehanpur.
58	... E 7—21067 ...	5	Sheo Narain, Cashier, Rawalpindi, care of Jaggan Nath, Lahore.
59	... E 7—48065 ...	5	Jaggan Nath, Teller, Paper Currency Office, Lahore.
	E 16—42113 ...	10	

LAHORE,
The 8th October 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
44	... B 61—51407 ...	50	The Post Master General, Madras.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
80	... B 68—31850 ...	100	Jaun Mahomed & Co., Bangalore.
	„ —25833 ...	100	
	B 45—14354 ...	1,000	
82	... B 63—61849 ...	10	Mohideen Sahib, Butcher, Mount Road, Madras.
83	... B 66—15096 ...	100	Hamer Mull Dhanroop Mull, Azamgarh, North-Western Provinces.
84	... B 61—88107 ...	50	Billa Cundi Nagayya Chetti, No. 59, Strotten Muthia Mudali Street, Madras.

FORT SAINT GEORGE,
The 3rd October 1881.

C. HALL,
Offg. Chief Clerk of the Acctt. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881-82.		Rs.	
H11	... F 13—42501 ...	5	Mr. S. Rangayya, Comptroller's Office, Nagpur.

NAGPUR,
The 7th October 1881.

W. D. COWLEY,
Asst. Comptlr., C. P.,
in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 29th September 1881.

Correspondence addressed to Queensland, Australia, is at present forwarded *viâ Melbourne* fortnightly as shown below :—

Date of despatch from Bombay.

October 7th and 21st.
November 4th and 18th.
December 2nd, 16th and 30th.
January 13th (1882).

On and after the 21st October next an alternative route once in four weeks *viâ Torres Straits* will be available for correspondence addressed to the colony in question, and as the Torres Straits route is shorter than the route *viâ* Melbourne, all correspondence for Queensland, not *specially marked* for transmission *viâ* "*Melbourne*," will be forwarded through Singapore and the Torres Straits.

2. Mails for Queensland *viâ Torres Straits* will be despatched from Bombay on the dates given below :—

October 21st.
November 18th.
December 16th.
January 13th (1882).

3. The rates and conditions of postage are the same by either route, and will be found in the Postal Guide, dated April 1881. The rates are given below :—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Ea. h post-card.	PRINTED PAPERS, INCLUDING BOOKS, &c. Each news-paper per 4 oz.	Each packet per 2 oz.	LEGAL AND COMMERCIAL DOCUMENTS. EACH PACKET Not exceeding 2 oz.	For 2 oz. additional.	SAMPLES. EACH PACKET. For 2 oz.
	A.	A.	A.	A.	A.	A.	A.
Queensland (Australia)— *Viâ* Bombay (or from Aden, Rangoon or Moulmein) and Torres Straits	c6	...	1	1½	3	1½	1½
Viâ Tuticorin and Torres Straits							
Viâ Bombay (or from Aden) and Melbourne		*					
Viâ Tuticorin and Melbourne							

L. G. WATT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

Calcutta, the 14th October 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	22nd Oct.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 ,,	21st ,,	Str. *Calcar*.
Madras and Ceylon	7 ,,	22nd ,,	P. & O. Str. *Assam*.
Galle, Penang, Singapore, Hong-Kong, and Shanghai ; also *viâ* Hong-Kong for Yokohama ; also *viâ* Torres Straits for Queensland ; also for Australian Colonies	7 ,,	18th ,,	From Bombay.
Foreign Mails *viâ* Bombay	7 ,,	17th ,,	From Bombay. *
Do. Book Post and Pattern Packets	7 ,,	16th ,,	From Bombay.
Rangoon, Moulmein, and Straits	7 ,,	20th ,,	Str. *Kilwa*.
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon	7 ,,	20th ,,	Str. *Mahratta*.
Straits and Hong-Kong	7 ,,	21st ,,	Strs. *A. Ipear* and *Nora*.
Persian Gulf	7 ,,	15th ,,	From Bombay.

* Also *viâ* Aden for Zanzibar, Mozambique ; also *viâ* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7·30 P.M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 10th October 1881.

Agent, Spencer, Robinson & Co.
Allen & Co.
Avieti, G.
Banerjee & Co.
Baratoux.
Ba tin, E. J.
Bock, J
Bo Roy, A.
Braun, Mrs. M.
Brook, P.
Brown, Miss.
Charles, R. M.
Chase, Mrs.
Collins, T.
Cooney, Mrs. A.
Colley, T. H.
David, C.
Day, M. A.
Dourado, M.
Dugman, H. A.
Elias, M.
Evins, Mrs.
Forsyth, Mrs. E.
Gordon & Co.
Hall, Dr. W.
Harris, Dr. J. T.
Hoefke, G. P. O.
Jacob, D.
Kelly, W.
Kuhn, T. M.
Keenan, Mrs.
Lewis, M. A.
Lourv, W. B.
Luther, R.
Manager, Co-Operative Club.
Macnamara, F. N.
Massa, P.
May, Mrs.
Melvill, H.
Meir, R.
Mitchell, W. A. & Co.
Official Trustee for the children of July Perrot.
Owen, Mrs. E.
Priket, J.
Rglzers, J. W.
Rose, Mrs. E. C.
Secretary, City Cricket Club.
Smith, Dr. D. Baird.
Smith, Mrs. J. B.
Stewart, S. A.
Thomas, M. A.
Thomson, T. G
Tripasure, Venkata Krishna Rao.
Ward, Mrs. S. B.
Weynton, O.
Whitehead, J.
Wood, O. B.

Letters marked "Care of Post Office, to be kept till called for."

A. B. C.
Allen, Mons. J. A.
Anderson, John.
Auber, R.
Atkinson, Capt. S. B.
Beatrice, Miss.
Beepin Bihari Pattuck.
Bell, J. H.
Billinge, Dudley.
Bourge, J., Sigmorn.
Boszalt, John Richard.
Brisco, D.
Brundage, J. D.
Brake, P.
Calder, S.
Chater, E. J.
Clay, Samuel.
Clifton, R. H.
Collins, Frederick.
Collyer, Mrs. L.
Croft, J.
Dampier, Hon'ble H. L.
Daniel, A. A.
Dalton, Philip T.
Doody, Scrjt, Geo.
Driscoll, D. J.
Dyer, W.
Dykes, L. F.
Eleftheron, Nicholas K.
Evans, Mrs. J. A.
Evans, Mrs. T. F.
Feek, Richard.
Fern, Arthur.
Fisher, Louis.
Fleming, Master J.
Frankland, William.
Gavan, Thomas.
Geroldane, G.
Glazebrook, J. T. W.
Greave, Miss.
Grimes, T.
Hankivcz, Charles.
Henzell, H. L.
Herchanroder, E. T.
Herman, Morris.
Hughes, Mrs. W. H.
Jackson, Geo.
Jameson, T. D.
J. B. B. P.
Johanes.
Jones, Pryce.
Jones, W. A.
Kellar, Harry.
Kirti Chunder Mitter.
Kohn, Joseph.
Lambert, Dr. E.
Leebmann, H.
Lepies, W.
Lindeman, L. K.
Littlewood, J. H.
Macgrath.
Martin, C. M.
Martin, G.
McDougall, A.
McCrea, J. J.
Mills, C. H.
Morse, B.
Myers, B.
N. C.
Nicholas, G.
Padmore, Robt.
Parkinson, Mrs. Annie.
Pearce, Mrs. R.
Peters, D.
Peters, J.
Peyrot, A.
Presse, J.
Queen, S. F.
Raymond, Victor.
Reed, C. A. P.
Ross, C. Henry.
Rourke, Mrs. E.
Shinton, J. T.
Smith, T. H.
Spalding, A.
Stevenson, D.
Strong, Samuel Stephen.
Synnot, W.
Twinton, F. G.
Walton, E. M.
Walker & Co.
White, Michael J.

Newspapers.

Brundage, J. D.
Campbell, Major A. D.
Henry, Colonel.
Johnson, E. C.

Registered Letters.

Frakman, L.
Hanknwing, Monsr.
Cins.
Meschia and Geneste, P.
Moritz, Franker.
Nrilson, Geo. A.
Paxwell, E.
Reed, C. A. P.
Schapira, D.
Sinclair, H. G.
Smith, Patrick.
Staples, J. E.
Tougouloff, Monsr. A.

E. HUTTON.
Presidency Post Master.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. Tenders will be received up to the 15th November 1881.

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,
Exe. Engr. for Irrigation,
Poona Division.

POONA,
The 31st August 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كونينڈالهين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنى كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سهواے ونكے جو كوئي ايك مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنى نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانكل گارڈن يعنى كمپني باغ كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنى نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے وايني اور ديسي دواخانودمين بهي هى هاسيواے قيمت مذكورهٔ بالا كے محصول ڈاك چ ر اور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter
to Government of India.

THE INDIAN LAW REPORTS.

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„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
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„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
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„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
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„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
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„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
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„ 14. Removal of North Buoy, entrance to Madras Harbour.
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„ 16. Leading beacons for clearing the S. W. Prong Kolaba.
„ 17. Zanzibar Island—
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(4) Ras Nungwe Light-house.
„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking sedrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light-house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeirch Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
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A Report on the District of Jessore: its Antiquities, its History and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 3 annas.*

The Bengal Administration Report for 1879-80. *Price, Rs. 6; packing and postage, 10 annas.*

The Bengal Administration Report for 1878-79. *Price, Rs. 6; packing and postage, 8 annas.*

The Bengal Administration Report for 1877-78. *Price, Rs. 4-8; postage, 8 annas.*

The Bengal Administration Report for 1876-77. *Price, Rs. 4-8; postage, 6 annas.*

The Bengal Administration Report for 1875-76. *Price, Rs. 4-8; postage, 7 annas.*

The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 7 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 5 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, 10 annas.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

Vol.	I.	24-Pergunnahs and Sundarbans.
Vol.	II.	Nadiya and Jessore.
Vol.	III.	Midnapur, Hugli and Howrah.
Vol.	IV.	Bardwan, Bankura and Birbhum.
Vol.	V.	Dacca, Bakarganj, Faridpur and Maimunsing.
Vol.	VI.	Chittagong Hill Tracts, Chittagong, Noakhali, Tipperah and Hill Tipperah.
Vol.	VII.	Maldah, Rangpur and Dinagepur.
Vol.	VIII.	Rajshahi and Bogra.
Vol.	IX.	Murshidabad and Pabna.
Vol.	X.	Darjiling, Jalpaiguri and Kuch Behar State.
Vol.	XI.	Patna and Saran.
Vol.	XII.	Gaya and Shahabad.
Vol.	XIII.	Tirhut and Champaran.
Vol.	XIV.	Bhagalpur and Santal Parganas.
Vol.	XV.	Monghyr and Purniah.
Vol.	XVI.	Hazaribagh and Lohardaga.
Vol.	XVII.	Singbhum, Tributary States and Manbhum.
Vol.	XVIII.	Cuttack and Balasor.
Vol.	XIX.	Puri and Tributary States of Orissa.
Vol.	XX.	Fisheries and Botany of Bengal, with General Index.
Vol.	XX.	General Index only.

Price, per volume, Rs. 4; postage, 5 annas.

Manual of Materia Medica in Urdu, compiled by SHAIK AKBAR ALLY, Civil Hospital Assistant, Dinapore. *Price, 8 annas per copy; packing and postage, 2 annas.*

Just published, pp. XXXV + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Fellow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 2 annas.*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 4 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 6 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 3 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st July 1881. *Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 3 annas.*

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—Bound copies	...	... Rs.	45 0 0
„ Unbound copies	...	... „	35 0 0

The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

Vol. I, bound in full cloth, lettered		... Rs.	10 0 0
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Vol. III,	ditto ditto	... „	6 0 0
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Annual Statement of the Sea-borne Trade and Navigation of the Bengal Presidency, and of its Chief Port and each of the Subordinate Ports, with Foreign Countries, for the official year 1875-76. Vol. I. *Price, Rs. 12; postage, 10 annas.*

Rules for the Examination of, and grant of Certificates of Competency to, Masters, Mates and Engineers. *Price, Re. 1; postage, 1 anna.*

Abstract of the Rules of the Road at Sea, in English. *Price, Re. 1-4; packing and postage, 1 anna 6 pies.*

Ditto ditto in Bengali. *Price, Re. 1; packing and postage, 1 anna 6 pies.*

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Sanitary Primers in English and in Bengali. *Price, Rs. 6 per hundred, including transit and packing charges; single copies, 1 anna each.*

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West India Pilot, Vol. II	... Rs.	6 0 0

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Apply to Accountant, Bengal Secretariat, 28, Chowringhee Road, Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 22, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at Calcutta. After the 19th November, all **Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.**

From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

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Postage	3	0	0
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Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

NOTICE TO MARINERS.

No. 33 of 1881.

BAY OF BENGAL—GULF OF MARTABAN.

RANGOON RIVER ENTRANCE.

Temporary exhibition of small Dioptric Light at Eastern Grove.

The Port Officer, Rangoon, has notified that alterations are about to be effected in the light apparatus, and arc of visibility, of the Eastern Grove light, situated at the entrance to the Rangoon river.

The present light will be discontinued on and after the 14th October (instant), and a small dioptric light will be exhibited whilst the alterations are in progress.

Further particulars will be given previous to the re-exhibition of the permanent light.

NOTE.—Mariners are cautioned that the temporary light will not be visible at so great a distance as the permanent light.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.)*,
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department;
The 19th October 1881.

This Notice temporarily affects the following:—

BRITISH ADMIRALTY Charts, Nos. 833, 834, 823, 830 and 70. Also Light List for 1881.

INDIAN MARINE SURVEY Charts, Nos. 143, 134, 15*d* and 103*b*. Also Light List for 1881.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

BANK OF BENGAL.

NOTICES.

Calcutta, the 20th October 1881.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Monday, the 31st instant, and Tuesday, the 1st proximo, on account of "Juggodhattree Poojáh."

During the temporary absence of Mr. J. Gordon on short leave, Mr. W. Westland will officiate as Chief Accountant and Deputy Secretary.

By Order of the Directors,

R. HARDIE,
Secretary & Treasurer.

INDIAN MUSEUM.

NOTIFICATION.

Calcutta, the 20th October 1881.

Mr. O. L. Fraser, Officiating 1st Assistant to the Superintendent, made over charge to Mr. John Cockburn on the forenoon of the 17th instant, and proceeded on the leave granted him in Home Department Notification No. 276, dated 7th September 1881.

H. B. MEDLICOTT,
Honorary Secretary, Trustees, Indian Museum.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 10th October 1881.

No. 2081 *G.*—With reference to Foreign Department Notification No. 1736 G.-G., dated 15th September 1881, Lieutenant R. A. Cole assumed charge of his duties as Adjutant, Erinpura Irregular Force, from Major A. R. T. McRae on the afternoon of the 30th September 1881.

No. 2084 *G.*—Lieutenant R. A. Cole, Officiating Adjutant, Erinpura Irregular Force, assumed charge of the Station Staff Office, Erinpura, from Major A. R. T. McRae on the afternoon of the 30th September 1881.

The 15th October 1881.

No. 2141 *G.*—Surgeon J. F. Tuohy, M.D., in medical charge of the Deoli Irregular Force and of the Harowtee and Tonk Agency, is granted privilege leave for one month, with effect from the 11th October 1881.

No. 2148 *G.*—ERRATUM.—The following amendment is made in this Office Notification No. 1672 G., dated 19th August 1881:—

"From 26th June to 8th August 1881."

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATION.

Mount Abu, the 14th October 1881.

No. 749.—Major P. W. Smith and Lieutenant-Colonel A. Conolly, respectively, delivered over and received charge of the Office of Cantonment Magistrate, Deolie, on the forenoon of the 12th September 1881.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATION.

Port Blair, the 6th October 1881.

No. 14.—Major M. Protheroe, C.S.I., Deputy Superintendent, Andaman and Nicobars, having returned to duty on the forenoon of the 5th instant, the following reversions take place from that date:—

Majors R. J. Wimberley and W. B. Birch to their substantive grades.

Mr. F. A. deRoepstorff from Officiating 2nd Assistant Superintendent to Officiating 3rd Assistant Superintendent.

Mr. F. E. Tuson from Officiating 3rd Assistant Superintendent to Officiating Extra Assistant Superintendent, 1st Class.

Mr. O. H. Brookes to his substantive appointment.

T. CADELL, *Lieut.-Col.*,
Chief Commr. of the Andaman and Nicobar Islands, and Supdt. of Port Blair and Nicobars.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 11th October 1881.

No. 55.—Major G. D'A. Jackson, Executive Engineer, 4th Grade, on return from furlough, is posted to the Rawalpindi Command, Military Works.

No. 56.—With reference to Public Works Department Notification No. 320, dated 5th October 1881, Lieutenant G. H. B. Gordon, R.E., Assistant Engineer, 2nd Grade, is posted to the Rawalpindi Command, Military Works.

A. CADELL, *Major-Genl., R.E.*,
Inspr. Genl. of Military Works.

Lahore & Sirhind Command.

Lahore, the 13th October 1881.

Lieutenant G. H. Sim, R.E., Assistant Engineer, 1st Grade, passed the Departmental Examination in Hindustani on the 11th October 1881.

T. C. MANDERSON, *Major, R.E.*,
Offg. Supdg. Engr., Sirhind & Lahore Command. Military Works.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The portions of Lethbridge's Selections appointed for the Entrance Examination of 1882, are the Prose Extracts from the following Authors:—

Johnson, Smollett, Burke, Sydney Smith, Scott, Heber, Irving, Napier, Dickens, Smiles, Newman, Helps, Kingsley, Matthew Arnold, Max Muller, Hunter Wheeler, and Palgrove.

CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 20th October 1881.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, on the 18th of July 1881, a certain child, named Pimplu bin Murari Mali, while digging a hole in front of the house of Deorao bin Kusaji, in a street of the village of Sartale, Tarf Kudal, Taluka Jawli, in the Satara Collectorate, found treasure, amounting to Rs. 18 'Chandawada' hidden in it, the approximate value of which is 16 rupees 8 annas.

All persons who claim the said treasure, or any part thereof, are required to appear personally or by agent before the undersigned on the 6th of February 1882, at Medha, Taluka Jawli, in the Satara Collectorate, and in case of their failure so to appear, the claimants shall forfeit their right thereto and the aforesaid treasure shall be disposed of in the manner stated in the said Act.

GOVIND BHASKER,
Acting Mamledar.

The 29th August 1881.

Report of a Deserter from the I Battery, 5th Brigade, Royal Regiment of Artillery, dated at Barrackpore, this 15th day of October 1881.

Number, Rank and Name,—No. 2208, Gunner John Henry Cooke.	Coat or Jacket,— / Waistcoat,— ... / Breeches or Trowsers— ... } White Regimental clothing.
Age,—24 years 5 months.	Date of Desertion,—10th October 1881.
Size,—5 feet 8½ inches.	Place of Desertion,—Barrackpore.
Color of—Complexion, fresh; Hair, light brown; Eyes, hazel.	Date of Enlistment,—18th May 1876.
Parish and County in which Born,—Laughborough, Leicestershire.	Place of Enlistment,—Leicester.
Marks,—Mole on neck.	REMARKS,—None.
Trade,—Shoeing-smith.	Under 6 years' service.

R. ALEXANDER, *Major, R.A.*,
Comdg. I-5th R.A.

Statement of the Affairs of the Bank of Bengal for the week ending 18th October 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 1,06,75,181 2 0)	2,55,07,194	1	11
Public Deposits at Branches (Rs. 1,48,32,012 15 11)			
Other Deposits at Head Office and Branches	2,55,99,990	3	1
Bank Post Bills, &c.	4,96,825	2	6
Sundries	11,64,258	7	7
RUPEES	7,52,80,234	3	5

ASSETS.	Rs.	A.	P.
Government Securities	1,07,39,432	0	0
Other authorized Investments	37,94,980	0	0
Loans on Government and other authorized Securities	82,58,958	10	8
Accounts of Credit on Government and other authorized Securities	47,20,909	9	9
Bills discounted and purchased	1,74,00,720	11	2
Balances with other Banks	7,13,374	8	6
Bullion	3,14,250	2	6
Dead Stock	11,33,354	2	7
Stamps	8,124	15	10
Sundries	4,59,633	6	4
	4,75,43,738	3	4
Cash and Currency Notes at Head Office (Rs. 1,17,98,947 9 10)	2,77,36,496	0	1
Cash and Currency Notes at Branches (Rs. 1,59,37,548 6 3)			
RUPEES	7,52,80,234	3	5

By order of the Directors,

BANK OF BENGAL,
Calcutta, 20th Oct. 1881.

W. WESTLAND,
Offg. Chief Accnt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st August 1881.

PARTICULARS.	3½ per cent. Loan of 1863-64	4 per cent. Loans										4½ per cent. Loans			5 per cent. Debenture for 15 years, Re-payable June 1882.	5 per cent. Loan of 1856-57.	6½ per cent. Loan of 1859-60.	TOTAL AMOUNT.
		Of 1824-25.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1866.	Reduced 4 per cent. Loan of 1879.	Of 1870.	Reduced 4 per cent. Loan of 1881.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Transfer Loan of 1879, seven Shillings Sterling per cent. Portion.				
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
Balance of 15th August 1881	64,100	38,506	3,413	14,25,066	30,87,600	2,18,24,700	1,04,89,200	1,79,72,700	2,87,81,800	46,04,100	1,87,000	1,01,73,300	9,46,73,200	1,08,500	33,03,000	62,200	...	19,06,86,385
Add—																		
Amount enfaced at Madras between 16th and 31st August 1881	...	...	...	...	...	2,72,000	26,000	3,86,800	40,5 0	...	...	...	1,67,000	...	...	...	...	8,92,000
Amount enfaced at Bombay between 16th and 31st August 1881	...	...	...	...	39,000	3,13,500	5,000	3,16,000	2,82,000	...	...	100	5,900	...	...	...	...	9,91,500
Amount enfaced at Calcutta between 16th and 31st August 1881	...	...	...	...	2,000	32,000	44,200	1,48,500	97,000	...	...	15,000	7,05,000	...	...	...	...	10,43,700
	64,100	38,506	3,413	14,25,066	31,28,600	2,24,42,200	1,05,64,400	1,88,23,700	2,90,80,800	46,04,100	1,87,000	1,01,88,400	9,54,51,100	1,08,500	33,03,000	62,200	...	19,95,85,585
Deduct—																		
Amount written off in the London Registers	...	...	...	...	21,000	4,41,200	62,700	1,17,700	5,55,700	1,000	5,000	8,000	1,11,500	...	...	...	...	13,23,900
Balance on 31st August 1881	64,100	38,506	3,413	14,25,066	31,07,600	2,20,01,000	1,05,01,700	1,87,06,000	2,85,25,100	46,03,100	1,82,000	1,01,80,400	9,53,39,600	1,08,500	33,03,000	62,200	...	19,82,62,785

NOTE.—From 9th June 1867 to 30th June 1881, enfaced from India 4,213 lakhs; re-transferred from London, 3,599 lakhs.

„	1st July 1881 to 15th July	„ „	9 „ „
„	16th „ „ to 31st „	„ „	8 „ „
„	1st August „ to 15th August „	„ „	18 „ „
„	16th „ „ to 31st „	„ „	29 „ „
			4,276 lakhs.
			3,643 „
	Balance against India		633 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, 17th October 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 10	1,14,760	...	...	1,14,783	23,01,495	6,46,877
„ 11	...	...	...	1,14,783	23,01,495	6,46,877
„ 12	4,263	...	...	1,19,046	23,00,620	6,46,877
„ 13	...	...	...	1,19,046	23,00,620	6,46,877
„ 14	...	...	...	1,19,046	23,00,622	6,46,877
„ 15	...	...	1,22,208	4,333	24,15,335	7,61,689

CALCUTTA MINT,
The 17th Oct. 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
195	... D 17—17802 ...	50	Bhagirath Mul or Ratan Lal, Mainpuri.
	„ —23490 ...	50	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
127	... D 16—35045 ...	10	Pundit Raj Bahadur, Bahraich.
128	... D 17—30103 ...	50	Mr. A. Thompson, Bareilly.
129	... D 12—39236 ...	5	Mr. G. A. MacCutchan, Morar.
130	... D 12—19020 ...	5	Mahabir Pershad, Gorucknpur.
131	... D 18—75466 ...	100	Rai Madho Prasad Singh, Partabgarh.
	„ —75467 ...	100	
	„ —75468 ...	100	
34	... D 14—52035 *	20	Baboo Ram Calpa Naik, Calcutta.
	„ —52034 *		

* Mismatched.

ALLAHABAD,
The 19th October 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
H113	... M 18—17107 ...	10	Jagan Nath, Lahore.
H114	... M 53—47441 ...	20	A. M. Miller, Delhi.
	M 33—85300 ...	20	
H115	... M 46—93715 ...	50	Abdool Kaim Mahomed, Bombay.
M60	... M 54—94167	10	Haji Peer Mahomed Ameen, Bombay.
	M 58—24609		

BOMBAY,
The 18th October 1881.

W. T. PIERCY,
Asst. Accts. Genl., Paper Currency Dept.

Kurrachee Circle.

NOTE PARTIALLY LOST OR DESTROYED.

No. of Note.	Value.	Name of Claimant.
	Rs.	
G 8—40831 ...	20	Liladhur Kalianji & Co., Bombay.

KURRACHEE,
The 11th October 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
		Rs.	
40 ...	E 15—92136 ...	50	Joti Ram, Head Master Pathan Kote School, Zilla Gurdaspur.

LAHORE,
The 15th October 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
46 ...	B 66—35539 ...	100	P. Nanjundappah, No. 30, Badrien Street, Madras.
	„ —80550 ...	100	
	B 68—35416 ...	100	
	„ —35417 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
85 ...	B 61—92650 ...	50	Major A. R. Kenney Herbert, Ootacamund.
	„ —94317 ...	50	
	B 66—27755 ...	100	
	B 68—07862 ...	100	
	„ —30400 ...	100	
86 ...	B 60—92797 ...	10	Mr. J. Manuel, 2nd Class Hospital Assistant, Thirthali Dispensary, Thirthali.
	B 57—67642 ...	20	
87 ...	B 47—83387 ...	5	Miss Gahan, Bangalore.

FORT SAINT GEORGE,
The 10th October 1881.

C. HALL,
Offg. Chief Clerk of the Accts. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Simla, the 29th September 1881.

Correspondence addressed to Queensland, Australia, is at present forwarded *viâ Melbourne* fortnightly as shown below:—

Date of despatch from Bombay.
October 7th and 21st.
November 4th and 18th.
December 2nd, 16th and 30th.
January 13th (1882).

On and after the 21st October next an alternative route once in four weeks *viâ Torres Straits* will be available for correspondence addressed to the colony in question, and as the Torres Straits route is shorter than the route *viâ* Melbourne, all correspondence for Queensland, not *specially marked* for transmission *viâ* "*Melbourne*," will be forwarded through Singapore and the Torres Straits.

2. Mails for Queensland *vid Torres Straits* will be despatched from Bombay on the dates given below:—

October 21st.
November 18th.
December 16th.
January 13th (1882).

3. The rates and conditions of postage are the same by either route, and will be found in the Postal Guide, dated April 1881. The rates are given below:—

(c) denotes compulsory prepayment.	Each letter per ½ oz.	Each post-card.	Printed papers, including books, &c. Each newspaper per 4 oz.	Printed papers, including books, &c. Each packet per 2 oz.	Legal and commercial documents. Each packet. Not exceeding 4 oz.	Legal and commercial documents. Each packet. Per 2 oz. additional.	Samples. Each packet. Per 2 oz.
	A.	A.	A. c.	A.	A.	A.	A.
Queensland (Australia)— *Vid* Bombay (or from Aden, Rangoon or Moulmein) and Torres Straits . . . *Vid* Tuticorin and Torres Straits . . . *Vid* Bombay (or from Aden) and Melbourne *Vid* Tuticorin and Melbourne . . .	c6	...	1	1½	3	1½	1½

The 12th October 1881.

Exchange of Money Orders with Victoria (Australia), Tasmania, and certain Offices in China and Japan.

On and after the 1st January 1882, Money Orders will be exchanged, in both directions, with Victoria (Australia), Tasmania, and the following Offices in China and Japan, *viz.*:—

Amoy.	Hong-Kong.	Ningpo.
Canton.	Kobe (Hiogo, Japan).	Shanghai.
Foochow.	Macao.	Swatow.
Hankow.	Nagasaki (Japan).	Yokohama (Japan.)
Hoihow.		

2. The following rates of commission will be charged for Money Orders drawn upon the countries named above:—

For Money Orders drawn upon Victoria and Tasmania.

	Rs.	A.
On sums not exceeding £2 ...	0	4
Exceeding £ 2 and not exceeding £ 5 ...	0	8
„ „ 5 „ „ „ 7 ...	0	12
„ „ 7 „ „ „ 10 ...	1	0
„ „ 10 „ „ „ 12 ...	1	4
„ „ 12 „ „ „ 15 ...	1	8
„ „ 15 „ „ „ 17 ...	1	12
„ „ 17 „ „ „ 20 ...	2	0

For Money Orders drawn upon China and Japan.

	Rs.	A.
On sums not exceeding Rs. 10 ...	0	2
Exceeding Rs. 10 but not exceeding Rs. 25 ...	0	4
„ „ 25 „ „ „ 50 ...	0	8
„ „ 50 „ „ „ 75 ...	0	12
„ „ 75 „ „ „ 100 ...	1	0
„ „ 100 „ „ „ 125 ...	1	4
„ „ 125 „ „ „ 150 ...	1	8

3. The maximum limit for single orders drawn upon *Victoria* is *£20*, for those drawn upon *Tasmania £10*, and for those drawn upon *China or Japan Rs. 150*. No person may obtain in one day more than four Money Orders payable to the same person.

4. In all other respects Money Orders exchanged with Victoria and Tasmania will be treated like Money Orders exchanged with the United Kingdom, and Money Orders exchanged with China and Japan like Money Orders exchanged with Ceylon (*vide* Postal Guide, dated April 1881).

L. G. WAIT,

Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

The 15th October 1881.

No. 7854.—Appointments in the Post Office Department made by the Director General of the Post Office of India:—

POSTAL CIRCLE, MADRAS.

Mr. H. Smith is appointed to be Examiner of Post Office Accounts.

Mr. J. G. Combes, Superintendent of Post Offices, 1st Grade, is transferred to the Trichinopoly Division.

Mr. C. Smith, Superintendent of Post Offices, 4th Grade, is transferred to the Kistna Division.

Mr. E. M. Dawes, Superintendent of Post Offices, 3rd Grade, is transferred to the Coorg Division.

G. J. HYNES,

for *Depy. Dir. Genl. of the Post Office of India.*

Calcutta, the 21st October 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer.
		1881.	
Persian Gulf	7 P. M.	29th Oct.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	28th „	Str. *Henzada.*
Madras and Ceylon . . .	7 „	22nd „	P. & O. Str. *Assam.*
Foreign Mails *vid* Bombay .	7 „	24th „	From Bombay.
Do. Book Post and Pattern Packets . . .	7 „	23rd „	From Bombay.
Rangoon, Moulmein, and Straits .	7 „	27th „	Str. *Rajpootana.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon .	7 „	27th „	Str. *Commilla.*
Persian Gulf	7 „	22nd „	From Bombay.
Port Blair and Camorta . .	7 „	28th „	Str. *Satara.*

N.B.—The Letter Box will close at 7 P.M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 16th October 1881.

Agent, Wellington Mills.
Allen, Mrs. E. A.
Aviett, G.
Barcley, Mrs.
Barrell, R.
Bawn, R. N. & Co.
Beard R. C.
Beedley, A.
Boileau, F. L., Captain.
Bradbury & Co.
Braun, Mrs. M.
Bridgenell, Mrs.
Brook, P.
Carapiet, A.
Chalmers, A. B.
Chase, Mrs.
Cowie, Mrs. G.
Cox, H. C.
Cursetjee & Co.
David, C.
Day, M. A.
Der, M. L.
Duval W. H. D.
Ekbery, W.
Frehtman, L.
Forsyth, Mrs. E.
Gray, H. D.
Greek, R.
Harris, Dr. J. T.
Howard, Miss F.
Jacob, D.
Jones, M. P.
Kuriander, S.
Lawrence, R. M.
Lewis, M. A.
Lloyd, J.
Lord, J.
Luther, R.
Macdonald, A.
McLeod, G. E.
Martindale, H.
Massa, P.
Moore, H. A.
Obbard, H. S.
O'Connell, Mrs.
Official Trustee for the children of Julie Perrot.
Offil & Co.
Paul, H. M.
Peel, A. J.
Pissendil, J.
Pity, S. H.
Prikct, J.
Rose, Mrs. E. C.
Sivis, P.
Sou. J. S.
Strowell, W. G.
Ward, Mrs. S. B.
Weeks, J.
Weynton, O.
Wilson, R. E.
White, Mrs. R. S.
Vaughan, J.
Younes, W.

Letters marked "Care of Post Office, to be kept till called for."

A. B. C.
Allen, Mons. J. A.
Anderson, John.
Atkinson, Capt. S. B.
Badgley, Mrs.
Baker, G.
Beatrice, Miss.
Beepin Bihari Pattuck.
Bell, J. H.
Billinge, Dudley.
Bourge, J., Signora.
Bouzait, John Richard.
Breihl, P.
Brundage, J. D.
Calder, S.
Chater, E. J.
Clay, Samuel.
Collins, Frederick.
Cruft, J.
Dampier, Hon'ble H. L.
Dobbin, Philip T.
Doody, Serjt. Geo.
Driscoll, D. J.
Dyer, W.
Dykes, L. F.
Earle, G. H.
Eleftheria, Nicholas K.
Feek, Richard.
Fenn, A.
Ferm, Arthur.
Fisher, Louis.
Fraucher, W.
Frankland, William.
G. O.
Gerolame, G.
Glazebrook, J. T. W.
Grimes, T.
Hankievz, Charles.
Hazard, F.
Henzell, H. L.
Herchanroder, E. T.
Herman, Morris.
Jameson, T. D.
Jash, F. H.
Jasteer, —.
J. B. B. P.
Johanes.
Jones, Pryce.
Kellar, Harry.
Kelly, E.
Kirkwood, T. M.
Kirti Chunder Mitter.
Kohn, Joseph.
Lablche, A. D.
Lambert, Dr. E.
Leebmann, H.
Lepies, W.
Lindeman, L. K.
Littlewood, J. H.
Macgrath.
Macguttyre, A.
Martin, C. M.
Martin, G.
McCrea, J. J.
McCormick, J.
McDougall, A.
Mills, C. H.
Morse, B.
Murshy, E.
N. C.
Niernansteen, S.
Padmore, Robt.
Parkinson, Mrs. Annie.
Pearce, Mrs. R.
Peters, D.
Peters, J.
Peyrot, A.
Pratt, J. D.
Presse, J.
Queen, S. F.
Reed, C. A. P.
Reiesson, D. P. J.
Ross, C. Henry.
Rourke, Mrs. E.
Russick Lall Seal.
Shepherds, —.
Smith, T. H.
Spalding, A.
Spencer, Mrs.
Strong, Samuel Stephen.
Swinton, F. G.
Synnot, W.
Tripasure, Vankata Krisna Rao.
Walton, E. M.
Walker & Co.
Wells, W.
Weir, W. W.
White, Michael J.
Wood. W., Captain.
Yeomans, Miss.
Zifferer, F. T.

Newspapers.

Brundage, J. D.
Campbell, Major A. D.
Collins, F.
Froster, J.
Johnson, E. C.
Kendall, W.

Registered Letters.

Fuakman, L.
Hankuwing, Monsr. Chas.
Hogarth, B.
Honorary Secretary, Queen's Widow Fund.
Kavanuagh, Dr. M. D.
Kirkwood, T. M.
Mischin and Geneste, P.
Morton, Mr.
Neilson, Geo. A.
Paxwell, E.
Reed, C. A. P.
Schapira, D.
Sinclair, H. G.
Smith, Patrick.
Staples, J. E.
Tongouloff, Monsr. A.
Warde, Mrs.

E. HUTTON,

Presidency Post Master.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. Tenders will be received up to the 15th November 1881.

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,

Exe. Engr. for Irrigation, Poona Division.

POONA,
The 31st August 1881.

NOTICE.

The Office of the Accountant General of Bengal will be removed from the old Treasury Building to No. 2, Dalhousie Square, East, on Monday, the 24th instant.

R. LOGAN,

Offg. Accts. Genl., Bengal.

The 20th October 1881.

COMMISSARIAT NOTICE.

The following number of elephants not required by Government are for sale and will be on view at Meean Meer and Umballa about dates noted:—

Most of them are fine valuable animals.

Meean Meer.

About 6th October, 15 males, 11 females.
„ 20th „ 31 „ 23 „
Of the males, 24 are tuskers, 7 muknas.
Eighteen of the females are 8 feet and upwards in height.

Umballa.

Eight now on view, 4 males (tuskers), 4 females.
Two, 8 feet and upwards in height.

2. Commissariat Officers, Meean Meer and Umballa, will facilitate inspection by intending purchasers on application.

Descriptive rolls can be obtained from, and offers for purchase of these elephants should be addressed to, Assistant Commissary Generals, Meean Meer and Umballa, for communication to Commissary General.

BARNARD SMITH, *Major,*
Offg. Depy. Comsy. Genl.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائون کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنی کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے وبکے جو کوئي ايک مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنی نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام‌الناس بوٹانکل گارڈن یعنے کمپنی باغ کے سپرنٹنڈنٹ صاحب سے بقیمت نقد حسب نرخ ذیل خرید کرسکتے ہین یعنے نرخ چار اونس ٹین کا پانچ روپیہ آٹھہ آنہ ; آٹھہ اونس کے ٹین کا دس روپیہ آٹھہ آنہ ; ایک پونڈ کے ٹین کا بیس روپیہ

یہہ دوا کلکتہ کے بڑے بڑے ولایتی اور دیسی دواخانونمین بکتی ہی ماسیواے قیمت مذکورۂ بالا کے محصول ڈاک چار اور آٹھہ اونس کے ٹین کا آٹھہ آنہ ; اور ایک پونڈ کے ٹین کا بارہ آنہ

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set :

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For the CALCUTTA SERIES ...	Rs. 35	Rs. 37-8
„ MADRAS SERIES ...	„ 8	„ 9
„ BOMBAY SERIES ...	„ 8	„ 9
„ ALLAHABAD SERIES	„ 8	„ 9
Complete set... ...	„ 45	„ 47-8

The price of each Part purchased separately will vary according to the amount of matter it contains, and will be printed on the wrapper. It will, however, never be below the following :—

For a Part of the CALCUTTA SERIES ...	Rs. 3 8
„ „ MADRAS SERIES ...	„ 1 0
„ „ BOMBAY SERIES ...	„ 1 0
„ „ ALLAHABAD SERIES.	„ 1 0
Complete set	„ 4 0

Persons desiring to subscribe for or purchase the Reports, should apply to—

MESSRS. THACKER, SPINK AND CO., CALCUTTA ;
MESSRS. THACKER AND CO., BOMBAY ;
MESSRS. HIGGINBOTHAM AND CO., MADRAS ;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY ;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingoria to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moelctivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30′ N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re. 1.*

Ceylon, East Coast—

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—

Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang Pra.' *Re. 1.*
Patani Bay. *Annas 8*
Singora Roadstead and Inner Harbour. *Re. 1.*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
Langsuen Roads. *Re 1.*

Sailing Directions, &c.—

The Sailing Directory, Part I, India, Africa and South America, with Charts. *Rs. 16 ; packing and postage, Re. 1-12.*

Return of Wrecks and Casualties in Indian Waters for the year 1877, together with a Chart showing the positions in which they occurred. *Rs. 2.*

Ditto ditto for 1878. *Price, Rs. 2.*

Ditto ditto for 1879. *Price, Rs. 2.*

List of Light-houses and Light-vessels in British India (Suez to Singapore), corrected from official information. *Re. 1.*

Spheroidal Tables, for every ten minutes of the quadrant, showing the length in feet of a degree, minute, and second of latitude and longitude ; the corresponding number of statute miles in each degree of latitude ; the number of minutes of latitude, or nautic miles contained in a degree of longitude under each parallel of latitude ; and the length, in cables, of a minute of longitude, corresponding to each nautic mile, Compression $\frac{1}{300}$. *Re. 1.*

Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled ; superseded by Notice No. 8 *Annas 4.*
„ 3 Cancelled ; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled ; superseded by Notice No. 23. *Annas 4.*
„ 5 Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Belilling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.

No. 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.

„ 9. Exhibition of red Light on Breakwater, Colombo.

„ 10. Red Buoy off point Gordeware (Godavery.)

„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.

„ 12. Particulars of first point Light, Java, approach to Sunda Strait.

„ 13. Alteration in character of Flat Cape Light, Sumatra.

„ 14. Removal of North Buoy, entrance to Madras Harbour.

„ 15. Range of visibility of Paumben Light.

„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.

„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.

„ 18. Port Saïd entrance—Experimental Buoy lighted by gas.

„ 19. Exhibition of revolving Light, Armeghon.

„ 20. Beacon on Tucker's Patch—Bombay Harbour.

„ 21. Exhibition of fixed white Light—Pulicat.

„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.

„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.

„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.

„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.

„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.

„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.

„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.

„ 29. Reported reef off Batticaloa, Ceylon—East Coast.

„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.

„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.

„ 32. Removal of South Buoy, Harbour Entrance. Bay of Bengal—Coromandel Coast—Madras.

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Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, *Esq., Meteorological Reporter to Government. Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

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Vol.	III.	Midnapur, Hugli and Howrah.
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Just published, pp. XXXV + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Fellow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 29, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at Calcutta. After the 19th November, all **Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.**

From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

NOTICE TO MARINERS.

No. 34 of 1881.

INDIA—SOUTH COAST.

CADIAPATAM OR MUTTUM POINT.

Reported incorrect position of Crocodile Rock.

Captain W. E. Hutchinson, commanding the British India Steam Navigation Company's Steamer *Bhandara*, has reported that the Crocodile rock—lying off Muttum point and about 16 miles west of Cape Comorin—is incorrectly placed on the published charts of that coast.

The rock is reported as being distant nearly three-quarters of a mile S.S.W. of the position at present assigned to it. From it, Kotah islet bears N. 9¼° W., and Adumdah islet N. 33¼° E.

Mariners should navigate this part of the coast with extreme caution.

Bearings are Magnetic. Variation 0° 50′ E. in 1881.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Calcutta,—Marine Survey Department,
The 18th October 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 751, 2738, 827, and 828. Also West Coast of Hindustan Pilot (1880), page 82.

INDIAN MARINE SURVEY Charts, Nos. 15*a*, 15*b*, 103*a*, and 1257*a*. Also Taylor's Sailing Directory, Vol. I, page 412.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 24th October 1881.

No. 244.—The privilege leave granted to Mr. R. F. Warwick, Assistant Surveyor, 3rd Grade, in Notification No. 236, dated 25th August last, is commuted to leave on medical certificate, under Chapter X, Sections 127, 128 and 139 of the Civil Leave Code, and is extended for three months.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 20th October 1881.

No. 2217 *G.*—With reference to this Office Notification No. 2142 G., dated 15th October 1881, Surgeon J. F. Tuohy, M.D., in medical charge of the Deoli Irregular Force and of the Haraoti and Tonk Agency, is granted an extension of privilege leave for one month.

No. 2223 *G.*—Surgeon A. Adams, Officiating Medical Officer of the Western Rajputana States Agency and the Erinpura Irregular Force, held visiting medical charge of the Civil Station, Rajputana, in addition to his own duties, from the afternoon of the 13th July to the afternoon of the 9th September 1881.

Paragraph 2 of this Office Notification No. 1891 G., dated 22nd September 1881, is hereby cancelled.

By Order,
E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATION.

Mount Abu, the 21st October 1881.

No. 779.—With reference to this Office Notification No. 733, dated 10th October 1881, Major J. H. Lassalle and Mr. W. R. Lawrence, C.S., respectively, made over and received charge of the Office of Assistant Commissioner, Ajmere, on the afternoon of the 23rd September 1881.

By Order,
E. A. FRASER,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER AND SUPERINTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATION.

Port Blair, the 17th October 1881.

No. 15.—Consequent on the departure of Lieutenant-Colonel T. Cadell, V.C., on the furlough granted him in Military Department No. 322, published in *Gazette of India* of the 18th June last, the following promotions are made, with effect from the afternoon of this date :—

Major R. J. Wimberley, from 1st Assistant Superintendent to Officiating Deputy Superintendent.

Major W. B. Birch, from 2nd Assistant Superintendent to Officiating 1st Assistant Superintendent.

Mr. deRoepstorff, from Extra Assistant Superintendent, 1st Class, and Officiating 3rd Assistant Superintendent, to Officiating 2nd Assistant Superintendent.

Mr. Tuson, from Extra Assistant Superintendent, 2nd Class, and Officiating Extra Assistant Superintendent, 1st Class, to Officiating 3rd Assistant Superintendent.

Mr. O. H. Brookes, from Extra Assistant Superintendent, 2nd Class, to Officiating Extra Assistant Superintendent, 1st Class.

Mr. J. L. Lang, Supernumerary Extra Assistant Superintendent, 2nd Class, to Officiating Extra Assistant Superintendent, 2nd Class.

M. PROTHEROE, *Major,*
Offg. Chief Commr. of the Andaman and Nicobar Islands, and Supdt. of Port Blair and Nicobars.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 14th October 1881.

No. 57.—Honorary Captain R. G. Davies, Barrack Master, 1st Class, on return from furlough, is posted to the Rawalpindi Command, Military Works.

The 19th October 1881.

No. 58.—With reference to Public Works Department Notification No. 334, dated 13th October 1881, Lieutenant H. J. W. Jerome, R.E., Assistant Engineer, 1st Grade, is posted to the Presidency and Oudh Command, Military Works.

The 20th October 1881.

No. 59.—With reference to G. O. C. C., dated 30th September 1881, page 614, Major C. N. Judge, R.E., Executive Engineer, 1st Grade, was relieved of his duties in the Military Works Branch on the afternoon of 6th October 1881.

A. CADELL, *Major-Genl., R.E.,*
Inspr. Genl. of Military Works.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 7th October 1881.

No. 52.—Assistant Surgeon Juggon Nath Chatterjee, of the supernumerary list, is permitted to resign the service.

J. M. CUNINGHAM, M.D.,
Surgeon-Genl. with the Govt. of India.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

The portions of Lethbridge's Selections appointed for the Entrance Examination of 1882, are the Prose Extracts from the following Authors :—

Johnson, Smollett, Burke, Sydney Smith, Scott, Heber, Irving, Napier, Dickens, Smiles, Newman, Helps, Kingsley, Matthew Arnold, Max Muller, Hunter Wheeler, and Palgrove.

CHARLES H. TAWNEY,
Registrar.

SENATE HOUSE,
The 20th October 1881.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 20th October 1881.

No. 62.—Mr. H. L. Monk, Executive Engineer, 2nd Grade, on the Establishment of the Director General of Railways, is posted to the Rewari-Ferozepore State Railway.

F. S. STANTON, *Col., R.E.,*
Offg. Director General of Rys.

NOTICE.

The Office of the Accountant General of Bengal will be removed from the old Treasury Building to No. 2, Dalhousie Square, East, on Monday, the 24th instant.

R. LOGAN,
Offg. Acctt. Genl., Bengal.
The 20th October 1881.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. Tenders will be received up to the 15th November 1881.

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,
Exe. Engr. for Irrigation,
Poona Division.

POONA,
The 31st August 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 25th October 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 67,99,372 4 6)			
Public Deposits at Branches (Rs. 1,46,84,093 4 5)	2,14,83,465	8	11
Other Deposits at Head Office and Branches	2,49,81,097	7	1
Bank Post Bills, &c.	6,00,721	7	0
Sundries	12,09,413	9	7
RUPEES	7,07,86,664	4	11

ASSETS.	Rs.	A.	P.
Government Securities	1,08,25,991	8	0
Other authorized Investments	37,94,980	0	0
Loans on Government and other authorized Securities	84,75,296	8	6
Accounts of Credit on Government and other authorized Securities	71,10,310	3	11
Bills discounted and purchased	1,51,04,731	13	7
Balances with other Banks	5,20,071	11	6
Bullion	3,64,082	11	9
Dead Stock	11,33,604	12	1
Stamps	7,886	10	10
Sundries	4,87,599	12	5
	4,78,24,555	12	7
Cash and Currency Notes at Head Office (Rs. 79,11,023 13 4)			
Cash and Currency Notes at Branches (Rs. 1,50,51,084 11 0)	2,29,62,108	8	4
RUPEES	7,07,86,664	4	11

By order of the Directors,

BANK OF BENGAL,
Calcutta, 27th Oct. 1881.

W. WESTLAND,
Offg. Chief Acctt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

COMPTROLLER GEN

No. 1466.—*Account of Revenue and Expenditure of the Government of India for the*

N.B.—Amounts are converted into

REVENUE.	Estimates, 1881-82.	April to May 1880.	April to May 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue	22,495,000	3,427,773	3,836,391	408,618	...
II.—Tributes	705,000	129,837	87,871	...	41,966
III.—Forest	768,100	36,414	30,984	...	5,430
IV.—Excise on Spirits and Drugs	3,031,000	522,759	535,380	12,621	...
V.—Assessed Taxes	550,000	46,830	122,219	75,389	...
VI.—Provincial Rates	2,863,000	496,034	568,700	72,666	...
VII.—Customs	2,367,000	392,273	439,811	47,538	...
VIII.—Salt	7,153,000	1,192,239	1,355,969	163,730	...
IX.—Opium	8,763,000	1,568,707	1,469,027	...	99,680
X.—Stamps	3,290,000	540,560	578,308	37,748	...
XI.—Registration	290,000	46,936	48,921	1,985	...
XII.—Mint	89,000	17,536	1,375	...	16,161
XIII.—Post Office	967,000	190,858	163,752	...	27,106
XIV.—Telegraph	452,600	78,736	65,286	...	13,450
XV.—Minor Departments	62,500	6,310	7,900	1,590	...
XVI.—Law and Justice	664,000	96,565	89,522	...	7,043
XVII.—Police	236,000	36,104	34,789	...	1,315
XVIII.—Marine	210,000	26,598	22,098	...	4,500
XIX.—Education	143,000	27,857	26,930	...	927
XX.—Medical Services	37,700	4,359	4,576	217	...
XXI.—Stationery and Printing	61,000	8,655	5,934	...	2,721
XXII.—Interest	668,000	118,042	114,697	...	3,345
XXIII.—Pensions	215,600	12,324	14,166	1,842	...
XXIV.—Miscellaneous	265,000	35,578	35,049	...	529
XXX.—Gain by Exchange	412,000	923	5,085	4,162	...
TOTAL	56,758,500	9,060,807	9,664,740	603,933	...
XXV.—Railways — *Guaranteed Railways.* Traffic Receipts	7,489,800	1,220,322	1,371,362	151,040	...
State Railways. Gross Traffic Earnings	2,420,000	283,551	324,652	41,101	...
Net Traffic do. East Indian	2,800,000	436,258	540,438	54,180	...
XXVI.—Irrigation and Navigation, including Net Traffic Receipts, &c., Madras Irrigation.	902,500	25,414	40,629	15,215	...
XXVII.—Other Public Works	472,500	56,044	63,825	7,781	...
XXVIII.—Provincial and Local Deficits	821,000	...	...	...	...
XXIX.—Army	777,000	128,744	129,854	16,143	...
Military Operations in Afghanistan	61,000		15,033		...
TOTAL	72,502,300	11,261,140	12,150,533	889,393	...
England, including Army, Public Works, &c.	3,238,700	54,757	70,133	15,376	...
GRAND TOTAL	75,741,000	11,315,897	12,220,666	904,769	...

COMPTROLLER GENL.'S OFFICE,
CALCUTTA,
The 28th October 1881.

ERAL'S OFFICE.

2nd month of the year 1881-82, as compared with the corresponding period of 1880-81.

sterling @ Rs. 10 to the Pound Sterling.

EXPENDITURE.	Estimates, 1881-82.	April to May 1880.	April to May 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt	3,576,700	427,487	682,087	254,600	...
2.—Interest on Service Funds and other Accounts	407,300	23,224	45,630	22,406	...
3.—Refunds and Drawbacks	350,000	60,007	73,317	13,310	...
4.—Land Revenue	3,031,100	455,136	462,188	7,052	...
5.—Forests	565,800	30,050	22,447	...	7,603
6.—Excise on Spirits and Drugs	99,000	33,221	14,548	...	18,673
7.—Assessed Taxes	15,000	2,810	1,345	...	1,465
8.—Provincial Rates	48,000	4,468	3,995	...	473
9.—Customs	206,000	32,484	32,963	479	...
10.—Salt	428,000	40,911	50,531	9,620	...
11.—Opium	2,262,500	980,923	965,784	...	15,139
12.—Stamps	74,000	12,898	12,991	93	...
13.—Registration	186,000	28,469	28,363	...	46
14.—Mint	85,200	11,550	11,022	...	528
15.—Post Office	997,900	215,489	167,566	...	47,923
16.—Telegraph	459,600	62,889	63,420	5,531	...
17.—Administration	1,298,900	201,693	194,988	...	6,705
18.—Minor Departments	438,700	58,728	76,575	17,847	...
19.—Law and Justice	3,349,600	519,881	511,633	...	8,248
20.—Police	2,571,000	404,883	411,517	6,634	...
21.—Marine	432,100	52,805	56,471	3,666	...
22.—Education	1,057,600	154,729	163,766	9,037	...
23.—Ecclesiastical	158,200	26,189	26,608	419	...
24.—Medical Services	690,500	101,863	103,779	1,916	...
25.—Stationery and Printing	424,400	58,009	64,150	6,141	...
26.—Political	535,700	69,781	74,064	4,283	...
27.—Allowances and Assignments	1,881,900	288,658	336,799	48,141	...
28.—Civil Furlough and Absentee Allowances	4,000	822	1,220	398	...
29.—Superannuation, Retired and Compassionate Allowances	708,000	195,839	177,597	...	18,242
30.—Miscellaneous	251,000	43,356	41,883	...	1,473
31.—Famine Relief	1,500,000	14,162	113	...	14,049
37.—Loss by Exchange	3,475,000	571,067	643,753	72,686	...
TOTAL	31,568,700	5,184,421	5,528,113	343,692	...
32.—Railways — *Guaranteed Railways.* Working Expenses	4,760,000	384,584	365,768	...	18,816
Land and Supervision	78,900	8,845	9,151	306	...
Interest in India	4,800	...	...	...	...
Surplus Profits paid to Railway Companies	165,300	515	...	...	515
State Railways. Working Expenses	2,086,000	572,076	264,724	...	307,352
Surplus Profits, &c., East Indian Railway	204,600	...	...	...	...
Frontier Railways	386,000	...	184,499	184,499	...
33.—Irrigation and Navigation, including Madras Irrigation Interest, &c.	1,351,700	85,332	92,372	7,040	...
34.—Other Public Works	4,939,400	146,668	249,849	103,181	...
35.—Provincial and Local Surpluses	114,000	...	...	...	...
36.—Army	12,392,000	2,160,545	2,037,810	69,629	...
Military Operations in Afghanistan	2,271,000		192,364		...
TOTAL	60,322,400	8,542,986	8,924,650	381,664	...
England, including Army, Public Works and Guaranteed Interest, &c.	14,563,600	2,140,707	2,741,001	600,294	...
TOTAL	74,886,000	10,683,693	11,665,651	981,958	...
38.—*Productive Public Works*— Capital Expenditure in India	3,010,000	380,026	360,678	...	19,348
Ditto ditto in England	1,863,000	55,272	44,243	...	11,029
TOTAL	4,873,000	435,298	404,921	...	30,377
GRAND TOTAL	79,759,000	11,118,991	12,070,572	951,581	...

E. W. KELLNER,
Depy. Comptroller General.

J. WESTLAND,
Offg. Comptroller General.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th September 1881.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54.	4 PER CENT. LOANS										5 PER CENT. LOANS										TOTAL AMOUNT.
		Of 1824-25.	Of 1829-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	REDUCED 4 PER CENT. LOAN OF 1879.	Of 1870.	Reduced 4 per cent. Loan of 1881.	Of 1878.	TRANSFER LOAN OF 1879, 4½ PER CENT. 1ST PORTION.	TRANSFER LOAN OF 1879, SEVEN SHILLINGS STERLING PER CENT. PORTION.	5 PER CENT. DEBENTURE FOR 15 YEARS, REPAYABLE JUNE 1892.	5 PER CENT. LOAN OF 1856-57.	5½ PER CENT. LOAN OF 1859-60.					
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.					Rs.
Balance of 31st August 1881	54,100	38,506	3,413	14,25,066	31,67,600	2,20,01,000	1,05,01,700	1,87,06,000	2,86,45,600	46,03,100	1,82,000	1,01,99,400	9,53,39,600	1,08,500	33,03,000	62,200	...					19,83,61,785
Add—																						
Amount enfaced at Madras between 1st and 15th September 1881	...	...	...	...	...	5,000	...	2,09,000	...	...	...	...	5,08,000	...	...	...	...					7,22,000
Amount enfaced at Bombay between 1st and 15th September 1881	...	...	...	...	11,300	1,14,500	4,200	9,55,500	51,000	...	...	19,000	2,61,500	...	...	...	...					14,17,000
Amount enfaced at Calcutta between 1st and 15th September 1881	...	...	...	...	...	1,35,400	3,000	6,01,200	1,800	2,000	1,000	23,000	2,12,500	...	...	...	...					9,78,900
	54,100	38,506	3,413	14,25,066	31,18,900	2,22,55,900	1,05,08,900	2,04,71,700	2,86,99,400	46,05,100	1,83,000	1,02,22,400	9,63,21,600	1,08,500	33,03,000	62,200	...					20,13,80,685
Deduct—																						
Amount written off in the London Registers	...	...	...	...	2,62,300	...	72,000	49,800	1,24,300	6,500	1,000	...	1,35,000	...	...	1,000	...					6,51,900
Balance on 15th September 1881	54,100	38,506	3,413	14,25,066	31,18,900	2,19,93,600	1,04,36,900	2,04,21,900	2,85,74,100	45,98,600	1,82,000	1,02,22,400	9,61,86,600	1,08,500	33,03,000	61,200	...					20,07,28,735

NOTE.—From 9th June 1867 to 15th July 1881, enfaced from India 4,221 lakhs; re-transferred from London, 3,804 lakhs.

,,	16th July 1881 to 31st	,,	,,	,,	8	,,	5 ,,
,,	1st Aug. ,,	to 15th Aug.	,,	,,	18	,,	21 ,,
,,	16th ,,	,, to 31st	,,	,,	29	,,	13 ,,
,,	1st Sept. ,,	to 15th Sept.	,,	,,	31	,,	6 ,,
							5,640 lakhs.
Balance against India							4,387 lakhs.
							3,649 ,,
							658 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 17th October 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 17	...	...	4,134	112	24,19,665	7,65,811
,, 18	...	...	...	112	24,19,665	7,65,811
,, 19	...	...	55	60	24,22,191	7,65,863
,, 20	...	...	...	60	24,22,200	7,65,863
,, 21	...	...	...	60	24,22,200	7,65,863
,, 22	Holiday.					

CALCUTTA MINT,
The 24th Oct. 1881.

J. F. TENNANT, *Col., R.E.*,
Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
196	... D 17—04891 ...	50	Mr. C. H. A. Twidale, Allahabad.

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
H118	... D 6—64111 ...	10	Mir Akber Alie, Ghazipur.

ALLAHABAD,
The 26th October 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.*,
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
M61	... M44—30909 ,, —30906	100	Essurdass Jumnadass, Bombay.

BOMBAY,
The 21st October 1881.

W. T. PIERCY,
Asst. Accst. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
204	... O 70—45583 ...	500	Bhikhari Lal.
206	... O 70—98367 ...	500	Mohamed Ibrahim,
	,, —98368 ...	500	
	,, —98369 ...	500	
	,, —98370 ...	500	
	O 69—10289 ...	100	
	,, —10290 ...	100	
207	... O 96—53670 ...	100	Golam Mistri.
208	... O 89—52271 ...	1,000	Ram Kissen.
209	... O 96—01477 ...	100	The District Superintendent of Police, Cachar.
210	... O 96—65615 ...	100	Babu Hurish Chunder Biswas.
	,, —33312 ...	100	
213	... O 32—48760 ...	50	Babu Tincowrie Sircar.
214	... L 51—15778 ...	100	Bhagirut Mull and Ratan Lal.
	O 96—36587 ...	100	

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
119	... O 64—29096 ,, —29097	20	Messrs. R. Scott Thomson and Co., Ld.
120	... L 21—07871 ,, —07872	5	Babu Ram Kalpa Naik.
121	... L 42—78986 ,, —78987	10	Babu Chundra Nath Dey.
123	... O 93—43410 L 99—71755	10	Babu Hury Narayon Roy.
124	... L 9—65272 L 15—36139	5	Jalee Ram Buldeo Das
125	... L 34—01679 ,, —01676	10	Babu Roma Nath Sing.
126	... N 2—39916 ,, —39917	10	Mr. H. E. Brown.
127	... L 55—60001 ,, —60005	5	Mr. W. H. Martin.
161	... O 32—66460 ...	50	Revd. H. C. Spring.
	,, —66461 ...	50	
	O 55—18224 ...	20	
	O 62—80635 ...	20	
162	... O 89—47730 ...	1,000	Ellahie Bux.
	,, —32678 ...	1,000	
163	... L 43—29061 ...	10	Babu Rutnessur Mullick.
164	... L 22—70442 ...	5	Mohabir Pershad.
165	... L 28—42404 ...	5	Babu Kali Das Chatterjee.
166	... O 88—00845 ...	100	Pundit Sunder Lal.
167	... O 74—46329 ...	1,000	Sia Pershad.
168	... O 38—54278 ...	5	Babu Nobin Chunder Sen.
169	... O 90—71222 ...	10	Khoob Chand Jalee Ram.
	O 38—54668 ...	5	
170	... O 69—22388 ...	100	Babu Ram Narain Paul.
171	... L 20—28418 ...	5	Jagan Nath.
172	... O 86—96288 ...	20	Babu Woomesh Chunder Roy.
173	... P 1—24507 ...	10	Khatair Rusho.
	O 85—30805 ...	20	

CALCUTTA,
The 28th October 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
	G 7—79916 ...	10	Sheo Naren, of Lahore.
	G 7—79917 ...	10	Jagan Nath, Paper Currency Office, Lahore.

KURRACHEE,
The 17th October 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
41	... E 15—74311 ...	50	Gunda Mul, care of Kullian Rai, Sub-Overseer, Cantonment, Jullundur.
42	... E 1—45687 ...	1,000	Sadolla Khan, Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
57	... E 2—05160 ...	500	Gokul Pershad, Lala Musa.
15	... E 17—14704 ,, —83757	20	Ram Dial and Gurdhan Das, Bankers, Lahore.

LAHORE,
The 21st October 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
45	... B 51—58792 ...	500	C. Venkataramiah, No. 215, Chickapetta, Bangalore.
47	... B 66—20547 ...	100	Seringapatam Venkatavaradiengar, Shimoga.
	„ —32629 ...	100	
	„ —43506 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
88	... B 67—14429 ...	10	M. Komaraswami Chetti, Tripliken.
89	... B 42—44437 ...	20	N. Narrain Aiyangar, Shimoga, Mysore Province.
90	... B 68—41688 ...	100	Ismail Madrási, Shawline Gate, Moté Chauk, Lahore.
	„ —41697 ...	100	
	„ —42051 ...	100	
	„ —42060 ...	100	
15	... B 63—47371 *	10	T. M. Krishnaswami Pillai, Secretary, Pursewalkam Hindu Janopalcara Nidhi, Pursewalkam.
	„ —47368 *		

* Wrongly joined.

FORT SAINT GEORGE,
The 17th October 1881.

C. HALL,
Offg. Chief Clerk of the Acctt. Genl., in charge of Paper Currency Dept.,
for *Commissioner*

Nagpur Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
1881-82.		Rs.	
H15	... F 7—70315 ...	10	Jagan Nath, Paper Currency Office, Lahore.

NAGPUR,
The 20th October 1881.

W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 12th October 1881.

Exchange of Money Orders with Victoria (Australia), Tasmania, and certain Offices in China and Japan.

On and after the 1st January 1882, Money Orders will be exchanged, in both directions, with Victoria (Australia), Tasmania, and the following Offices in China and Japan, *viz.* :—

Amoy.	Hong-Kong.	Ningpo.
Canton.	Kobe (Hiogo, Japan).	Shanghai.
Foochow.	Macao.	Swatow.
Hankow.	Nagasaki (Japan).	Yokohama (Japan.)
Hoihow.		

2. The following rates of commission will be charged for Money Orders drawn upon the countries named above :—

For Money Orders drawn upon Victoria and Tasmania.

						Rs.	A.
On sums not exceeding £2					...	0	4
Exceeding £	2	and not exceeding £		5	...	0	8
„	„	5	„	„	7	...	0	12
„	„	7	„	„	10	...	1	0
„	„	10	„	„	12	...	1	4
„	„	12	„	„	15	...	1	8
„	„	15	„	„	17	...	1	12
„	„	17	„	„	20	...	2	0

For Money Orders drawn upon China and Japan.

						Rs.	A.
On sums not exceeding Rs.	10				...	0	2
Exceeding Rs.	10	but not exceeding Rs.		25	...	0	4
„	„	25	„	„ „	50	...	0	8
„	„	50	„	„ „	75	...	0	12
„	„	75	„	„ „	100	...	1	0
„	„	100	„	„ „	125	...	1	4
„	„	125	„	„ „	150	...	1	8

3. The maximum limit for single orders drawn upon *Victoria* is *£20*, for those drawn upon *Tasmania £10*, and for those drawn upon *China or Japan Rs. 150*. No person may obtain in one day more than four Money Orders payable to the same person.

4. In all other respects Money Orders exchanged with Victoria and Tasmania will be treated like Money Orders exchanged with the United Kingdom, and Money Orders exchanged with China and Japan like Money Orders exchanged with Ceylon (*vide* Postal Guide, dated April 1881).

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch

Calcutta, the 28th October 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	5th Nov.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	4th „	Str. *Kerbela.*
Madras and Ceylon	7 „	5th „	P. & O. Str. *Nepaul.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also for Australian Colonies	7 „	1st „	From Bombay.
Foreign Mails *vid* Bombay	7 „	31st Oct.	From Bombay.
Do. Book Post and Pattern Packets	7 „	30th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	3rd Nov.	Str. *Purulia.**
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon	7 „	3rd „	Str. *Medina.*
Persian Gulf	7 „	29th Oct.	From Bombay.

* Mail for Port Blair can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P.M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 23rd October 1881.

Agent, Wellington Mills.	Curry, F. E.	Proprietor, Negotiation Loan office.
Aviett, G.	Ekhery, W.	Ray, Surgeon-General G. H.
Barrell, R.	Forsyth, Mrs.	Rose, Mrs. E. C.
Beard, R. C.	Garrack, D.	Rosaire, J. D.
Bolleau, F. L., Captain.	Geohegan, Dr. A. O.	Russic Lal Seal.
Bourdonnais, Mons. La.	Gibson, Messrs, & Co.	Shircore, C. M.
Bradbury & Co.	Greek, R.	Silva, W.
Brown, J.	Hall, Mrs. M.	Smith, J. P. (M.D.)
Brown, J. C.	John, V. C.	Sow, J. S.
Browne, Mrs. A.	Kennedy, Miss S.	Strowell, W. G.
Burgess, G. D.	Lawrence, James.	Wainright, J.
Cairns, Miss.	Liddle, Edward.	Waller, A. B.
Cartland, J.	Macdonald, A.	Ward, Mrs. S. R.
Cave, H.	Manuel, Mrs. M. B.	Wartley, Mrs. C. J.
Chase, Mrs.	Moore, H. A.	Whittabaker, Mrs. E.
Collins, Thomas Edwin.	Nantz, L.	Wilson, R. E.
Cox, H. C.	Norman, M. J.	Young, H.
Crane, H. P.	Obbard, H. S.	
Cursetjee & Co.	Priket, J.	

Letters marked "Care of Post Office, to be kept till called for."

Adcock, W.	Fisher, Louis.	Murphy, E.
Allen, Mons. J. A.	Fraucher, W.	N. C.
Ancell, Fred.	G. O.	Nieransteen, S.
Anderson, John.	Gerolame, G.	Padmore, Robt.
Atkinson, Capt. S. B.	Glazebrook, J. T. W.	Parkinson, Mrs. Annie.
Baker, G.	Grimes, T.	Pearce, Mrs. R.
Bartlett, A. P.	Hankievz, Charles.	Peters, D.
Beepin Bihari Pattuck.	Hazard, F.	Peters, J.
Bell, J. H.	Henzell, H. L.	Peyrot, A.
Billinge, Dudley.	Herman, Morris.	Presse, J.
Boarge, J., Signora.	Hughes, Mrs.	Queen, S. F.
Breihl, P.	"Indigo."	Reed, C. A. P.
Brocklehurst, W. T.	Jameson, T. D.	Reiesson, D. P. J.
Brundage, J. D.	Jash, F. H.	Rose, C. Henry.
Calder, S.	Jones, Pryce.	Rourke, Mrs. E.
Chater, E. J.	Kellar, Harry.	Shepherds, —.
Clay, Samuel.	Kirkwood, T. M.	Smith, T. H.
Collins, Frederick.	Kirti Chunder Mitter.	Strong, Samuel Stephen.
Craft, J.	Kohn, Joseph.	Synnot, W.
Dampier, Hon'ble H. L.	Lablche, A. D.	Tripasure, Venkata Kristna Rao.
Dobbin, Philip T.	Lambert, Dr. E.	Walton, E. M.
Doody, Serjt. Geo.	Leebmann, H.	Walker & Co.
Driscoll, D. J.	Littlewood, J. H.	Wells, W.
Dundas, A. A.	Macintyre, A.	White, Michael J.
Dyer, W.	Martin, C. M.	Wood, W., Captain.
Earle, G. H.	Martin, G.	X. Y. Z.
Eleftheria, Nicholas K.	McCrea, J. J.	Yeomans, Miss.
Feck, Richard.	McCormick, J.	Zifferer, F. T.
Fenn, A.	McDougall, A.	
Ferm, Arthur.	Mills, C. H.	

Newspapers.

Brundage, J. D.	Collins, F.	Johnson, E. C.
Campbell, Major A. D.	Froster, J.	

Registered Letters.

Garrick, D.	Neilson, Geo. A.	Seveske, Bertalle & Co.
Hankuwing, Monsr. Chas.	Paxwell, E.	Sevestre, Bertalle & Co.
Kirkwood, T. M.	Pollard, Alex.	Sinclair, H. G.
Morton, Mr.	Reed, C. A. P.	Tongouloff, Monsr. A.
	Schapira, D.	Warde, Mrs.

E. HUTTON.
Presidency Post Master.

COMMISSARIAT NOTICE.

The following number of elephants not required by Government are for sale and will be on view at Meean Meer and Umballa about dates noted :—

Most of them are fine valuable animals.

Meean Meer.

About 6th October, 15 males, 11 females.
„ 20th „ 31 „ 23 „
Of the males, 24 are tuskers, 7 muknas.
Eighteen of the females are 8 feet and upwards in height.

Umballa.

Eight now on view, 4 males (tuskers), 4 females.
Two, 8 feet and upwards in height.

2. Commissariat Officers, Meean Meer and Umballa, will facilitate inspection by intending purchasers on application.

Descriptive rolls can be obtained from, and offers for purchase of these elephants should be addressed to, Assistant Commissary Generals, Meean Meer and Umballa, for communication to Commissary General.

BARNARD SMITH, *Major,*
Offg. Depy. Comsy. Genl.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئيناڤين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے ونكے جو كوئي ايك مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا سولهه روپيه آٹهه آنه

اور عوام الناس بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ولايتي اور ديسي دواخانونمين بكتي هى ماسيواے قيمت مذكورهٔ بالا كے محصول ڈاك چار اور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا بارهٔ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

Terms of subscription, payable annually in advance.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 5, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at **Calcutta. After the 19th November, all Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.**

From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

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E. J. DEAN,
Publisher, Gazette of India.

NOTICE TO MARINERS.

No. 35 of 1881.

INDIA—WEST COAST.

KARWAR OR SADASHIVGAD.

Replacing of Karwar Rock Buoy.

With reference to this Department Notice to Mariners, No. 24, issued 18th June 1881, relative to the breaking adrift of the buoy marking the Karwar rock (Gudsar sunv), lying to the W. N. W. of Elephant island, the Port Officer, Karwar, has notified that the buoy has been replaced.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Marine Survey Department,
Calcutta,
The 27th October 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 242, 744, 2737, 826, and 827; also Sailing Directions, West Coast of Hindustan Pilot (1880), page 110.

INDIAN MARINE SURVEY Charts, Nos. 63, 15, and 15*a*; Hydrographic Notice, No. 24, page 5; also Taylor's Sailing Directory, Vol. I, page 396.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

AGENT, GOVERNOR GENERAL, AND CHIEF COMMISSIONER, RAJPUTANA, P. W. D.

NOTIFICATIONS.

Mount Abu, the 27th October 1881.

No. 2705 *S.*—Mr. C. S. Rennick, Assistant Engineer, 2nd Grade, posted to Rajputana by the Government of India, Public Works Department, Notification No. 330, dated Simla, the 11th October 1881, for the purpose of undergoing a course of practical training, is attached to the Ajmere Provincial Division.

The 28th October 1881.

No. 2723 *S.*—Whereas land is required in the Ajmere District for public purposes, *viz.*, for the construction of service cistern, filter-beds, and new road, &c., for Ajmere Water-supply Scheme, this declaration is made in accordance with the provision of Section 6 of Act X of 1870:—

District.	Pargana.	Village.	AMOUNT REQUIRED. For occupation. Permanent.	AMOUNT REQUIRED. For occupation. Temporary.	AMOUNT REQUIRED. Total.	Purpose for which required.	Remarks.
			A. R. P.	A. R. P.	A. R. P.		
Ajmere.	Ajmere.	Ajmere.	7 1 26½	...	7 1 26½	For construction of service cistern, filter-beds, and new road, &c., for the Ajmere Municipality.	The map of the land can be inspected at the Office of the Assistant Commissioner of Ajmere.

By Order,

J. P. STEEL, *Major, R.E.,*

Secy. to Agent, Govr. Genl., & Chief Commr., P. W. D., Rajputana.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 25th October 1881.

No. 2247 *G.*—Major J. H. L. Greenfield, 2nd-in-Command, Deoli Irregular Force, returned, on the 17th October 1881, from the privilege leave granted to him by this Office Notification No. 1870 G., dated 17th September 1881.

The 27th October 1881.

No. 2265 *G.*—With reference to this Office Notification No. 1932 G., dated 23rd September 1881, Lieutenant C. W. Ravenshaw, Officiating Superintendent, Rajputana State Railway Police, returned from privilege leave and assumed charge of his duties from Mr. J. R. Tregear on the forenoon of the 17th October 1881.

By Order,

E. A. FRASER,

1st Asst. Agent to the Govr. Genl.

RESIDENT IN MYSORE.

NOTIFICATIONS.

Bangalore, the 21st October 1881.

No. 1755-643 *G.*—Under the provisions of Section 3 of the Bangalore Municipal Regulations as amended by Notification of the Government of India, Foreign Department, No. 8 G.-J., dated 28th April 1881, the Officiating Resident is pleased to re-appoint Mr. A. R. Sabapathi Mudaliar, Rai Bahadur, to be a Commissioner for No. 4 (General Bazaar) Division of the Municipality of the Civil and Military Station of Bangalore, for a term of three years commencing from the 15th May 1881.

The 25th October 1881.

No. 1762-647 *J.*—Under the provisions of Section 223, of the Code of Criminal Procedure, the Officiating Resident in Mysore is pleased to invest Mr. E. Pereira, a Magistrate of the 1st Class in the Civil and Military Station of Bangalore, with the power to try summarily the following offences mentioned in Clauses 1, 4, 5, 10 and 11 of Section 222 of the same Code, namely:—

(1). Offences referred to in Section 148 of the Code of Criminal Procedure.

(4). Theft, under Section 379 of the Indian Penal Code, where the value of the property stolen does not exceed Rs. 50.

(5). Theft, under Section 380 of the Indian Penal Code, where the value of the property stolen does not exceed Rs. 50.

(10). Insult with intent to provoke a breach of the peace, under Section 504, and criminal intimidation, under Section 506 of the Indian Penal Code (Act XI of 1874).

(11). Abetment of, or attempt to commit (when such an attempt is an offence) any of the foregoing offences.

By Order,

W. J. CUNINGHAM,

Asst. to the Resident.

SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 25th October 1881.

No. 245.—Mr. P. White, Assistant Surveyor, 2nd Grade, is granted leave on medical certificate for one year, under Chapter X, Section 127, of the Civil Leave Code.

J. T. WALKER, *Lieut.-Genl., R.E.,*

Surveyor General of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 27th October 1881.

No. 60.—Major T. C. Manderson, R.E., Executive Engineer, 1st Grade, is transferred from the Meerut Command, Military Works, to the Sirhind and Lahore Command, Military Works.

A. CADELL, *Major-Genl., R.E.,*

Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Simla, the 25th October 1881.

No. 63.—With reference to Government of India, Public Works Department, Notification No. , dated October 1881, Mr. R. W. Egerton, Assistant Engineer, 2nd Grade, is posted to the Punjab Northern State Railway, Construction Section.

The 28th October 1881.

No. 64.—With reference to Public Works Department Notification No. 341, dated 20th October 1881, Mr. G. J. H. M. Sherman, Storekeeper, officiating in Class III of Revenue Scale, is posted to the Rewari-Ferozepore State Railway.

F. S. STANTON, *Col., R.E.,*

Offg. Director General of Rys.

MILITARY DEPARTMENT.

Commissariat Department.
Contracts.

Simla, the 25th October 1881.

The following correspondence regarding the supply of country manufactured blankets to the Bengal Commissariat for military purposes is published for general information:—

From Colonel W. C. R. MYLNE, Commissary General, Bengal, to the Secretary to the Government of India, Military Department,—(No. 3479, dated Simla, the 1st September 1881).

With reference to your No. 663 S.-D., "Commissariat Department / Store Supplies," dated 9th June 1881, directing tenders to be invited for country manufactured blankets, and my No. 2644, dated 22nd July 1881, forwarding copy of notice and form of tender prepared with a view to arranging a contract, I have now the honor to forward a comparative statement of the tenders received and opened by me at noon to-day.

2. It will be noticed that for blankets, woven, for issue to European troops in barracks, the tender of the Cawnpore Woollen Mills Company is the lowest, and I recommend it for acceptance.

3. As regards the rates for the other country manufactured blankets, those of the Cawnpore Woollen Mills Company and Central Jail, Agra, are the lowest and are the same, and it rests with Government to decide which shall be accepted. I would recommend that for requirements at Agra and all stations above, the Central Jail should have the contract, the supply to stations below Agra and in Oudh and Rohilcund being given to the Cawnpore Woollen Mills Company.

From Captain T. DEANE, Assistant Secretary to the Government of India, Military Department, to the Commissary General, Bengal,—(No. 1509 S.-D., dated Simla, the 29th September 1881).

In reply to your letter No. 3479, dated the 1st September 1881, I am directed to state that the Government of India sanction your acceptance of the tender of the Cawnpore Woollen Mills Company for the supply of country-made blankets to the Commissariat Department for the four years commencing 1st October 1882.

2. With reference to paragraph 3 of your letter, I am to state that preference should be given to the Cawnpore Woollen Mills Company over the Central Jail at Agra.

G. CHESNEY, *Colonel,*

Secy. to the Govt. of India.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th September 1881.

PARTICULARS.	3½ per cent. Loan of 1853-54.	4 per cent. Loans: Of 1824-25.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	4½ per cent. Loans: Of 1870.	Reduced 4 per cent. Loan of 1881.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Transfer Loan of 1879, seven Shillings Sterling per cent. Portion.	5 per cent. Debenture for 15 years, Re-payable June 1882.	5 per cent. Loan of 1856-57.	5½ per cent. Loan of 1859-60.	TOTAL AMOUNT.
Balance of 15th September 1881	54,100	38,506	3,413	14,25,066	31,18,900	2,19,93,600	1,04,36,900	2,04,21,900	2,85,74,100	45,98,600	1,82,000	1,02,22,400	9,61,86,600	1,08,500	33,03,000	61,200	...	20,07,28,785
Add—																		
Amount enfaced at Madras between 16th and 30th September 1881	...	...	...	...	...	1,00,000	...	7,00,000	...	...	...	30,000	3,20,000	...	...	...	...	11,50,000
Amount enfaced at Bombay between 16th and 30th September 1881	...	...	...	...	...	10,200	1,000	6,76,000	...	...	...	1,56,500	2,32,000	...	...	...	...	10,75,700
Amount enfaced at Calcutta between 16th and 30th September 1881	...	...	...	...	...	91,500	1,500	2,31,500	17,500	...	...	46,500	3,97,500	...	...	...	...	7,86,000
	54,100	38,506	3,413	14,25,066	31,18,900	2,21,95,300	1,04,39,400	2,20,29,400	2,85,91,600	45,98,600	1,82,000	1,04,55,400	9,71,36,100	1,08,500	33,03,000	61,200	...	20,37,40,485
Deduct—																		
Amount written off in the London Registers	...	...	...	1,386	9,000	2,37,900	51,000	59,000	1,35,000	...	...	30,000	1,02,000	...	...	...	...	6,15,286
Balance on 30th September 1881	54,100	38,506	3,413	14,23,680	31,09,900	2,19,57,400	1,03,88,400	2,19,70,400	2,84,56,600	45,98,600	1,82,000	1,04,25,400	9,70,34,100	1,08,500	33,03,000	61,200	...	20,31,25,199

NOTE.—From 9th June 1867 to 31st July 1881, enfaced from India 4,229 lakhs; re-transferred from London, 3,609 lakhs.

„	1st Aug. 1881	to	15th Aug.	„	„	„	18	„	„	21 „
„	16th „	„	to 31st	„	„	„	29	„	„	13 „
„	1st Sept.	„	to 15th Sept.	„	„	„	31	„	„	6 „
„	16th „	„	to 30th	„	„	„	30	„	„	6 „
							4,337 lakhs.			3,655 lakhs.
							3,655 „			
						Balance against India	682 lakhs.			

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 17th October 1881.

R. HARDIE,
Secretary and Treasurer.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th October 1881.

PARTICULARS.	3½ per cent. Loan of 1853-54.	4 per cent. Loans: Of 1824-25.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	4½ per cent. Loans: Of 1870.	Reduced 4 per cent. Loan of 1881.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Transfer Loan of 1879, seven Shillings Sterling per cent. Portion.	5 per cent. Debenture for 15 years, Re-payable June 1882.	5 per cent. Loan of 1856-57.	5½ per cent. Loan of 1859-60.	TOTAL AMOUNT.
Balance of 30th September 1881	54,100	38,506	3,413	14,23,680	31,09,900	2,19,57,400	1,03,88,400	2,19,70,400	2,84,66,600	45,98,600	1,82,000	1,04,25,400	9,70,34,100	1,08,500	33,03,000	61,200	...	20,31,25,199
Add—																		
Amount enfaced at Madras between 1st and 15th October 1881	...	...	...	...	...	...	...	1,03,000	1,00,500	...	...	...	1,72,000	...	...	...	...	3,75,500
Amount enfaced at Bombay between 1st and 15th October 1881	...	...	...	...	...	3,200	3,200	5,10,500	3,000	...	...	16,500	1,92,300	2,000	...	...	...	7,31,300
Amount enfaced at Calcutta between 1st and 15th October 1881	...	...	...	...	...	51,500	...	1,500	1,000	2,36,000	...	...	5,000	...	...	...	...	2,95,000
	54,100	38,506	3,413	14,23,680	31,09,900	2,20,12,100	1,03,91,600	2,25,85,400	2,85,71,100	48,34,600	1,82,000	1,04,41,900	9,74,03,400	1,10,500	33,03,000	61,200	...	20,45,26,999
Deduct—																		
Amount written off in the London Registers	...	...	...	...	11,500	2,47,000	4,000	11,500	64,100	44,700	...	40,500	1,66,000	...	...	...	...	5,90,300
Balance on 15th October 1881	54,100	38,506	3,413	14,23,680	30,98,400	2,17,65,100	1,03,87,600	2,25,73,900	2,85,07,000	47,89,900	1,82,000	1,04,01,400	9,72,37,400	1,10,500	33,03,000	61,200	...	20,39,36,699

NOTE.—From 9th June 1867 to 15th August 1881, enfaced from India 4,247 lakhs; re-transferred from London, 3,630 lakhs.

„	16th Aug. 1881	to	31st	„	„	„	29	„	„	13 „
„	1st Sept.	„	to 15th Sept.	„	„	„	31	„	„	6 „
„	16th „	„	to 30th	„	„	„	30	„	„	6 „
„	1st Oct.	„	to 15th Oct.	„	„	„	13	„	„	5 „
							4,350 lakhs.			3,660 lakhs.
							3,660 „			
						Balance against India	690 lakhs.			

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 19th October 1881.

R. HRDAIE,
Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 29th October 1881.

LIABILITIES.			Rs.	A.	P.
Capital paid-up			2,00,00,000	0	0
Reserve Fund			25,11,966	4	4
	Rs.	A. P.			
Public Deposits at Head Office	70,01,129	8 2			
Public Deposits at Branches	1,62,09,715	3 8	2,32,10,844	11	10
Other Deposits at Head Office and Branches			2,60,21,862	9	7
Bank Post Bills, &c.			4,43,324	3	1
Sundries			12,28,227	12	5
RUPEES			7,34,16,225	9	3

ASSETS.			Rs.	A.	P.
Government Securities			1,07,64,985	12	0
Other authorized Investments			37,94,980	0	0
Loans on Government and other authorized Securities			83,74,896	8	6
Accounts of Credit on Government and other authorized Securities			63,86,880	1	5
Bills discounted and purchased			1,47,69,895	6	10
Balances with other Banks			7,12,589	8	1
Bullion			3,96,117	12	5
Dead Stock			11,33,002	0	4
Stamps			7 762	2	10
Sundries			4,59,737	12	0
			4,68,00,847	0	5
	Rs.	A. P.			
Cash and Currency Notes at Head Office	1,14,10,991	14 11	2,66,15,378	8	10
Cash and Currency Notes at Branches	1,52,04,386	9 11			
RUPEES			7,34,16,225	9	3

By order of the Directors.

BANK OF BENGAL,
Calcutta, 3rd Nov. 1881.

W. WESTLAND,
Offg. Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, BULLION VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 24	...	...	36	...	24,22,360	7,65,899
„ 25	...	...	...	...	24,22,259	7,65,899
„ 26	...	...	...	...	24,21,037	7,65,899
„ 27	...	...	...	...	24,21,392	7,65,899
„ 28	...	...	...	...	24,21,392	7,65,899
„ 29	...	...	...	...	24,21,392	7,65,899

CALCUTTA MINT,
The 2nd Nov. 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value.	Name of Claimant.
		Rs.	
132 ...	D 12—33503 ...	5	The Manager, Ranikhet Brewery Company.

ALLAHABAD,
The 2nd November 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
W54 ...	M 44—18782 ...	100	Presidency Post Master, Bombay.
W55 ...	M 44—83621	100 each.	Narondass Haridass, Bombay.
„	—83622		
„	—83623		
„	—83624		
„	—83625		
„	—83626		
„	—83627		

NOTES PARTIALLY LOST OR DESTROYED.

1881.		Rs.	
H117 ...	M 57—51201 ...	50	Major H. Hughes-Hallett, Jubbulpur.
H118 ...	M 57—20474 ...	50	Rungaswamy Naidoo, Trichinopoly.
M62 ...	M 56—29976	20	Dadabhoy Framjee, Bombay.
„	—29796		

BOMBAY,
The 1st November 1881.

W. T. PIERCY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
215 ...	O 96—41765 ...	100	Sheo Churn Lal.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
174 ...	P 4—46726 ...	10	Babu Kedar Nath Mukerjee.
175 ...	L 96—93286 ...	10	Mathoora Pershad.
176 ...	O 82—61094 ...	10	Babu H. L. Singh.
177 ...	O 98—65728 ...	5	Shibalal Monhor.
128 ...	O 42—38647	10	Babu Isan Chunder Banerjee.
„	—38649		
129 ...	O 17—44874	10	Babu Behari Lal Burdhun.
„	—44876		
130 ...	L 56—53173	5	Babu Rutnessur Mullick.
„	—53174		
131 ...	P 1—10746	10	Babu Nundo Lal Biswas.
	O 81—51014		
132 ...	O 63—89953	20	Babu Dwarka Prosad.
„	—89956		
134 ...	L 56—85962	5	The Chief Pay Master, East Indian Railway, Calcutta.
„	—85961		

CALCUTTA,
The 4th November 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Lahore Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
12-13...	E 16—53085	10	Jamesje & Sons, General Merchants, Rawalpindi.
„	—50085		

LAHORE.
The 28th October 1881.

H. J BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
91 ...	B 62—59025 ...	100	Messrs. Walker & Co., No. 37, Second Line Beach, Madras, on account of J. Grose, Esq., Nellore.
92 ...	B 68—37534 ...	100	Shashaiyar Carupathurager Maligai, Merchant, Palghat.

FORT SAINT GEORGE,
The 24th October 1881.

C. HALL,
Offg. Chief Clerk of the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Simla, the 12th October 1881.

Exchange of Money Orders with Victoria (Australia), Tasmania, and certain Offices in China and Japan.

On and after the 1st January 1882, Money Orders will be exchanged, in both directions, with Victoria (Australia), Tasmania, and the following Offices in China and Japan, *viz.*:—

Amoy.	Hong-Kong.	Ningpo.
Canton.	Kobe (Hiogo, Japan).	Shanghai.
Foochow.	Macao.	Swatow.
Hankow.	Nagasaki (Japan).	Yokohama (Japan.)
Hoihow.		

2. The following rates of commission will be charged for Money Orders drawn upon the countries named above:—

For Money Orders drawn upon Victoria and Tasmania.

	Rs.	A.
On sums not exceeding £2	0	4
Exceeding £ 2 and not exceeding £ 5 ...	0	8
„ „ 5 „ „ „ 7 ...	0	12
„ „ 7 „ „ „ 10 ...	1	0
„ „ 10 „ „ „ 12 ...	1	4
„ „ 12 „ „ „ 15 ...	1	8
„ „ 15 „ „ „ 17 ...	1	12
„ „ 17 „ „ „ 20 ...	2	0

For Money Orders drawn upon China and Japan.

	Rs.	A.
On sums not exceeding Rs. 10	0	2
Exceeding Rs. 10 but not exceeding Rs. 25 ...	0	4
„ „ 25 „ „ „ 50 ...	0	8
„ „ 50 „ „ „ 75 ...	0	12
„ „ 75 „ „ „ 100 ...	1	0
„ „ 100 „ „ „ 125 ...	1	4
„ „ 125 „ „ „ 150 ...	1	8

3. The maximum limit for single orders drawn upon *Victoria* is *£20*, for those drawn upon *Tasmania £10*, and for those drawn upon *China or Japan Rs. 150*. No person may obtain in one day more than four Money Orders payable to the same person.

4. In all other respects Money Orders exchanged with Victoria and Tasmania will be treated like Money Orders exchanged with the United Kingdom, and Money Orders exchanged with China and Japan like Money Orders exchanged with Ceylon (*vide* Postal Guide, dated April 1881).

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

The 26th October 1881.

No. 8297.—Appointments in the Post Office Department made by the Director General of the Post Office of India:—

POSTAL CIRCLE, BOMBAY.

Mr. H. J. Hewett is appointed to officiate as a 1st Class Mail Officer.

Mr. G. A. T. Bennett is appointed to officiate as a 3rd Class Mail Officer.

POSTAL CIRCLE, BEHAR.

Babu Denonath Mozumdar is appointed to officiate as a Superintendent of the 4th Grade, and is posted to the Patna Division.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 4th November 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	12th Nov.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	11th „	Str. *Chinsura.*
Madras and Ceylon	7 „	5th „	P. & O. Str. *Nepaul.*
Foreign Mails *vid* Bombay	7 „	7th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	6th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	10th „	Str. *Pemba.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon	7 „	10th „	Str. *Madras.*
Madras, Ceylon, Batavia, Singapore, and China	7 „	11th „	French Str. *Tibre.*
Persian Gulf	7 „	5th „	From Bombay.

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

NOTICE.

The Office of the Accountant General of Bengal will be removed from the old Treasury Building to No. 2, Dalhousie Square, East, on Monday, the 24th instant.

R. LOGAN,
Offg. Acctt. Genl., Bengal.

The 20th October 1881.

NOTICE.

The undersigned is prepared to receive tenders from parties desirous of leasing the water-power available at Kharakwasla, "Lake Fife;" the available power is variable: from July to January, inclusive, the minimum is about 130 actual horse-power, from beginning of February to end of April, it decreases from about 130 to about 40, and during the months of May and June the power which can be guaranteed is very small. Kharakwasla is situated south-west of Poona, 11 miles from the Railway Station, with which it is connected by a good road; about 4 acres of land close to the canal are available as sites for factories, &c. In the last year the area of sugarcane grown under the Mutha canals in the neighbourhood of Poona was 1,966 acres; this area is capable of still further extension to a probable area of 2,500 acres. Under these circumstances, it is thought that the above power offers an inducement for the erection of a sugar manufactory, of which none at present exists in the Bombay Presidency.

Information regarding the actual heads and discharges available throughout the year and all other particulars can be obtained on application to the Executive Engineer for Irrigation, Poona. Tenders will be received up to the 15th November 1881.

The undersigned does not bind himself to accept the highest or any tender.

WILLIAM CLERKE, M.INST., C.E.,
Exe. Engr. for Irrigation, Poona Division.

POONA,
1st August 1881.

COMMISSARIAT NOTICE.

The following number of elephants not required by Government are for sale and will be on view at Meean Meer and Umballa about dates noted:—

Most of them are fine valuable animals.

Meean Meer.

About 6th October, 15 males, 11 females.
„ 20th „ 31 „ 23 „
Of the males, 24 are tuskers, 7 muknas.
Eighteen of the females are 8 feet and upwards in height.

Umballa.

Eight now on view, 4 males (tuskers), 4 females.
Two, 8 feet and upwards in height.

2. Commissariat Officers, Meean Meer and Umballa, will facilitate inspection by intending purchasers on application.

Descriptive rolls can be obtained from, and offers for purchase of these elephants should be addressed to, Assistant Commissary Generals, Meean Meer and Umballa, for communication to Commissary General.

BARNARD SMITH, *Major*,
Offg. Depy. Comsy. Genl.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئينائين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے ونكے جو كوئي ايك مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ولايتي اور ديسي دواخانونمين بكتي هى ماسواے قيمت مذكورهٔ بالا كے محصول ڈاك چار اونس آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them:—

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HENRY F. BLANFORD,
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India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
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Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—

Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang Pra. *Re. 1.*
Patani Bay. *Annas 8*
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„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
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„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

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Notices issued during the year 1880—

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„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

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„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
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„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
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„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
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„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 12, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at Calcutta. After the 19th November, all Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.

From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATION.

Mussooree, the 8th November 1881.

No. 246.—The services of Lieutenant-Colonel H. C. B. Tanner, Deputy Superintendent, 3rd Grade, having been replaced at the disposal of the Revenue and Agricultural Department, with effect from the 1st November 1881, the following reversions will take place from the same date:—

Major H. Lees Smith, Officiating Deputy Superintendent, 3rd Grade, to revert to his substantive appointment of Assistant Superintendent, 1st Grade.

Mr. W. G. Beverley, Officiating Assistant Superintendent, 1st Grade, to revert to his officiating appointment as Assistant Superintendent, 2nd Grade.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Simla, the 21st October 1881.

No. 53.—Assistant Surgeon Jogendra Nath Mullick, of the Bengal provincial establishment, is permitted to resign the service.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Simla, the 4th November 1881.

Offices opened and closed during the month of October 1881:—

Name of Station.	Where situated.	Date.	REMARKS.
Agra City (Bolungunge.	Suburbs of Agra .	5th .	Opened.
Chaman . .	Beluchistan . .	18th .	Closed.
Guneshkhind .	Bombay Presdy. .	15th .	Ditto.
Jalozai . .	Punjab . .	5th .	Opened.
Jutogh . .	Suburbs of Simla .	10th .	Ditto.
Killa Abdulla .	Beluchistan . .	20th .	Closed.
Khojac . .	Ditto . .	17th .	Ditto.
Mahabaleshwar .	Bombay Presdy. .	1st .	Re-opened.
Matheran . .	Ditto . .	1st .	Ditto.
Naini Tal Cantonment.	Suburbs of Naini Tal.	24th .	Opened.
Parell . . .	Bombay Presdy. .	27th .	Re-opened.
Patna City (Jhowgunge).	Suburbs of Patna	5th .	Opened.
Ranikhet Cantonment.	Suburbs of Ranikhet.	12th .	Ditto.

R. MURRAY, *Colonel,*
Dir. Genl. of Tels. in India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 2nd November 1881.

No. 2333 *G.*—Surgeon-Major T. H. Hendley, in medical charge of the Eastern Rajputana States Agency, returned, on the forenoon of the 1st October 1881, from the privilege leave granted him in this Office Notification No. 2064 G., dated 5th October 1881.

The 3rd November 1881.

No. 2343 *G.*—The services of 2nd Class Hospital Assistant Gholam Ahmed, lately attached to the Mayo Hospital, Jeypore, are placed at the disposal of Government of the North-Western Provinces and Oudh, with effect from the 7th October 1881.

2nd Class Hospital Assistant Ausgur Hoosein returned on the afternoon of the 8th October 1881, from the privilege leave granted him in this Office Notification No. 1968 G., dated 28th September 1881.

With reference to this Office Notification No. 467 G., dated the 26th March 1881, the medical charge of the Jail and Detachment of the Erinpura Irregular Force at Abu is transferred to 2nd Class Hospital Assistant Ausgur Hoosein of the Abu Dispensary from the 25th October 1881.

No. 2346 *G.*—The undermentioned Hospital Assistants having been found qualified under G. O. G. G., No. 968, dated 4th October 1870, by a Committee assembled at Ajmere, are promoted to the next higher grade, with effect from the 15th October 1881:—

Class of Hospital Assistant.	Name.	Date of Rank.	Class to which promoted.	With or without English.	Place of present appointment.
II	Khoda Bux .	1st Oct. 1867	1st	Without	Jeypore Agency.
III	Aleemuddeen .	3rd Nov. 1875	2nd	Do. .	Masuda Dispensary.
III	Moheebullakhan	16th July 1873	2nd	Do. .	Rajputana State Railway.

2nd Class Hospital Assistant Emamooddeen, attached to the Rajputana State Railway, passed his examination in English on the 15th October 1881, according to G. G. O. No. 945 of 1868.

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Bangalore, the 31st October 1881.

No. 1183-173.—Under the provisions of Sections 57 and 58, Act X of 1872 (the Code of Criminal Procedure), the Chief Commissioner is pleased to appoint Mr. M. Kristnaiengar, 1st Class Pleader, to be Public Prosecutor for the Province of Coorg.

By Order,

W. J. CUNINGHAM,
Secretary.

PUBLIC WORKS DEPARTMENT— Military Works.

NOTIFICATIONS.

Simla, the 1st November 1881.

No. 61.—Captain A. E. Ward, S.C., Executive Engineer, 3rd Grade, on return from furlough, is posted to the Sirhind and Lahore Command, Military Works.

The 2nd November 1881.

No. 62.—Lieutenant A. L. Mein, R.E., Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani on 13th September 1881.

A. CADELL, *Major-Genl., R.E.,*
Inspr. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 3rd November 1881.

No. 65.—With reference to Notifications No. 39, dated 18th April 1881, by the Manager, Indus Valley State Railway, and No. 354, dated 2nd November 1881, by the Government of India, Public Works Department, Mr. E. W. M. Hughes, Locomotive Superintendent in Class II of the Revenue Scale, is confirmed in his appointment of Locomotive Superintendent, Indus Valley State Railway.

F. S. STANTON, *Col., R.E.,*
Offg. Director General of Rys.

INDUS VALLEY AND KANDAHAR STATE RAILWAYS, *Manager's Office.*

NOTIFICATION.

Mooltan, the 5th November 1881.

The following Stations have been opened for the receipt and despatch of public messages in addition to those already notified in the *Gazette of India*, dated 27th November 1880:—

i. On the Northern Section,—Reti
ii. On the Southern Section,—Bhau.

L. CONWAY-GORDON,
Manager.

Report of a Deserter from the 1st Battalion, Leinster Regiment of Foot, dated at Umballa, this 8th day of November 1881.

Number, Rank, and Name.—**No. 67—1853**, Private George Lawson.
Age,—*24 years.*
Size,—5 feet 8¼ inches.
Colour of—
Complexion, fair; Hair, brown; Eyes, grey.
Date of Desertion,—3rd November 1881.
Place of Desertion,—**Umballa.**
Date of Enlistment,—**27th January 1879.**
At what Place Enlisted,—Portsmouth.
Parish and County in which Born,—Petersfield, near the town of Petersfield.
Marks,—*Nil.*
Trade,—Farm Laborer.
Coat or Jacket,—Regimentals.
Waistcoat,—*Nil.*
Breeches or Trousers,—*Nil.*
Under 3 years' service.
REMARKS,—

R. D. BARRETT, *Colonel,*
Comdg. 1st Battn., Leinster Regt. of Foot.

NOTICE.

The Office of Registrar of the Bengal Secretariat, Judicial and Political Departments, will be vacant on the 1st December 1881. The pay of the appointment rises from Rs. 400 to Rs. 600 per month, by five annual increments, and there is an additional local allowance of Rs. 58-5-4 per month, drawn by the officer actually performing the duties of Registrar. Applications for the appointment must, in the first instance be in writing, addressed to the Secretary to the Government of Bengal, Judicial Department. Each applicant must state his age, his past appointments and salaries, and the nature of his experience in controlling an office.

BENGAL SECRETARIAT,
DARJEELING;
The 3rd November 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Oct. 31 / Nov. 1	Holidays.					
,, 2	...	...	...	...	24,21,392	7,65,899
,, 3	...	...	...	...	24,21,392	7,65,899
,, 4	2,30,130	...	...	2,30,130	24,21,986	7,65,899
,, 5	...	...	...	2,30,130	24,22,128	7,65,899

CALCUTTA MINT,
The 7th November 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 8th November 1881.

LIABILITIES.		Rs.	A.	P.
Capital paid-up		2,00,00,000	0	0
Reserve Fund		25,11,966	4	4
	Rs. A. P.			
Public Deposits at Head Office	86,72,067 3 8	2,47,20,288	12	6
Public Deposits at Branches	1,60,48,221 8 10			
Other Deposits at Head Office and Branches		2,55,85,109	11	2
Bank Post Bills, &c.		4,43,945	15	4
Sundries		12,72,922	12	5
RUPEES		7,45,34,233	7	9

ASSETS.		Rs	A.	P.
Government Securities		1,07,94,759	12	0
Other authorized Investments		37,94,980	0	0
Loans on Government and other authorized Securities		82,82,384	8	7
Accounts of Credit on Government and other authorized Securities		64,76,953	7	11
Bills discounted and purchased		1,66,79,183	10	7
Balances with other Banks		6,65,646	5	2
Bullion		3,25,380	1	2
Dead Stock		11,32,650	6	5
Stamps		7,441	5	10
Sundries		4,57,416	14	2
		4,86,16,796	7	10
	Rs. A. P.			
Cash and Currency Notes at Head Office	91,60,432 11 0	2,59,17,436	15	11
Cash and Currency Notes at Branches	1,67,57,004 4 11			
RUPEES		7,45,34,233	7	9

By order of the Directors,

BANK OF BENGAL,
Calcutta, 10th November 1881.

W. WESTLAND,
Offg. Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

COMPTROLLER GEN

No. 1540.—*Account of Revenue and Expenditure of the Government of India for the*

N.B.—Amounts are converted into

REVENUE.	Estimates, 1881-82.	April to June 1880.	April to June 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue	22,495,000	6,153,040	6,277,384	124,344	...
II.—Tributes	705,000	180,811	112,560	...	68,251
III.—Forest	768,100	72,107	75,039	2,932	...
IV.—Excise on Spirits and Drugs	3,031,000	789,383	823,912	34,529	...
V.—Assessed Taxes	550,000	143,785	236,453	92,668	...
VI.—Provincial Rates	2,863,000	819,983	919,089	99,106	...
VII.—Customs	2,367,000	576,437	622,645	46,208	...
VIII.—Salt	7,153,000	1,859,506	1,962,152	102,646	...
IX.—Opium	8,763,000	2,418,125	2,294,356	...	123,769
X.—Stamps	3,290,000	857,612	888,603	30,991	...
XI.—Registration	290,000	76,090	77,123	1,033	...
XII.—Mint	89,000	24,241	2,113	...	22,128
XIII.—Post Office	967,000	284,887	242,165	...	42,722
XIV.—Telegraph	452,600	99,197	108,040	8,843	...
XV.—Minor Departments	62,500	14,579	16,218	1,639	...
XVI.—Law and Justice	664,000	149,349	138,317	...	11,032
XVII.—Police	236,000	57,867	59,329	1,462	...
XVIII.—Marine	210,000	42,793	35,379	...	7,414
XIX.—Education	143,000	39,108	39,795	687	...
XX.—Medical Services	37,700	6,174	6,488	314	...
XXI.—Stationery and Printing	61,000	13,333	11,256	...	2,077
XXII.—Interest	668,000	161,439	157,977	...	3,462
XXIII.—Pensions	215,600	25,907	26,989	1,082	...
XXIV.—Miscellaneous	265,000	55,461	55,787	326	...
XXX.—Gain by Exchange	412,000	12,970	14,296	1,326*	...
TOTAL	56,758,500	14,934,184	15,203,465	269,281	...
XXV.—Railways — *Guaranteed Railways.* Traffic Receipts	7,489,800	1,751,702	2,014,054	262,352	...
XXV.—Railways — *State Railways.* Gross Traffic Earnings	2,420,000	473,632	547,569	73,937	...
XXV.—Railways — *State Railways.* Net Traffic do. East Indian	2,800,000	712,067	804,404	92,337	...
XXVI.—Irrigation and Navigation, including Net Traffic Receipts, &c., Madras Irrigation.	902,500	32,709	69,424	36,715	...
XXVII.—Other Public Works	472,500	96,633	105,497	8,864	...
XXVIII.—Provincial and Local Deficits	821,000	...	...	...	...
XXIX.—Army	777,000	219,913	212,118	19,588	...
Military Operations in Afghanistan	61,000		27,383		...
TOTAL	72,502,300	18,220,840	18,983,914	763,074	...
England, including Army, Public Works, &c.	3,238,700	17,126	99,730	82,604	...
GRAND TOTAL	75,741,000	18,237,966	19,083,644	845,678	...

* Includes gain on Capital transactions of East Indian £5,429

COMPTROLLER GENL.'S OFFICE,
CALCUTTA;
The 11th November 1881.

ERAL'S OFFICE.

Third month of the year 1881-82, as compared with the corresponding period of 1880-81.

sterling @ Rs. 10 to the Pound Sterling.

EXPENDITURE.	Estimates, 1881-82.	April to June 1880.	April to June 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt	3,576,700	703,291	825,756	122,465	...
2.—Interest on Service Funds and other Accounts	407,300	47,012	58,425	11,413	...
3.—Refunds and Drawbacks	350,000	86,162	107,650	21,488	...
4.—Land Revenue	3,031,100	669,669	685,465	15,796	...
5.—Forests	565,800	57,192	59,609	2,417	...
6.—Excise on Spirits and Drugs	99,000	39,761	22,459	...	17,302
7.—Assessed Taxes	15,000	4,644	2,461	...	2,183
8.—Provincial Rates	48,000	10,694	13,535	2,841	...
9.—Customs	206,000	49,049	49,018	...	31
10.—Salt	428,000	80,087	92,172	12,085	...
11.—Opium	2,262,500	1,075,120	1,105,286	30,166	...
12.—Stamps	74,000	20,217	20,417	200	...
13.—Registration	186,000	42,896	42,804	...	92
14.—Mint	85,200	17,778	20,350	2,572	...
15.—Post Office	997,900	337,100	257,888	...	79,212
16.—Telegraph	459,600	95,004	99,286	4,282	...
17.—Administration	1,298,900	315,480	292,628	...	22,852
18.—Minor Departments	438,700	87,191	120,924	33,733	...
19.—Law and Justice	3,349,600	789,007	779,454	...	9,553
20.—Police	2,571,000	604,584	612,681	8,097	...
21.—Marine	432,100	81,975	87,184	5,209	...
22.—Education	1,057,600	231,114	249,282	18,168	...
23.—Ecclesiastical	158,200	38,545	39,414	869	...
24.—Medical Services	690,500	151,667	155,701	4,034	...
25.—Stationery and Printing	424,400	103,838	107,743	3,905	...
26.—Political	535,700	92,000	160,563	68,563	...
27.—Allowances and Assignments	1,881,900	405,408	451,540	46,132	...
28.—Civil Furlough and Absentee Allowances	4,000	1,047	1,368	321	...
29.—Superannuation, Retired and Compassionate Allowances	708,000	260,639	224,556	...	36,083
30.—Miscellaneous	251,000	60,771	63,816	3,045	...
31.—Famine Relief	1,500,000	76	7,772	7,696	...
37.—Loss by Exchange	3,475,000	856,440	948,520	92,080	...
TOTAL	31,568,700	7,415,458	7,765,727	350,269	...
32.—Railways — *Guaranteed Railways.* Working Expenses	4,760,000	578,003	546,336	...	31,667
32.—Railways — *Guaranteed Railways.* Land and Supervision	78,900	12,658	13,610	952	...
32.—Railways — *Guaranteed Railways.* Interest in India	4,800	494	...	...	494
32.—Railways — *Guaranteed Railways.* Surplus Profits paid to Railway Companies	165,300	33,802	52,773	18,971	...
32.—Railways — *State Railways.* Working Expenses	2,086,000	906,532	425,061	...	134,970
32.—Railways — *State Railways.* Surplus Profits, &c., East Indian Railway	204,600		82,977		
32.—Railways — *State Railways.* Frontier Railways	386,000		263,524		
33.—Irrigation and Navigation, including Madras Irrigation Interest, &c.	1,351,700	148,800	157,541	8,741	...
34.—Other Public Works	4,939,400	299,605	466,819	167,214	...
35.—Provincial and Local Surpluses	114,000	...	...	...	...
36.—Army	12,392,000	4,305,393	3,151,109	...	536,897
Military Operations in Afghanistan	2,271,000		617,387		
TOTAL	60,322,400	13,700,745	13,542,864	...	157,881
England, including Army, Public Works and Guaranteed Interest, &c.	14,563,600	2,764,309	3,264,127	499,818	...
TOTAL	74,886,000	16,465,054	16,806,991	341,937	...
38.—*Productive Public Works*— Capital Expenditure in India	3,010,000	723,542	611,472	...	112,070
Ditto ditto in England	1,863,000	150,706	69,428	...	81,278
TOTAL	4,873,000	874,248	680,900	...	193,348
GRAND TOTAL	79,759,000	17,339,302	17,487,891	148,589	...

and gain on transactions of the Military Department £3,296.

E. W. KELLNER,
Depy. Comptroller General.

J. WESTLAND,
Comptroller General.

ACCOUNTANT GENERAL'S OFFICE.
Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 1st November 1881.

Public Works (Buildings and Roads and Military Works Branch) and Telegraph.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Port Blair	Aug. 1881	Oct. 17, 1881
2	Assam	Do. „	Do. 18, „
3	Military Works Branch ...	Do. „	Do. 20, „
4	Punjab	Do. „	Do. 21, „
	Hyderabad (Imperial) ...		
	Hyderabad (Assigned Districts).		
7	Beluchistan Agency ...	Do. „	Do. 22, „
	Mysore (Imperial) ...		
9	North-Western Provinces and Oudh.	Do. „	Do. 24, „
	Coorg		
	Central India... ...		
	Rajputana		
13	Bombay	Do. „	Do. 25, „
	Central Provinces ...		
15	Madras ...	Do. „	Do. 27, „
16	Bengal	Do. „	Do. 31, „
17	British Burmah ...	July „	Sep. 29, „
	Telegraph Dept.		
1	Indo-European ...	Aug. 1881	Oct. 29, 1881
3	Indian	July „	Sep. 21, „

Irrigation.

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Rajputana	Aug. 1881	Oct. 17, 1881
2	Assam	Do. „	Do. 18, „
3	Punjab	Do. „	Do. 21, „
4	North-Western Provinces and Oudh.	Do. „	Do. 24, „
5	Bombay	Do. „	Do. 25, „
6	Madras	Do. „	Do. 27, „
7	British Burmah ...	Do. „	Do. 29, „
8	Bengal	Do. „	Do. 31, „
	Guaranteed Railways.		
1	Punjab	Aug. 1881	Oct. 21, 1881
2	Bengal	Do. „	Do. 24, „
3	Bombay	Do. „	Do. 25, „
4	Madras	Do. „	Do. 27, „
5	North-Western Provinces and Oudh.	Do. „	Do. 28, „

State Railways (Capital).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Nalhati	Aug. 1881	Oct. 17, 1881
	Umballa & Kalka ...		
3	State Railway Stores Branch.	Do. „	Do. 18, „
4	Patna & Gya ...	Do. „	Do. 19, „
5	Calcutta & South-Eastern Extension.	Do. „	Do. 21, „
	Tirhoot		
7	Bhopal	Do. „	Do. 24, „
	Bhopal Extension ...		
	Rajputana		
	Sindia		
	Holkar		
	Indore-Nasirabad ...		
	Wardah Coal		
	Indus Valley		
	Dhond-Manmad ...		
	Kandahar (Upper Sec.) ...		
	Delhi-Ferozepore ...		
	Bombay (Eastern Deccan)		
	Central Bengal ...		
	Southern Mahratta Country.		
21	Nagpur-Chhattisgarh ...	Do. „	Do. 25, „
	Kandahar (Lower Sec.) ...		
23	Calcutta & South-Eastern Northern Bengal ... Lala Moosa to Chak Nizam	Do. „	Do. 27, „
26	Muttra-Hathras ...	Do. „	Do. 28, „
27	Patna-Bahraich ...	Do. „	Do. 29, „
28	Punjab-Northern ...	Do. „	Do. 31, „
	Cawnpore-Farukhabad ...		
	Bhawpore-Kalpi ...		
31	Rangoon and Irrawaddy Valley.	July „	Sep. 29, „
32	Nizam's	Do. „	Do. 30, „
33	Sindia Extension ...	Do. „	Oct. 1, „
34	Bhavnagar & Gondal ...	Do. „	Do. 3, „
35	Rangoon & Sittang Valley	Do. „	Do. 5, „
36	Cawnpore-Farukhabad Extension	Do. „	Do. 15, „
	Bareilly-Pilibhit ...		
38	Muttra-Achnera ...	Do. „	Do. 17, „
39	Ghazipore-Dildarnagar ...	Do. „	Do. 20, „
40	East Indian	June „	Do. 18, „

State Railways (Revenue).

Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.
1	Wardah Coal	Aug. 1881	Oct. 20, 1881
2	Rajputana	Do. „	Do. 24, „
	Nagpur-Chhattisgarh ...		
	Dhond & Manmad ...		
	Bhavnagar & Gondal ...		
6	Nalhati	Do. „	Do. 25, „
	Holkar & Sindia-Nimach		
	Indus Valley		
9	Calcutta & South-Eastern Northern Bengal ...	Do. „	Do. 27, „
	Tirhoot		
	Patna & Gya ...		
13	Muttra-Hathras ...	Do. „	Do. 29, „
14	Cawnpore-Farukhabad ...	Do. „	Do. 31, „
15	Sindia	Do. „	Nov. 1, „
16	Rangoon and Irrawaddy Valley.	July „	Sep. 29, „
17	Nizam's	Do. „	Do. 30, „
18	Punjab Northern ...	Do. „	Oct. 3, „
19	East Indian	June „	Do. 18, „

A. FILGATE, *Major, R.E.,*
Accountant General, P. W. Dept.

The 8th November 1881.

***STATEMENT** of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 31st October 1881.*

PARTICULARS.	3½ per cent. Loan of 1853-54.	4 per cent. Loans: Of 1824-25.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1879.	4½ per cent. Loans: Of 1870.	Reduced 4 per cent. Loan of 1881.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Transfer Loan of 1879, seven Shillings Sterling per cent. Portion.	5 per cent. Debenture for 15 years, Re-payable June 1882.	5 per cent. Loan of 1856-57.	5½ per cent. Loan of 1859-60.	TOTAL AMOUNT.
Balance of 15th October 1881	54,100	38,506	3,413	14,23,680	30,98,400	2,17,65,100	1,03,87,200	2,25,73,900	2,85,07,000	47,89,900	1,82,000	1,04,01,400	9,72,37,400	1,10,500	33,03,000	61,200	...	20,39,36,699
Add—																		
Amount enfaced at Madras between 16th and 31st October 1881	...	...	...	...	...	82,000	10,000	1,09,000	6,100	...	...	...	33,000	...	...	...	...	2,40,100
Amount enfaced at Bombay between 16th and 31st October 1881	...	...	...	...	...	75,000	...	2,61,000	15,500	...	...	1,700	1,42,600	...	...	...	...	4,95,800
Amount enfaced at Calcutta between 16th and 31st October 1881	...	...	...	533	14,000	17,000	10,500	1,59,000	49,900	42,000	...	76,000	3,18,400	...	...	...	...	6,87,333
	54,100	38,506	3,413	14,24,213	31,12,400	2,19,39,100	1,04,07,700	2,31,02,900	2,85,78,500	48,31,900	1,82,000	1,04,79,100	9,77,31,400	1,10,500	33,03,000	61,200	...	20,53,59,932
Deduct—																		
Amount written off in the London Registers	...	...	...	4,160	...	1,67,300	40,000	89,500	55,800	2,000	...	12,000	4,41,000	...	...	...	...	8,11,760
Balance on 31st October 1881	54,100	38,506	3,413	14,20,053	31,12,400	2,17,71,800	1,03,67,700	2,30,13,400	2,85,22,700	48,29,900	1,82,000	1,04,67,100	9,72,90,400	1,10,500	33,03,000	61,200	...	20,45,48,172

NOTE.—From 9th June 1867 to 31st August 1881, enfaced from India 4,376 lakhs; re-transferred from London, 3,643 lakhs.
„ 1st Sept. 1881 to 15th Sept. „ „ „ 31 „ „ „ 6 „
„ 16th „ „ to 30th „ „ „ „ 30 „ „ „ 6 „
„ 1st Oct. „ to 15th Oct. „ „ „ „ 13 „ „ „ 5 „
„ 16th „ „ to 31st „ „ „ „ 14 „ „ „ 8 „
4,364 lakhs. 3,668 lakhs.
3,668 „
Balance against India 696 lakhs.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 3rd November 1881.

R. HARDIE,
Secretary and Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
H119	... M 60—43985 ...	10	Maneckji Temoolji, Bombay.
M63	... M 8—83464 to „ —70409	5	Gordhandass Dossabhoy, Bombay.
M64	... M 8—97085 to „ —97086	5	Mogan and Balcrishna, Poona.

BOMBAY,
The 8th November 1881.

W. T. PIERCY,
Asst. Accts. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
216	... O 96—67787 ...	100	Babu Kala Chand Dey.
219	... „ —90978 ...	100	Inspector F. Peterson.
	O 65—02545 ...	50	
	„ —02546 ...	50	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
178	... O 42—77579 ...	10	Dr. J, Cleghorn.
179	... O 96—28947 ...	100	Shaik Katuli Meah.
180	... L 9—43223 to „ —43224	5	Babu Gopaul Chunder Paul.
181	... O 38—54682 ...	5	Babu Abinash Chunder Kundu.
182	... O 94—41413 ...	10	Munshi Mohamed Shukrullah.
137	... L 31—11407 L 54—97789	5	Mr. M. Appleby.
138	... L 23—61586 to „ —61587	5	Jamoona Das.
140	... O 36—53144 to „ —53114	5	Babu Gopaul Chunder Paul.

CALCUTTA,
The 11th November 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 8—50475 to „ —62893	20 each	Govind Meghasham Saheya, at Poona.
G 8—56518 ...	20	Lodji Khajabhoy, Butcher, Sholapur.
G 13—41968 to „ —41970 *	5	Noorbhay Esmaeljee, Shopkeeper, Kurrachee.

* Mismatched.

KURRACHEE,
The 2nd November 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
43	... E 19—00698 ...	50	The Officer Commanding 3rd Bengal Cavalry, Mecan Meer.
	„ —02664 ...	50	
	E 13—96479 ...	100	
	„ —97705 ...	100	
	N 5—05002 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
67	... E 15—82333 ...	50	Revd. A. Bridges, Hissar.
	E 19—00359 ...	50	
	N 5—07628 ...	100	
	O 71—35267 ...	500	
62	... E 1—55844 ...	1,000	Sya Pershad, Muzufferpur.

LAHORE,
The 5th November 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
48	... B 61—73183 ...	50	P. Sawmy Aiyar, Pleader, Tanjore District Court, Mayaveram.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
90	... B 68—41688 to „ —41697 „ —42051 to „ —42060	100 each	Ismail Madrasi, Shawline Gate, Mote Chowk, Lahore.
93	... B 64—16650 ...	20	D. Campbell, Esq., Sub-Engineer, Hoshangabad.

FORT SAINT GEORGE,
The 31st October 1881.

C. HALL,
Offg. Chief Clerk to the Accts. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Simla, the 31st October 1881.

On and after the 1st January next, Money Orders will be exchanged, in both directions, between India and Mauritius.

2. The following rates of commission will be charged for Money Orders drawn in India upon Mauritius :—

	Rs.	A.
On sums not exceeding Rs. 10	0	2
Exceeding Rs. 10 but not exceeding Rs. 25 ...	0	4
„ „ 25 „ „ „ 50 ...	0	8
„ „ 50 „ „ „ 75 ...	0	12
„ „ 75 „ „ „ 100 ...	1	0
„ „ 100 „ „ „ 125 ...	1	4
„ „ 125 „ „ „ 150 ...	1	8

3. The maximum limit for single Money Orders drawn upon Mauritius is Rs. 150. No person may obtain in one day more than four Money Orders payable to the same person, and no order may contain a fractional part of an anna.

4. In other respects Money Orders exchanged with Mauritius will be treated like Money Orders exchanged with Ceylon (*vide* Postal Guide, dated April 1881).

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

Calcutta, the 11th November 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	10th Nov.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	18th „	Str. *Sirdhana.*
Madras and Ceylon	7 „	19th „	P. & O. Str. *Deccan.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also *vid* Torres Straits for Queensland; also for Australian Colonies	7 „	15th „	From Bombay.
Foreign Mails *vid* Bombay	7 „	14th „	From Bombay.*
Do. Book Post and Pattern	7 „	13th „	From Bombay.
Packets	7 „	17th „	Str. *Malda.*
Rangoon, Moulmein, and Straits	7 „	17th „	Str. *Mahratta.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon	7 „	16th „	Str. *Lennox.*
Straits and Hong-Kong	7 „	12th „	From Bombay.
Persian Gulf	7 „	12th „	From Bombay.

* Also *vid* Aden for Zanzibar, Mozambique; also *vid* Aden for Mauritius, Mahé (Seycheiles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 6th November 1881.

Abergone & Co.
Agent of Calcutta (application for Bridge),
Apurva Chunder Biswas.
Aviett, A.
Baidh Dowlathram.
Baldwin, A.
Barral, G. B.
Bartlett Mrs. W. H.
Beathe, M. H.
Beattie, W. G.
Bengal Medical Librarian.
Bhartpur Tea Company.
Bornoh, Bysak & Co.
Bourdonnais, Mons. La.
Bradley, Mrs. P.
Brown, James.
Browne, W.
Cave, H.
Chinton & Co.
Clerk, A.
Coleman, P.
Cook, T. F.
Ernest, F.
Evans, C. A.
Ferguson, Edgar.
Gocool Chunder Dass & Co.
Henry, G. H.
Hunt, T.
Jones, Mrs. E.
Kelly, H.
Law, W. C.
Mackay, J.
Morton, T. G.
Pexwell, E.
Pereira, R.
Proprietor, Bengal Mail.
R. M. E.
Reilly, Mrs. J.
Rhoades, A. H.
Robertson, Alex.
Russie Lall Seal.
Scott, Mrs. Ida May.
Sen, R. & Co.
Staples, Lieut. J. E. L.
Stephenson, Miss A. J.
Speedy, Revd.
Sutherland, H. H.
Wainright, J.
Walters, Mrs. M.
Webster, Francis.
Wilson, Miss A.
Wilson, H. T.
Young, E.

Letters marked "Care of Post Office, to be kept till called for."

A. F. & Co.
Allen, Mons. J. A.
Anderson, John.
Atkinson, Capt. S. B.
Bailey, Sydney W.
Bartlett, A. F.
Belh, J. H.
Billinge, Dudley.
Boarge, J., Signora.
Bore, G. J.
Borham, W. E.
Brocklebuist, W. T.
Brundage, J. D.
Cahill, James.
Calder, S.
Cassarley, Patrick Jas.
Chater, E. J.
Clay, Samuel.
Collins, Frederick.
Cruft, J.
Cunard, A. Litherland.
Daniell, A. A.
Dobbin, Philip T.
Doody, Serjt. Geo.
Driscoll, D. J.
Dundas, A. A.
Dyer, W.
Earle, G. H.
Eleftheria, Nicholas K.
Feok, Richard.
Ferm, Arthur.
Fisher, Louis.
Fleming, Master John.
Flewker, W.
Forest, William Dene.
Fraucher, W.
G. O.
Gerolame, G.
Glazebrook, J. T. W.
Grant, Geo. H.
Grimes, T.
Guru Dass Chatterjee.
Hankievz, Charles.
Hazard, F.
Henzell, H. L.
Herman, Morris.
Hine, C. W.
Hopekerk, William.
"Indigo."
Jameson, T. D.
Jash, F. H.
Jones, Prycc.
Kellar, Harry.
Keymer, J. S.
Kirkwood, T. M.
Kirti Chunder Mitter.
Kohn, Joseph.
Lambert, Dr. E.
Leebmann, H.
Lillingwell, A. J.
Littlewood, J. H.
MacIntyre, A.
Madden, S. L.
Martin, C. M.
Martin, G.
McCormick, J.
McDougall, A.
Mills, C. H.
Nierausteen, S.
Padmore, Robt.
Parkinson, Mrs. Annie.
Pearce, Mrs. E.
Peters, D.
Peters, J.
Peyrot, A.
Prease, J.
Queen, S. F.
Reed, C. A. P.
Rose, C. Henry.
Rourke, Mr. E.
Scott, David W.
Shepherds, —.
Smith, T. H.
Spalding, N.
Strong, Samuel Stephen.
Synnot, W.
Tripasure, Venkata Krishna Rao.
Walker & Co.
Wood, W., Captain.
Yeomans, Miss.
Zifferer, F. T.

Newspapers.

Brundage, J. D.
Campbell, Major A. D.
Collins, F.
Froster, J.
Johnson, E. C.

Registered Letters.

Hankuwing, Monsr. Chas.
Kirkwood, T. M.
Mochim, Mr.
Pollard, Alex.
Reed, C. A. P.
Schapira, D.
Sinclair, H. G.
Sypsoms, Theodore.
Tougoulolf, Monsr. A.
Warde, Mrs.
Weben, Madame Martha.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے ونکے جو کوئي ايک مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس ے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ ے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ ے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس ے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ ے ٹين کا بيس روپيه

يهه دوا کلکته ے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورۂ بالا ے محصول ڈاک چار اور آٹهه اونس ے ٹين کا آٹهه آنه ; اور ايک پونڈ ے ٹين کا باره آنه

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The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

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Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
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Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
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HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

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Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—
Kurrachee to Vingorla. *Re. 1-12.*
Vingoria to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veraiwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagno Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—
Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
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Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re. 1.*

Ceylon, East Coast —
Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—
Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—
Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—
Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang Pra. *Re. 1.*
Patani Bay. *Annas 8.*
Singora Roadstead and Inner Harbour. *Re. 1.*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
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Hydrographic Notices—
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„ 2. Cancelled; superseded by Notice No. 8 *Annas 4.*
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„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
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„ 21. Arabian Coast, Ras Matbukh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—
No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
No. 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
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(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights.
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.
„ 32. Removal of South Buoy, Harbour Entrance. Bay of Bengal—Coromandel Coast—Madras.

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Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

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From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance.*

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Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

NOTICE TO MARINERS.

No. 36 of 1881.

BAY OF BENGAL—GULF OF MARTABAN.

RANGOON RIVER ENTRANCE.

Date of Re-exhibition of Permanent Light at Eastern Grove.

With reference to this Department Notice to Mariners, No. 33, dated 18th October 1881, notice is hereby given that the alterations to the arc of visibility of the Eastern Grove light will be completed, and the permanent light exhibited, on the 10th December 1881.

The light will be, as before, a dioptric white light of the 3rd order, elevated 93 feet above high water, and visible, in clear weather, from a distance of 12 miles.

The apparatus has been turned to eastward about two points—so as to render it more visible to vessels approaching Rangoon river from Moulmein—and the light will be visible between the bearings from N. E. by N. to N. N. W. ¼ W.

Bearings are Magnetic and from seaward.
Variation 3° 0′ E. in 1881.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Marine Survey Department,
Calcutta,
The 12th November 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. [illegible]3, 834, 823, 830, and 70; Light List for 1881.

INDIAN MARINE SURVEY Charts, Nos. 143, [illegible], 15*d*, and 103*b*; Light List for 1881; also Taylor's Sailing Directory, Vol. I, page 499.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 11th November 1881.

No. 2271.—With reference to Notification No. 1382, dated 12th July 1881, Major F. H. Maitland, Additional Political Agent, 3rd Class, and Political Superintendent, Charkhari, availed himself of the leave therein granted, on the afternoon of the 13th idem, and rejoined on the forenoon of the 13th October 1881. One day's leave not taken is hereby cancelled.

By Order,

J. BURNE, *Captain,*
for *1st Asst. Agent, Govr. Genl., for Central India.*

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 11th November 1881.

No. 2418 *G.*—With reference to Foreign Department Notification No. 1818 G.-G., dated 7th October 1881, Surgeons John O'Neill, M.D., and G. W. P. Dennys, respectively, delivered over, and received, medical charge of the Meywar Bhil Corps, on the forenoon of the 26th October 1881.

The 14th November 1881.

No. 2429 *G.*—With reference to Foreign Department Notification No. 1891 G.-G., dated 21st October 1881, Major R. G. E. Dalrymple and Captain N. C. Martelli, respectively, delivered over, and received, charge of the Offices of the Banswara Assistancy and the Moghia Superintendency, on the afternoon of the 29th October 1881.

By Order,

E. A. FRASER,
1st Asst. Agent to the Govr. Genl.

SUPERINTENDING ENGINEER, RAJPUTANA.

NOTIFICATION.

Mount Abu, the 7th November 1881.

No. 1 *R.*—Mr. F. St. G. M. Smith, Assistant Engineer, 2nd Grade, now serving in the Jodhpore Branch Railway Division, is attached to the Office of the Superintending Engineer, Rajputana, during the present cold season, or until further orders.

J. P. STEEL, *Major, R.E.,*
Supdg. Engr., Rajputana.

RESIDENT IN MYSORE.

NOTIFICATION.

Bangalore, the 2nd November 1881.

No. 1846—680 *J.*—Mr. E. Pereira, a Magistrate of the 1st Class, in the Civil and Military Station of Bangalore, is invested with the following additional powers referred to in Section 27(a) of the Code of Criminal Procedure, namely:—

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

(11) Power to make orders, &c., in local nuisance cases (Section 521).

2. Mr. Pereira is directed, under Section 335 of the Code of Criminal Procedure, to take down the evidence of complainants and witnesses with his own hand in his vernacular language, English.

By Order,

W. J. CUNINGHAM,
Asst. to the Resident.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Simla, the 25th October 1881.

No. 54.—Third Grade Assistant Surgeon Srinath Ghosh, of the supernumerary list, is permitted to resign the service.

The 28th October 1881.

No. 55.—The services of 3rd Grade Assistant Surgeon Mahendra Nath Ray, of the supernumerary list, are placed temporarily at the disposal of the Chief Commissioner, British Burma.

No. 56.—Third Grade Assistant Surgeon Bhagabut Chundra Rudra, M.D., of the Bengal provincial list, is permitted to resign the service, with effect from the 7th October 1881.

The 29th October 1881.

No. 57.—With reference to Bengal Government Notification, dated 19th October 1881, the services of 1st Class Assistant Apothecary P. Toomey are placed at the disposal of the Government of the North-Western Provinces and Oudh.

J. M. CUNINGHAM, M.D.,
Surgeon-Genl. with the Govt. of India.

CONSULTING ENGINEER TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS.

NOTIFICATIONS.

Calcutta, the 10th November 1881.

Mr. R. A. English, Assistant Engineer, 2nd Grade, attached to the Office of the Government Examiner of Railway Accounts, Calcutta, passed the Departmental Examination on the 2nd November 1881.

The 11th November 1881.

With reference to the Notification of the Government of India in the Public Works Department, No. 294, dated the 8th September 1881, Mr. W. deW. Peel, Executive Engineer, 4th Grade, joined the Office of the Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, on the forenoon of the 11th November 1881.

R. DEBOURBEL, *Col., R.E.,*
Consg. Engr. to the Govt. of India, for Guaranteed Railways.

PUNJAB NORTHERN STATE RAILWAY, Northern Section.

NOTIFICATION.

Rawalpindi, the 11th November 1881.

No. 11.—Referring to Director General of Railways' Notification No. 63, dated 25th October 1881, Mr. R. W. Egerton, Assistant Engineer, 2nd Grade, reported his arrival at Pindee on the forenoon of 21st October 1881, and was posted to Office of Engineer-in-Chief, Northern Section.

F. L. O'CALLAGHAN,
Engineer-in-Chief.

Report of a Deserter from the B-2nd Royal Regiment of Artillery, dated at Belgaum, this 9th day of November 1881.

Number, Rank and Name,—No. 2650—2, Gunner Thomas Fogarty.	Coat or Jacket,—Dungaree. Waistcoat,—None. Breeches or Trowsers,—Dungaree. (Prison clothing.)
Age,—26 years 3 months.	Date of Desertion,—Night of the 8th November 1881.
Size,—5 feet 7½ inches.	Place of Desertion,—Belgaum.
Color of—	Date of Enlistment,—23rd July 1874.
Complexion, fresh; Hair, brown; Eyes, grey.	Place of Enlistment,—Woolwich.
Parish and County in which Born,—St. George's, London, Middlesex.	REMARKS,—None. Under 8 years' service.
Marks,—Scar on forehead.	
Trade,—Baker.	

_____, *Major,*
Comdg. B-2nd, Royal Regt. of Artillery.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, on or about the 15th May 1881, treasure consisting of 1 silver case or ornament, 2 silver bracelets and 1 gold necklace containing 15 beads, valued in the aggregate at Rs. 20, was found buried in the ruined house of Jangam Channabasava, now deceased, in the village of Hampasagaram, in Hadagaly Taluk, Bellary District, in the Presidency of Madras.

All persons claiming the treasure, or any part thereof, are requested to appear personally or by agent before the Collector of Bellary, at his office, on the 1st April 1882, in order to the matter being enquired into and determined in accordance with the provisions of the Act.

H. P. GORDON,
Collector.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nov. 7	...	...	...	2,30,130	24,22,128	7,65,899
,, 8	...	...	...	2,30,130	24,22,128	7,65,899
,, 9	...	...	...	2,30,130	24,21,479	7,65,899
,, 10	...	...	...	2,30,130	24,22,363	7,65,899
,, 11	9,046	...	2,20,846	23,806	26,39,671	9,81,869
,, 12	...	...	11,975	9,756	26,53,724	9,95,919

CALCUTTA MINT,
The 14th November 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 15th November 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 1,07,13,812 5 11)			
Public Deposits at Branches (Rs. 1,57,22,632 4 3)	2,64,36,444	10	2
Other Deposits at Head Office and Branches	2,44,70,606	8	3
Bank Post Bills, &c.	4,17,634	13	11
Sundries	12,56,411	12	1
RUPEES	7,50,93,064	0	9

ASSETS.	Rs.	A.	P.
Government Securities	99,30,682	0	0
Other authorized Investments	37,94,980	0	0
Loans on Government and other authorized Securities	84,99,851	14	0
Accounts of Credit on Government and other authorized Securities	78,96,845	15	11
Bills discounted and purchased	1,66,08,736	15	10
Balances with other Banks	6,82,165	1	2
Bullion	2,73,137	0	8
Dead Stock	11,31,082	2	9
Stamps	7,165	11	10
Sundries	4,50,407	11	11
	4,92,75,054	10	1
Cash and Currency Notes at Head Office (Rs. 91,32,783 5 5)			
Cash and Currency Notes at Branches (Rs. 1,66,85,226 1 3)	2,58,18,009	6	8
RUPEES	7,50,93,064	0	9

By order of the Directors,

BANK OF BENGAL,
Calcutta, 17th November 1881.

W. WESTLAND,
Offg. Chief Accnt. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th November 1881.

PARTICULARS.	3½ per cent. Loans of 1853-54.	4 per cent. Loans									5 per cent. Loan of 1856-57.	5 per cent. Debenture for 15 years Repayable June 1882.	Transfer Loan of 1870, seven Shillings Sterling per cent. Portion.	4½ per cent. Loans				6½ per cent. Loan of 1859-60.	TOTAL AMOUNT.
		Of 1824-25.	Of 1828-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. Loan of 1870.	Reduced 4 per cent. Loan of 1879.				Of 1870.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Reduced 4½ per cent. Loan of 1881.		
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Balance of 31st October 1881	54,100	38,506	3,413	14,20,053	31,43,900	2,24,74,300	1,03,67,700	2,30,13,400	2,85,22,700	2,90,19,900	61,200	33,03,000	1,10,500	48,29,900	1,04,67,100	9,72,90,400	1,82,000	2,07,000	20,45,48,172
Stock transferred to London	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1,500
Add—																			
Amount enfaced at Madras between 1st and 15th November 1881	...	...	...	...	...	2,00,000	...	16,400	1,700	...	...	...	...	...	2,50,000	...	...	...	4,68,100
Amount enfaced at Bombay between 1st and 15th November 1881	...	...	...	...	11,000	4,57,000	...	14,92,500	4,32,500	20,000	...	...	...	...	17,600	1,66,900	...	...	25,97,500
Amount enfaced at Calcutta between 1st and 15th November 1881	...	...	...	...	20,500	45,500	7,500	3,43,000	63,000	5,000	...	...	...	...	55,300	4,43,600	...	...	10,17,900
	54,100	38,506	3,413	14,20,053	31,43,900	2,24,74,300	1,03,67,700	2,33,71,800	2,90,19,900	2,90,19,900	61,200	33,03,000	1,10,500	48,29,900	1,05,70,000	9,81,50,900	1,82,000	2,07,000	20,56,33,172
Deduct—																			
Amount written off in the London Registers	...	...	...	1,920	20,000	1,13,700	2,700	1,13,000	59,900	...	...	...	...	...	47,500	3,81,500	...	...	7,40,220
Balance on 15th November 1881	54,100	38,506	3,413	14,18,133	31,23,900	2,23,60,600	1,03,72,000	2,32,58,800	2,89,60,000	2,89,60,000	61,200	33,03,000	1,10,500	48,29,900	1,05,22,500	9,77,69,400	1,82,000	2,07,000	20,78,92,952

NOTE.—From 9th June 1867 to 15th Sept. 1881, enfaced from India 4,367 lakhs; re-transferred from London, 3,649 lakhs.

,,	16th Sept. 1881 to 30th	,,	30 ,,
,,	1st Oct. ,, to 15th Oct.	,,	13 ,,
,,	16th ,, ,, to 31st	,,	14 ,,
,,	1st Nov. ,, to 15th Nov.	,,	40 ,,
			4,404 lakhs.
			3,675 ,,
	Balance against India		729 lakhs.

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 17th November 1881.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
197 ...	D 18—78465 ...	100	Revd. J. C. R. Ewing,
	,, —80598 ...	100	Fatehgarh.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
133 ...	D 12—37147 ...	5	Alie Hosscin and Baber
	D 14—58664 ...	20	Alie, Allahabad.
35 ...	D 10—60803 *	5	Muthra Prasad, Allah-
	,, —60703 *		abad.

* Mismatched.

ALLAHABAD,
The 16th November 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.*,
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
M65 ...	M 59—77046	10	Moosaji Adamji, Bom-
	,, —77045		bay.
M66 ...	M 54—50903	10	Hurji Shimaji, Bom-
	,, —50902		bay.

BOMBAY,
The 15th November 1881.

W. T. PIERCY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
221 ...	O 89—35574 ...	1,000	Mathura Das Ram Kissen.
	,, —85927 ...	1,000	
222 ...	O 32—82132 ...	50	Babu Manick Chunder Ghose.
223 ...	O 96—65726 ...	100	Babu Gopee Mohan Ghose.
224 ...	O 96—83138 ...	100	Jewlal Ram.
	O 65—05370 ...	50	
225 ...	O 71—71920 ...	500	Babu Narsingha Prosad Dutt.
	,, —73442 ...	500	
	O 97—01037 ...	100	
	,, —01038 ...	100	
226 ...	O 32—85340 ...	50	Lekha Shah.
	,, —85341 ...	50	
228 ...	O 71—70260 ...	500	Babu Chunder Coomar Laheri.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
135 ...	O 2—59583	20	Babu Muti Lal Sarkar.
	O 21—14288		
141 ...	O 42—57418	10	Mr. J. S. Kelly.
	,, —57419		
142 ...	P 6—63176	10	Babu Obhoy Churn Mittra.
	,, —63175		
148 ...	O 75—44225	10	Babu Ram Chund Dey.
	,, —44224		
183 ...	O 49—85587 ...	10	Babu AshootoshChakravarti.
184 ...	O 67—80040 ...	100	Babu Dinesh Chunder Roy.
	O 32—47360 ...	50	
185 ...	O 88—20042 ...	100	Babu Bykanto Chundra Gupta.
186 ...	O 78—41108 ...	10	Mrs. E. Bailey.
187 ...	O 87—73906 ...	20	Babu Patit Pabun Sein.
	P 13—06527 ...	5	
188 ...	P 5—01615 ...	10	Mr. G. Hickie.
	O 95—34020 ...	10	
189 ...	O 36—43510 ...	5	Makund Mahatoo.
190 ...	O 69—29393 ...	100	Sahoo Saukar Dhojee.

CALCUTTA,
The 18th November 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
G 13—43292 *	5	Oukajee Hurkison, Shroff,
,, —43296 *		Mhow.

* Mismatched.

KURRACHEE,
The 8th November 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
44 ...	E 15—75605 ...	50	Karreem Bux, Amritsur.

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
65 ...	E 17—47914 ...	20	Muthra Pershad, Allah- abad.

LAHORE,
The 12th November 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
94 ...	B 68—20632 ...	100	Venkatakrishna Setti,
	,, —21642 ...	100	Arakalgode.
	,, —25738 ...	100	
95 ...	B 68—30475 ...	100	H. Venkatarangiah, Agent,
	,, —30479 ...	100	Hassan Carnatic Bank, Limited.
96 ...	B 47—53186 ...	5	Madho Bhima Rao, Measurer, Mysore Revenue Survey, Bangalore.
16 ...	B 57—77075 *	20	C. S. Shanmuga Pillai,
	,, —77080 *		Vakil, Sub-Magistrate's Court, Puttur.

* Wrongly joined.

FORT SAINT GEORGE,
The 7th November 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881-82.		Rs.	
H14 ...	F 8—71675 ...	20	Raj Bahadoor, Clerk of
	,, —72522 ...	20	Court, Deputy Commissioner's Office, Narsingpur.

NAGPUR,
The 10th November 1881.

W. D. COWLEY,
Asst. Comptlr., C. P.,
in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 31st October 1881.

On and after the 1st January next, Money Orders will be exchanged, in both directions, between India and Mauritius.

2. The following rates of commission will be charged for Money Orders drawn in India upon Mauritius :—

	Rs.	A.
On sums not exceeding Rs. 10	0	2
Exceeding Rs. 10 but not exceeding Rs. 25 ...	0	4
„ „ 25 „ „ „ 50 ...	0	8
„ „ 50 „ „ „ 75 ...	0	12
„ „ 75 „ „ „ 100 ...	1	0
„ „ 100 „ „ „ 125 ...	1	4
„ „ 125 „ „ „ 150 ...	1	8

3. The maximum limit for single Money Orders drawn upon Mauritius is Rs. 150. No person may obtain in one day more than four Money Orders payable to the same person, and no order may contain a fractional part of an anna.

4. In other respects Money Orders exchanged with Mauritius will be treated like Money Orders exchanged with Ceylon (*vide* Postal Guide, dated April 1881).

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India, Foreign Post Branch.

Calcutta, the 18th November 1881.

It is hereby notified for general information that the following mail despatches to Ceylon will be made from Calcutta General Post Office during November 1881 :—

DATE OF CLOSING.	Box closes at	ROUTE.
19th November 1881 ...	7 P.M.	By P. & O. Steamer from Calcutta.
23rd November 1881* ...	7 „	By B. I. S. N. & Co. private Vessel.
29th November 1881 ...	7 „	By P. & O. Steamer from Bombay.
29th November 1881* ...	7 „	By Star Line private Vessel.

* These dates are subject to alteration in the event of departure of the Vessel being delayed.

N.B.—The letter-box will close at 7 P.M. precisely, after which letters fully prepaid and bearing an extra postage stamp of four (4) annas on each cover will be received up to 7-30 P.M.

The rate of postage on letters conveyed by private Vessels is two (2) annas per ½ oz. (prepayment compulsory).

The postage on letters conveyed by the P. & O. and French Steamers is three (3) annas (prepayment optional),

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	26th Nov.	From Bombay.
Madras, Ceylon and the Intermediate Ports . . .	7 „	25th „	Str. *Madura.*
Madras and Ceylon . . .	7 „	19th „	P. & O. Str. *Deccan.*
Foreign Mails *vid* Bombay . .	7 „	21st „	From Bombay.
Do. Book Post and Pattern Packets	7 „	20th „	From Bombay.
Rangoon, Moulmein, and Straits .	7 „	24th „	Str. *Simla.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon . .	7 „	24th „	Str. *Commilla.*
Persian Gulf	7 „	19th „	From Bombay.
Port Blair and Camorta . .	7 „	25th „	Str. *Satara.*

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

NOTICE.

The Office of Registrar of the Bengal Secretariat, Judicial and Political Departments, will be vacant on the 1st December 1881. The pay of the appointment rises from Rs. 400 to Rs. 600 per month, by five annual increments, and there is an additional local allowance of Rs. 58-5-4 per month, drawn by the officer actually performing the duties of Registrar. Applications for the appointment must, in the first instance be in writing, addressed to the Secretary to the Government of Bengal, Judicial Department. Each applicant must state his age, his past appointments and salaries, and the nature of his experience in controlling an office.

BENGAL SECRETARIAT,
DARJEELING;
The 3rd November 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

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„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
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„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
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„ 7. Erection of Bar Tidal Semaphore on Joolden Flagstaff Hill, entrance to Chittagong or Kornafuli river.
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„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Saïd entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights

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Copies are to be had at the Office of the Director of Public Instruction.

Publications for Sale at the Bengal Secretariat Press.

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Report on the Internal Trade of Bengal for the year 1876-77. Published by the Government of Bengal. *Price, Rs. 5; Colored Map, Rs. 2-8.*

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Memorandum on the Revenue History of Chittagong. By H. J. S. COTTON, Esq., Collector and Magistrate of Chittagong. *Price, Rs. 2-4; packing and postage, 4 annas.*

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A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

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A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

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Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 26, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at Calcutta. After the 19th November, all Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.

From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

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E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 29th October 1881.

Mr. F. J. Fergusson, the Official Trustee of Bengal, having obtained one week's extension of leave from the 19th of November next, the Honorable the Chief Justice has, under Section VII of Act XVII of 1864, appointed Mr. Tindal A. Pearson, Barrister-at-Law, to officiate as Official Trustee during the absence of Mr. Fergusson, or until further order.

By Order,
R. BELCHAMBERS,
Registrar.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 17th November 1881.

No. 63.—With reference to Government of India, Public Works Department, Notification No. 337, dated 20th October 1881, the following Officers are posted to the 2nd Division, Simla Imperial Circle:—

Mr. T. J. Dumayne, Temporary Executive Engineer, 4th Grade.

Mr. J. S. Brown, Assistant Engineer, 1st Grade.

No. 64.—With reference to Public Works Department Notification No. 337, dated 20th October 1881, the following Officers are posted to the 1st Division, Simla Imperial Circle:—

Mr. J. M. Campion, Executive Engineer, 3rd Grade.

Mr. F. B. Hebbert, Assistant Engineer, 1st Grade.

Sirdar Dharm Sing Soin, Assistant Engineer, 2nd Grade.

A. CADELL, *Major-Genl., R.E.,*
Inspr. Genl. of Military Works.

Sirhind & Lahore Command.

Lahore, the 17th November 1881.

No. 114.—Major T. C. Manderson, R.E., Executive Engineer, transferred to the Sirhind and Lahore Command, Military Works, is posted to the Dalhousie Division, of which he assumed charge from Mr. W. B. Harrington on the afternoon of the 9th instant.

WILLIAM B. HOLMES, *Lt.-Col., R.E.,*
Supdg. Engr., Sirhind & Lahore Command, Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Simla, the 17th November 1881.

No. 66.—With reference to Public Works Department Notification No. 346, dated 26th October 1881, Mr. W. A. Johns, Assistant Engineer, 2nd Grade, is attached temporarily to the Office of the Director General of Railways.

F. S. STANTON, *Col., R.E.,*
Offg. Director General of Rys.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that in the month of May 1881 (exact date not known) a treasure, consisting of fifty-four Chandwadi Rupees equivalent in value to fifty British Rupees, was found under a mango tree standing on a bandh of the field which lies to the south of the Khadiya Nalla and which belongs to Soobhana Pawar of Mouje Varne, Taluka Satara.

All persons claiming the treasure, or any part thereof, are required to appear personally or by agent before the Mamledar of Satara on 27th February 1882. Any person having any right to such treasure or any part thereof as owner of the place in which it was found, or otherwise, and not appearing as required by this notification, shall forfeit his right.

HARI SAKHARAM,
Mamledar of Satara.

SATARA,
The 22nd October 1881.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nov. 14	...	...	...	9,756	26,53,724	9,95,919
„ 15	...	...	...	9,756	26,53,724	9,95,919
„ 16	...	...	9,473	61	26,63,380	10,05,585
„ 17	...	...	...	61	26,63,411	10,05,585
„ 18	...	...	...	61	26,63,411	10,05,585
„ 19	...	...	...	61	26,63,411	10,05,585

CALCUTTA MINT,
The 21st November 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 22nd November 1881.

LIABILITIES.			Rs.	A.	P.
Capital paid-up			2,00,00,000	0	0
Reserve Fund			25,11,966	4	4
	Rs.	A. P.			
Public Deposits at Head Office	1,04,93,196	8 4	2,55,46,371	5	9
Public Deposits at Branches	1,50,53,174	13 5			
Other Deposits at Head Office and Branches			2,48,36,215	2	9
Bank Post Bills, &c.			3,30,380	1	10
Sundries			12,70,052	5	0
RUPEES			7,44,94,985	3	8

ASSETS.			Rs.	A.	P.
Government Securities			93,19,921	0	0
Other authorized Investments			37,94,980	0	0
Loans on Government and other authorized Securities			94,18,240	0	9
Accounts of Credit on Government and other authorized Securities			71,48,714	1	11
Bills discounted and purchased			1,80,57,063	2	3
Balances with other Banks			6,82,705	9	5
Bullion			3,04,445	15	11
Dead Stock			11,31,522	1	10
Stamps			7,723	5	10
Sundries			4,39,441	5	11
			5,03,04,756	11	10
	Rs.	A. P.			
Cash and Currency Notes at Head Office	91,06,501	3 7	2,41,90,228	7	10
Cash and Currency Notes at Branches	1,50,83,727	4 3			
RUPEES			7,44,94,985	3	8

By order of the Directors,

BANK OF BENGAL,
Calcutta, 24th November 1881.

J. GORDON,
Chief Accit. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
W198 ...	D 17—29120 ...	50	Jootha Ram, Cawnpore.
	„ —29121 ...	50	

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
134 ...	D 17—29246 ...	50	Dyal Dass, Agra.

ALLAHABAD,
The 23rd November 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
1881.			
H120 ...	M 44—18782 ...	100	John Howe, Kotree.
H121 ...	M 54—17804 ...	10	Dalpatbhai Bhagoobhoy, Bombay.
H122 ...	M 55—57683 ...	10	Narayen Mukund Shet, Vingorla.
H123 ...	M 57—11125 ...	50	A. Banks, Belgaum.
	„ —11126 ...	50	
	M 56—18481 ...	20	
	„ —42644 ...	20	
	M 10—44207 ...	5	
M67 ...	M 60—09808	10	Tribhowandoss Devidoss & Co., Bombay.
	„ —09809		
M70 ...	M 18—65972	10	Ramji Purshotum, Bombay.
	M 21—08693		

BOMBAY,
The 22nd November 1881.

W. T. PIERCY,
Asst. Accit. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
231 ...	O 96—70972 ...	100	Mr. J. D. Maxwell.
232 ...	O 89—68139 ...	1,000	Messrs. W. Vale King & Co.
	„ —68140 ...	1,000	
	„ —60427 ...	1,000	
	O 69—42056 ...	100	
	O 97—03717 ...	100	
	„ —03718 ...	100	
	„ —03719 ...	100	
	„ —00774 ...	100	
	O 65—05476 ...	50	
	„ —01582 ...	50	
234 ...	O 96—13289 ...	100	Lukhinarain Santra.
236 ...	O 69—19736 ...	100	Babu Ramlal Dutt.
	„ —65699 ...	100	
	O 96—65700 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
144 ...	O 46—30778	10	Mr. W. J. Hodges.
	O 84—64891		
145 ...	O 38—15286	5	Babu Obhoy Churn Sarkar.
	„ —15287		
	L 55—20526	5	
	„ —20525		
	L 15—93195	5	
	„ —93200		
	L 22—54935	5	
	„ —54933		
146 ...	L 41—47441	10	Babu Benode Behari Lahuri.
	L 39—74488		
148 ...	L 56—31897	5	Hucan Chinaman.
	„ —93143		
191 ...	L 92—58397 ...	50	Babu Mohendra Nath Bysack.
192 ...	O 31—39055 ...	50	Captain C. Hayes, Newington.

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED—*continued.*

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
193 ...	P 3—19217 ...	10	Mr. H. G. Palmer.
	O 92—44567 ...	10	
194 ...	O 96—68251 ...	100	Babu Bhoobun Mohun Das.
	P 6—75102 ...	10	
195 ...	P 4—49853 ...	10	Elias M. Cohen.
196 ...	O 13—24314 ...	10	Babu Kailas Chunder Seal.
	L 28—87161 ...	5	
197 ...	O 87—56517 ...	20	Babu Ram Doolal Shaw.
	„ —89178 ...	20	
	„ —63981 ...	20	
	„ —60852 ...	20	
	„ —45884 ...	20	
	O 86—94088 ...	20	
198 ...	P 3—13701 ...	10	Mr. E. Ephgrave.
	P 2—41323 ...	10	
199 ...	O 99—67272 ...	10	Ahmed Alli.
200 ...	O 31—58557 ...	50	Mr. J. M. Francis.
	„ —64326 ...	50	
	O 68—49549 ...	100	
201 ...	O 96—49383 ...	100	Babu Kedar Nath Sen.
202 ...	P 3—45598 ...	10	Babu Bhoot Nath Dutt.
	„ —45599 ...	10	
	„ —45600 ...	10	
203 ...	O 99—25175 ...	10	Mr. R. Manderas.
	„ —25176 ...	10	

CALCUTTA,
The 25th November 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
45 ...	O 71—34507 ...	500	The Commissioner of Police, Calcutta.
	„ —15689 ...	500	
	„ —14570 ...	500	
	„ —36936 ...	500	
	O 89—35574 ...	1,000	
	„ —35927 ...	1,000	
46 ...	N 5—10694 ...	100	Lieutenant-Colonel O. Menzies, Lahore.
47 ...	O 71—37759 ...	500	Nizam Deen, Watchmaker, Lahore.
48 ...	N 5—10906 ...	100	
	„ —11075 ...	100	
	„ —10905 ...	100	
	„ —11076 ...	100	
	„ —10578 ...	100	
49 ...	O 71—37407 ...	500	Moti Ram and Gunga Ram, Khari Bowlie, Bazar, Delhi.

NOTE PARTIALLY LOST OR DESTROYED.

		Rs.	
71 ...	O 71—37369 ...	500	G. H. Postance, Esq., East Indian Railway, Jamalpur.

LAHORE,
The 19th November 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
97 ...	B 60—92738 ...	10	Subba Rama Iyer, Joint Secretary, Salem Janarupakara Nidhi, Salem.
	B 64—02410 ...	20	
98 ...	B 65—00508 ...	50	Mr. F. Urquhart, Mysore Estates Company, Mudigiri Taluk, Kilagoor.
	„ —00509 ...	50	
99 ...	B 64—63138 ...	20	T. E. Ramanuja Charri, B.A., Assistant Master, Patchiappah's College, Madras.

FORT SAINT GEORGE,
The 14th November 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept., for Commissioner.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881-82.		Rs.	
H18 ...	F 9—87818 ...	50	Shewaram Khoshal Chander Gocooldas, Banker, Mandla.
„	—87819 ...	50	
„	—87820 ...	50	
„	—87821 ...	50	

NAGPUR,
The 17th November 1881.

W. D. COWLEY,
Asst. Comptlr., C. P.,
in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Simla, the 31st October 1881.

On and after the 1st January next, Money Orders will be exchanged, in both directions, between India and Mauritius.

2. The following rates of commission will be charged for Money Orders drawn in India upon Mauritius :—

	Rs. A.
On sums not exceeding Rs. 10	0 2
Exceeding Rs. 10 but not exceeding Rs. 25 ...	0 4
„ „ 25 „ „ „ 50 ...	0 8
„ „ 50 „ „ „ 75 ...	0 12
„ „ 75 „ „ „ 100 ...	1 0
„ „ 100 „ „ „ 125 ...	1 4
„ „ 125 „ „ „ 150 ...	1 8

3. The maximum limit for single Money Orders drawn upon Mauritius is Rs. 150. No person may obtain in one day more than four Money Orders payable to the same person, and no order may contain a fractional part of an anna.

4. In other respects Money Orders exchanged with Mauritius will be treated like Money Orders exchanged with Ceylon (*vide* Postal Guide, dated April 1881).

L. G. WAIT,
Asst. Dir. Genl. of the Post Office of India,
Foreign Post Branch.

Calcutta, the 25th November 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	3rd Dec.	From Bombay.
Madras, Ceylon and the Intermediate Ports . . .	7 „	2nd „	Str. *Khandalla.*
Madras and Ceylon . . .	7 „	3rd „	P. & O. Str. *Clyde.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *viâ* Hong-Kong for Yokohama; also for Australian Colonies .	7 „	29th Nov.	From Bombay.
Foreign Mails *viâ* Bombay .	7 „	28th „	From Bombay.
Do. Book Post and Pattern Packets . . .	7 „	27th „	From Bombay.
Rangoon, Moulmein, and Straits .	7 „	1st Dec.	Str. *Kilwa.**
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon . .	7 „	1st „	Str. *Busheer.*
Straits and Hong-Kong . .	7 „	26th Nov.	Str. *Japan.*
Persian Gulf	7 „	26th „	From Bombay.

* Mail for Port Blair can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 20th November 1881.

Allen, Cooke & Co.	Fatiey, Phillip.	Raghokissen Mitter & Co.
Allen, Mrs. L.	Finton, J. J.	Relly, M.
Anderson, Mrs. J.	Francis, W. G.	Rocha, M.
Avetoom, S. T.	Freres, H.	Secretary to the Northbrook Statue Committee.
Aylott, J.	Golam. C.	Shea, J. H.
Baker, Mrs.	Glosher, R.	Shanghoie & Co.
Bartlett, E. H.	Godinho, G. J.	Shuttleworth, Mrs.
Basuk, L. A.	Hall, C. E.	Smart, C.
Battman, J.	Harriss, J.	Smart, Mrs. L.
Bau, Mrs.	Holgate, R.	Smith, J. H.
Bell, W.	Hutchings, B. E.	Superintendents, Sone Works.
Benner, Mrs. J. H.	Jhonson, Mrs.	Stanley, E. J.
Bhuingston, Miss W.	Jones, W.	Stephens, S. J.
Blaclias, J. R. S.	Labiedie, E.	Stephenson, Miss.
Booley, Mrs. L.	Lawrence, W. R.	Sullivan, F. J.
Bourdel, Col.	Leith, W. E. G.	Swinden, H. W.
Bowers, H.	Leonard, Mrs. E.	Turner, J.
Broke, J.	Lepper, C. H.	Vivian, Mrs. G. O.
Brookes, G.	McCarthy, A.	Warneford, R.
Brown, Mrs. J.	McKenzie, N. T.	West, E. W. P.
Carlisle, Mrs.	Morgan, T.	White, Mrs.
Charles, Nephew & Co.	Morrison, G. H.	Williams, E.
Clarke, A. H.	Muller & Co.	Wilkins, J. H. R.
Clayton, Miss.	Myhie, Miss A	Wilson, Mrs.
Clayton, R.	Newtown & Co.	Wood, C. F.
Colyuhoun, M. D.	Patrick, H. G.	Young, W. B. A.
Cooke, R. W.	Porten, J.	
Curtoys, W. J.	Peterson, F.	
David, C. M.	Pickard, J.	
Devermine, H. H.	Power, Mrs.	
Dunnett, Mrs. E.	Proprietor, Indian Messenger.	
Fagan, H. R.		

Letters marked "Care of Post Office, to be kept till called for."

A. F. & Co.	Frankland, W.	Orustein, S.
Allen, Mons. J. A.	Fraucher, W.	Padmore, Robt.
Anderson, J.	G. O.	Paganin, M. L.
Anderson. T.	George, H. B.	Paquut, E. D.
Andrews, S.	Glazebrook, J. T. W.	Parkinson, Mrs. Annie.
Atkinson, Capt. S. B.	Grant, Geo. H.	Paxwell, R.
Atkinson, F. J.	Grimes, T.	Pearce, Mrs. R.
Aviett, G.	Guru Dass Chattorjee.	Percy, B.
Baihdard, W. A.	Hagarth, B.	Peters, J.
Bailey, J. R.	Haly, J. J.	Peyrot, A.
Bartlett, A. P.	Hankievz, Charles.	Platel, J.
Barrett, John.	Henzell, H. L.	Presse, J.
Beale, J. A.	Herman, Morris.	Queen, S. F.
Bell, J. H.	Hill, Miss C. A.	Reed, C. A. P.
Boarge, J., Signora.	Hine, C. W.	Reid, J., Dr.
Bore, G. J.	"Indigo."	Rhoades, A. H.
Bradford, J.	Jackson, G.	Rierson, D. P. J.
Brocklehurst, W. T.	Jackson, M. H.	Roe, R. J., Lt.
Bruhul, Paul.	Jameson, T. D.	Rogers, J. W.
Brundage, J. D.	Jeffery, R.	Rohim Buksh.
Calder, S.	Johannes.	Ross, C. Henry.
Campbell, A. D., Major.	Jones, A.	Rourke, Mr. E.
Chater, E. J.	Jones, Pryce.	Scott, David W.
Chinnapan.	J. S.	Shamram.
Clarke, G. J.	Kellar, Harry.	Shenton, J. T.
Clay, Samuel.	Kennedy, J. G.	Shepherds, —.
Collins, Frederick.	Kennedy, Miss L. N.	Smith, T. H.
Connell, J.	Kennedy, P. J.	Smith, H. B.
Cornield, A. G.	Keymer, J. S.	Spalding, N.
Cruft, J.	Kirkwood, T. M.	Strong, L.
Cunard, A. Litherland.	Kirti Chunder Mitter.	Swinton, F. G.
Dana, L., Professor.	Lambert, Dr. E.	Synnot, W.
DeBraganza, C. C.	Lillingwell, A. J.	Target, C. B.
D'Costa, J. S.	Littlewood, J. H.	Thompson, A.
DePasto, P.	Macintyre, A.	Tuopy, J. F.
Doody, Serjt. Geo.	Mair, A.	Tripasure, Venkata Krishna Rao.
Driscoll, D. J.	Machish, J.	V. C. J.
Dundas, A. A.	Maren, Miss Ada.	Walwright, John.
Dunnington, A. W.	Martin, C. M.	Walker & Co.
Duzovitz, C.	Martin, G.	Walton, E. M.
Dyer, W.	McCormick, J.	Watts, G. W.
Dykes, L. F.	McDougall, A.	Webster, F.
Earle, G. H.	Mills, C. H.	Wells, W.
Eden, Sir W.	Moffatt, Col. A. K.	White, M. J.
Eleftheris, Nicholas K.	Moore, J. P.	Willes, Miss E.
Feck, Richard.	Moreton, T. G.	Williams, A. G.
Ferm, Arthur.	N. C.	Williams, Mrs.
Fisher, Louis.	Nantz, L.	Wood, W., Captain.
Fleming, Master John.	Nimmoo, A.	Zalaiet, A. N.
Flewker, W.	Oakley, L. J.	Zifferer, F. T.
Forest, William Dene.	Obscure, C.	

Newspapers.

Barrett, J.	Brundage, J. D.	Froster, J.
Brocklehurst, W. T.	Campbell, Major A. D.	Johnson, E. C.

Registered Letters.

Anderson, Mrs. J.	Morton, Mr.	Smith, H. Boroden.
Feilman & Co., Maurice.	Reed, C. A. P.	Stevenson, David.
Hankuwing, Monsr. Chas.	Schapira, D.	Sypsoms, Theodore.
Kirkwood, T. M.	Sinclair, H. G.	Warde, Mrs.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates:—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates:—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايک ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے ونکے جو کوئي ايک مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس ے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس ے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ ے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هيں يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس ے ٹين کا دس روپيه آٹهه آنه ; ايک پونڈ ے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے وايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورهٔ بالا ے محصول ڈاک چار اور آٹهه اونس ے ٹين کا آٹهه آنه ; اور ايک پونڈ ے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs. A. P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8 0 0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8 0 0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8 0 0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ..	8 0 0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2 8 0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1 8 0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1 8 0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1 8 0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1 0 0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2 0 0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2 8 0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

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The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set :

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THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Moeletivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30′ N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re. 1.*

Ceylon, East Coast—

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—

Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang Pra. *Re. 1.*
Patani Bay. *Annas 8.*
Singora Roadstead and Inner Harbour. *Re. 1.*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
Langsuen Roads. *Re 1.*

Sailing Directions, &c.—

The Sailing Directory, Part I, India, Africa and South America, with Charts. *Rs. 16; packing and postage, Re. 1-12.*

Return of Wrecks and Casualties in Indian Waters for the year 1877, together with a Chart showing the positions in which they occurred. *Rs. 2.*

Ditto ditto for 1878. *Price, Rs. 2.*

Ditto ditto for 1879. *Price, Rs. 2.*

List of Light-houses and Light-vessels in British India (Suez to Singapore), corrected from official information. *Re. 1.*

Spheroidal Tables, for every ten minutes of the quadrant, showing the length in feet of a degree, minute, and second of latitude and longitude; the corresponding number of statute miles in each degree of latitude; the number of minutes of latitude, or nautic miles contained in a degree of longitude under each parallel of latitude; and the length, in cables, of a minute of longitude, corresponding to each nautic mile, Compression $\frac{1}{2\frac{1}{2}}$. *Re. 1.*

Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878. *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
„ 17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.

No. 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Joolden Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4) Ras Nungwe Light-house.
„ 18. Port Saïd entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.
„ 32. Removal of South Buoy, Harbour Entrance. Bay of Bengal—Coromandel Coast—Madras.
„ 33. Temporary exhibition of small Dioptric Light at Eastern Grove—Rangoon river entrance.
„ 34. Reported incorrect position of Crocodile Rock. Cadiapatam or Muttum Point—India—South Coast.
„ 35. Replacing of Karwar Rock Buoy—India—West Coast.
„ 36. Exhibition of permanent Light at Eastern Grove—Rangoon river entrance.

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Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

NOTICE TO MARINERS.

No. 37 of 1881.

INDIA—WEST COAST.

BEYPORE.

Position of Anchorage Buoy.

The Port Officer of Madras has notified that a red buoy, with pole and basket, has been placed to mark the anchorage at Beypore.

The buoy lies in four fathoms of water, on the following bearings:—

Beypore Flagstaff, N. E. by E. ½ E., distant 1·4 nautical miles.

Northern Port Boundary-pillar, N. by E. ½ E., distant 2·0 nautical miles.

A remarkable round tree on Kolahcoon hill, E. by S., distant 3·9 nautical miles.

Bearings are Magnetic. Variation 0° 55′ Easterly in 1881.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Marine Survey Department,
Calcutta,
The 24th November 1881.

This Notice affects the following:—

BRITISH ADMIRALTY Charts, Nos. 64, 747, 749, 2737, and 827; West Coast of Hindostan Pilot (1880), page 93.

INDIAN MARINE SURVEY Chart, No. 15*a*; also Taylor's Sailing Directory, Vol. I, page 405.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

NOTICE TO MARINERS.

No. 38 of 1881.

BAY OF BENGAL—COROMANDEL COAST.

MADRAS.

Buoys marking Harbour Entrance.

Telegraphic information has been received from the Port Officer, Madras, announcing that two buoys, painted with red and white vertical stripes, have been laid down to indicate the harbour entrance.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Marine Survey Department,
Calcutta,
The 28th November 1881.

This Notice affects the following :—

BRITISH ADMIRALTY Chart, No. 71*c*.

INDIAN MARINE SURVEY Charts, Nos. 105 and 1257*a*; also Taylor's Sailing Directory, Vol. I, page 458.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 25th November 1881.

No. 247.—Brevet Lieutenant-Colonel W. M. Campbell, R.E., Deputy Superintendent, 2nd Grade, Survey of India, having availed himself of the furlough granted to him in Bombay Military Department General Order No. 604, dated 3rd November 1881, on the 5th idem, the following temporary promotions are made, with effect from the same date :—

Mr. J. O. N. James, Deputy Superintendent, 3rd Grade, to officiate as Deputy Superintendent, 2nd Grade.

Major H. Lees Smith, Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 3rd Grade.

Mr. W. G. Beverley, Officiating Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade.

No. 248.—Brevet Lieutenant-Colonel R. G. Woodthorpe, R.E., Assistant Superintendent, 2nd Grade, Survey of India, having returned from furlough, is appointed to officiate as Assistant Superintendent, 1st Grade, with effect from the forenoon of the 12th November 1881.

The following reversion is made, with effect from the same date :—

Mr. W. G. Beverley, Officiating Assistant Superintendent, 1st Grade, to revert to his officiating appointment of Assistant Superintendent, 2nd Grade.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

REVENUE BRANCH, SURVEY OF INDIA.

NOTIFICATION.

Calcutta, the 29th November 1881.

No. 12.—Mr. C. W. J. Ford, Assistant Surveyor, 2nd Grade, is granted privilege leave for one month and two days, under Chapter X, Section 136, of the Civil Leave Code, with effect from the forenoon of the 23rd November 1881.

J. SCONCE, *Lieut.-Col.,*
Deputy Surveyor General.

CHIEF COMMISSIONER OF AJMIR-MERWARA.

NOTIFICATIONS.

Mount Abu, the 23rd November 1881.

No. 886.—Under Section 3 of Act XIV of 1879 (The Hackney Carriage Act), the Chief Commissioner of Ajmir-Merwara is pleased to extend the said Act to the Municipality of Ajmir.

No. 888.—The following rules framed by the Municipal Committee of Ajmir, under Section 8 of Act IV of 1879 (The Hackney Carriage Act) for the regulation and control of hackney carriages within the limits of the Ajmir Municipality, have been approved and confirmed by the Chief Commissioner and are now published for general information.

These rules shall come into force on and after the 1st day of January 1882 :—

1. Every hackney carriage except as provided in rule No. 24, shall be required to take out a license from the Municipality. (All hackney carriages to be licensed with exception of ekka.)

2. Such license shall be issued from the Municipal Office after the carriages and horses have been examined and approved by one or more members of the Municipal Committee, the Secretary to the Municipal Committee, and the District Superintendent of Police, who shall jointly determine the class to which the carriage shall belong. (Place of issue of license.)

3. There shall be four classes of licensed hackney carriages according to the quality of the horses and vehicles, and licenses shall be granted to them subject to all the provisions contained in these Bye-laws, and to the following conditions, *viz.* :— (Conditions of license.)

(1) That the carriage is in good order and repair in all its parts.

(2) That it is provided with two lamps.

(3) That the horse is not, or the horses are not, less than 13 hands high, or three years of age, or otherwise than in good working condition.

(4) That the harness is complete and serviceable.

4. Licenses issued under these rules shall continue in force during the official year for which they are granted. But they shall be liable to revocation within that time by order of the Municipal Committee, on proof before them that the proprietor or his agent has been guilty of an infringement of any of these Bye-laws, or has been convicted of any offence under these rules, or that the conditions on which the license was granted are not fully maintained. (Period of license.)

5. Application for the renewal of licenses shall be made one month before the expiry of the year of license, and the renewed license shall be granted in the same way and by the same officers as provided in Rules 2 and 3 and on payment of the same fee as for the original license. (Renewal of license.)

6. When a licensed hackney carriage is transferred to a new proprietor during the year of license, the name of such proprietor shall be duly reported by the transferor to the Municipal Office and shall be substituted in the license for the name of the transferor without further payment. (Transfer of license.)

7. Each license shall bear a serial number and this number shall be printed in English, Hindi and Urdu, in a conspicuous place on the licensed hackney carriage. (Numbering of license and vehicle.)

8. All hackney carriage licenses shall be produced for inspection when required by any Magistrate or Police Officer. (Production of license.)

9. No person shall be allowed to act as the driver of a licensed vehicle, except under a driver's license, granted on that behalf by the officers mentioned in rule 2. A driver's license is not transferable, and shall be granted for the official year. A driver's license should not be granted to any person under 18 years of age. (Driver's license.)

10. Every driver so licensed shall wear, while driving a licensed carriage, or plying for hire, a brass badge on his arm bearing the number of his license. (Driver's badge.)

11. The licenses for hackney carriages and drivers shall be in the form attached to these rules, and shall be printed on strong paper. The fee for each carriage license shall be rupee 1, and for each driver's license and badge 8 annas. (Form of licenses for carriages and driver's fees payable.)

12. Any proprietor or agent of the proprietor or driver of a licensed vehicle who knowingly permits it to be drawn by a less number of horses than is provided in the license, or knowingly permits more passengers to be carried in such carriage than is permitted by these bye-laws, shall be liable to a fine which may extend to Rs. 50 and to forfeiture of his license.

13. Any driver who cruelly beats, illtreats, overdrives, or otherwise misuses any horse driven in a licensed vehicle, shall be liable to forfeiture of his license to drive, in addition to any other punishment to which he may be liable under any law in force for the time being. (Forfeiture of driver's license.)

14. It shall be lawful for any person named in rule 2 to enter premises on which licensed vehicles, animals, harness and other things used therewith are kept, in order to carry out any of the provisions of these bye-laws. (Inspection of premises.)

15. The Municipality shall from time to time appoint places as stands for licensed hackney carriages. The following place is for the present appointed as a hackney carriage stand :— (Stands for licensed carriages.)

The encamping ground near the railway station.

Drivers of such carriages found waiting for hire at places other than those appointed shall be liable to forfeit their license to drive. The regulation of the order in which hackney carriages shall rank on the stands, shall be under the control of the Police.

16. The driver or proprietor of a licensed carriage waiting on a public stand, or publicly plying for hire, shall, at any time of the day or night, be bound to give such carriage on hire to any person demanding the same, unless for good or sufficient reason, the burden of proving which shall lie on the driver or proprietor so refusing. (Power of driver or proprietor to refuse a licensed carriage.)

17. The maximum number of persons which may be carried by each description of hackney carriage is as follows :— (Number of persons and weight of luggage to be carried by each licensed hackney carriage.)

Description of vehicle.	*No. of persons.*
I.—By a buggy	... Two persons, excluding the syce.
II.—By a dog-cart	... Four persons, including syce and driver.
III.—By a wagonnette, phæton or *palkigari*—	
(*a*) with one horse	...Five persons, including syce and driver.
(*b*) with two horses	...Seven persons, including syce and driver.

Two children under 10 years of age shall be reckoned as one adult person.

18. Every licensed hackney carriage shall have affixed in it a list of the fares prescribed in the following rule. Such list shall be printed in English, Urdu and Hindi. One copy shall be provided yearly at the time of licensing by the Municipal Committee, but the renewal of a list which has become destroyed or (List of fares to be affixed to licensed carriages.)

fdeaed shall rest with the proprietor who shall renew it at once.

19. In the absence of any private agreement between the proprietor, agent or driver of a licensed carriage and the hirer, the following rates shall be paid :— Fares.

	1st hour.	3 hours.	Half day of 5 hours.	Whole day of 9 hours.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1st Class Carriage .	0 12 0	1 8 0	2 0 0	3 0 0
2nd do. do. .	0 8 0	0 14 0	1 4 0	2 8 0
3rd do. do. .	0 6 0	0 12 0	1 0 0	1 8 0
4th do. do. .	0 4 0	0 8 0	0 12 0	1 0 0

	1st Class.	2nd Class	3rd Class.	4th Class.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Carriage hire from Railway Station to any place within the Municipal limits or the suburbs of Ajmir . .	0 8 0	0 4 0	0 3 0	0 2 0

20. If the carriage is not engaged by time, the person hiring it shall proceed by the direct or usual road from point to point and any alterations of, or detentions on, the route by the hirer shall involve the payment of an additional fare, provided that in no case shall the fare payable exceed the sum due for the hire of the licensed vehicle for the whole day. Carriage how to proceed if hired by the journey.

21. The minimum speed at which a carriage hired by time shall be driven shall be six miles per hour. Minimum speed if hired by time.

22. Every licensed vehicle shall, while plying for hire between sunset and sunrise, on dark nights, carry two lights. Carrying of lights.

23. Property found in licensed hackney carriages shall be deposited at the nearest police station by the proprietor or driver of such carriages. A list of such property shall be posted at the Head-Quarters City Police Station and at such other places as the District Superintendent of Police may direct. Lost property.

24. Ekkas will not be required to take out licenses, they shall not carry more than four adult persons inclusive of the driver, and will be classed as 4th class. Ekkas.

25. Prosecutions for the breach of these rules may be instituted by any passenger, Police officer or member of the Municipal Committee.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

FORM OF CARRIAGE LICENSE.

1. Ajmir Municipality.
2. Number and class of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name of proprietor or Agent.
6. Residence of proprietor or Agent.
7. Description of vehicle.
8. License to carry passengers if drawn by one horse.
   Ditto if drawn by two horses.
9. Remarks.

FORM OF DRIVER'S LICENSE.

1. Ajmir Municipality.
2. Number of license.
3. Date of issue of license.
4. Name of driver.
5. Father's name.
6. Residence.
7. Remarks.

By Order,

E. A. FRASER,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Camp Mercara, the 23rd November 1881.

No. 1322-184.—It is hereby notified for general information that from the 12th day of November 1881, when the Coorg Courts Regulation No. II of 1881 came into force, the officer hitherto styled the 1st Assistant Superintendent of Coorg shall be styled the 1st Assistant Commissioner of Coorg.

By Order,

W. J. CUNINGHAM,
Secretary.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 23rd November 1881.

No. 65.—Lieutenant G. Davidson, R E., Assistant Engineer, 1st Grade, was granted privilege leave for three months, with effect from the 19th June 1881.

A. CADELL, *Major-Genl., R.E.,*
Inspr. Genl. of Military Works.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, about August 1879, treasure, consisting of 136 gold coins, valued at about Rs. 20, was found in field No. 454, said to belong to one Marutha Kavundan, situated in the village of Mathur, Tanjore Taluk, Tanjore District, in the Presidency of Fort St. George.

All persons claiming the treasure, or any part thereof, are required to appear personally or by agent before the Collector of Tanjore at his office on the 1st day of April 1882, in order to the matter being enquired into and determined in accordance with the provisions of the said Act.

F. E. GIBSON,
Officiating Collector.

TANJORE,
The 14th November 1881.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, on or about the 22nd July 1881, treasure, consisting of 108 gold coins, valued in the aggregate at Rs. 54, was found near the rocks in the village of Gadiganur, in the Hospet Taluk, of the Bellary District, Madras Presidency.

All persons claiming the treasure, or any part thereof, are hereby required to appear personally, or by agent, before the Collector of Bellary, at his office, on the 1st April 1882, in order to the matter being enquired into and determined in accordance with the provisions of the Act.

———,
Collector.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, on or about the 1st May last, treasure, consisting of certain jewels (given below), valued at Rs. 33-10, was found in the village of Share Mohommedpet, Nandigama Taluk, Kistna District, Madras Presidency.

All persons claiming the treasure, or any part thereof, are required to appear personally, or by agent, before the Collector of the Kistna District, at his office, on the 1st day of May 1882, in order to the matter being enquired into and determined in accordance with the provisions of the said Act.

List of Ornaments found in the compound of Chakka Appadu while digging foundation for a wall.

Name of Ornament.	Weight in Tolahs.	Value.
		Rs. A. P.
4 pieces of 3-lined silver girdle, Goa pattern.	$6\frac{12}{64}$	6 11 9
3 Ditto ditto Rattle pattern	$5\frac{1}{4}$	5 8 0
9 Ditto of silver hollow bangles	$13\frac{7}{16}$	13 7 0
1 Ditto of ditto bracelet	$1\frac{31}{32}$	1 15 6
62 small pieces of silver girdle . .	$2\frac{9}{32}$	2 4 6
1 piece of silver with 3 silver beads attached	$\frac{7}{32}$	0 8 6
1 broken piece of silver bracelet	$1\frac{27}{32}$	1 13 6
3 thin pieces of silver	$\frac{31}{64}$	0 7 9
3 pieces of silver chain	$\frac{19}{64}$	0 4 9
Small pieces of silver	$\frac{5}{16}$	0 5 0
1 small silver tube	$\frac{1}{16}$	0 1 0
2 small rings of silver	$\frac{11}{64}$	0 2 9
TOTAL VALUE .	...	33 10 0

———,
Acting Collector.

KISTNA DISTRICT COLLE.'S OFFICE,
MASULIPATAM;
The 3rd November 1881.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, on or about the 10th day of October 1881, treasure, consisting of 100 Veeraroyan fanams and 1 Anaikasu, valued at about Rs. 26 in the aggregate, was found in the vacant site said to belong to one Alaga Mudali, at Simandipalaiyan hamlet of Andipalaiyan village, Palladam Taluk, Coimbatore District, in the Presidency of Fort St. George.

All persons claiming the treasure, or any part thereof, are required to appear either personally or by agent before the Collector of Coimbatore on the 29th March 1882, in view to the matter being enquired into according to law.

G. W. VERNON,
Acting Collector.

TREASURE TROVE.

It is hereby notified, under Section 5 of Act VI of 1878, that, on the 17th May 1880, a certain woman, named Savetri, wife of Walhuji Mhar, inhabitant of Agadgaon, Taluka Nagar, while digging a hole for taking earth from the ruined house of one Balia Mhar, deceased, of the above village in the Taluka of Nagar, of the Ahmednagar District, found treasure, amounting to Rs. 42-8, "Chandwadi" and a "Virudi" (a foot-finger ornament of a woman), hidden in the ground, the approximate value of which is Rs. 40.

All persons who claim the said treasure, or any part thereof, are required to appear personally or by agent before the undersigned on the 17th of April 1882, at Nagar Taluka, Nagar, in the Ahmednagar District, and in case of their failure so to appear, the claimants shall forfeit their right thereto, and the aforesaid treasure shall be disposed of in the manner stated in the said Act.

RAWJIE P. BARVEY,
Mamlatdar of Nagar.

NAGAR,
The 17th November 1881.

NOTICE

To all to whom it may concern.

Under rules issued by the Government of India, Home Department, on the 12th December 1877, for the care and use of Government cemeteries, *notice* is hereby given that the following tombs in the Sylhet cemetery have fallen into a ruinous condition, and will be levelled, unless they are repaired after one month from this date.

Friends of the deceased wishing to execute repairs to the tombs, should communicate without delay with the undersigned.

1. Tombs of Maria and Wigrom, infant children of John and Elizabeth Swaris.—Died 12th and 18th April 1867.
2. Tomb of T. Kain.—Died 17th January 1817.

W. F. MERES,
Officiating District Judge,
for *Chaplain.*

SYLHET,
The 21st November 1881.

MAPS OF THE SURVEY OF INDIA,

Published at the Offices of the Surveyor General of India, Calcutta and Dehra Dún, for the Quarter ending 30th September 1881.

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*Madras Coast Series. Preliminary Numerical Chart of —. Season 1879-80. From Latitude 10°-45′ to 13°-5′, and Longitude 79°-25′ to 80°-20′	Double Elephant	1 0	...

* Published and available at the Surveyor General's Office, Dehra Dún.

JOHN O. N. JAMES,
Assistant Surveyor General.

SURVEYOR GENERAL'S OFFICE,
Calcutta, the 27th October 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 29th November 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 80,04,050 11 9)			
Public Deposits at Branches (Rs. 1,49,26,486 8 1)	2,29,30,537	3	10
Other Deposits at Head Office and Branches	2,50,77,056	3	9
Bank Post Bills, &c.	4,51,672	2	9
Sundries	13,05,821	12	7
RUPEES	7,22,77,053	11	3

ASSETS.	Rs.	A.	P.
Government Securities	90,41,695	0	0
Other authorized Investments	38,44,480	0	0
Loans on Government and other authorized Securities	79,16,414	2	8
Accounts of Credit on Government and other authorized Securities	67,01,986	12	0
Bills discounted and purchased	1,90,22,715	5	1
Balances with other Banks	6,18,363	13	1
Bullion	2,75,208	1	4
Dead Stock	11,31,709	6	10
Stamps	7,370	5	10
Sundries	4,31,903	14	7
	4,89,91,846	13	5
Cash and Currency Notes at Head Office (Rs. 79,45,926 1 7)			
Cash and Currency Notes at Branches	2,32,85,206	13	10
RUPEES	7,22,77,053	11	3

By order of the Directors.

BANK OF BENGAL,
Calcutta, 1st December 1881.

J. GORDON,
Chief Accts. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

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ILLUSTRATIONS OF ANCIENT BUILDINGS IN KASHMIR, prepared at the India Museum, London, under the authority of the Secretary of State for India in Council, from Photographs, Plans, and Drawings taken by order of the Government of India by Lieutenant Henry Hardy Cole, R.E., to be obtained from Messrs. Thacker, Spink & Co., Calcutta; Messrs. Higginbotham & Co., Madras; and of Messrs. Thacker, Vining & Co., Bombay.

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Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on: General Treasury.	Certificates issued on: Currency Department.	Balance of Bullion: Under Assay.	Balance of Bullion: Assayed.	Balance of Bullion: Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nov. 21	...	...	...	61	26,63,411	10,05,585
,, 22	...	...	51	...	26,63,461	10,05,635
,, 23	...	...	...	...	26,63,461	10,05,635
,, 24	4,055	...	...	4,055	26,64,644	10,05,635
,, 25	...	...	...	4,055	26,64,644	10,05,635
,, 26	...	...	...	4,055	26,64,644	10,05,635

CALCUTTA MINT,
The 28th November 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
135	... D 17—08295 ...	50	Mr. T. E. Curry, Balsore.
136	... D 18—11635*...	100	Babu Mohendro Nath Bysack, Calcutta.
137	... D 17—34035 ...	50	Roshun Lall, Allahabad.

* Mutilated.

ALLAHABAD,
The 30th November 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.*,
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881.		Rs.	
H124	... M 7—12670 ...	5	Tehilram Chevrai, Hyderabad (Sind).
H125	... M 11—62220 ...	5	Framji Ardeseer, Poona.
H126	... M 55—19489 ...	10	Gooma Deepa, Bombay.
H127	... M 43—57741 ...	100	Burjorji Framji, Patel, Baroda.
H128	... M 56—61688 ...	20	Lieutenant-Colonel J. Jacobs, Satara.

BOMBAY,
The 29th November 1881.

W. T. PIERCY,
Asst. Accts. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
237	... L 38—36543 ...	100	Srimonto Lal Ghose.
241	... O 65—09099 ...	50	Babu Amrito Lal Roy.
	„ —09100 ...	50	
242	... O 89—62489 ...	1,000	Ram Narain Sukdeb.
243	... O 96—96629 ...	100	Mr. L. B. Kilby.
244	... O 92—49857 ...	10	Golab Chand.
245	... O 65—04996 ...	50	Poresh Nath Dutt.

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
209	... O 85—74738 ...	20	Babu Koylas Chunder Ghose.
210	... O 56—98683 ...	20	Babu Nibarun Chunder Banerjee.
149	... E 18—69193	10	Babu Rutnessur Mullick.
	„ —69194		
150	... P 13—01919	5	The Chief Pay Master, E. I. Railway, Calcutta.
	„ —01916		
151	... O 50—62827	10	Toolsi Das Sadkhan.
	„ —62825		
152	... O 62—49720	20	Babu Sita Nath Gupta.
	„ —49721		
	L 29—93471	5	
	L 27—93679		
	L 29—52541	5	
	„ —52542		
204	... O 74—60615 ...	1,000	Babu Nilmadhub Kundoo.
205	... O 85—88518 ...	20	Babu Banku Behari Mukerjee.
	O 87—52460 ...	20	
206	... O 88—71797 ...	100	Mr. J. Atkins Martin.
	O 32—23765 ...	50	
207	... O 57—73566 ...	20	Major T. O. Wingate.
208	... O 31—68878 ...	50	Samsuddeen Sawdagur.
	O 32—73961 ..	50	
	„ —27216 ...	50	
	O 94—61546 ...	10	
	O 78—69552 ...	10	
	P 3—32369 ...	10	
	O 51—21277 ...	10	
	O 95—89114 ...	10	

CALCUTTA,
The 2nd December 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value.	Name of Claimant.
	Rs.	
J 9—65352 ...	10	V. P. Madhava Row, Sub-Judge of Hassan, Mysore Province.
„ —65353 ...	10	
„ —65354 ...	10	
J 13—01707 ...	20	
J 8—24812 *	5	V. Krishnasamy Ramachandra Iyer & Co., Madras.
„ —24814 *		

* Wrongly joined.

CALICUT,
The 21st November 1881.

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
50	... N 5—08425 ...	100	R. W. Rumsby, Esq., Lieutenant Governor's Camp.
51	... E 19—61282 ...	50	Lieutenant-Colonel W. G. Glascock, Simla.
	„ —01283 ...	50	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
18	... E 16—91585	10	Dina Nath Sinha, Simla.
	„ —91586		

LAHORE.
The 25th November 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
100	... B 65—05770 ...	50	Subraya Mudali, Madras.
	„ —10317 ...	50	
17	... B 41—43290 *	10	Muthukumara Mudali, Shroff, Bank of Madras.
	„ —43170 *		

* Wrongly joined.

FORT SAINT GEORGE,
The 21st November 1881.

C. HALL,
Offg. Chief Clerk to the Accts. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 24th November 1881.

PARCEL POST EXCHANGE WITH CHINA.

On and after the 1st January 1882, parcels can be forwarded in both directions between India and the following British Post Offices in China :—

Amoy, Canton, Foochow, Hankow, Hong-kong, Kiung Chow or Heihow, Ningpo, Shanghai, Swatow.

2. Parcels forwarded to China must be fully prepaid in cash at the rate of eight annas per pound or fraction of a pound, and must be accompanied by the usual declaration of contents and value. The value should be expressed in sterling.

3. Each parcel, after being plainly addressed, must, with its declaration, be enclosed in an outer covering directed to—

POST MASTER,
Calcutta.

4. In other respects, this exchange will be governed by the conditions relating to foreign parcels given in the Postal Guide.

5. Parcels, received from China, must likewise be fully prepaid and will be delivered in India free of all charge except customs duty.

L. G. WAIT,
for *Offg. Dir. Genl. of the Post Office of India.*

The 29th November 1881.

No. 9070.—Mr. C. A. Stuart, Presidency Post Master, Bombay, resumed charge of his office from Mr. W. Merrett on the forenoon of the 14th November.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

Calcutta, the 2nd December 1881.

It is hereby notified for general information that the following mail despatches to Ceylon will be made from Calcutta General Post Office during December 1881 :—

DATE OF CLOSING.	Box closes at	ROUTE.
3rd December 1881 ...	7 P.M.	By P. & O. Steamer from Calcutta.
7th December 1881* ...	7 „	By B. I. S. N. & Co's private vessel.
9th December 1881 ..	7 „	By French Steamer.
13th December 1881 ..	7 „	By P. & O. Steamer from Bombay.
17th December 1881 ...	7 „	By P. & O. steamer from Calcutta.
20th December 1881* ...	7 „	By Star Line private vessel.
21st December 1881* ...	7 „	By B. I. S. N. & Co's private vessel.
27th December 1881 ...	7 „	By P. & O. Steamer from Bombay.
28th December 1881* ...	7 „	By Ducal Line private vessel.

* These dates are subject to alteration in the event of departure of the vessel being delayed.

N.B.—The letter-box will close at 7 P.M. precisely, after which letters fully prepaid and bearing an extra postage stamp of four (4) annas on each cover will be received up to 7-30 P.M.

The rate of postage on letters conveyed by private vessels is two (2) annas per ½ oz. (prepayment compulsory).

The postage on letters conveyed by the P. & O. and French steamers is three (3) annas per ½ oz. (prepayment optional).

The 2nd December 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	10th Dec.	From Bombay.
Madras, Ceylon and the Intermediate Ports . . .	7 „	9th „	Str. *Huzara.*
Madras and Ceylon . . .	7 „	3rd „	P. & O. Str. *Clyde.*
Foreign Mails *viâ* Bombay . .	7 „	5th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	4th „	From Bombay.
Rangoon, Moulmein, and Straits .	7 „	8th „	Str. *Rajpootana.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway and Rangoon . .	7 „	8th „	Str. *Madras.*
Madras, Ceylon, Batavia, Singapore and China	7 „	9th „	French Str. *Tibre.*
Persian Gulf	7 „	3rd „	From Bombay.

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 27th November 1881.

Andrews, E. T.	Gasper, G. M.	Patrick, H. G.
Anderson, T.	Gomes, T. A.	Phillips, Charles E.
Bartlett, E. H.	Hall, C. E.	Pickard, J.
Barton & Co.	Harvey & Co.	Ramsay, James.
Bowers, H.	Harrison, A. F.	Robinson, W.
Burne, Colonel.	Holgate, R.	Rozoodeen, Shaik.
Caldwell, Mrs.	Indian Messenger.	Schwarztd, Mrs. A.
Campbell, George.	Ingles, L.	Shea, J. H.
Campbell, Capt. Alex.	Labiedie, E.	Shearm & Co.
Clarke, A. H.	Lee, Harry.	Soutton, W. M.
Coggan, R. T.	Leonard, Mrs. E.	Stephenson, Miss.
Cooke, J.	Lepper, C. H.	Stokes, F.
Daniel, Richd.	Lucas, A. P.	Watson, G. H.
Davies, Miss.	Marston, E. F.	West, E. W. P.
Daya Nadhee Dass.	Mathews & Co.	Westcott, G. A.
Doorga Dass Chatterjee.	Mayers, B.	Wills, Nephew & Co.
Fagan, H. R.	McCombie, Mrs. F.	Walker, James.
Finton, J. J.	Morgan, T.	Wood, C. F.
Fitzgerald, J.	Newtown & Co.	Wood, C. H.
Francis, W. G.		

Letters marked "Care of Post Office, to be kept till called for."

Allen, Mons. J. A.	Francher, W.	Oakley, L. J.
Anderson, J.	G. O.	Obscure, C.
Anderson, T.	George, H. B.	Padmore, Robt.
Andrews, S.	Glazebrook, J. T. W.	Paquet, E. D.
Atkinson, Capt. S. B.	Grant, Geo. H.	Parkinson, Mrs. Annie.
Aviett, G.	Grimes, T.	Paxwell, E.
Bailey, J. R.	Guru Dass Chatterjee.	Pearce, Mrs. R.
Bartlett, A. P.	Hagarth, B.	Peters, J.
Barrett, John.	Haly, J. J.	Peyrot, A.
Beale, J. A.	Hankievz, Charles.	Platel, J.
Bell, J. H.	Henzell, H. L.	Presse, J.
Boarge, J., Signora.	Herman, Morris.	Queen, S. F.
Bradford, J.	Hine, C. W.	Reid, J., Dr.
Brocklehurst, W. T.	Houghton, Lt.-Col. R. (M.S.C.)	Rhoades, A. H.
Brundage, J. D.	"Indigo."	Rierson, D. P. J.
Calder, S.	Jackson, G.	Roe, R. J., Lt.
Campbell, A. D., Major.	Jackson, M. H.	Ross, C. Henry.
Chater, E. J.	Jameson, T. D.	Rourke, Mr. E.
Clay, Samuel.	Jeffery, R.	Schoferld, Edwin.
Collins, Frederick.	Jones, A.	Scott, David W.
Connell, J.	Jones, Pryce.	Shamram.
Cornfield, A. G.	Keele, Richmond.	Shenton, J. T.
Crawshaw, J. H.	Kellar, Harry.	Smith, H. B.
Craigie, Miss.	Kennedy, J. G.	Spalding, N.
Crompton, A.	Kennedy, Miss L. N.	Swinton, F. G.
Cruft, J.	Kirkwood, T. M.	Synnot, W.
Cunard, A. Litherland.	Lambert, Dr. E.	Target, C. B.
Doody, Serjt. Geo.	Littlewood, J. H.	Thompson, A.
Driscoll, D. J.	Macintyre, A.	Thomas, J. C.
Dundas, A. A.	Mair, A.	Tripasure, Venkat Kristna Rao.
Dunnington, A. W.	Maren, Miss Ada.	V. C. J.
Dyer, W.	McCormick, J.	"W."
Dykes, L. F.	McDougall, A.	Walker & Co.
Earle, G. H.	Mills, C. H.	Watts, G. W.
Eleftheria, Nicholas K.	Moffatt, Col. A. K.	Webster, F.
Fuck, Richard.	Moore, J. P.	Willes, Miss E.
Ferm, Arthur.	Morston, T. G.	Williams, A. G.
Fisher, Louis.	N. C.	Williams, Mrs.
Fleming, Master John.	Nantz, L.	Williams, Surgeon A. H
Flowker, W.	Nimmoo, A.	Wood, W., Captain.
Forest, William Dene.		
Frankland, W.		

Newspapers.

Barret, J.	Brundage, J. D.	Froster, J.
Brocklehurst, W. T.	Campbell, Major A. D.	Johnson, E. C.

Registered Letters.

Anderson, Mrs. J.	Morton, Mr.	Stevenson, David.
Feilman & Co., Maurice.	Schapira, D.	Sypsoms, Theodore.
Hankuwing, Mons. Chas.	Sinclair, H. G.	Warde, Mrs.
Kirkwood, T. M.	Smith, H. Boroden.	Weben, Mrs. Martha.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا کوئينائين کا خوب قائم مقام هی اور کلکته کے بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے هرايك ملازم سرکاري واسطے سرکاري کام اور خيرات کے اور سيواے ونکے جو کوئي ايک مشت بيس پونڈ خريد ليوے سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس کے ٹين کا چار روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا آٹهه روپيه آٹهه آنه ; ايک پونڈ کے ٹين کا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانکل گارڈن يعنے کمپني باغ کے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد کرسکتے هين يعنے نرخ چار اونس ٹين کا پانچ روپيه آٹهه آنه ; آٹهه اونس کے ٹين کا دس روپيه آٹهه آنه ; ايك پونڈ کے ٹين کا بيس روپيه

يهه دوا کلکته کے بڑے بڑے ولايتي اور ديسي دواخانونمين بکتي هی ماسيواے قيمت مذکورۂ بالا کے محصول ڈاك چار اور آٹهه اونس کے ٹين کا آٹهه آنه ; اور ايک پونڈ کے ٹين کا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
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HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

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The Bengal Embankment Manual: containing an account of the action of the Government in dealing with Embankments and Water-courses since the Permanent Settlement; a discussion of the principles of the Act of 1873; a reprint of the Act itself, with notes and appendices describing the present condition of Embankments under State control in Bengal, and the chief controversies concerning them. By HENRY LELAND HARRISON, B.A., C.S., late Mathematical Junior Student of Christ Church, Oxford. *Price, Rs. 2; with map, Rs. 3-4.*

The Factories' Act, 1881, with Rules and Forms. *Price, 2 annas and 6 pies; packing and postage, ½ anna.*

Annual Report on Colonial Emigration for 1879-80. *Price, 12 annas per copy; packing and postage, 3 annas.*

Moore's Manual of Family Medicine for India, Third Edition. *Price—*

To Government Officers (except those mentioned below) and to the public at large. *Rs. 4.*

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Bengali Translations of the Rules and Notifications under the Arms Act issued by the Governments of India and Bengal. *Price, 2 annas; packing and postage, 1 anna.*

Hindi Translation of the Rules and Notifications under the Indian Arms Act, 1878. *Price, As. 2; packing and postage, 1 anna.*

Urya ditto ditto. *Price, As. 2; packing and postage, 1 anna.*

Urdu ditto ditto. *Price, As. 2; packing and postage, 1 anna.*

Annual Report on Inland Emigration for 1879-80. *Price, Re. 1 per copy; packing and postage, 3 annas.*

Papers regarding the Tea Industry in Bengal. *Price, Rs. 3; postage, 3 annas.*

List of the Trees, Shrubs, and large Climbers found in the Darjeeling District, Bengal. By J. S. GAMBLE, M.A., Assistant Conservator of Forests, Bengal. *Price, Re. 1-8; postage, 1 anna.*

Report on the Internal Trade of Bengal for the year 1879-80. Published by the Government of Bengal. *Price, Rs. 6; postage, 8 annas.*

Report on the Internal Trade of Bengal for the year 1878-79. Published by the Government of Bengal. *Price, Rs. 6; postage, 6 annas.*

Report on the Internal Trade of Bengal for the year 1877-78. Published by the Government of Bengal. *Price, Rs. 3-8; postage, 4 annas.*

Report on the Internal Trade of Bengal for the year 1876-77. Published by the Government of Bengal. *Price, Rs. 5; Colored Map, Rs. 2-8.*

Report on the Cultivation of, and Trade in, Ganja in Bengal. By HEM CHUNDER KERR, Deputy Collector, on special duty. *Price, Re. 1-8; postage, 2 annas.*

Report on the Cultivation of, and Trade in, Jute in Bengal, and on Indian Fibres available for the Manufacture of Paper; with Map. By HEM CHUNDER KERR, Deputy Magistrate, on special duty. *Price, Rs. 8; postage, 7 annas.*

Report on the Food-grain Supply and Statistical Review of the Relief Operations in the distressed districts of Behar and Bengal during the Famine of 1873-74. By A. P. MACDONNELL, of the Bengal Civil Service. *Price, Rs. 3-8; postage, 6 annas.*

Prices of Food-grains, Firewood, and Salt in Bengal from 1866 to 1878, compiled in the Bengal Secretariat, Statistical Department. *Price, Rs. 2; packing and postage, 3 annas.*

Report on the Census of Bengal, 1872. By H. BEVERLEY, Esq., C.S., Registrar-General of Bengal. *Price, Rs. 10; postage, 9 annas.*

Report on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisoning; and the Physiological, Chemical and Microscopical Nature of Snake-poisons. By the Commission appointed to investigate the subject. *Price, Rs. 3; postage, 4 annas.*

Memorandum on the Revenue History of Chittagong. By H. J. S. COTTON, Esq., Collector and Magistrate of Chittagong. *Price, Rs. 2-4; packing and postage, 4 annas.*

A Report on the District of Jessore: its Antiquities, its History and its Commerce. (Second Edition, Revised and Corrected.) By J. WESTLAND, Esq., C.S., late Magistrate and Collector of Jessore. *Price, Rs. 3; postage, 3 annas.*

The Bengal Administration Report for 1879-80. *Price, Rs. 6; packing and postage, 10 annas.*

The Bengal Administration Report for 1878-79. *Price, Rs. 6; packing and postage, 8 annas.*

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The Bengal Administration Report for 1874-75. *Price, Rs. 4-8; postage, 7 annas.*

Map of Bengal, 1874-75. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 5 annas.*

The Bengal Administration Report for 1872-73. *Price, Rs. 7-8; postage, 10 annas.*

Map of Bengal, 1873. *Price, if taken with the Report, Re. 1; separately, price, Rs. 2; postage, 2 annas.*

Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

Vol.	I.	24-Pergunnahs and Sundarbans.
Vol.	II.	Nadiya and Jessore.
Vol.	III.	Midnapur, Hugli and Howrah.
Vol.	IV.	Bardwan, Bankura and Birbhum.
Vol.	V.	Dacca, Bakarganj, Faridpur and Maimunsing.
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Vol.	VIII.	Rajshahi and Bogra.
Vol.	IX.	Murshidabad and Pabna.
Vol.	X.	Darjiling, Jalpaiguri and Kuch Behar State.
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Vol.	XIV.	Bhagalpur and Santal Parganas.
Vol.	XV.	Monghyr and Purniah.
Vol.	XVI.	Hazaribagh and Lohardaga.
Vol.	XVII.	Singbhum, Tributary States and Manbhum.
Vol.	XVIII.	Cuttack and Balasor.
Vol.	XIX.	Puri and Tributary States of Orissa.
Vol.	XX.	Fisheries and Botany of Bengal, with General Index.
Vol.	XX.	General Index only.

Price, per volume, Rs. 4; postage, 5 annas.

Manual of Materia Medica in Urdu, compiled by SHAIK AKBAR ALLY, Civil Hospital Assistant, Dinapore. *Price, 8 annas per copy; packing and postage, 2 annas.*

Just published, pp. xxxv + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Fellow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 2 annas*

Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. *Price, Rs. 5; postage, 4 annas.*

Selections from Divisional and District Annual Administration Reports, 1872-73, with the Government Resolutions on them. *Price, Rs. 5; postage, 6 annas.*

Selections from the Supplement to the *Calcutta Gazette*, 1871 to 1874. *Price, Rs. 2-8; postage, 3 annas.*

The Quarterly Civil List for Bengal, corrected up to the 1st October 1881. *Price, Rs. 3; postage, 4 annas.*

Progressive Colloquial Exercises in the Lushai Dialect of the Dzo or Kuki Language. With Vocabularies and Popular Tales (notated). By Captain THOMAS HERBERT LEWIN, B.S.C., Deputy Commissioner, Chittagong Hills. *Price, Rs. 6; postage, 3 annas.*

Notes on the History of Midnapore, as contained in records extant in the Collector's Office. By J. C. PRICE, Officiating Settlement Officer of Midnapore. Vol. I. *Price, Rs. 3; postage, 3 annas.*

Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

Price—Bound copies	...	... Rs.	45 0 0
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The Statistical Reporter, edited by H. J. S. COTTON, Junior Secretary to the Government of Bengal.

Vol. I, bound in full cloth, lettered	...	Rs.	10 0 0
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Annual Statement of the Sea-borne Trade and Navigation of the Bengal Presidency, and of its Chief Port and each of the Subordinate Ports, with Foreign Countries, for the official year 1875-76. Vol. I. *Price, Rs. 12; postage, 10 annas.*

Rules for the Examination of, and grant of Certificates of Competency to, Masters, Mates and Engineers. *Price, Re. 1; postage, 1 anna.*

Abstract of the Rules of the Road at Sea, in English. *Price, Re. 1-4; packing and postage, 1 anna 6 pies.*

Ditto ditto in Bengali. *Price, Re. 1; packing and postage, 1 anna 6 pies.*

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Sanitary Primers in English and in Bengali. *Price, Rs. 6 per hundred, including transit and packing charges; single copies, 1 anna each.*

The Book named below having been declared a part of the obligatory equipment of Emigrant vessels, is now obtainable at the Bengal Secretariat Press at the price noted:—

West India Pilot, Vol. II	... Rs.	6 0 0

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Apply to Accountant, Bengal Secretariat, 28, Chowringhee Road, Calcutta.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 10, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at Calcutta. After the 19th November, all Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.

From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

By an order of Government, all subscriptions must be paid *in advance*.

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Subscription for *Gazette* and Supplement per annum	15	0	0
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Postage	3	0	0
For a single copy of the *Gazette*	0	8	0
For a single copy of the Supplement	0	8	0

Postage on single copies varies according to weight.

E. J. DEAN,
Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 30th November 1881.

The Honorable the Chief Justice of the High Court of Judicature at Fort William in Bengal has appointed John Locke Jeans, Esq., of 1, Clement's Inn, London, Solicitor, a Commissioner, within all parts of England, for the purpose of taking, under the law in force in British India, the acknowledgments of married women of deeds to be executed by them in respect of property in British India.

By Order,
R. BELCHAMBERS,
Registrar.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 6th December 1881.

Offices opened and closed during the month of November 1881:—

Name of Station.	Where situated.	Date.	Remarks.
			Closed.
Cherat	Punjab	10th	Opened.
Dum-Dum Cantonment.	Suburbs of Calcutta.	26th	Ditto.
Fort St. George	Madras	1st	Closed.
Jalozai	Punjab	30th	
Lovedale	Suburbs of Ootacamund.	28th Oct.	Opened.
Parell	Bombay Presdy.	2nd	Closed.
Rangoon Cantonment.	Suburbs of Rangoon.	12th	Opened.

R. MURRAY, *Colonel,*
Dir. Genl. of Tels. in India.

BANK OF BENGAL.

Calcutta, the 7th December 1881.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Friday, the 23rd, and Saturday, the 24th instant, on account of the Christmas Holidays.

By Order of the Directors,

R. HARDIE,
Secretary & Treasurer.

NOTICE TO MARINERS.

No. 39 of 1881.

INDIA—COROMANDEL COAST.

NEGAPATAM.

Wreck in Roadstead.

Telegraphic information has been received from the Port Officer, Madras, announcing that a vessel has foundered in Negapatam Roadstead. The wreck lies in six fathoms of water, with the Lighthouse bearing S. W. by W., distant nearly four miles.

The Bearing is Magnetic. Variation 1° 20′ Easterly in 1881.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr. (late I.N.),*
Superintendent, Marine Survey of India.

Marine Survey Department,
Calcutta,
The 3rd December 1881.

This Notice temporarily affects the following:—

BRITISH ADMIRALTY Charts, Nos. 71*d*, 828, 70, and 748*b*.

INDIAN MARINE SURVEY Charts, Nos. 15*b*, 103*a*, and 1257*a*.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it.

CHIEF COMMISSIONER OF COORG.

NOTIFICATIONS.

Camp Mercara, the 23rd November 1881.

No. 1334—186 *G.*—Under Section 10 of Regulation II of 1881, the Chief Commissioner of Coorg is pleased to confer the powers defined in the said section on the undermentioned parputtigars, to be exercised within the limits of their respective nads or hoblies, as specified hereunder:—

Name.	Station.	Limit of Jurisdiction.
1. Pattamada Uttaiya .	Murnad .	Hudikeri Kantamur-nad in the Mercara Taluk.
2. Ainanda Poonacha .	Bhagamandal.	Tavu-nad in the Padinalk-nad Taluk.
3. Balachenda Belliappa	Ammatti .	Ammatti-nad in the Yedenalk-nad Taluk.
4. Aichetti Machaya .	Gonikopal .	Bettyat-nad in the Kiggat-nad Taluk.
5. Meriyanda Puveiya .	Somavarpet .	Yedav-nad in the Nanjarajpatna Taluk.
6. Mukatti Boppu .	Kodlipet .	Kodli hobli in the Yelsavirashime Taluk.
7. Bettyanda Kallappa .	Fraserpet .	Nanjarajpatna-hobli in the Nanjarajpatna Taluk.

* *Proceedings of the Chief Commissioner of Coorg,—No. 1359—146, dated Camp Periyapatam, the 30th November 1881.*

Read—

Letter No. 505—273, dated the 21st November 1881, from the Commissioner of Coorg, reporting the result of the resale of certain rice lands by public auction held on 9th September 1881, and submitting a declaration of sale for publication in the Gazette; also a notice for approval of the resale of two lands owing to default of purchasers.

Order thereon by the Chief Commissioner of Coorg.

* * * * * * * *

the proclamation of sale and transfer submitted with the letter above read is forwarded to the Publisher of the *Gazette of India*, for publication in Part II of the Gazette, as required by Section 39 of Regulation III of 1880.

* * * * * * * *

PROCLAMATION.

The lands specified in the undermentioned Schedule having been sold by public auction on the 9th September 1881, under Regulation III of 1880, being a Regulation for the recovery of arrears of revenue in the Province of Coorg, it is hereby declared, under Section 39 of the said Regulation, that all rights and property of the former land-holders in the said lands is lawfully transferred to the purchaser:—

Serial No.	Name of former holder.	Situation of the land and description of building, if any.			Extent in batties.	Name of purchaser.	Date of purchase.
		Taluk.	Nad.	Village.			
1	Machmada Carriappa ...	Kiggatnad ...	Tavalgerimur-nad.	Kurchi ...	271½	Machamada Carriapah ...	Sept. 9, 1881.

W. HILL,
Commissioner.

W. J. CUNINGHAM,
Secretary.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Sirhind & Lahore Command.

Lahore, the 1st December 1881.

No. 115.—Lieutenant G. H. Sim, R.E., Assistant Engineer, 1st Grade, is transferred to the Kasauli Division, Military Works, from Superintending Engineer's Office.

WILLIAM B. HOLMES, *Lt.-Col., R.E.,*
Supdg. Engr., Sirhind & Lahore Command, Military Works.

TREASURE TROVE.

It is hereby notified, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, on the 21st of October 1881, treasure, consisting of 42 gold fanams, valued at Rs. 13-2, was found by a pariah boy named Munigan, in the surplus channel of the Tirathagounden tank, in the village of Kattunisai, in the Denhamcotta Division, Hasur Taluk, in the Salem District, Madras Presidency.

Any person claiming the treasure, or any part thereof, is required to appear personally or by agent before the Collector of the Salem District, at his office at Salem, on the 27th day of May 1882, in order to the matter being enquired into and determined in accordance with the provisions of the said Act.

———,
Assistant Collector,
for *Collector.*

Report of a Deserter from the Royal Regiment of Artillery, dated at Camp Soojut, this 5th day of December 1881.

Number, Rank and Name,—No. 3650—Gunner Alfred Hardwicke.	Waistcoat,—Not known.
Age,—41 years 3 months.	Breeches or Trowsers,—Not known (supposed to be serge.)
Size,—5 feet 8 inches.	Date of Desertion,—30th November 1881.
Color of—Complexion, sallow; Hair, brown; Eyes, grey.	Place of Desertion,—Camp Nyanuggur (Beawar.)
Parish and County in which Born,—St. Mary's, Huntingdon.	Date of Enlistment,—12th September 1871.
Marks,—None.	Place of Enlistment,—Barrackpore.
Trade,—Engineer.	REMARKS,—It is supposed this man is trying to make his way to Bombay. He knows the railway well.
Coat or Jacket,—Not known (supposed to be serge.)	Under 11 years' service.

———, *Major,*
Comdg. Royal Regt. of Artillery.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

Date.	Silver tendered, estimated value.	Certificates issued on		Balance of Bullion		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nov. 28	...	...	...	4,055	26,64,644	10,05,635
„ 29	...	...	...	4,055	26,64,828	10,05,635
„ 30	...	...	3,943	28	26,68,827	10,09,661
Dec. 1	...	...	...	28	26,68,817	10,09,661
„ 2	...	...	...	28	26,68,817	10,09,661
„ 3	...	...	...	28	26,68,817	10,09,661

CALCUTTA MINT,
The 5th December 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

Statement of the Affairs of the Bank of Bengal for the week ending 6th December 1881.

LIABILITIES.			Rs.	A.	P.
Capital paid-up			2,00,00,000	0	0
Reserve Fund			25,11,966	4	4
	Rs.	A. P.			
Public Deposits at Head Office	67,21,928	9 5	2,02,09,862	9	10
Public Deposits at Branches	1,34,87,934	0 5			
Other Deposits at Head Office and Branches			2,46,15,046	10	8
Bank Post Bills, &c.			4,12,186	7	4
Sundries			13,51,054	4	1
RUPEES			6,91,00,116	4	3

ASSETS.			Rs	A.	P.
Government Securities			74,19,168	4	0
Other authorized Investments			38,44,480	0	0
Loans on Government and other authorized Securities			78,67,158	15	0
Accounts of Credit on Government and other authorized Securities			71,23,801	3	9
Bills discounted and purchased			1,96,57,902	11	0
Balances with other Banks			6,64,857	8	0
Bullion			7,71,094	5	5
Dead Stock			11,31,248	11	1
Stamps			7,093	10	10
Sundries			4,21,738	5	5
			4,89,08,543	10	6
	Rs.	A. P.			
Cash and Currency Notes at Head Office	67,69,816	3 4	2,01,91,572	9	9
Cash and Currency Notes at Branches	1,34,21,756	6 5			
RUPEES			6,91,00,116	4	3

By order of the Directors,

BANK OF BENGAL,
Calcutta, 8th December 1881.

J. GORDON,
Chief Accit. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

COMPTROLLER GEN

No. 1709.—*Account of Revenue and Expenditure of the Government of India for the*

N.B.—Amounts are converted into

REVENUE.	Estimates, 1881-82.	April to July 1880.	April to July 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
I.—Land Revenue	22,495,000	7,198,969	7,460,326	261,357	...
II.—Tributes	705,000	238,297	136,643	...	101,654
III.—Forest	768,100	114,318	136,267	21,949	...
IV.—Excise on Spirits and Drugs	3,031,000	1,029,139	1,086,261	57,122	...
V.—Assessed Taxes	550,000	258,065	315,126	57,061	...
VI.—Provincial Rates	2,863,000	939,663	1,057,056	117,393	...
VII.—Customs	2,367,000	738,101	783,742	45,641	...
VIII.—Salt	7,153,000	2,473,415	2,485,824	12,409	...
IX.—Opium	8,763,000	3,224,017	3,229,917	5,900	...
X.—Stamps	3,290,000	1,191,669	1,205,073	13,404	...
XI.—Registration	290,000	107,240	105,523	...	1,717
XII.—Mint	89,000	37,625	3,202	...	34,423
XIII.—Post Office	967,000	375,369	324,177	...	51,192
XIV.—Telegraph	452,600	160,767	142,819	...	17,948
XV.—Minor Departments	62,500	19,334	19,326	...	8
XVI.—Law and Justic	664,000	216,731	192,114	...	24,617
XVII.—Police	236,000	78,609	79,594	985	...
XVIII.—Marine	210,000	56,685	49,940	...	6,745
XIX.—Education	143,000	52,267	55,731	3,464	...
XX.—Medical Services	37,700	8,739	9,487	748	...
XXI.—Stationery and Printing	61,000	19,342	16,633	...	2,709
XXII.—Interest	668,000	210,043	206,024	...	4,019
XXIII.—Pensions	215,600	38,929	37,400	...	1,529
XXIV.—Miscellaneous	265,000	80,366	116,242	35,876	...
XXX.—Gain by Exchange	412,000	35,033	26,584*	...	8,449
TOTAL	56,758,500	18,902,732	19,281,031	378,299	...
XXV.—Railways — *Guaranteed Railways.* Traffic Receipts	7,489,800	2,247,414	2,497,050	249,636	...
State Railways. Gross Traffic Earnings	2,420,000	594,479	718,906	124,427	...
Net Traffic do. East Indian	2,80),000	712,067	979,805	267,738	...
XXVI.—Irrigation and Navigation, including Net Traffic Receipts, &c., Madras Irrigation.	902,500	86,169	154,671	68,502	...
XXVII.—Other Public Works	472,500	135,321	143,718	8,397	...
XXVIII.—Provincial and Local Deficits	821,000	...	...	...	...
XXIX.—Army	777,000	329,517	294,069	...	...
Military Operations in Afghanistan	61,000		70,973	35,525	...
TOTAL	72,502,300	23,007,699	24,140,223	1,132,524	...
England, including Army, Public Works, &c.	3,238,700	94,450	120,062	25,612	...
GRAND TOTAL	75,741,000	23,102,149	24,260,285	1,158,136	...

* Includes gain on Capital transactions of East Indian £5,439

COMPTROLLER GENL.'S OFFICE,
CALCUTTA;
The 9th December 1881.

ERAL'S OFFICE.

Fourth month of the year 1881-82, as compared with the corresponding period of 1880-81.

sterling @ Rs. 10 to the Pound Sterling.

EXPENDITURE.	Estimates, 1881-82.	April to July 1880.	April to July 1881.	COMPARISON OF TWO YEARS. Increase.	Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt	3,576,700	1,053,101	1,029,079	...	24,022
2.—Interest on Service Funds and other Accounts	407,300	70,266	73,155	2,889	...
3.—Refunds and Drawbacks	350,000	115,456	140,942	25,486	...
4.—Land Revenue	3,031,100	978,584	991,787	13,203	...
5.—Forests	565,800	93,001	104,039	11,038	...
6.—Excise on Spirits and Drugs	99,000	46,550	29,247	...	17,303
7.—Assessed Taxes	15,000	6,871	4,058	...	2,813
8.—Provincial Rates	48,000	16,245	21,406	5,161	...
9.—Customs	206,000	65,487	64,848	...	639
10.—Salt	428,000	113,681	143,679	29,998	...
11.—Opium	2,262,500	1,089,451	1,121,134	31,683	...
12.—Stamps	74,000	27,509	27,738	229	...
13.—Registration	186,000	58,070	58,359	289	...
14.—Mint	85,200	25,432	26,415	983	...
15.—Post Office	997,900	427,293	340,437	...	86,856
16.—Telegraph	459,600	127,394	116,497	...	10,897
17.—Administration	1,298,900	417,271	389,606	...	27,665
18.—Minor Departments	438,700	114,241	163,568	49,327	...
19.—Law and Justice	3,349,600	1,059,029	1,041,785	...	17,244
20.—Police	2,571,000	823,572	824,327	755	...
21.—Marine	432,100	110,397	115,007	4,610	...
22.—Education	1,057,600	312,493	334,955	22,462	...
23.—Ecclesiastical	158,200	51,097	53,135	2,038	...
24.—Medical Services	690,500	204,015	211,792	7,777	...
25.—Stationery and Printing	424,400	136,938	153,685	16,747	...
26.—Political	535,700	127,356	189,399	62,043	...
27.—Allowances and Assignments	1,881,900	503,418	536,542	33,124	...
28.—Civil Furlough and Absentee Allowances	4,000	1,288	1,640	352	...
29.—Superannuation, Retired and Compassionate Allowances	708,000	321,523	274,222	...	47,301
30.—Miscellaneous	251,000	95,619	90,961	...	4,658
31.—Famine Relief	1,500,000	100	10,108	10,008	...
37.—Loss by Exchange	3,475,000	1,082,237	1,142,783	60,546	...
TOTAL	31,568,700	9,674,985	9,826,335	151,350	...
32.—Railways — *Guaranteed Railways.* Working Expenses	4,760,000	928,578	899,818	...	28,760
Land and Supervision	78,900	16,811	28,602	11,791	...
Interest in India	4,800	3,754	2,710	...	1,044
Surplus Profits paid to Railway Companies	165,300	33,808	57,609	23,801	...
State Railways. Working Expenses	2,086,000	1,196,700	588,645	...	203,891
Surplus Profits, &c., East Indian Railway	204,600		82,977		
Frontier Railways	386,000		321,187		
33.—Irrigation and Navigation, including Madras Irrigation Interest, &c.	1,351,700	249,529	272,882	23,353	...
34.—Other Public Works	4,939,400	541,362	814,871	273,509	...
35.—Provincial and Local Surpluses	114,000	...	...	...	...
36.—Army	12,392,000	5,758,799	4,221,686	...	753,239
Military Operations in Afghanistan	2,271,000		783,864		
TOTAL	60,322,400	18,404,316	17,901,186	...	503,130
England, including Army, Public Works and Guaranteed Interest, &c.	14,563,600	5,297,324	5,431,783	134,459	...
TOTAL	74,886,000	23,701,640	23,332,969	...	368,671
38.—*Productive Public Works*— Capital Expenditure in India	3,010,000	1,046,886	818,943	...	227,943
Ditto ditto in England	1,863,000	173,821	101,280	...	72,541
TOTAL	4,873,000	1,220,707	920,223	...	300,484
GRAND TOTAL	79,759,000	24,922,347	24,253,192	...	669,155

and gain on transactions of the Military Department £3,296.

E. W. KELLNER,
Depy. Comptroller General.

J. WESTLAND,
Comptroller General.

2 b

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 30th November 1881.

PARTICULARS.	3½ PER CENT. LOAN OF 1853-54	4 PER CENT. LOANS							4½ PER CENT. LOANS						5 PER CENT. LOAN OF 1856-57.	6½ PER CENT. LOAN OF 1859-60.	TOTAL AMOUNT.
		Of 1824-25.	Of 1829-29.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1866.	Reduced 4 per cent. Loan of 1879.	Reduced 4 per cent. Loan of 1881.	Of 1870.	Of 1878.	Transfer Loan of 1870, 4½ per cent. Portion.	TRANSFER LOAN FOR £70,000 SEVEN SHILLINGS STERLING PER CENT. PORTION.	5 PER CENT DEBENTURE FOR 15 YEARS, RE-PAYABLE JUNE 1882.		
Balance of 15th November 1881. . . .	54,100	38,506	3,413	14,16,133	31,23,900	2,23,80,600	1,03,72,000	2,47,58,500	2,89,60,000	2,07,000	45,29,900	1,05,29,500	9,77,69,400	1,10,500	33,03,000	61,200	20,78,92,952	...	20,79,75,552
Add—																			
Amount enfaced at Madras between 16th and 30th November 1881	...	...	...	...	...	...	...	2,000	...	3,000	...	...	6,000	...	...	...	11,000	...	11,000
Amount enfaced at Bombay between 16th and 30th November 1881	...	...	...	...	...	65,000	...	70,000	80,000	...	...	100	1,16,200	...	...	...	3,41,300	...	3,41,300
Amount enfaced at Calcutta between 16th and 30th November 1881	...	...	...	...	1,000	1,68,000	10,000	4,02,700	99,400	2,000	1,500	12,500	1,63,500	...	...	...	7,30,600	...	7,30,600
	54,100	38,506	3,413	14,16,133	31,24,900	2,25,33,600	1,03,82,000	2,52,30,200	2,90,79,400	2,12,000	45,31,400	1,05,35,100	9,80,56,100	1,10,500	33,03,000	61,200	20,89,75,552	...	20,90,56,152
Deduct—																			
Amount written off in the London Registers .	...	...	...	1,920	50,000	1,27,100	6,000	3,33,600	27,900	...	3,400	...	67,400	...	...	...	6,66,320	...	6,66,320
Balance on 30th November 1881 . . .	54,100	38,506	3,413	14,16,213	30,74,900	2,24,06,500	1,03,76,000	2,48,96,600	2,90,51,500	2,12,000	45,27,900	1,05,35,100	9,79,88,700	1,10,500	33,03,000	61,200	20,83,09,032	...	20,83,89,832

NOTE.—From 9th June 1867 to 30th Sept. 1881, enfaced from India 4,337 lakhs; re-transferred from London, 3,657 lakhs

1st Oct. 1881 to 15th Oct.	13	,,	5
,, 16th ,, to 31st ,,	14	,,	8 ,,
1st Nov. ,, to 15th Nov.	40	,,	7 ,,
,, 16th ,, to 30th ,,	10	,,	6 ,,
	4,414 lakhs.		3,681 lakhs.
Balance against India	3,681 ,,		
	733 lakhs		

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL,
Calcutta, the 2nd December 1881.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
199*	... D 7—78836 ...	100	Zafaryab Khan, Allahabad.

NOTES PARTIALLY LOST OR DESTROYED.

138	... D 17—27246 ...	50	Ameeruddeen, Rampur Beauliah.
139	D 16—48275 ...	10	Nanick Chund, Allahabad.
	D 14—65807 ...	20	
36	... D 10—65902 *	5	Sitanath, Calcutta.
	„ —65901 *		

* Mismatched.

ALLAHABAD,
The 7th December 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.*,
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
H129	... M 35—57782 ...	50	J. B. Gonsalves, Madras.
M71	... M 51—65607	10	Devarkadass Vassanji, Bombay.
	„ —76454		
M73	... M 6—76083	5	Shivlal Moteram, Bombay.
	„ —76084		

BOMBAY,
The 6th December 1881.

W. T. PIERCY,
Asst. Acctt. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
248	... O 89—70145 ...	1,000	Hurchand Roy & Ramanund.
	„ —61612 ...	1,000	
249	... O 32—94022 ...	50	Hookum Chand Sagoremul.
250	... O 96—84192 ...	100	Babu Jodu Nath Dutt.
251	... O 69—90032 ...	100	Babu Joggeshur Banerjee.
	O 96—24366 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

211	... O 85—09905 ...	20	Jagbir Prosad.
212	... O 21—42979 ...	20	Babu Surjokant Sing.
213	... O 98—09588 ...	5	Babu Kedar Nath Shaha.
214	... O 95—37187 ...	10	Babu Shiv Shanker.
215	... O 96—20497 ...	100	Hafeezoolla and Mohamed Ibrahim.
153	... A 7—50543	10	Babu Surjokant Sing.
	„ —50544		
154	... P 1—13603	10	The Treasury Officer, Pubna.
	P 3—75487		
155	... A 21—15403	10	Babu Promatha Nath Biswas.
	„ —15405		
156	... L 99—88449	10	Mrs. A. Thompson.
	„ —88452		
	L 33—21759	10	
	„ —21758		
	L 20—29709	5	
	„ —29706		

CALCUTTA,
The 9th December 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency

Calicut Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
J 9—63770 ...	10	Major A. Kenney Herbert, Madras.
J 13—13979 ...	20	
„ —14000 ...	20	
J 12—11101 ...	50	

CALICUT,
The 26th November 1881.

BROOKE LEGGATT,
Depy. Collr., in charge of Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 14—54101 ...	50	Mr. D. A. Alexander, Commissariat Department, Quetta.
„ —54102 ...	50	
„ —54103 ...	50	
„ —54107 ...	50	
„ —54142 ...	50	
M 9—62844 *	10	Mr. Mohendro Nath Dass, Clerk, Beluchistan Agency, Quetta.
G 13—50475 *		
G 13—49248 *	10	
„ —35310 *		

* Mismatched.

KURRACHEE,
The 28th November 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
52	... O 71—85234 ...	1,000	Messrs. W. Vale, Hing & Co., Calcutta.

NOTES PARTIALLY LOST OR DESTROYED.

56	... E 13—83295 ...	100	Duni Chand, Shahpur.
17	... E 19—00291 *	50	A. Charrier & Co., Dinapur.
	„ —00292 *		

* Wrongly joined.

LAHORE,
The 2nd December 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
49	... B 68—00328 ...	100	Narsinga Prosad Dutt, No. 126, Kengraputty Street, Calcutta.

NOTES PARTIALLY LOST OR DESTROYED.

101	... B 47—71785 ...	5	Narsiah Govindappa Naick's Street, Madras.
102	... B 52—72414 ...	10	Mr. W. Dunning, Head Master of the Kolar School, Kolar.
103	... B 66—98490 ...	100	Hanumuntha Chetti, Arakalgud, Hassan District, Mysore Province.
	B 68—31261 ...	100	
	„ —31341 ...	100	
	„ —33075 ...	100	

FORT SAINT GEORGE,
The 28th November 1881.

C. HALL,
Offg. Chief Clerk to the Acctt. Genl., in charge of Paper Currency Dept.,
for *Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 24th November 1881.

PARCEL POST EXCHANGE WITH CHINA.

On and after the 1st January 1882, parcels can be forwarded in both directions between India and the following British Post Offices in China :—

Amoy, Canton, Foochow, Hankow, Hong-kong, Kiung Chow or Heihow, Ningpo, Shanghai, Swatow.

2. Parcels forwarded to China must be fully prepaid in cash at the rate of eight annas per pound or fraction of a pound, and must be accompanied by the usual declaration of contents and value. The value should be expressed in sterling.

3. Each parcel, after being plainly addressed, must, with its declaration, be enclosed in an outer covering directed to—

POST MASTER,
Calcutta.

4. In other respects, this exchange will be governed by the conditions relating to foreign parcels given in the Postal Guide.

5. Parcels, received from China, must likewise be fully prepaid and will be delivered in India free of all charge except customs duty.

L. G. WAIT,
for *Offg. Dir. Genl. of the Post Office of India.*

The 5th December 1881.

Two new postage stamps of the value given in the margin having been received in India, will shortly be available for sale to the public.

3 annas.
1½ „

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 6th December 1881.

No. 9426.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, BEHAR.

Mr. J. F. Meik is appointed to officiate as Examiner of Post Office Accounts.

Mr. F. M. Bowers is appointed to officiate as a Superintendent of the 4th Grade, and is posted to the Arrah Division.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

NOTICE

To all to whom it may concern.

Under rules issued by the Government of India, Home Department, on the 12th December 1877, for the care and use of Government cemeteries, *notice* is hereby given that the following tombs in the Sylhet cemetery have fallen into a ruinous condition, and will be levelled, unless they are repaired after one month from this date.

Friends of the deceased wishing to execute repairs to the tombs, should communicate without delay with the undersigned.

1. Tombs of Maria and Wigrom, infant children of John and Elizabeth Swaris.—Died 12th and 18th April 1867.
2. Tomb of T. Kain.—Died 17th January 1817.

W. F. MERES,
Officiating District Judge,
for *Chaplain.*

SYLHET,
The 21st November 1881.

The 9th December 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	17th Dec.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	16th „	Str. *Ethiopia.*
Madras and Ceylon	7 „	17th „	P. & O. Str. *Australia.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also *vid* Torres Straits for Queensland; also for Australian Colonies	7 „	13th „	From Bombay.
Foreign Mails *vid* Bombay	7 „	12th „	From Bombay.*
Do. Book Post and Pattern Packets	7 „	11th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	15th „	Str. *Purulia.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	7 „	15th „	Str. *Mahratta.*
Straits and Hong-Kong	7 „	16th „	Strs. *A. Apcar & Sues.*
Persian Gulf	7 „	10th „	From Bombay.

* Also *vid* Aden for Zanzibar, Mozambique; also *vid* Aden for Mauritius, Mahé (Seychelles), Mayotte, Nossi Bé and Réunion, can be forwarded by this opportunity.

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئينائين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے ونكے جو كوئي ايك مشت بيس پونڈ خريد ليے سے بقيمت بعد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ولايتي اور ديسي دواخانونميں بكتي هى ماسيواے قيمت مذكورۂ بالا كے محصول ڈاك چار اور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا بارہ آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
	Rs.	A.	P.
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set :

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Persons desiring to subscribe for or purchase the Reports, should apply to—

MESSRS. THACKER, SPINK AND CO., CALCUTTA ;
MESSRS. THACKER AND CO., BOMBAY ;
MESSRS. HIGGINBOTHAM AND CO., MADRAS ;
THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY ;
THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chereapani, and Angria Bank. *Annas 8.*
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„ 18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
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„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

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Notices issued during the year 1880—

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„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
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„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.

No. 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
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„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
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„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
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„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.
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„ 33. Temporary exhibition of small Dioptric Light at Eastern Grove—Rangoon river entrance.
„ 34. Reported incorrect position of Crocodile Rock. Cudiapatam or Muttum Point - India—South Coast.
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„ 36. Exhibition of permanent Light at Eastern Grove—Rangoon river entrance.
„ 37. Position of Anchorage Buoy, Beypore, India—West Coast.
„ 38. Buoys marking Harbour Entrance, Madras, Coromandel Coast.

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The Bengal Administration Report for 1873-74. *Price, Rs. 4; postage, 5 annas.*

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Report of the Vizagapatam and Backergunge Cyclones of October 1876. By J. ELIOT, Esq., M.A., Meteorological Reporter to the Government of Bengal. *Price, Rs. 3; postage, 4 annas.*

The Winds of Northern India. By H. F. BLANFORD, Esq., Meteorological Reporter to Government. *Price, Re. 1 per copy; postage, 2 annas.*

A Statistical Account of Bengal. By W. W. HUNTER, B.A., LL.D., Director-General of Statistics to the Government of India.

Vol.	I.	24-Pergunnahs and Sundarbans.
Vol.	II.	Nadiya and Jessore.
Vol.	III.	Midnapur, Hugli and Howrah.
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Vol.	V.	Dacca, Bakarganj, Faridpur and Maimunsing.
Vol.	VI.	Chittagong Hill Tracts, Chittagong, Noakhali, Tipperah and Hill Tipperah.
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Vol.	X.	Darjiling, Jalpaiguri and Kuch Behar State.
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Vol.	XIII.	Tirhut and Champaran.
Vol.	XIV.	Bhagalpur and Santal Parganas.
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Manual of Materia Medica in Urdu, compiled by SHAIK AKBAR ALLY, Civil Hospital Assistant, Dinapore. *Price, 8 annas per copy; packing and postage, 2 annas.*

Just published, pp. XXXV + 253.

A Digest of the Law of Landlord and Tenant in the provinces subject to the Lieutenant-Governor of Bengal. By C. D. Field, M.A., LL.D., of the Inner Temple, Barrister-at-Law; and of Her Majesty's Bengal Civil Service; District and Sessions Judge of Burdwan; Member of the Rent Commission.

A limited number of copies is available to the public at the Bengal Secretariat Press. *Price, Rs. 5 per copy.* Orders accompanied by remittances, and 5 annas for packing and postage of each copy, may be sent to the Accountant, Bengal Secretariat.

Buddha Gayá, the Hermitage of Sákya Muni. By Rájendralála Mitra, LL.D., C.I.E., Honorary Member of the Royal Asiatic Society of Great Britain and Ireland, and of the Physical Class of the Imperial Academy of Sciences, Vienna; Corresponding Member of the German and of the American Oriental Societies; of the Royal Academy of Science, Hungary, and of the Ethnological Society of Berlin; Follow of the Royal Society of Northern Antiquaries, Copenhagen, &c., &c. *Price, Rs. 30; packing and postage, Re. 1-4.*

Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, Esq., C.S., Officiating Magistrate and Collector, Rungpore. *Price, Re. 1; postage, 2 annas.*

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Descriptive Ethnology of Bengal. By EDWARD TUITE DALTON, C.S.I., Colonel, Bengal Staff Corps; Commissioner of Chutia Nagpur; Member of the Asiatic Society of Bengal, &c. *Illustrated by Lithograph Portraits copied from Photographs.* Printed for the Government of Bengal, under the direction of the Council of the Asiatic Society of Bengal.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 17, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at **Calcutta. After the 19th November, all Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.**

From the 1st January 1882, Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the Gazette. The annual subscription for the two Parts will be Rs. 5 per annum, payable in advance. When sent by post, Rs. 2-8 per annum additional will be charged for postage.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

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E. J. DEAN,
Publisher, Gazette of India.

NOTICE TO MARINERS.

No. 40 of 1881.

MALACCA STRAIT.

FORMOSA BANK.

Revolving Light to be exhibited from Light-vessel.

The Master Attendant, Singapore, has notified that on or about the 20th December 1881, a Light-vessel will be anchored off the Formosa shoal or bank, in the Malacca Strait, with the following bearings:—

Highest peak of Mount Formosa, N. 61° 52′ E.

Bukit Moar, N. 33° 45′ W.

The light will be a revolving white light, showing a flash every half minute; and should be visible in clear weather, in every direction seaward, from a distance of ten miles.

The illuminating apparatus will be dioptric, or by reflectors.

The vessel will be painted yellow, with her name, *Formosa Bank*, in large white letters on the hull, and a caged ball, painted red, shown at the light masthead. By night she will show a riding-light on the forestay, 10 feet above the rail.

A bell will be sounded during thick or squally weather.

Position: Lat. 1° 45′ 30″ N., and Long. 102° 49′ E. (Malacca flagstaff being in 102° 15′ 30″ E.)

The Bearings are Magnetic. Variation (as given on the Admiralty Charts), 1° 30′ Easterly.

By direction of the Government of India,

A. DUNDAS TAYLOR, *Comdr.* (*late I.N.*),
Superintendent, Marine Survey of India.

Marine Survey Department,
Calcutta,
The 9th December 1881.

This Notice affects the following :—

BRITISH ADMIRALTY Charts, Nos. 795*b*, 796, 1355 and 748*b*. Also Sailing Directions; China Sea Directory, Vol. I, 1878, page 81. Also Light List for 1881.

INDIAN MARINE SURVEY Light List for 1881.

If this Notice is received on board-ship, the substance of it should be inserted on the Charts affected by it, and introduced into the Sailing Directions to which it relates.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATION.

Mount Abu, the 6th December 1881.

No. 2567*G.*—Surgeon J. F. Tuohy, M.D., officiating in medical charge of the Deoli Irregular Force and the Harowtee and Tonk Agency, returned from the privilege leave granted him in this Office Notifications Nos. 2142 G. and 2217 G., dated respectively the 15th and 20th October 1881, on the afternoon of the 23rd November 1881.

2. The unexpired portion of the leave is hereby cancelled.

By Order,
F. T. HEWSON,
for *1st Asst. Agent to the Govr. Genl.*

CHIEF COMMISSIONER OF COORG.

NOTIFICATION.

Camp Mysore, the 6th December 1881.

No. 1423—158*R. F.*—Under the authority conveyed in letter No. 1022F., dated 11th November 1881, from the Secretary to the Government of India, Home Department, the following rules are published for general information, in supersession of those notified at pages 318—319 of the *Mysore Gazette*, dated 11th November 1876:—

Rules for the preservation and better management of the dévarakádus or sacred groves in the Province of Coorg.

1. All dévarakádus shall be recognized as sacred and shall be so maintained throughout the whole area which is entered in the register as belonging to the dévarakádu.

2. All felling, lopping, clearing, pruning or burning of trees within the limits of the dévarakádus is strictly prohibited.

3. No timber, wood, branches, grass or any other produce shall be removed from the dévarakádus on any pretext whatever:

Provided that the villagers shall continue to enjoy such prescriptive rights as they may now possess with respect to gathering leaves and creepers, and to taking fallen branches which may be needed for use in the temple, and to felling trees for the repair of the village temple according to arrangements made in this behalf by the headmen (thakkas) so long as the groves are not cut down or injured:

Provided also that public officers may, with the permission of the said headmen, remove such stone or gravel as may be required for a public purpose.

4. In cases where dévarakádus or portions thereof have been cultivated with coffee, whether such cultivation has been carried on with the authority of Government or not, and whether such cultivated area has been assessed or not, the occupants of the said cultivated area shall be permitted to deal with the land and crop as they please, provided (1) that they do not extend the cultivated area or (2) cut down or injure any trees up to the 30th September 1887, on which date all occupancy of dévarakádus for purposes of cultivation shall absolutely cease and the occupied lands shall on that date revert, in the state in which they then are, to the dévarakádus of which they form a part.

5. All areas cultivated with coffee within the limits of any dévarakádus shall be assessed at two rupees an acre from this date, whether such area has been hitherto so assessed or not.

6. No new cultivation of coffee shall be permitted in any dévarakádu; and unauthorized cultivation in such groves shall subject the offender to all the penalties provided for unauthorized cultivation,—to confiscation of the coffee planted in them, and to summary ejection from the land.

By Order,
W. J. CUNINGHAM,
Secretary.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATIONS.

Calcutta, the 7th December 1881.

No. 58.—Third Grade Assistant Surgeon Amrita Lal Banerjee, of the Bengal provincial list, is permitted to resign the service, with effect from the 13th July 1881.

The 10th December 1881.

No. 59.—The services of 3rd Grade Assistant Surgeons Doorga Das Bhuttacharjee and Annoda Prasad Das, of the supernumerary list, are placed at the disposal of the Chief Commissioner, British Burma.

J. M. CUNINGHAM, M.D.,
Surgeon-Genl. with the Govt. of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATION.

Simla, the 1st December 1881.

No. 66.—Mr. P. McKenzie, Assistant Engineer, 1st Grade, passed the Departmental Standard Examination in Hindustani on the 21st November 1881.

A. CADELL, *Major-Genl., R.E.,*
Inspr. Genl. of Military Works.

ACCOUNTANT GENERAL'S OFFICE.
Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department, up to the 1st December 1881.

Order of receipt.	Public Works (Buildings and Roads and Military Works Branch) and Telegraph. — Accounting Offices.	Last month for which received.	Date of receipt.
1	Military Works Branch ...	Sept. 1881	Nov. 17, 1881
2	Punjab ...	Do.	Do. 18, "
	Assam ...		
3	Coorg ...	Do.	Do. 21, "
4	Central India ...		
	Rajputana ...	Do.	Do. 22, "
5	Port Blair ...		
6	North-Western Provinces and Oudh.	Do.	Do. 25, "
7	Mysore (Imperial)	Do.	Do. 24, "
8	Hyderabad (Imperial)		
9	Hyderabad (Assigned Districts).	Do.	Do. 26, "
10	Madras ...	Do.	Do. 28, "
11	Baluchistan Agency ...		
12	Bombay ...	Do.	Do. 29, "
13	Bengal ...		
14	Central Provinces ...	Do.	Do. 30, "
15	British Burmah ...		
	Telegraph Dept.		
16	Indo-European ...	Sept. 1881	Nov. 25, 1881
17	Indian ...		

Order of receipt.	State Railways (Capital). — Accounting Offices.	Last month for which received.	Date of receipt.
1	Delhi & Ferozepore ...	Sept. 1881	Nov. 14, 1881
2	Nalhati ...	Do.	Do. 16, "
	Dhond & Manmad ...		
4	Patna & Gya ...	Do.	Do. 18, "
6	Umballa & Kalka ...		
	Tirhoot ...	Do.	Do. 19, "
	Central Bengal ...		
	Calcutta & South-Eastern Extension.		
8	State Railway Stores Branch.	Do.	Do. 22, "
9	Bombay (Eastern Deccan) Southern Mahratta Country.		
11	Bhopal Extension ...		
12	Wardah Coal ...	Do.	Do. 23, "
	Nagpur-Chhattisgarh ...		
	Bareilly Pilibhit ...		
18	Banda Survey ...		
	Holkar ...	Do.	Do. 25, "
	Indore-Nasirabad ...		
21	Kandahar (Upper Sec.) ...	Do.	Do. 26, "
	Kandahar (Lower Sec.) ...		
	Indus Valley ...		
23	Calcutta & South-Eastern ...	Do.	Do. 29, "
	Northern Bengal ...		
	Rajputana ...		
	Sindia ...		
28	Lala Mooss to Chak Nizam Cawnpore-Farukhabad Extension	Do.	Do. 30, "
30	Bhawpore-Kalpi ...	Do.	Dec. 1, "
	Muttra-Hathras ...		
	Patna-Bahraich ...		
33	Bhavnagar & Gondal ...	Aug.	Oct. 26, "
34	Nizam's ...	Do.	Do. 31, "
	Punjab-Northern ...		
	Cawnpore-Farukhabad ...		
36	Rangoon and Irrawaddy Valley.	Do.	Nov. 3, "
	Athneyra-Muttra ...		
38	Ghazipore-Bidarnagar ...	Do.	Do. 4, "
39	Rangoon & Sittang Valley ...	Do.	Do. 10, "
40	East Indian ...	July	Do. 8, "

Order of receipt.	State Railways (Revenue). — Accounting Offices.	Last month for which received.	Date of receipt.
1	Dhond & Manmad ...	Sept. 1881	Nov. 19, 1881
	Nalhati ...		
2	Tirhoot ...	Do.	Do. 21, "
	Patna & Gya ...		
	Wardah Coal ...		
6	Nagpur-Chhattisgarh ...	Do.	Do. 23, "
7	Indus Valley ...	Do.	Do. 26, "
	Calcutta & South-Eastern ...		
	Northern Bengal ...		
	Rajputana ...		
8	Holkar & Sindia-Nimach ...	Do.	Do. 28, "
	Rangoon and Irrawaddy Valley.		
	Bhavnagar & Gondal ...		
14	Nizam's ...	Aug.	Oct. 26, "
15	Mutra-Hathras ...	Do.	Do. 29, "
16	Cawnpore-Farukhabad ...	Do.	Do. 31, "
17	Sindia ...	Do.	Nov. 1, "
18	Punjab Northern ...	Do.	Do. 8, "
19	East Indian ...	July	Do. 8, "

Order of receipt.	Irrigation. — Accounting Offices.	Last month for which received.	Date of receipt.
1	Assam ...	Sept. 1881	Nov. 19, 1881
2	Punjab ...	Do.	Do. 21, "
3	Rajputana ...	Do.	Do. 22, "
4	North-Western Provinces and Oudh.	Do.	Do. 24, "
5	Bengal ...	Do.	Do. 25, "
6	Madras ...	Do.	Do. 26, "
7	Bombay ...	Do.	Do. 28, "
8	British Burmah ...	Do.	Do. 29, "
	Guaranteed Railways.		
1	Punjab ...	Sept. 1881	Nov. 19, 1881
2	Bombay ...	Do.	Do. 22, "
	Bengal ...		
4	North-Western Provinces and Oudh.	Do.	Do. 23, "
5	Madras ...	Do.	Do. 26, "

A. FILGATE, *Major, R.E.,*
Accountant General, P. W. Dept.

The 10th December 1881.

Statement of the Affairs of the Bank of Bengal for the week ending 13th December 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 66,34,752 2 6)	2,08,88,742	15	5
Public Deposits at Branches (1,42,53,990 12 11)			
Other Deposits at Head Office and Branches	2,64,33,268	3	3
Bank Post Bills, &c.	5,13,005	1	6
Sundries	13,70,112	4	6
RUPEES	7,17,17,094	13	0

ASSETS.	Rs.	A.	P.
Government Securities	70,88,155	8	0
Other authorized Investments	38,44,480	0	0
Loans on Government and other authorized Securities	80,79,878	5	5
Accounts of Credit on Government and other authorized Securities	72,30,175	15	4
Bills discounted and purchased	2,12,32,957	13	10
Balances with other Banks	6,96,540	12	0
Bullion	8,28,122	3	1
Dead Stock	11,30,503	6	10
Stamps	6,773	9	10
Sundries	4,22,768	5	5
	5,05,60,355	15	9
Cash and Currency Notes at Head Office (Rs. 70,01,042 2 2)	2,11,56,738	13	3
Cash and Currency Notes at Branches (1,41,55,696 11 1)			
RUPEES	7,17,17,094	13	0

BANK OF BENGAL,
Calcutta, 15th December 1881.

J. GORDON,
Chief Accts. & Depy. Secretary.

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Dec. 5	...	...	...	28	26,68,817	10,09,661
„ 6	...	...	26	...	26,68,842	10,09,686
„ 7	...	...	...	...	26,69,159	10,09,686
„ 8	...	...	...	...	26,69,159	10,09,686
„ 9	...	...	...	1,210	26,69,216	10,09,686
„ 10	...	...	...	1,210	26,69,216	10,09,686

CALCUTTA MINT,
The 12th December 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

TREASURE TROVE.

Notice is hereby given, under Section 5 of the Indian Treasure Trove Act (VI of 1878), that, in the month of March 1880, treasure, consisting of 5 gold coins of the old currency (of which four have been converted into two ear-rings) of the value of Rs. 14-14-8, was found on the public road near the house of Bapu wd. Sadu Chambhar, in the village of Baradgaon, in the Karjat Taluka, of the Ahmednagar Collectorate, in the Bombay Presidency.

All persons claiming the treasure, or any part thereof, are required to appear personally, or by agent, before the Mamlatdar of Karjat, at his kutcheri, on the 29th day of April 1882, in order that the claim may be enquired into and determined in accordance with the provisions of the above said Act.

VISHNU SHIVAJI,
Mamlatdar of Karjat.

KARJAT,
The 30th November 1881.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
200	... D 17—20215 ...	50	Mr. H. J. Smith, Aligarh.
201	... D 17—28079 ...	50	Pandit Bishambhar Nath Dass, Gonda.

NOTES PARTIALLY LOST OR DESTROYED.

38	... D 14—47299 } * „ —47300 }	20	The Officer Commanding 6th Bengal Light Infantry, Moorudabad.
39	... D 16—43634 } * „ —43633 }	10	Mrs. John Sullivan, Lucknow.

* Mismatched.

ALLAHABAD,
The 14th December 1881.

GODREZJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
H131	... M 46—12053 ...	50	Hajibhoy Ibrahim, Cutch Mandvi.
	M 49—10812 ...	10	
H133	... M 59—05355 ...	10	I. F. Durham, Jubbulpur.
H134	... M 46—93229 ...	50	V. Daniells, Pen.
H135	... M 52—41888 ...	10	Chenaroyapatna Narmal, Arakulgude.
	„ —92041 ...	10	
H136	... M 44—73510 ...	100	Nanooram Nathoodas, Naydongri.
H137	... M 50—65966 ...	10	G. P. Henderson, Lahore.

BOMBAY,
The 13th December 1881.

W. T. PIERCY,
Asst. Accts. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
252	... O 97—13345 ...	100	Babu Ram Chunder Bose.
	„ —13346 ...	100	
	„ —13347 ...	100	
	„ —13348 ...	100	
253	... O 89—04317 ...	1,000	District Superintendent of Police, Sarun.
255	... O 97—12158 ...	100	Miss C. McIntyre.
256	... O 97—07088 ...	100	Abu Bakr Ibrahim.
257	O 96—37261 ...	100	Mr. J. Stalkartt.
	„ —42399 ...	100	
258	... D 17—29120 ...	50	Jhontha Ram.
	„ —29121 ...	50	
259	... O 96—66234 ...	100	District Superintendent of Police, Sarun.
260	... N 5—14708 ...	100	Mr. D. Ibbetson, C.S.
261	... E 15—76596 ...	50	Assistant Accountant General, Paper Currency, Lahore.
262	... O 96—92745 ...	100	W. E. Fleming, Esq.
263	... O 69—60229 ...	100	Rai Deen Dial.
	E 13—92742 ...	100	
264	... D 7—78836 ...	100	Zufferyab Khan.

NOTES PARTIALLY LOST OR DESTROYED.

217	... O 92—74185 ...	10	Mrs. M. A. Lenoir.
	O 94—40145 ...	10	
218	... O 99—32777 ...	10	Babu Mohes Chunder Banerjee.
219	... O 88—26828 ...	100	Babu Mohendra Nath Roy.
220	... O 84—36496 ...	10	Babu Meghnath Banerjee.
221	... L 93—60187 ...	50	Lutchman Prosad.
222	... L 22—70821 ...	5	Babu Dinobundhu Ghose.
157	... O 59—02029 } O 58—47638 }	20	Fakir Mohamed.
158	... L 27—21633 } „ —21634 }	5	Brij Laul Shaw.

CALCUTTA,
The 16th December 1881.

FRED. GREENWAY,
Asst. Comptlr. Genl., in charge, Paper Currency

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
53	... E 15—76596 ...	50	Gopi Nath, Tehseel, Zufferwal, Zilla Sialkot.
54	... N 5—14708 ...	100	D. C. Ibbetson, Esq., Lahore.

NOTES PARTIALLY LOST OR DESTROYED.

73	... E 16—67411 ...	10	Prosono Comar Dass, Lahore.
	„ —43273 ...	10	
16	... E 15—73170 } „ —73570 }	50	Meharwanji Dadabhoy, Lahore.
19	... E 16—13061 } E 18—35853 }	10	Jamasji & Son, Rawalpindi.

LAHORE.
The 10th December 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
50	... B 68—24454 ...	100	Messrs. Phaure & Co., Bangalore.
51	... B 66—62479 ...	100	Shroff Balakistna Chetti, Madras Bazar.

NOTES PARTIALLY LOST OR DESTROYED.

104	... B 68—20158 ...	100	Maratee Jotappah, Davasundra Tharidaloo Hobli of Karatigeri Taluk, Tumkur District, Mysore Province.
	„ —29993 ...	100	
105	... B 64—42600 ...	20	A. Rama Iyengar, Head Master, Wesleyan Mission School, St. Thomas' Mount.
106	... B 46—85967 ...	5	P. Samuel Pillai, Ramnad, Madura District.
107	... B 62—92402 ...	100	Mr. A. Jamieson, Superintendent, Government Gardens, Ootacamund.

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED—*contd.*

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
18	... B 68—55235 } * „ —55234 }	100	Chinnaswami Mudali, Note Receiver, Paper Currency Department, Madras.

* Wrongly joined.

FORT SAINT GEORGE,
The 5th December 1881.

H. S. GROVES,
Assistant Accountant General,
in charge of Paper Currency Dept.,
for *Commissioner.*

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 24th November 1881.

PARCEL POST EXCHANGE WITH CHINA.

On and after the 1st January 1882, parcels can be forwarded in both directions between India and the following British Post Offices in China :—

Amoy, Canton, Foochow, Hankow, Hong-kong, Kiung Chow or Heihow, Ningpo, Shanghai, Swatow.

2. Parcels forwarded to China must be fully prepaid in cash at the rate of eight annas per pound or fraction of a pound, and must be accompanied by the usual declaration of contents and value. The value should be expressed in sterling.

3. Each parcel, after being plainly addressed, must, with its declaration, be enclosed in an outer covering directed to—

POST MASTER,
Calcutta.

4. In other respects, this exchange will be governed by the conditions relating to foreign parcels given in the Postal Guide.

5. Parcels, received from China, must likewise be fully prepaid and will be delivered in India free of all charge except customs duty.

L. G. WAIT,
for *Offg. Dir. Genl. of the Post Office of India.*

The 5th December 1881.

Two new postage stamps of the value given in the margin having been received in India, will shortly be available for sale to the public.

3 annas.
1½ „

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 10th December 1881.

No. 9664.—Appointments in the Post Office Department made by the Director General of the Post Office of India :—

POSTAL CIRCLE, NORTH-WESTERN PROVINCES.

Lala Brij Lal, 3rd Grade Superintendent, is transferred to the Mirzapore Division.

Lala Peary Lal, 3rd Grade Superintendent, is appointed to be an Examiner of Post Office Accounts.

POSTAL CIRCLE, OUDH.

Lala Girdhari Lal, 4th Grade Superintendent, is appointed to be an Examiner of Post Office Accounts.

POSTAL CIRCLE, MADRAS.

Mr. V. Kanakasabhai Pillai, B.A. and B.L., 4th Grade Superintendent, is transferred to the Trichinopoly Division, but will continue to act as Personal Assistant to the Post Master General.

Mr. J. G. Combes, 1st Grade Superintendent, is appointed to be an Examiner of Post Office Accounts.

Mr. C. Smith, 4th Grade Superintendent, is transferred to the Nellore Division.

Mr. H. Smith, 3rd Grade Superintendent, is appointed to be an Examiner of Post Office Accounts.

Golam Raza Saib, 3rd Grade Superintendent, is appointed to be an Examiner of Post Office Accounts.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

The 16th December 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	24th Dec.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	23rd „	Str. *Chinsura.*
Madras and Ceylon	7 „	17th „	P. & O. Str. *Australia.*
Foreign Mails *viâ* Bombay	7 „	19th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	18th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	22nd „	Str. *Chanda.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	7 „	22nd „	Str. *Commilla.*
Persian Gulf	7 „	17th „	From Bombay.
Port Blair and Camorta	7 „	23rd „	Str. *Satara.*

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

E. HUTTON,
Presidency Post Master.

Department Public Works—Half-yearly Examination.

The half-yearly examination of candidates for promotion and employment in the Public Works Department will be held at the Government Engineering College, Howrah, at 10 o'clock, on Monday, the 6th February 1882, and the following days. Applications, with fees for admission to the examination, are required to be filed before the 15th of January 1882. Candidates for the grade of Accountant who are not in Government service should be under 25 years of age, and must prove to the satisfaction of the Principal that they are under that age.

The following are the centres of examination sanctioned by the Government of India as stations where candidates for 4th Grade Accountantships are to appear for examination :—

Agra, Ahmedabad, Ajmere, Akyab, Allahabad, Boloram, Durbhanga, Howrah, Indore, Jabalpore, Lahore, Lucknow, Meerut, Mhow, Mooltan, Mount Aboo, Nagpore, Neemuch, Rangoon, Rawalpindi, Saidpore, Shillong and Simla.

Candidates for the Accountant's examination are therefore requested to select one of the places mentioned above.

J. S. SLATER,
Offg. Principal, Govt. Engrg. College, Howrah.

NOTICE

To all to whom it may concern.

Under rules issued by the Government of India, Home Department, on the 12th December 1877, *for the care and use of Government cemeteries, notice is hereby given that the following tombs* in the Sylhet cemetery have fallen into a ruinous condition, and will be levelled, unless they are repaired after one month from this date.

Friends of the deceased wishing to execute repairs to the tombs, should communicate without delay with the undersigned.

1. Tombs of Maria and Wigrom, infant children of John and Elizabeth Swaris.—Died 12th and 18th April 1867.
2. Tomb of T. Kain.—Died 17th January 1817.

W. F. MERES,
Officiating District Judge,
for *Chaplain.*

SYLHET,
The 21st November 1881.

COMMISSARIAT NOTICE.

Owing to reduction of establishment the following Government elephants are for sale :—

69 on view at Meean Meer, *viz.*, 29 females and 40 males of which 31 are tuskers and 9 muknas.

10 on view at Umballa, *viz.*, 6 females and 4 males, tuskers.

2. Amended descriptive rolls of these elephants have been distributed to chiefs, noblemen and heads of Civil Departments through Local Governments, Administrations, &c.

3. Further particulars can be obtained from, and offers for purchases of these elephants should be addressed to Assistant Commissaries General, Meean Meer and Umballa, for communication to Commissary General.

H. ROWBAND, *Lieut.-Col.*,
for *Offg. Depy. Comsy. Genl.*

DEPY. COMSY. GENL.'S OFFICE,
UPPER CIRCLE;
Rawalpindi, the 10th December 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8*; per eight ounce tin, *Rs. 8-8*; per pound tin, *Rs. 16-8*. The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8*; per eight ounce tin *Rs. 10-8*; per pound tin, *Rs. 20*. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئيناڤين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنى كمپني باغ كے سپرنٹنڈنٹ صاحب سے هرايك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے ونكے جو كوئي ايك مشت بيس پونڈ خريد ليے سے بقيمت بقد حسب نرخ ذيل خريد كرسكتے هيں يعنى نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانكل گارڈن يعنى كمپني باغ كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هيں يعنى نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ڈاكٹر اور ديسي دواخانونمين بكتي هى ماسيواے قيمت مذكورهٔ بالا كے محصول ڈاك چار اور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا باره آنه

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The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

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HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

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„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
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„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
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„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
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„ 33. Temporary exhibition of small Dioptric Light at Eastern Grove—Rangoon river entrance.
„ 34. Reported incorrect position of Crocodile Rock. Cadiapatam or Muttum Point—India—South Coast.
„ 35. Replacing of Karwar Rock Buoy—India—West Coast.
„ 36. Exhibition of permanent Light at Eastern Grove—Rangoon river entrance.
„ 37. Position of Anchorage Buoy, Beypore, India—West Coast.
„ 38. Buoys marking Harbour Entrance, Madras, Coromandel Coast.
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A Manual of Tibetan, being a Guide to the Colloquial Speech of Tibet, in a Series of Progressive Exercises, by Major T. H. Lewin, F.R.G.S., of the Bengal Staff Corps, late Deputy Commissioner of Darjeeling. *Price, Rs. 6; postage, 3 annas.*

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PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 24, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at Calcutta. After the 19th November, all Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.

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E. J. DEAN,
Publisher, Gazette of India.

BANK OF BENGAL.

Calcutta, the 19th December 1881.

Notice is hereby given that the Bank of Bengal and Public Debt Office will be closed on Monday, the 2nd proximo, on account of New Year's Day.

The 22nd December 1881.

Notice is hereby given that the transfer books of the Bank will be closed from the 2nd to the 14th proximo, both days inclusive.

By Order of the Directors,
R. HARDIE,
Secretary & Treasurer.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 19th December 1881.

No. 249.—Mr. T. F. Freeman, Assistant Surveyor, 1st Grade, on furlough, is granted an extension of leave on medical certificate, for six months from 1st November 1881, under Chapter X, Sections 127 and 128 of the Civil Leave Code.

The 22nd December 1881.

No. 250.—The following promotions are made with effect from the 11th October, the date of the retirement of Mr. Farrell, Surveyor, 3rd Grade:—

Mr. A. J. Gibson, Surveyor, 4th Grade, to be Surveyor, 3rd Grade.

Mr. G. R. Copping, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

No. 251.—In continuation of Notifications No. 246, dated 9th November 1881, and Nos. 247 and 248, dated 25th November 1881, the following temporary promotions are made, *vice* Captain

A. W. Baird, R.E., Assistant Superintendent, 1st Grade, who has been granted furlough from 15th October last, under G. G. O. No. 677, dated 16th December 1881 :—

Mr. W. G. Beverley, Officiating Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade, from the 1st to the 4th November, and from the 12th November until further orders, all dates inclusive.

Captain H. J. Harman, R.E., Officiating Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade, from the 15th October to the 31st October and from the 5th November to the 11th November, all dates inclusive.

No. 252.—The following temporary promotions are made with effect from the 27th November 1881, the date on which Brevet Colonel G. C. DePrée, S.C., Deputy Superintendent, 1st Grade, availed himself of the furlough granted him in G. G. O. No. 583, dated 4th November 1881 :—

Colonel C. T. Haig, R.E., Deputy Superintendent, 2nd Grade, to officiate as Deputy Superintendent, 1st Grade.

Major W. Barron, S.C., Deputy Superintendent, 3rd Grade, to officiate as Deputy Superintendent, 2nd Grade.

Mr. W. H. Cole, M.A., Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 3rd Grade.

Captain H. J. Harman, R.E, Officiating Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade.

No. 253.—Major T. T. Carter, R.E., Deputy Superintendent, 2nd Grade, having returned from furlough, the following reversions will take effect from the 3rd December 1881 :—

Major W. Barron, S.C., Officiating Deputy Superintendent, 2nd Grade, to revert to his substantive appointment of Deputy Superintendent, 3rd Grade.

Mr. W. H. Cole, M.A., Officiating Deputy Superintendent, 3rd Grade, to revert to his substantive appointment of Assistant Superintendent, 1st Grade.

Captain H. J. Harman, R.E., Officiating Assistant Superintendent, 1st Grade, to revert to his officiating appointment of Assistant Superintendent, 2nd Grade.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

AGENT, GOVERNOR GENERAL, FOR RAJPUTANA.

NOTIFICATIONS.

Mount Abu, the 13th December 1881.

No. 2665*G.*—Surgeon-Major F. W. A. DeFabeck having returned from furlough assumed medical charge of the Deoli Irregular Force and Haraoti and Tonk Agency, from Surgeon J. F. Tuohy, on the afternoon of the 7th December 1881.

The 14th December 1881.

No. 2674*G.*—Second Class Hospital Assistant Abdool Wahid, of the Reserve List of Civil Hospital Assistants in Rajputana, was granted fifteen days' privilege leave from the 17th to the 31st October 1881.

By Order,
F. T. HEWSON,
for *1st Asst. Agent to the Govr. Genl.*

CHIEF COMMISSIONER OF AJMIR-MERWARA.

NOTIFICATION.

Mount Abu, the 17th December 1881.

No. 926.—Under Section 3 of Act II of 1869, the Chief Commissioner of Ajmir-Merwara is pleased to appoint Mr. W. R. Lawrence, Assistant Commissioner, Merwara, a Justice of the Peace within and for the District of Ajmir-Merwara.

By Order,
F. T. HEWSON,
for *1st Asst. to the Chief Commr.*

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Calcutta, the 21st December 1881.

No. 60.—In modification of Notification No. 59, dated 10th December 1881, the services of Assistant Surgeon Jogendro Nath Datta, of the supernumerary list, are placed at the disposal of the Chief Commissioner, British Burma, *vice* Assistant Surgeon Annada Prasad Dass.

J. M. CUNINGHAM, M.D.,
Surgeon-General with the Govt. of India.

PUBLIC WORKS DEPARTMENT—Military Works.

NOTIFICATIONS.

Simla, the 14th December 1881.

No. 67.—Major W. G. Nicholson, R.E., Executive Engineer, 2nd Grade, on return from furlough, is posted to the Sirhind and Lahore Command, Military Works.

No. 68.—Lieutenant W. H. Chippindall, R.E., Assistant Engineer, 1st Grade, on return from furlough is posted to the Presidency and Oudh Command, Military Works.

A. CADELL, *Major-Genl., R.E.,*
Inspr. Genl. of Military Works.

Simla Imperial Circle.

Simla, the 16th December 1881.

No. 140.—Mr. T. Macpherson, Sub-Engineer, 2nd Grade, reported himself for duty on the forenoon of the 14th instant.

H. IRWIN,
Supdt. of Works,
Simla Imperial Circle.

STATEMENT of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Books of the Bank of Bengal on the 15th December 1881.

PARTICULARS.	3½ PER CENT. TRANSFER LOAN OF 1853-54.	4 PER CENT. LOANS										4½ PER CENT. LOANS				GRAND TOTAL.
		Of 1854-55.	Of 1852-53.	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1866.	Reduced 4 per cent. Loan of 1879.	Reduced 4 per cent. Loan of 1881.	Total.	Of 1870.	Of 1878.	Transfer Loan of 1879, 4½ per cent. Portion.	Total.	
Balance of 30th November 1881 . .	54,100	1,03,81,700	14,16,213	30,79,300	2,28,07,600	1,03,81,700	2,54,61,700	2,80,30,100	2,12,000	9,21,70,433	47,74,000	1,06,65,800	9,76,63,100	11,30,05,900	20,88,09,033
Add—															
Amount enfaced at Madras between 1st and 15th December 1881 . .	...	...	...	...	...	...	...	...	...	...	...	46,200	1,06,66,800	9,53,96,100	11,37,86,900	20,89,65,432
Amount enfaced at Bombay between 1st and 15th December 1881 . .	...	...	...	...	...	...	...	...	...	...	...	66,000	1,00,000	6,33,000	7,80,000	12,80,300
Amount enfaced at Calcutta between 1st and 15th December 1881 . .	...	...	...	...	...	...	...	...	...	...	...	47,74,000	1,06,65,800	9,76,63,100	11,30,05,900	20,87,05,132
Deduct—	54,100	1,03,81,700	14,16,213	30,79,300	2,28,07,600	1,03,81,700	2,54,61,700	2,80,30,100	2,12,000	9,21,70,433	47,74,000	1,06,65,800	9,76,63,100	11,30,05,900	20,88,09,033	
Amount written off in the London Registers	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	61,200
Balance on 15th December 1881 . .	54,100	1,03,81,700	14,16,213	30,79,300	2,28,07,600	1,03,81,700	2,54,61,700	2,80,30,100	2,12,000	9,21,70,433	47,74,000	1,06,65,800	9,76,63,100	11,30,05,900	20,88,09,033	20,87,05,132

	5 PER CENT. DEBENTURE LOAN OF 1867-68.	5 PER CENT. LOAN OF 1856-57.	
Transfer Loan of 1870, 4½ per cent. Portion.	1,10,500	...	1,10,500
Of 1854-55.	...	...	...
Of 1842-43.	...	...	...
Of 1835-36.	...	...	...
Of 1832-33.	...	...	...
Of 1852-53.	...	...	...
Of 1854-55.	...	...	...
Transfer of 1866.	...	...	...
Reduced 4 per cent. Loan of 1879.	...	...	...
Reduced 4 per cent. Loan of 1881.	...	...	...
Total.	1,00,000	...	1,00,000
Of 1870.	...	...	...
Of 1878.	39,500	...	39,500
Transfer Loan of 1879, 4½ per cent. Portion.	86,500	...	86,500
Total.	1,00,000	...	1,00,000
Of 1870.	...	...	...
Of 1878.	64,200	...	64,200
Transfer Loan of 1879, 4½ per cent. Portion.	2,40,500	...	2,40,500
Total.	3,39,700	...	3,39,700
Transfer Loan of 1870, 4½ per cent. Portion.	1,10,500	...	1,10,500
5 per cent. Debenture Loan of 1867-68.	33,03,000	...	33,03,000
5 per cent. Loan of 1856-57.	...	61,200	61,200
GRAND TOTAL.	9,32,500	6,73,800	20,89,65,432 / 12,80,300 / 20,87,05,132

Note.—From 9th June 1867 to 15th Oct. 1881, enfaced from India 4,350 lakhs; re-transferred from London, 3,660 lakhs.
" 16th Oct. 1881 to 31st " " " 14 " "
" 1st Nov. " to 15th Nov. " " " 40 " "
" 16th " " to 30th " " " 10 " "
" 1st Dec. " to 15th Dec. " " " 16 " "
4,660 lakhs.
3,933 " "
727 lakhs.
Balance against India

R. HARDIE,
Secretary and Treasurer.

PUBLIC DEBT OFFICE,
BANK OF BENGAL;
Calcutta, the 17th December 1881.

COMPTROLLER GENERAL'S OFFICE.

No. 1792.—*Account of Revenue and Expenditure of the Government of India for the fifth month of the year 1881-82, as compared with the corresponding period of 1880-81.*

N.B.—Amounts are converted into sterling @ Rs. 10 to the Pound Sterling.

REVENUE.	Estimates, 1881-82.	April to Aug. 1880.	April to Aug. 1881.	Comparison of two Years. Increase.	Comparison of two Years. Decrease.
	£	£	£	£	£
I.—Land Revenue	22,495,000	7,688,303	8,027,526	339,223	...
II.—Tributes	705,000	288,681	186,932	...	101,749
III.—Forest	768,100	167,670	206,114	38,444	...
IV.—Excise on Spirits and Drugs	3,031,000	1,259,059	1,361,871	102,812	...
V.—Assessed Taxes	550,000	332,316	363,965	31,649	...
VI.—Provincial Rates	2,863,000	984,238	1,118,344	134,106	...
VII.—Customs	2,367,000	920,780	978,338	57,558	...
VIII.—Salt	7,153,000	2,884,881	2,990,888	106,007	...
IX.—Opium	8,763,000	4,033,037	4,013,858	...	19,179
X.—Stamps	3,290,000	1,481,848	1,505,420	23,572	...
XI.—Registration	290,000	133,760	130,657	...	3,103
XII.—Mint	89,000	54,131	3,765	...	50,366
XIII.—Post Office	967,000	456,815	401,541	...	55,274
XIV.—Telegraph	452,600	219,307	170,624	...	48,683
XV.—Minor Departments	62,500	23,219	23,748	529	...
XVI.—Law and Justice	664,000	267,307	248,669	...	18,638
XVII.—Police	236,000	100,740	102,153	1,413	...
XVIII.—Marine	210,000	78,313	68,361	...	9,952
XIX.—Education	143,000	65,593	71,565	5,972	...
XX.—Medical Services	37,700	11,530	11,993	463	...
XXI.—Stationery and Printing	61,000	24,295	19,635	...	4,660
XXII.—Interest	668,000	218,282	436,487	218,205	...
XXIII.—Pensions	215,600	54,494	55,860	1,366	...
XXIV.—Miscellaneous	265,000	97,855	146,299	48,444	...
XXX.—Gain by Exchange	412,000	56,732	48,043	...	8,689
TOTAL	56,758,500	21,903,186	22,692,656	789,470	...
XXV.—Railways — *Guaranteed Railways.* Traffic Receipts	7,489,800	2,779,474	2,996,939	217,465	...
XXV.—Railways — *State Railways.* Gross Traffic Earnings	2,420,000	737,535	851,886	114,351	...
XXV.—Railways — *State Railways.* Net Traffic do. East Indian	2,800,000	869,089	1,169,437	300,348	...
XXVI.—Irrigation and Navigation, including Net Traffic Receipts, &c., Madras Irrigation.	902,500	184,247	247,134	62,887	...
XXVII.—Other Public Works	472,500	176,140	196,976	20,836	...
XXVIII.—Provincial and Local Deficits	821,000	...	...	...	...
XXIX.—Army	777,000	403,869	372,899	50,206	...
Military Operations in Afghanistan	61,000		81,176		...
TOTAL	72,502,300	27,053,540	28,609,103	1,555,563	...
England, including Army, Public Works, &c.	3,238,700	121,444	152,257	30,813	...
GRAND TOTAL	75,741,000	27,174,984	28,761,360	1,586,376	...

EXPENDITURE.	Estimates, 1881-82.	April to Aug. 1880.	April to Aug. 1881.	Comparison of two Years. Increase.	Comparison of two Years. Decrease.
	£	£	£	£	£
1.—Interest on Funded and Unfunded Debt	3,576,700	1,352,999	1,479,814	126,815	...
2.—Interest on Service Funds and other Accounts	407,300	83,637	88,582	4,945	...
3.—Refunds and Drawbacks	350,000	143,004	173,406	30,402	...
4.—Land Revenue	3,031,100	1,202,860	1,212,857	9,997	...
5.—Forests	565,800	135,244	151,446	16,202	...
6.—Excise on Spirits and Drugs	99,000	55,064	37,559	...	17,505
7.—Assessed Taxes	15,000	9,317	5,746	...	3,571
8.—Provincial Rates	48,000	17,113	25,269	8,156	...
9.—Customs	206,000	81,843	80,628	...	1,215
10.—Salt	428,000	148,248	186,857	38,609	...
11.—Opium	2,262,500	1,266,101	1,402,028	135,927	...
12.—Stamps	74,000	34,151	34,684	533	...
13.—Registration	186,000	74,541	74,598	57	...
14.—Mint	85,200	32,295	32,724	429	...
15.—Post Office	997,900	525,620	425,806	...	99,814
16.—Telegraph	459,600	146,494	147,645	1,151	...
17.—Administration	1,298,900	514,855	491,014	...	23,841
18.—Minor Departments	438,700	139,177	205,449	66,272	...
19.—Law and Justice	3,349,600	1,331,261	1,304,719	...	26,542
20.—Police	2,571,000	1,018,919	1,022,100	3,181	...
21.—Marine	432,100	146,669	145,991	...	678
22.—Education	1,057,600	393,808	419,910	26,102	...
23.—Ecclesiastical	158,200	63,801	66,379	2,578	...
24.—Medical Services	690,500	256,763	267,615	10,852	...
25.—Stationery and Printing	424,400	164,039	191,031	26,992	...
26.—Political	535,700	156,332	221,613	65,281	...
27.—Allowances and Assignments	1,881,900	614,592	609,194	...	5,398
28.—Civil Furlough and Absentee Allowances	4,000	1,646	1,817	171	...
29.—Superannuation, Retired and Compassionate Allowances	708,000	378,971	321,365	...	57,606
30.—Miscellaneous	251,000	109,680	119,992	10,312	...
31.—Famine Relief	1,500,000	122	25,294	25,172	...
37.—Loss by Exchange	3,475,000	1,311,500	1,430,538	119,038	...
TOTAL	31,568,700	11,910,666	12,403,670	493,004	...
32.—Railways — *Guaranteed Railways.* Working Expenses	4,760,000	1,337,561	1,259,013	...	78,548
32.—Railways — *Guaranteed Railways.* Land and Supervision	78,900	20,716	33,211	12,495	...
32.—Railways — *Guaranteed Railways.* Interest in India	4,800	3,754	3,100	...	654
32.—Railways — *Guaranteed Railways.* Surplus Profits paid to Railway Companies	165,300	33,808	57,609	23,801	...
32.—Railways — *State Railways.* Working Expenses	2,086,000		725,635		
32.—Railways — *State Railways.* Surplus Profits, &c., East Indian Railway	204,600	1,478,424	82,977	...	315,593
32.—Railways — *State Railways.* Frontier Railways	386,000		354,219		
33.—Irrigation and Navigation, including Madras Irrigation Interest, &c.	1,351,700	336,885	355,941	19,056	...
34.—Other Public Works	4,939,400	799,771	1,154,468	354,697	...
35.—Provincial and Local Surpluses	114,000	...	...	...	...
36.—Army	12,392,000	7,035,893	5,205,129	...	922,300
Military Operations in Afghanistan	2,271,000		908,464		
TOTAL	60,322,400	22,957,478	22,543,436	...	414,042
England, including Army, Public Works and Guaranteed Interest, &c.	14,563,600	6,144,604	6,293,077	148,473	...
TOTAL	74,886,000	29,102,082	28,836,513	...	265,569
38.—*Productive Public Works*— Capital Expenditure in India	3,010,000	1,152,523	1,023,681	...	128,842
38.—*Productive Public Works*— Ditto ditto in England	1,863,000	231,145	118,220	...	112,925
TOTAL	4,873,000	1,383,668	1,141,901	...	241,767
GRAND TOTAL	79,759,000	30,485,750	29,978,414	...	507,336

COMPTROLLER GENL.'S OFFICE,
CALCUTTA;
The 22nd December 1881.

E. W. KELLNER,
Depy. Comptroller General.

J. WESTLAND,
Comptroller General.

Statement of the Affairs of the Bank of Bengal for the week ending 20th December 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 94,01,721 0 2)	2,35,36,324	11	1
Public Deposits at Branches (Rs. 1,41,34,603 10 11)			
Other Deposits at Head Office and Branches	2,50,14,689	10	6
Bank Post Bills, &c.	4,06,542	9	8
Sundries	14,10,440	9	2
RUPEES	7,28,79,963	12	9

ASSETS.	Rs.	A.	P.
Government Securities	66,77,399	0	0
Other authorized Investments	38,44,480	0	0
Loans on Government and other authorized Securities	78,22,925	11	0
Accounts of Credit on Government and other authorized Securities	86,75,346	5	4
Bills discounted and purchased	2,19,46,775	12	1
Balances with other Banks	9,12,455	5	10
Bullion	8,23,041	5	2
Dead Stock	11,29,859	0	0
Stamps	6,839	14	0
Sundries	4,22,771	13	5
	5,22,61,894	2	0
Cash and Currency Notes at Head Office (Rs. 67,36,625 8 3)	2,06,18,069	9	11
Cash and Currency Notes at Branches (Rs. 1,38,81,444 1 8)			
RUPEES	7,28,79,963	12	9

By order of the Directors,

BANK OF BENGAL,
Calcutta, 22nd December 1881.

J. GORDON,
Chief Accti. & Depy. Secretary.

R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON: General Treasury.	CERTIFICATES ISSUED ON: Currency Department.	BALANCE OF BULLION: Under Assay.	BALANCE OF BULLION: Assayed.	BALANCE OF BULLION: Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Dec. 12	...	...	...	36	26,69,216	10,09,686
„ 13	...	...	...	36	26,69,216	10,09,686
„ 14	...	...	1,148	36	26,69,516	10,10,860
„ 15	...	...	...	36	26,69,516	10,10,860
„ 16	...	...	...	36	26,69,516	10,10,860
„ 17	...	...	...	36	26,90,282	10,10,800

CALCUTTA MINT,
The 19th December 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Allahabad Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
140	... D 14—52175 ...	20	Kakamul & Sons, Dinapore.
141	... D 18—81576 ...	100	Kadar Nath, Calcutta.
	„ —81577 ...	100	
	„ —81506 ...	100	
	„ —81507 ...	100	
40	... D 11—19386	*10	Hajee Mohomed Hossein, Calcutta.
	„ —06252		
142	... D 14—53129 ...	20	Wazir Khan Shamshabad, Agra.
	D 17—16957 ...	50	

* Mismatched.

ALLAHABAD,
The 21st December 1881.

GODREJEE D. PUDUMJEE, *A. A. G.,*
In charge of Paper Currency Office.

Bombay Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
W56	... M 14—16564 ...	100	Ardesir Dorabji Daruwalla, Oomergaum.
	M 43—78228 ...	100	
W57	... M 46—99277 ...	50	Inspector, Railway Police, Calcutta.
W58	... M 57—00061 ...	50	Munchershaw Sorabshaw, Ahmedabad.

NOTE PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
1881.			
H116	... M 44—24960 ...	100	Vithaldass Mancecklal, Bombay.

BOMBAY,
The 20th December 1881.

W. C. HOLMES,
Asst. Accti. Genl., Paper Currency Dept.

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
265	... O 96—75156 ...	100	Babu Ram Chundra Bose.
267	... O 97—01403 ...	100	Inspector Okhoy Kumar Banerjee, Jorabagan Thanah, Calcutta.
	O 88—99905 ...	100	
	O 96—31340 ...	100	
	O 69—66254 ...	100	
268	... O 69—95063 ...	100	Shaik Harroo Mistri.
	O 69—92538 ...	100	
	„ —89664 ...	100	
	„ —67274 ...	100	
	O 96—39217 ...	100	
269	... O 96—18702 ...	100	Babu Dolegobind Naik.
	„ —18703 ...	100	
	„ —18704 ...	100	
	„ —18705 ...	100	
	„ —18706 ...	100	
270	... O 97—01231 ...	100	Mr. E. C. Mason.
	„ —01228 ...	100	
	O 65—02842 ...	50	
	„ —01399 ...	50	
271	... O 97—21786 ...	100	Mr. J. M Fordalediz.
	„ —21789 ...	100	
	O 65—09202 ...	50	

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
161	... L 28—40345	5	Babu Kalikumar Chakravarty.
	„ —40341		
	L 54—10696	5	
	„ —10695		
162	... A 19—11545	10	Babu Luckhy Narain Mullick.
	„ —22138		
	L 9—61534	5	
	„ —61533		
163	... O 51—92843	10	Babu Kassi Kinkur Sen.
	„ —92844		
164	... O 5—96223	10	Babu Rakhal Dass Ghose.
	„ —96231		
165	... O 81—19062	10	The Chief Paymaster, E. I. Railway, Calcutta.
	„ —19063		
166	... L 34—13031	10	Babu Aushootosh Maitro.
	L 35—01271		
223	... O 96—98427 ...	100	Nasrut Khan.
224	E 8—62597 ...	5	Babu Chundi Churn Soor.
225	... O 21—88446 ...	20	Mr. N. U. Gheesta.
226	... O 77—43993 ...	10	Mohamed Torab.
	„ —43994 ...	10	
227	... O 11—35012 ...	10	Babu Hurry Dass Bysack.
159	... L 4—12558	10	The Collector of Monghyr.
	„ —12557		
160	... A 94—10160	20	Ghoge Raj Bisseshur Lal.
	„ —10159		
	L 44—24657	10	
	L 42—42967		
	A 78—36691	10	
	„ —36692		
	O 43—73271	10	
	„ —73292		

CALCUTTA,
The 22nd December 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Kurrachee Circle.

NOTES PARTIALLY LOST OR DESTROYED.

No. of Notes.	Value. Rs.	Name of Claimant.
G 10—36160 ...	100	Kurimbhoy Purdhan, Merchant, Kurrachee.
G 14—71555 *	10	Mr. Byramjee Eduljee, Shop-keeper, Kurrachee.
„ —71557 *		

* Mismatched.

KURRACHEE,
The 15th December 1881.

W. PATTON,
Asst. Depy. Commr., P. C., S. C.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Note.	Value. Rs.	Name of Claimant.
55	... E 13—79563 ...	100	L. G. Wait, Esq., Calcutta.

LAHORE,
The 17th December 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
52	... B 65—08316 ...	50	Ahmed Suliman, Nellore.
	B 66—80264 ...	100	
	B 68—26226 ...	100	
53	... B 51—47997 ...	500	M. Mahomed Mustan Sahib, Shop-keeper, Kairkal.
54	... B 65—09358 ...	50	Mr. Adam Andrew, Free Church Mission House, Chingleput.

NOTES PARTIALLY LOST OR DESTROYED.

108	... B 63—98145 ...	10	E. O. Walker, Esq., Superintendent of Telegraphs, Herrioor, *vid* Bangalore.
	B 67—09124 ...	10	
20	... B 46—88777 *	5	C. Ruthnam Mudali, Compositor, *Gazette Press*, Fort St. George.
	B 47—22345 *		

* Wrongly joined.

FORT SAINT GEORGE,
The 12th December 1881.

H. S. GROVES,
Assistant Accountant General, in charge of Paper Currency Dept., for Commissioner.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 5th December 1881.

Two new postage stamps of the value given in the margin having been received in India, will shortly be available for sale to the public.

3 annas.
1½ „

F. R. HOGG,
Offg. Dir. Genl. of the Post Office of India.

The 19th December 1881.

No. 10047.—Appointments in the Post Office Department made by the Director General of the Post Office of India:—

POSTAL CIRCLE, BOMBAY.

Mr. Chotalal Moteram is appointed to officiate as a Superintendent of the 3rd Grade, and is posted to the Cutch Division.

POSTAL CIRCLE, MADRAS.

Mr. J. DeCaster is appointed to officiate in the 1st Grade of Superintendents.

Mr. E. M. Dawes is appointed to officiate in the 2nd Grade of Superintendents.

Mr. C. Smith is appointed to officiate in the 3rd Grade of Superintendents.

Mr. B. G. A. Boosch is appointed to officiate in the 4th Grade of Superintendents.

Mr. J. Morgan, Superintendent, 4th Grade, is transferred to the Cuddalore Division.

The 22nd December 1881.

No. 10316.—Appointments in the Post Office Department made by the Director General of the Post Office of India:—

POSTAL CIRCLE, N. W. PROVINCES.

Messrs. M. C. Byrne and J. W. Welsh and Lala Peary Lal are appointed to be Examiners of Post Office Accounts.

E. R. DOUGLAS,
Depy. Dir. Genl. of the Post Office of India.

SEA AND FOREIGN MAILS.

The 23rd December 1881.

For	Box closes at	Date.	Per Steamer
		1881.	
Persian Gulf	7 P. M.	31st Dec.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	30th „	*Str. Henzada.*
Madras and Ceylon	7 „	31st „	P. & O. Str. *Pekin.*
Galle, Penang, Singapore, Hong-Kong, and Shanghai; also *vid* Hong-Kong for Yokohama; also for Australian Colonies	7 „	27th „	From Bombay.
Foreign Mails *vid* Bombay	7 „	26th „	From Bombay.
Do. Book Post and Pattern Packets	7 „	25th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	29th „	Str. *Pemba.* *
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	7 „	29th „	Str. *Busheer.*
Persian Gulf	7 „	24th „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	24th „	Str. *Chinsura.*
Port Blair and Camorta	7 „	24th „	Str. *Satara.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	7 „	24th „	Str. *Commilla.*

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

* Mail for Port Blair can be forwarded by this opportunity.

List of Unclaimed Letters lying in the Calcutta Post Office on the 18th December 1881.

Aspa, H. J.
Atkinson, F.
Baptist, Vi. N.
Barber, Mrs. J.
Beremann, G.
Bicknell, H.
Bushe, Cecil J. L. (M.B., A.M.D.)
Carroll, E.
Chill, C.
Cutterall, R.
Dairymple, Francis.
Davys, A. W.
Dougherty, E.
Eastman & Co.
Edwards, C. G. F.
Fleming, G.
Good, J.
Gregory, E. H.
Haidinger, J. J.
Harman, J. F.
Howson, F.
Johannes, J.
Keenan, H. E. T.
Wallis Lackersteen, N.
Large, Frank J.
Lowe, T. W.
Manager, Canning Press.
Manager, Bangalore Jute Co.
Newton, J. W. N.
Reberio, Mrs. A.
Rezario, L. D.
Scallan, Mrs.
Shea, J. H.
Smith, W.
Thomas, L.
Vest & Co.
Wilson, J.

Letters marked "Care of Post Office, to be kept till called for."

A. F. & Co.
Alexander, G. F.
Allen, Mons. J. A.
Archer, R.
Atkinson, Capt. S. B.
Atkinson, J.
Aviett, G.
B.
Bailey, J. R.
Barrett, John.
Bartlett, A. P.
Bates, J. Nelson.
Beale, J. A.
Bell, J. H.
Bendin, R., Lt.-Col.
Blake, J. A.
Boarge, J., Signora.
Bradford, J.
Broadbent, J. E.
Brocklehurst, W. T.
Brundage, J. D.
Buchanan, J. E.
Byrne, M.
Campbell, A. D., Major.
Carlyle, R. W.
Carter, Miss.
Chapman, G. C.
Chater, E. J.
Collen, Mrs. B.
Connell, J.
Connor, E. F.
Cornfield, A. G.
Coyens, T.
Crawshaw, J. H.
Croft, J.
Danks, W.
Davies, W. R.
Driscoll, D. J.
Dundas, A. A.
Dunnington, A. W.
Dykes, L. F.
Earle, G. H.
Fardell, G. W.
Ferm, Arthur.
Fleming, Master John.
Flewker, W.
Forest, William Dene.
Forsterman, J.
G. O.
Grant, Geo. H.
Grimes, T.
Guru Dass Chatterjee.
Hadden, H.
Hagarth, B.
Haly, J. J.
Hankievz, Charles.
Hamden, S.
Henzell, H. L.
Hime, C. W.
Houghton, Lt.-Col. R. (M.S.C.)
Iditen.
"Indigo."
J. S.
Jackson, G.
James, E.
Jeffery, R.
Johnson, R. R.
Jones, A.
Jones, E.
Joseph, N. W.
Keele, Richmond.
Kennedy, J. G.
Keymer, J. S.
Khambata, P. A.
Kirkwood, T. M.
Lambert, Dr. E.
Lamborn, W. L.
Lucas, Mrs. A.
MacIntyre, A.
MacLeish, John.
Macpherson, W. G.
Mair, A.
Martin, Mrs. C. M.
McDougall, A.
Meara, E. J.
Moffat, Col. A. K.
Moore, J. P.
Moreton, T. G.
Morrison, W.
M. S. U. Y.
Murphey, F. Brown.
Murray, G.
N. C.
Nantz, L.
Nelson, C. M.
Nimmoo, A.
Oakley, L. J.
O'Brien, Mrs. Stephens.
Obscure, C.
Ornstein, Secharic.
Padmore, Robt.
Paganini, M. L.
Pagden, H.
Pandelaki, H.
Sinclair, H. G.
Stuart, C. H.
Warde, Mrs.
Paxwell, E.
Peyrot, A.
Pratt, Mr.
Presse, J.
Queen, S. F.
Reid, J., Dr.
Robertson, W. L.
Roe, R. J., Lt.
Roper, E. J.
Roy, M. R.
Sandeman, W. A.
Scott, David.
Shamram.
Shenton, J. T.
Smith, Mrs. K.
Spalding, N.
Stevenson, D.
Swinton, F. G.
Target, C. B.
Thompson, A.
Tietkins, A. H.
Uphill, Tom.
V. C. J.
Vaude, T. W. G.
Walker & Co.
Watson, F.
Watson, L.
Watts, G. W.
Webster, F.
Webster, Miss.
Wells, W.
Willes, Miss E.
Williams, A. G.
Wood, W., Captain.
Wyndham, W. G.
X. Y. Z.

Newspapers.

Barret, J.
Blake, J. A.
Brocklehurst, W. T.
Campbell, Major A. D.
Hankuwig, Chas.
Johnson, E. C.

Registered Letters.

Anderson, Mrs. J.
Kirkwood, T. M.
Morton, Mr.

E. HUTTON.
Presidency Post Master.

Department Public Works—Half-yearly Examination.

The half-yearly examination of candidates for promotion and employment in the Public Works Department will be held at the Government Engineering College, Howrah, at 10 o'clock, on Monday, the 6th February 1882, and the following days. Applications, with fees for admission to the examination, are required to be filed before the 15th of January 1882. Candidates for the grade of Accountant who are not in Government service should be under 25 years of age, and must prove to the satisfaction of the Principal that they are under that age.

The following are the centres of examination sanctioned by the Government of India as stations where candidates for 4th Grade Accountantships are to appear for examination :—

Agra, Ahmedabad, Ajmere, Akyab, Allahabad, Boloram, Durbhanga, Howrah, Indore, Jabalpore, Lahore, Lucknow, Meerut, Mhow, Mooltan, Mount Aboo, Nagpore, Neemuch, Rangoon, Rawalpindi, Saidpore, Shillong and Simla.

Candidates for the Accountant's examination are therefore requested to select one of the places mentioned above.

J. S. SLATER,
Offg. Principal, Govt. Engrg. College, Howrah.

COMMISSARIAT NOTICE.

Owing to reduction of establishment the following Government elephants are for sale :—

69 on view at Mecan Meer, *viz.*, 29 females and 40 males of which 31 are tuskers and 9 muknas.

10 on view at Umballa, *viz.*, 6 females and 4 males, tuskers.

2. Amended descriptive rolls of these elephants have been distributed to chiefs, noblemen and heads of Civil Departments through Local Governments, Administrations, &c.

3. Further particulars can be obtained from, and offers for purchases of these elephants should be addressed to Assistant Commissaries General, Mecan Meer and Umballa, for communication to Commissary General.

H. ROWBAND, *Lieut.-Col.*,
for *Offg. Depy. Comsy. Genl.*

DEPY. COMSY. GENL.'S OFFICE,
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„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
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„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
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„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast. *Annas 4.*
17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
„ 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house, Java, Sunda Strait.
„ 14. Harbour Light at Belilling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.

No. 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolabu.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4 Ras Nungwe Light-house.
„ 18. Port Saïd entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.
„ 32. Removal of South Buoy, Harbour Entrance. Bay of Bengal—Coromandel Coast—Madras.
„ 33. Temporary exhibition of small Dioptric Light at Eastern Grove—Rangoon river entrance.
„ 34. Reported incorrect position of Crocodile Rock. Cudiapatam or Muttum Point - India—South Coast.
„ 35. Replacing of Karwar Rock Buoy—India—West Coast.
„ 36. Exhibition of permanent Light at Eastern Grove—Rangoon river entrance.
„ 37. Position of Anchorage Buoy, Beypore, India—West Coast.
„ 38. Buoys marking Harbour Entrance, Madras, Coromandel Coast.
„ 39. Wreck in the Negapatam Roadstead. India—Coromandel Coast.
„ 40. Revolving Light to be exhibited from Light-vessel, Formosa Bank—Malacca Strait.

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The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 31, 1881.

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

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

From the 26th November next till further notice the entire *Gazette of India*, with the Supplement, will be published at **Calcutta. After the 19th November, all Notifications and other matter intended for publication in the Gazette should be addressed to the Publisher, 8, Hastings Street, Calcutta.**

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E. J. DEAN,
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SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 27th December 1881.

No. 254.—In continuation of Notification No. 253, dated the 22nd instant, the following temporary promotions are made, *vice* Major E. H. Steel, Assistant Superintendent, 2nd Grade, who availed himself on the 1st December of subsidiary leave preparatory to the furlough granted under G. G. O. No. 651, dated 2nd December 1881:—

Captain H. J. Harman, R.E., Officiating Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade, from the 3rd December 1881, until further orders.

Mr. E. C. Ryall, Officiating Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade, for the 1st and the 2nd December 1881.

No. 255.—Major J. Waterhouse, Assistant Superintendent, 1st Grade, having returned from furlough, is appointed to officiate as Deputy Superintendent, 3rd Grade, with effect from the 26th instant.

The following reversions take effect from the same date:—

Major H. Lees Smith, Officiating Deputy Superintendent, 3rd Grade, to revert to his substantive appointment of Assistant Superintendent, 1st Grade.

Captain H. J. Harman, R.E., Officiating Assistant Superintendent, 1st Grade, to revert to his officiating appointment of Assistant Superintendent, 2nd Grade.

The 28th December 1881.

No. 256.—Major S. H. Cowan, S.C., Officiating Assistant Superintendent, 1st Grade, is

granted privilege leave for three months, under Section 71, Chapter V, of the Civil Leave Code, with effect from the forenoon of the 3rd proximo.

J. T. WALKER, *Lieut.-Genl., R.E.,*
Surveyor General of India.

CHIEF COMMISSIONER OF COORG.

NOTIFICATIONS.

Bangalore, the 19th December 1881.

No. 1502.—Mr. C. Soobaiya, Rai Bahadur, 2nd Assistant Commissioner, handed over, and Major H. M. S. Magrath, 1st Assistant Commissioner, received, charge of the Coorg Treasury on the forenoon of the 8th December 1881, on account of the Hootri holidays.

The 20th December 1881.

NOTIFICATION BY THE CHIEF JUDGE OF MYSORE.

No. 2295-833.—With the approval of the Resident, the following list of Court holidays for the year 1882 has been prepared by the Chief Judge, and is hereby published for information :—

These days shall accordingly be observed as close holidays by the Civil Court in the Civil and Military Station, Bangalore :—

List of Holidays.

January 1st to 3rd, both days inclusive.	Christmas Holidays.
January 12th and 13th . .	Pongul.
February 16th . . .	Sivarathri.
February 22nd . . .	Ash Wednesday and His Highness the Maharajah's Birthday.
March 4th	Holi Feast.
March 20th	Gentu New Year's Day.
March 28th	Sreeramanavami.
April 6th to 11th, both days inclusive.	Easter Holidays.
April 12th to May 23rd, both days inclusive.	Annual Recess of six weeks.
May 24th	Empress' Birthday.
June 20th	Ascension Day.
August 28th	Sravani.
September 15th and 16th .	Gowri and Ganesa.
September 26th . . .	Ananthachaturdasi.
October 11th. . . .	Mahalaya Amavasi.
October 13th. . . .	Commencement of Dasara.
October 20th. . . .	Maharnavamy.
October 21st	Vyjiya Dasami.
November 9th . . .	Depavali, and Prince of Wales' Birthday.
November 11th . . .	Balipadyamee.
December 24th to 1st, both days inclusive.	Christmas Holidays.

All Sundays in the year.

Chief Judge.

By Order,
W. J. CUNINGHAM,
Secretary.

AGENT, GOVERNOR GENERAL, FOR CENTRAL INDIA, P. W. D., Railway Branch.

NOTIFICATIONS.

Indore, the 24th December 1881.

No. 4.—Mr. R. H. Tickell, Assistant Engineer from Coopers Hill College, appointed to Central India, *vide* Government Notification No. 330, dated 11th October last, reported his arrival at Indore on 23rd November 1881, and has been posted to Indore Division.

No. 5.—Major G. R. Gibbs, Executive Engineer, 2nd Grade, made over charge of the Gwalior Division to Mr. H. E. Grant, Assistant Engineer, on the forenoon of 28th November 1881.

No. 6.—Mr. H. E. Grant, Assistant Engineer, 3rd Grade, received charge of the Gwalior Division from Major G. R. Gibbs on the forenoon of 28th November 1881.

No. 7.—Mr. F. D. Fowler, Assistant Engineer, 2nd Grade, has been transferred from the Office of Engineer-in-Chief, Bhopal State Railway to Nerbudda Division, from 1st November 1881.

No. 8.—Baboo Shiv Dyal, Assistant Engineer, 1st Grade, has been transferred from Nerbudda Division to the Bhopal Division, from 1st August 1881.

By Order,
C. S. THOMASON, *Lieut.-Col., R.E.,*
Secy. to Agent, Govr. Genl., for Central India.

SURGEON-GENERAL WITH THE GOVERNMENT OF INDIA.

NOTIFICATION.

Calcutta, the 26th December 1881.

No. 61.—Third Grade Assistant Surgeon Fuzlar Rohman, of the North-Western Provinces provincial list, is transferred to the Bengal provincial establishment.

J. M. CUNINGHAM, M.D.,
Surgeon-Genl. with the Govt. of India.

PUBLIC WORKS DEPARTMENT— Military Works.

NOTIFICATIONS.

Simla, the 22nd December 1881.

No. 69.—With reference to Government of India, Public Works Department, Notification No. 381, dated 2nd December 1881, Lieutenant J. E. Dickie, R.E., Assistant Engineer, is posted to the Meerut Command, Military Works.

The 24th December 1881.

No. 70.—Major G. D'A. Jackson, Executive Engineer, 3rd Grade, is transferred from the Rawalpindi Command, Military Works, to the Sirhind and Lahore Command, Military Works.

A. CADELL, *Major-Genl., R.E.,*
Inspr. Genl. of Military Works.

Statement of the Affairs of the Bank of Bengal for the week ending 27th December 1881.

LIABILITIES.	Rs.	A.	P.
Capital paid-up	2,00,00,000	0	0
Reserve Fund	25,11,966	4	4
Public Deposits at Head Office (Rs. 99,61,408 15 8)	2,47,13,739	0	3
Public Deposits at Branches (Rs. 1,47,52,330 0 7)			
Other Deposits at Head Office and Branches	2,43,70,221	10	0
Bank Post Bills, &c.	3,15,613	7	6
Sundries	14,56,487	0	8
RUPEES	7,33,68,027	6	9

ASSETS.	Rs.	A.	P.
Government Securities	70,84,124	4	0
Other authorized Investments	38,44,480	0	0
Loans on Government and other authorized Securities	77,00,876	14	1
Accounts of Credit on Government and other authorized Securities	97.55.586	12	0
Bills discounted and purchased	2,22.08,149	4	4
Balances with other Banks	8,15,217	6	4
Bullion	8,04,345	0	10
Dead Stock	11,29,779	7	11
Stamps	6,586	15	0
Sundries	4,22,366	13	5
	5,37,71,512	13	11
Cash and Currency Notes at Head Office (Rs. 66,40,588 14 8)	1,95,96,514	8	10
Cash and Currency Notes at Branches (Rs. 1,29,55,925 10 2)			
RUPEES	7,33,68,027	6	9

By order of the Directors,

BANK OF BENGAL, *Calcutta, 29th December 1881.*

J. GORDON, *Chief Acctt. & Depy. Secretary.*

R. HARDIE, *Secy. & Treasurer.*

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
1881.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Dec. 19	...	...	...	86	36,90,310	10,10,390
,, 20	...	...	84	...	37,39,276	10,10,423
,, 21	...	...	...	...	37,39,276	10,10,393
,, 23	...	...	...	...	37,39,962	10,10,698
,, 23 to ,, 24	Holidays.					

CALCUTTA MINT,
The 26th December 1881.

J. F. TENNANT, *Col., R.E.,*
Mint Master.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Calcutta Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
273	O 74—98762 ...	1,000	The District Superintendent
	O 89—68794 ...	1,000	of Police, Patna.
274	... O 96—12262 ...	100	Babu Narendra Krishna Mullick.
275	... O 71—78245 ...	500	Miss C. McIntyre.
276	... O 87—55736 ...	20	Koylas Chunder Ghose.
	O 75—27025 ...	10	
	P 5—18781 ...	10	
277	... O 96—67388 ...	100	Babu Kedar Nath Ghose.
278	... O 96—98231 ...	100	Babu Mohendra Nath
	,, —98232 ...	100	Bose.

Calcutta Circle—*continued.*

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
167	... O 56—79291	20	Babu Nibarun Chunder Dutt.
	,, —38591		
168	... L 11—05879	5	Babu Kali Das Dey.
	,, —05849		
169	... L 22—68586	5	Messrs. Finlay, Muir & Co.
	,, —68571		
170	... O 17—62954	10	Punraj Modhowroy.
	O 8—66356		
	L 54—06605	5	
	,, —06604		
	L 21—44106	5	
	,, —44109		
171	... O 62—27826	20	Babu Bunwari Lal Munshi.
	,, —27825		
228	... A 41—76332 ...	10	Babu Jattra Mohan Biswas.
229	... O 85—89353 ...	20	Messrs. Kokamul and Sons.
230	... O 96—23792 ...	100	Mr. W. Horan.
231	... O 69—41835 ...	100	Lieutenant-Colonel R. C. W. Mitford.
232	... O 89—64993 ...	1,000	Hossein Khan.
	O 97—16846 ...	100	
	O 83—74378 ...	100	
	O 96— 998 ...	100	
233	... N 3—23420 ...	20	Shaik Ahamed Jan.
234	... O 57—16336 ...	20	Babu Rutnessur Sandale.

CALCUTTA,
The 30th December 1881.

R. A. STERNDALE,
Asst. Comptlr. Genl., in charge, Paper Currency.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
56	... E 19—03831 ...	50	Hurji Mal and Radha Kishen, Lahore.
	N 5—09842 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value. Rs.	Name of Claimant.
M20	... E 12—80962	20	Ajoodhia Pat, Treasurer, Gujranwalla.
	,, —80963		
72	... N 5—04441 ...	100	Mr. Petman, through Manager, Rohilkund and Kumaon Bank, Limited, Nynee Tal.
	,, —04442 ...	100	
74	... E 18—38568 ...	10	Hazari Mal, Umritsur.
75	... E 13—54081 ...	100	Messrs. Ready Money Sale & Co., Calcutta.

LAHORE,
The 23rd December 1881.

H. J. BRERETON,
for *Depy. Commr. of Paper Currency.*

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
55	... B 68—12765 ...	100	Kapila Madugu Venkatasubbiah, of Chintamanipet, Kolar District.
	„ —42955 ...	100	
	„ —53674 ...	100	
	„ —54431 ...	100	
	„ —54815 ...	100	
	„ —59487 ...	100	
	„ —59488 ...	100	
	„ —59489 ...	100	
	„ —59490 ...	100	
	„ —59491 ...	100	
	„ —60840 ...	100	
	„ —64210 ...	100	
	„ —65978 ...	100	

NOTES PARTIALLY LOST OR DESTROYED.

		Rs.	
109	... B 56—54943 ...	10	Alangudi Sahib Rowther, Tiruteraipundi.
	B 60—36811 ...	10	
110	... B 46—75569 ...	5	D. Amoortha Sha and C. Bauboo Sha, Shaikpetta, Conjeveram.
	B 47—64826 ...	5	
	B 57—56008 ...	20	
	B 64—46350 ...	20	
	I 11—29447 ...	20	
111	... B 47—92037 ...	5	C. Yethirajulu Naidu, Shop-keeper, Vaniembadi.
112	... B 68—36603 ...	100	Sullakuttay Subbanna, Periapatna, Mysore.
	„ —36604 ...	100	
	„ —36648 ...	100	
21	... B 68—48509 *	100	S. Tippu Sahib, No. 27, Periamettu, Madras.
	„ —48506 *		

* Wrongly joined.

FORT SAINT GEORGE,
The 19th December 1881.

H. S. GROVES,
Assistant Accountant General, in charge of Paper Currency Dept., for Commissioner.

Nagpur Circle.

NOTES PARTIALLY LOST OR DESTROYED.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1881-82.		Rs.	
H13	... F 10—78335 ...	100	Messrs. Morton & Co., Church Gate Street, Bombay.
H19	... F 8—67428 ...	20	Rangaswamy Naidu, Cigar Merchant, Jaffer Saheb Street, Fort Trichinopoly.

NAGPUR,
The December 1881.

W. D. COWLEY,
Asst. Comptlr., C. P., in charge of Paper Currency.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 30th December 1881.

SEA AND FOREIGN MAILS.

For	Box closes at	Date.	Per Steamer
		1882.	
Persian Gulf	7 P. M.	7th Jan.	From Bombay.
Madras, Ceylon and the Intermediate Ports	7 „	6th „ 1881.	Str. *Kerbela.*
Madras and Ceylon	7 „	31st Dec. 1882.	P. & O. Str. *Pekin.*
Foreign Mails *viâ* Bombay	7 „	2nd Jan.	From Bombay.
Do. Book Post and Pattern Packets	7 „	1st „	From Bombay.
Rangoon, Moulmein, and Straits	7 „	5th „	Str. *Malda.*
Chittagong, Akyab, Kyouk Phyoo, Sandoway, and Rangoon	7 „	5th „	Str. *Simla.*
Madras, Ceylon, Batavia, Singapore, and China	7 „	6th „ 1881.	French Str. *Tibre.*
Persian Gulf	7 „	31st Dec.	From Bombay.

N.B.—The Letter Box will close at 7 P. M. precisely; after which hour foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P. M.

List of Unclaimed Letters lying in the Calcutta Post Office on the 25th December 1881.

Allen, Surgeon.	Davys, A. W.	Newton, J. W. N.
Anderson, R.	Edwards, C. G. F.	Owens, J.
Aspa, H. J.	Ezikiel, Miss S.	Patterson, Mrs. J.
Atkinson, F.	Fleming, G.	Patley, G. W.
Baptist, G. N.	Gasper, E. C.	Rivett, C. W.
Barber, Mrs J.	Gibb, A. F. H.	Rourke, J.
Bowen, H. J.	Haidinger, J. J.	Sackett, L. B.
Bergmann, G.	Harris, G.	Smith, W.
Bicknell, H.	Herbert, Major A.	Stephen, C.
Billing, Mrs. W.	Kenney.	Tavenor, G.
Bushe, Cecil J. L. (M.B., A.M.D.)	Hughes, A	Vanrenen, H. P.
	Keelan, H. E. T.	Vest & Co.
Carroll, E.	Lackersteen, N.	Waler, Dr.
Chill, C.	Leonard, E. A.	Ward, A. C.
Cole, C. J.	Lowe, T. W.	Watts, Mrs.
Cozens, T.	Manager, Canning Press.	Wilson, J.
Dalrymple, Francis.	Wallis Manager, Bangalore Jute Co.	Young, T. G.

Letters marked "Care of Post Office, to be kept till called for."

A. F. & Co.	Flewker, W.	Murphey, F. Brown.
Alexander, G. F.	Forest, William Dene.	N. C.
Allen, Mons. J. A.	Forsterman, J.	Nantz, L.
Archer, R.	Fraucher, W.	Nimmoo, A.
Atkinson, Capt. S. B.	G. O.	Oakley, L. J.
Atkinson, J.	Grant, Geo. H.	Ornstein, Secharie.
Aviett, G.	Grimes, T.	Palmer, A. G.
B.	Guru Dass Chatterjee.	Pandelachey, H.
Bailey, J. R.	Hagarth, B.	Patterson, J. L.
Barrett, John.	Haly, J. J.	Patterson, W. S.
Bartlett, A. P.	Hankievz, Charles.	Paxwell, E.
Bart, Sir W. G.	Henzell, H. L.	Peyrot, A.
Bates, J. Nelson.	Hine, C. W.	Pratt, Mr.
Beale, J. A.	Hiss, H.	Presse, J.
Bell, J. H.	Houghton, Lt.-Col. R. (M.S.C.)	Queen, S. F.
Blake, J. A.		Robertson, W. L.
Boarge, J., Signora.	"Indigo."	Roper, E. J.
Bradford, J.	J. S.	Roy, M. R.
Broadbent, J. E.	Jackson, E.	Scott, David.
Brocklehurst, W. T.	Jackson, G.	Shamram.
Brundage, J. D.	Jeffery, R.	Shenton, J. T.
Buchanan, J. E.	Johnson, R. R.	Sinclair, W.
Byrne, M.	Jones, A.	Smith, Mrs. K.
Campbell, A. D., Major.	Jones, E.	Spalding, N.
Carlyle, R. W. (o s.)	Joseph, N. W.	Stevenson, D.
Chapman, G. C.	Kennedy, J. G.	Swinton, F. G.
Chater, E. J.	Kennedy, Miss N. L.	Target, C. B.
Chickrina, Madame J.	Keymer, J. S.	Thompson, A.
Collen, Mrs. B.	Khambata, P. A.	Thompson, Miss.
Connell, J.	King, Mrs. M.	Tietkins, A. H.
Connor, E. F.	Lambert, Dr. E.	V. C. J.
Cornfield, A. G.	Leicester, A. B.	Vaude, T. W. G.
Coyens, T.	MacIntyre, A.	Walker & Co.
Crawshaw, J. H.	MacLeish, John.	Watson, F.
Cruft, J.	Macpherson, W. G.	Watson, L.
Dauke, W.	Mair, A.	Watts, G. W.
Davies, W. R.	Martin, Mrs. C. M.	Webster, F.
Driscoll, D. J.	McDougall, A.	Webster, Miss.
Dundas, A. A.	Mears, E. J.	Wells, W.
Dunnington, A. W.	Moffat, Col. A. K.	Willes, Miss E.
Dykes, L. F.	Moore, J. P.	Williams, A. G.
Earle, G. H.	Morton, Lieut.-Col, G.	Wood, P. F.
Fardell, G. W.	Moreton, T. G.	Wood, W., Captain.
Ferm, Arthur.	Morrison, W.	X. Y. Z.
Fleming, Master John.	M. S. U. Y.	

Newspapers.

Barret, J.	Brocklehurst, W. T.	Hankuwig, Chas.
Blake, J. A.	Campbell, Major A. D.	Johnson, E. C.

Registered Letters.

Anderson, Mrs. J.	Pandelaki, H.	Stuart, C. H.
Morton, Mr.	Sinclair, H. G.	Warde, Mrs.

E. HUTTON,
Presidency Post Master.

Department Public Works—Half-yearly Examination.

The half-yearly examination of candidates for promotion and employment in the Public Works Department will be held at the Government Engineering College, Howrah, at 10 o'clock, on Monday, the 6th February 1882, and the following days. Applications, with fees for admission to the examination, are required to be filed before the 15th of January 1882. Candidates for the grade of Accountant who are not in Government service should be under 25 years of age, and must prove to the satisfaction of the Principal that they are under that age.

The following are the centres of examination sanctioned by the Government of India as stations where candidates for 4th Grade Accountantships are to appear for examination :—

Agra, Ahmedabad, Ajmere, Akyab, Allahabad, Boloram, Durbhanga, Howrah, Indore, Jabalpore, Lahore, Lucknow, Meerut, Mhow, Mooltan, Mount Aboo, Nagpore, Neemuch, Rangoon, Rawalpindi, Saidpore, Shillong and Simla.

Candidates for the Accountant's examination are therefore requested to select one of the places mentioned above.

J. S. SLATER,
Offg. Principal, Govt. Engrg. College, Howrah.

COMMISSARIAT NOTICE.

Owing to reduction of establishment the following Government elephants are for sale :—

69 on view at Meean Meer, *viz.*, 29 females and 40 males of which 31 are tuskers and 9 muknas.

10 on view at Umballa, *viz.*, 6 females and 4 males, tuskers.

2. Amended descriptive rolls of these elephants have been distributed to chiefs, noblemen and heads of Civil Departments through Local Governments, Administrations, &c.

3. Further particulars can be obtained from, and offers for purchases of these elephants should be addressed to Assistant Commissaries General, Meean Meer and Umballa, for communication to Commissary General.

H. ROWBAND, *Lieut.-Col.*,
for *Offg. Depy. Comsy. Genl.*

DEPY. COMSY. GENL.'S OFFICE,
UPPER CIRCLE;
Rawalpindi, the 10th December 1881.

COMMISSARIAT NOTICE.

Owing to a reduction of establishment the following Government elephants are for sale :—

10 on view at Jabalpur and Saugor, *viz.*, 9 at Jabalpur and 1 at Saugor; of these 6 are females, and 4 males, three tuskers and one a muckna.

2 on view at Dinapore, 1 a female and the other a male, a tusker.

2. Descriptive rolls of these elephants have been distributed to chiefs, noblemen and heads of Civil Departments through Local Governments, Administrations, &c.

3. For particulars and offers for purchase of the elephants at Jabalpur and Saugor, the Executive Commissariat Officer, Jabalpur, should be addressed; for those at Dinapore, the Executive Commissariat Officer at that station.

N. R. BURLTON, *Lieut.-Col.*,
Depy. Commissary General.

DEPY. COMSY. GENL.'S OFFICE,
CALCUTTA;
The 27th December 1881.

GOVERNMENT CINCHONA FEBRIFUGE.

This preparation is an efficient substitute for Quinine and can be purchased by Government officers for public and charitable purposes, and by any one taking *twenty pounds* at a time, from the Superintendent, Botanical Garden, Calcutta, *for cash only*, at the following rates :—per four ounce tin, *Rs. 4-8;* per eight ounce tin, *Rs. 8-8;* per pound tin, *Rs. 16-8.* The general public can be supplied by the Superintendent, Botanical Garden, *for cash only*, at the under-noted rates :—per four ounce tin *Rs. 5-8;* per eight ounce tin *Rs. 10-8;* per pound tin, *Rs. 20.* This medicine is also sold by the principal European and Native druggists in Calcutta. Postage 8 annas per four and eight ounce tins, and 12 annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

يهه دوا كوئيناڤين كا خوب قائم مقام هى اور كلكته كے بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے هراك ملازم سركاري واسطے سركاري كام اور خيرات كے اور سيواے ونكے جو كوئي ايك مشت بيس پونڈ خريد لينے سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس كے ٹين كا چار روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا آٹهه روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا سوله روپيه آٹهه آنه

اور عوام الناس بوٹانكل گارڈن يعنے كمپني باغ كے سپرنٹنڈنٹ صاحب سے بقيمت نقد حسب نرخ ذيل خريد كرسكتے هين يعنے نرخ چار اونس ٹين كا پانچ روپيه آٹهه آنه ; آٹهه اونس كے ٹين كا دس روپيه آٹهه آنه ; ايك پونڈ كے ٹين كا بيس روپيه

يهه دوا كلكته كے بڑے بڑے ولايتي اور ديسي دواخانونمين بكتي هى ماسيواے قيمت مذكورهٔ بالا كے محصول ڈاك چار اور آٹهه اونس كے ٹين كا آٹهه آنه ; اور ايك پونڈ كے ٹين كا بارة آنه

Meteorological Publications for Sale.

The following publications of the Meteorological Office of the Government of India are on sale and can be procured at the Meteorological Office, No. 4, Middleton Row, or either at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices noted against them :—

	Rs.	A.	P.
Report on the Meteorology of India, in 1875, 4to., 89 pages text, 297 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1876, 4to., 97 pages text, 340 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India in 1877, 4to., 173 pages text, 375 pages tables, 3 charts ...	8	0	0
Report on the Meteorology of India, in 1878, 4to., 149 pages text, 380 pages tables, 3 plates, 4 charts ...	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to., 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to., 63 pages, 4 plates	1	8	0

	Rs.	A.	P.
Indian Meteorological Memoirs, Vol. I, Part III, 4to., 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to., 62 pages, 8 plates	1	8	0
Rainfall Chart of India, showing the average annual distribution of rainfall (in colors)	1	0	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to., 87 pages, 4 plates ...	2	0	0
Report on the Madras Cyclone, May 1877, 4to., 117 pages text, 97 pages tables, 5 plates ...	2	8	0

HENRY F. BLANFORD,
Meteorological Reporter to Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The "Indian Law Reports," published under the authority of the Governor General in Council, will appear in monthly parts, published as soon as possible after the first of each month at Calcutta, Madras, Bombay, and Allahabad, and will comprise four series,—one for the Calcutta High Court, a second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court will be reported in the Series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court will be reported in the Calcutta Series. The Parts of each Series can be had separately, or all four Parts can be had stitched into one wrapper at the option of subscribers and purchasers. It will be observed from the following statement of the terms of subscription and sale, that a considerable reduction is allowed to persons taking the complete set:

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„ „ BOMBAY SERIES ...	„ 1 0
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Persons desiring to subscribe for or purchase the Reports, should apply to—

MESSRS. THACKER, SPINK AND CO., CALCUTTA;

MESSRS. THACKER AND CO., BOMBAY;

MESSRS. HIGGINBOTHAM AND CO., MADRAS;

THE GOVERNMENT CENTRAL BOOK DEPOT, BOMBAY;

THE GOVERNMENT BOOK DEPOT, ALLAHABAD.

Orders and Subscriptions for 1878 should be at once remitted.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs. 375 a set.

Charts, &c., issued at the Marine Survey Department, Calcutta, by order of the Government of India, and sold at the Office of Superintendent of Government Printing, 8, Hastings Street.

Indian Ocean—

Indian Ocean, Curves of equal magnetic variation. *Annas 8.*

India, West Coast—

Kurrachee to Vingorla. *Re. 1-12.*
Vingorla to Cape Comorin. *Re. 1-12.*
Port of Salaya or Seraia. *Re. 1.*
Cutch Mandvi. *Re. 1.*
Veráwal Roads. *Re. 1.*
Sketch of the Entrance to Rajpuri River. *Annas 8.*
Ratnagiri, including Mirya and Kalbadavie Bays. *Re. 1.*
Kundari Island to Chaul. *Re. 1.*
Chaul and Entrance to Kundalika River. *Re. 1.*
Rajapur Bay and Viziadurg with adjacent Coast. *Re. 1.*
Jaygad and Entrance to Shastri River. *Re. 1.*
Dabhol and Entrance to Washisti River. *Re. 1.*
Goa and Marmagao Roadsteads. *Annas 12.*
Narakel Anchorage. *Annas 8.*
Quilon Roads. *Annas 8.*
Lakadivh Group—Cherbaniani Reef, Chitlac and Kiltan Islands. *Annas 12.*
Byramgore Reef or Chierapani, and Angria Bank. *Annas 8.*
Kolachel Roadstead, with plan of Enciam Rocks. *Re. 1-8.*

India, East Coast, Bay of Bengal, Ceylon, &c.—

Cape Comorin to Coconada, including the Island of Ceylon. *Re. 1-12.*
Tuticorin Roadstead and Harbour. *Re. 1.*
Approaches to Jafnapatam. *Re. 1.*
Paumben Pass. *Re. 1.*
Approaches to Paumben Pass. *Re. 1.*
Mullaittivu or Mooletivoe. *Annas 8.*
Colombo Harbour and its approaches. *Re. 1.*
Approaches to Point de Galle Harbour, Ceylon. *Re. 1.*
Bay of Bengal, Western Sheet. *Rs. 2.*
Bay of Bengal, Eastern Sheet. *Rs. 2.*
Coromandel Coast. Sheet No. 2, from Latitude 15° to 16° 30 N. *Re. 1.*
Sheet No. 3, from Latitude 13° to 15° N. *Re. 1.*
Sheet No. 4. Lieutenant M. A. Sweny, I. N., 1859-60. *Re. 1.*
Madras Roadstead. *Re. 1.*
Orissa Coast, Narsapoor Point to Palmyras Point, adapted to the latest determinations of the G. T. S. and observations by Commander A. D. Taylor, I.N. *Re. 1.*
Coconada to Bassein River. *Re. 1-12.*
Coringa or Coconada Bay, showing the Northern Godavery Mouths. *Re. 1-8.*
False Point Harbour and Approaches. *Re. 1.*
Hooghly River.—Luff Point to Anchoring Creek, showing the James and Mary Shoals and entrance to the Roopnarain River. *Re. 1-8.*
False Point to Mutlah River, showing the approaches to Sandheads. From the latest Government Surveys. *Re. 1.*
Mutlah River to the Chittagong Coast.
Chittagong or Kornafuli River. *Re. 1.*

Ceylon, East Coast—

Batticaloa Roadstead. *Annas 8.*

Coast of Burma, &c.—

Bassein River to Pulo Penang, including the Andaman and Nicobar Islands. *Re. 1-12.*
Coronge Island to White Point, including the Gulf of Martaban. *Re. 1.*
Preparis North Channel and Entrance to Bassein River. *Re. 1.*
Rangoon River Approaches. *Re. 1.*
Entrance to Salween (Maulmain) River. *Re. 1.*
Coast of Tenasserim—Tavoy River, from a sketch by Lieutenant R. Moresby, with Corrections and Additions. *Re. 1.*
Port Mouat, Andamans.

Siam, Malay Peninsula, West Coast—

Hayes Island to the Pilgrims. *Re. 1.*
Kopah Inlet. *Re. 1.*
Salang Island (Junkseylon). *Re 1.*
Junkseylon, East Coast.—Puket or Tonkah Harbour. *Re. 1.*

Gulf of Siam—

Siam Gulf, West Coast, Hilly Cape to Lacon Bight. *Re. 1.*
Siam Gulf, West Coast, Lacon Bight to Lem Chang Pra. *Re. 1.*
Patani Bay. *Annas 8*
Singora Roadstead and Inner Harbour. *Re. 1.*
Lacon Roads. *Re. 1.*
Samuie Strait. *Re. 1.*
Langsuen Roads. *Re 1.*

Sailing Directions, &c.—

The Sailing Directory, Part I, India, Africa and South America, with Charts. *Rs. 16; packing and postage, Re. 1-12.*

Return of Wrecks and Casualties in Indian Waters for the year 1877, together with a Chart showing the positions in which they occurred. *Rs. 2.*

Ditto ditto for 1878. *Price, Rs. 2.*

Ditto ditto for 1879. *Price, Rs. 2.*

List of Light-houses and Light-vessels in British India (Suez to Singapore), corrected from official information. *Re. 1.*

Spheroidal Tables, for every ten minutes of the quadrant, showing the length in feet of a degree, minute, and second of latitude and longitude; the corresponding number of statute miles in each degree of latitude; the number of minutes of latitude, or nautic miles contained in a degree of longitude under each parallel of latitude; and the length, in cables, of a minute of longitude, corresponding to each nautic mile, Compression $\frac{1}{152}$. *Re. 1.*

Glossary of French Terms adopted on French Charts and Maps and in Sailing Directions. *Annas 12.*

Catalogue of Charts, Maps, Plans, &c., in the Marine Survey Department, Calcutta. *Annas 8.*

Hydrographic Notices—

No. 1. Rangoon River. *Annas 4.*
„ 2. Cancelled; superseded by Notice No. 8. *Annas 4.*
„ 3. Cancelled; superseded by Notice No. 18. *Annas 4.*
„ 4. Cancelled; superseded by Notice No. 23. *Annas 4.*
„ 5. Kyouk Phyou Harbour. *Annas 4.*
„ 6. Salween (Maulmain) River. *Annas 4.*
„ 7. Approaches to Point de Galle Harbour. *Annas 4.*
„ 8. Mergui Archipelago. Pages 7 to 10 of this Notice superseded by Notice No. 18. *Annas 4.*
„ 9. Indus Banks and Kurrachee. *Annas 4.*
„ 10. Pamban (Paumben) Pass. *Annas 4.*
„ 11. Andaman Islands. *Annas 4.*
„ 12. Jiddah Harbour Red Sea. *Annas 4.*
„ 13 Red Sea, Navigation. In shore Passages, 1878 *Annas 4.*
„ 14. Red Sea, 1878. *Annas 4.*
„ 15. South Indian Ocean, Seychelle, Farquhar Islands, and Madagascar. *Annas 4.*
„ 16. Torres Strait and New Guinea, South-east Coast *Annas 4.*
17. India, West Coast, Ratnagiri, Rajapur Bay, and Viziadurg. *Annas 4.*
18. Coast of Siam, including Junkseylon and adjacent islands. *Annas 4.*
„ 19. Africa, East Coast, Pemba Island and adjacent Coast. *Annas 4.*
„ 20. India, West Coast, the coast from Kundari Island to Chaul, and the harbours of Dabhol and Jaygad. *Annas 4.*
„ 21. Arabian Coast, Ras Matbakh, 1880. *Annas 4.*
„ 22. Red Sea. Notes from various sources, 1880.
„ 23. Coast of Orissa. False Point Harbour and Approaches.
„ 24. Harbours of Karwar and Bankot.

Notices to Mariners.

Notices issued during the year 1880—

No. 1. Prohibited Anchorage near the Telegraph Cables in Zanzibar Harbour.
„ 2. Discontinuance of Maroon Lights at Krishna Shoal Light-vessel.
„ 3. Exhibition of the new fixed Light at False Point.
„ 4. Extension of the period of exhibition of the "intermediate" Light at the Entrance to the Hooghly River.
„ 5. Alterations in the position and visibility of the Light exhibited from Fort Canning, Singapore.
No. 6. Alteration of position and elevation of the red Light at Cannanore.
„ 7. Discontinuance of the exhibition of maroons from the Light-vessels of the Hooghly River.
„ 8. Fixed Light at Tolkeshwar, Dabhol or Anjanvel.
„ 9. Lights at Port Ibrahim, Suez.
„ 10. Changes in the buoyage of the port, Madras.
„ 11. Kenery (Kundari) Island Light. Intended alteration, Bombay.
„ 12. Flashing Light on Flat Cape, Sunda Strait, Sumatra.
„ 13. Destruction of First Point Light-house. Java, Sunda Strait.
„ 14. Harbour Light at Beliling, Baly Island.
„ 15. Position of Gwalia Reef, Carimata Strait.
„ 16. Position of Parkin Rock, Hanish Islands.
„ 17. Shoal south-west of Barren Islands, Madagascar, West Coast.
„ 18. Intended alteration in Light Apparatus, Calicut.
„ 19. Lights at Port Ibrahim, Suez.
„ 20. Intermittent flashing Light on Pulo Undan.

Notices to Mariners, 1881.

No. 1. River Hooghly Sandheads. Light Regulations for Pilot Brigs.
„ 2. Coromandel Coast. Rules for regulating the entry and departure of vessels using the Harbour.
„ 3. Java. Approach to Sunda Strait. Re-exhibition of flashing Light on First Point.
„ 4. Java, North Coast. Harbour Light at Tegal.
„ 5. British Burma, Akyab. Beacon on Table-land of Borongo Island.
„ 6. (1) Exhibition of a 4th order dioptric white revolving Light at Armeghon.
(2) Change of Pulicat red fixed Light to a white fixed Light.
„ 7. Erection of Bar Tidal Semaphore on Jooldea Flagstaff Hill, entrance to Chittagong or Kornafuli river.
„ 8. Alteration in colour of Light exhibited from the south bastion of Ratnagiri Fort.
„ 9. Exhibition of red Light on Breakwater, Colombo.
„ 10. Red Buoy off point Gordeware (Godavery.)
„ 11. Slight alteration in Lights, Paumben Pass, Gulf of Manar.
„ 12. Particulars of first point Light, Java, approach to Sunda Strait.
„ 13. Alteration in character of Flat Cape Light, Sumatra.
„ 14. Removal of North Buoy, entrance to Madras Harbour.
„ 15. Range of visibility of Paumben Light.
„ 16. Leading beacons for clearing the S. W. Prong, Kolaba.
„ 17. Zanzibar Island—
(1) Ras Kizimkazi Light-house.
(2) Light-house near Mungopani.
(3) Light-house on Mwana Mwana Island.
(4 Ras Nungwe Light-house.
„ 18. Port Said entrance—Experimental Buoy lighted by gas.
„ 19. Exhibition of revolving Light, Armeghon.
„ 20. Beacon on Tucker's Patch—Bombay Harbour.
„ 21. Exhibition of fixed white Light—Pulicat.
„ 22. India, West Coast, Ratnagiri. Exhibition of fixed white Light.
„ 23. Bay of Bengal, Coast of Orissa, False Point. Occasional obscuration of Light by fog.
„ 24. India, West Coast, Karwar or Sadashivgad. Breaking adrift of Karwar Rock Buoy.
„ 25. India, West Coast, Calicut. Date of exhibition of permanent white Light.
„ 26. Bay of Bengal—Chittagong Coast, Kutubdea. Alteration of colour of Light house.
„ 27. India—Coromandel Coast, Pondicherry—Exhibition of red and green Lights
„ 28. Red Sea, Gulf of Suez, Suez Bay—Beacon on Kal-ah-Kebeireh Shoal.
„ 29. Reported reef off Batticaloa, Ceylon—East Coast.
„ 30. Revised Rules for regulating the entry and departure of vessels using the Madras Harbour.
„ 31. Buoy marking wreck off Pentacottah—Bay of Bengal—Madras Coast.
„ 32. Removal of South Buoy, Harbour Entrance. Bay of Bengal—Coromandel Coast—Madras.
„ 33. Temporary exhibition of small Dioptric Light at Eastern Grove—Rangoon river entrance.
„ 34. Reported incorrect position of Crocodile Rock. Cadiapatam or Muttum Point—India—South Coast.
„ 35. Replacing of Karwar Rock Buoy—India—West Coast.
„ 36. Exhibition of permanent Light at Eastern Grove—Rangoon river entrance.
„ 37. Position of Anchorage Buoy, Beypore, India—West Coast.
„ 38. Buoys marking Harbour Entrance, Madras, Coromandel Coast.
„ 39. Wreck in the Negapatam Roadstead. India—Coromandel Coast.
„ 40. Revolving Light to be exhibited from Light-vessel, Formosa Bank—Malacca Strait.

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UPENDRA NATH GHOSE,
Munsiff of Kasba, in District Tipperah in Bengal, on leave.
Care of Baboo Prova Chunder Ghose, Pleader, Judge's Court, Bulloram Bose's Ghát Street, Bhowanipore, Churruckdangah, Calcutta.

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CALCUTTA, SATURDAY, AUGUST 6, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

Notice is hereby given that the interest and responsibility of the late Mr. W. H. Jones in the firm of W. H. Jones & Co., Mozufferpore, ceased on the 30th day of April last.

CALCUTTA,
The 18th July 1881.

F. G. JONES,
A. R. JONES,
Sole Proprietors.

Partnership Dissolved.

The partnership lately subsisting between Baboos Soorjeecoomar Gossain, now of Dacca, Hurrocoomar Gossain, of Serampore, and Jogendra Nauth Mookerjee, of Pathooriaghatta, and which was carried on at 18, Parsee Church Street, in Calcutta, as Merchants and Agents, under the firm of Jogendra Nauth Mookerjee & Co., and at Naya Bazar, Dacca, as Wine Merchants, under the style of Anderson, Smith & Co., was dissolved on the 15th of July last; and Soorjeecoomar Gossain and Hurrocoomar Gossain will not be responsible for any debt incurred, or on any contract entered into, by the said Jogendra Nauth Mookerjee after that date.

REMFRY & REMFRY,
Solicitors for Soorjeecoomar Gossain and Hurrocoomar Gossain.

5, FANCY LANE, CALCUTTA;
The 4th August 1881.

The Gazette of India.

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CALCUTTA. SATURDAY, AUGUST 13, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL CIVIL FUND.

At a Half-yearly General Meeting of Subscribers to the Bengal Civil Fund, Calcutta, held at the Town Hall on Wednesday, the 27th July 1881.

PRESENT: The Hon'ble L. R. Tottenham; J. Westland, Esq.; W. H. Grimley, Esq., B.A.; A. P. MacDonnell, Esq., B.A.; J. Scobell Armstrong, Esq.; H. J. S. Cotton, Esq.; C. A. Wilkins, Esq.; R. Logan, Esq.; J. A. Bourdillon, Esq.; H. M. Kisch, Esq.; and W. D. Blyth, Esq.

J. Scobell Armstrong, Esq., in the Chair.

The following report was submitted by the Managers:—

REPORT.

1. The Managers submit their proceedings for the past half-year for the consideration and sanction of the meeting.

2. Subject to the approval of the subscribers, they have admitted to the benefits of the Fund the following families:—

Mr. Graham's three daughters ...	£ 225	The three daughters of the late Mr. Geo. Graham, who died in London on the 7th October 1880.
Mrs. Young	„ 300	The widow of the late Mr. J. H. Young, who died at Naples on the 21st November 1880.
Lady Wilson	„ 300	The widow of the late Sir J. Cracroft Wilson, who died at Christ Church, New Zealand, on the 2nd March 1881.
Mrs. Winter	„ 300	The widow and three children—two sons and one daughter—of the late Mr. C. D. C. Winter, who died on the 8th April 1881 at Monghyr.
Three children	„ 120	
Total ...	£ 420	
Mr. Garstin's three children	£ 450	The three daughters of the late Mr. C. Garstin, who died at Bournemouth on the 15th May 1881.

3. **The Managers have notified, under Article XVI, the following amendments to the rules:—**

In Article V in the last clause before the words "of birth" *insert* "other evidence of the date," and before the words "be accepted" *insert* "or evidence."

In Articles XXVIII and XXIX after the words "shall have died" *add*—

"or if such member has been divorced from his wife and leaves no widow, or, if his widow has been excluded from the Fund under Article XXV."

In Article XXX for the words "or if there be no widow" *substitute*—

"on her admission to the Fund, or if there be no widow, or if such widow has been excluded from the Fund under Article XXV."

The object of the Managers in proposing to amend Articles XXVIII, XXIX, and XXX is to secure the interests of children in cases where a widow survives who has been excluded under Article XXV. As the rules now stand such a widow could claim the donation and the children would not be entitled to extra pension.

4. An objection has been raised by Sir Louis Jackson to the assessed subscription on his pension of £1,200 per annum, on the ground that the Fund has nothing to do with the 'special pension' granted to him as a late Puisne Judge of the High Court. The old rule, Article VIII, under which annuitants are for the present to pay ordinary subscriptions declares that retired subscribers are to contribute on their "annuities," and the original wording of the rule was "annuities of the Civil Service Annuity Fund." Under these circumstances the Managers have ruled that High Court Judges can only be required to contribute on £1,000 per annum, the ordinary annuity of a retired Civilian. As Mr. F. B. Kemp has, since his retirement, paid subscriptions on his pension of £1,200 per annum, the Managers have directed a refund to him of the excess amount paid.

5. By a resolution of the general meeting of January 1876, Mrs. Morris (widow of Mr. Drew, of the Bengal Civil Service,) was permitted, as a special case, to make a bequest of £50 a year to her daughter, Miss Fanny Sophia Drew, without entailing a reduction of Miss Drew's pension. The ground of the concession was that Miss Drew is of weak intellect, and that there are special expenses connected with her care and maintenance. It has been reported that Miss Drew, owing to her mother's death, has become entitled to about £102 out of her mother's personal estate. The relatives ask that she may be allowed to enjoy the income (about £4), derived from the above sum, without deduction from her pension, as the capital sum set apart by Mrs. Morris does not produce more than £32. Under the special circumstances of her case, and as the concession applied for would be within the spirit of the resolution of January 1876, the Managers have granted the request, on the distinct understanding that the case will again be referred if the total income enjoyed by Miss Drew, over and above her pension, at any time exceeds £50.

Proposed by *Mr. A. P. MacDonnell*, seconded by *Mr. H. J. S. Cotton*, and carried unanimously—

> "That the Managers' proceedings in admitting the families of the late Messrs. Geo. Graham, J. H. Young, Sir J. Cracroft Wilson, C. D. C. Winter, and C. Garstin, to the benefits of the Fund, be confirmed."

In proposing that Article V of the Rules be amended, *Mr. Westland* stated that the Managers had recently, at a general meeting, adopted a system by which subscribers were enabled to register in the Fund Office the dates and information which were required by the rules before a pension could be granted, as they considered it of great advantage that widows should thus be able to obtain their pensions upon a simple application without having, at such a time, to seek for certificates and other evidence which it was often found they had difficulty in collecting.

The wording of the rules then adopted required, however, the production of an actual certificate of baptism or of birth; and the Managers had on several occasions felt themselves obliged to reject evidence which, though otherwise perfectly good, did not fall within this limited definition.

It appeared to the Managers that the wife's real title was proved by her marriage certificate, and so long as they did not diminish the requirement in this respect, they might with safety allow other forms of evidence of date of birth. In fact the date of birth determined only one thing—viz., the amount of fine paid upon marriage, and no subscriber therefore could be said to have any object in misstating it. All that was necessary was to make sure that the statement of date of birth was not made carelessly or doubtfully, and this was sufficiently secured by requiring any kind of satisfactory evidence. The Managers were anxious to encourage the system of registration of evidence in support of possible claims; and they therefore proposed, that in registration of the date of birth they might be allowed to accept any evidence that seemed sufficient.

The proposal that the amendment of Article V of the rules as proposed by the Managers be confirmed, was seconded by *Mr. W. H. Grimley*, and carried.

On the next proposed alteration of the Articles *Mr. Westland* stated that the principle of the recent changes of the rules, in the matter of children's allowances, was to assimilate in some measure the circumstances of a family which obtained the widow's pension of £300 and of one which did not. It had been felt that too much of the pecuniary position of the family hinged upon the existence of the mother, and it was consequently arranged that when there was no widow's pension of £300, the children's pensions should be greater than when there was.

The rules as they were drawn up, however, regarded the contingency only of the determination of the widow's pension through death, and it had been pointed out to the Managers that that pension may have determined, not by death, but by the operation of the rule which excludes from the benefit of the Fund a wife who has been divorced, &c. The inclusion of these cases seems plainly within the meaning and intention of the rules adopted by the Service, as the position of children whose mother may be alive but divorced from her husband and obtaining no benefit from the Fund is evidently the same as if there were no mother in the case at all. The Managers therefore thought it wise to distinctly provide for such cases before any claims arose.

Mr. Westland, however, said that if the members present considered the matter to be open to doubt or discussion, it might be best that its consideration be put off till the larger meeting that would be held in January.

Proposed by *Hon'ble L. R. Tottenham*, seconded by *Mr. R. Logan*, and carried—

> "That the amendments to Articles XXVIII, XXIX, and XXX, as proposed by the Managers, be confirmed."

Proposed by *Mr. J. A. Bourdillon*, seconded by *Mr. W. H. Grimley*, and carried—

> "That the Managers' action in ruling that High Court Judges can only be required to contribute on £1,000 per annum, the ordinary annuity of a retired Civilian, be approved.

Proposed by *Mr. H. M. Kisch*, seconded by *Mr. W. D. Blyth*, and carried—

> "That the Managers' decision, in the case of Miss Fanny Sophia Drew, be approved."

A vote of thanks to the Chairman was proposed by the *Hon'ble L. R. Tottenham*, seconded by *Mr. J. A. Bourdillon*, and carried.

CIVIL FUND OFFICE,
The 27th July 1881.

J. SCOBELL ARMSTRONG,
Chairman.

PROMISSORY NOTES.

Stolen

The Government Promissory Note, No. 026520, of the 4 per cent. of 1st May 1865, for Rs. 1,100, originally standing in the name of J. R. Duxbury, and last endorsed to Piralli Behelulji, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicate in favour of the proprietor.

PIRALLI BEHELULJI,
Chinch Bunder, 3rd Row, No. 9.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 20, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

HINDU FAMILY ANNUITY FUND.

An Abstract of the Audited Accounts of the Hindu Family Annuity Fund for the quarters ended 30th June, 30th September and 31st December 1880.

Receipts.	Quarters ended 30th June 1880.	Quarters ended 30th September 1880.	Quarters ended 31st December 1880.	Disbursements.	Quarters ended 30th June 1880.	Quarters ended 30th September 1880.	Quarters ended 31st December 1880.
	Rs. A. P.	Rs. A. P.	Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.
Subscriptions	4,445 6 9	4,751 11 9	4,804 9 1	Annuity	304 0 0	484 0 0	374 0 0
Entrance fees	43 0 0	23 0 0	16 0 0	Establishments	221 13 3	235 8 0	235 8 0
Miscellaneous	0 9 6	0 9 6	53 13 0	Miscellaneous	369 3 6	170 7 6	192 0 3
Government of India—				Government of India—			
Amount withdrawn	1,000 0 0	885 0 0	910 0 0	Amount deposited	4,544 13 0	4,831 2 0	4,672 7 4
Deposits	1 15 6	7 11 0	5 1 3	Deposits	11 2 3	4 1 9	3 6 6
Opening cash balance	221 15 11	201 15 8	144 13 5	Closing cash balance	201 15 8	144 13 5	258 14 8
Total Rs. ...	5,712 15 8	5,870 0 8	5,934 4 9	Total Rs. ...	5,712 15 8	5,870 0 8	5,934 4 9

HINDU FAMILY ANNUITY FUND OFFICE,
The 13th August 1881.

Published by order of the Directors, agreeably to Rule 75,

GOBIND LAUL ROY,
Secretary.

NOTICE.

Lost between Kekree and Nusseerabad, the following Currency Note of the Bombay Circle :—

No. M38—38174, for Rs. 500.

The public are cautioned against purchasing the above. A reward of Rs. 25 is offered by me, the owner, for information leading to the recovery of the said Note.

PARAS RAM BIHARI LALL CHOKRIWALA,
Nusseerabad.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, No. 000595 of 4 per cent. of 31st March 1835-36, for Rs. 1,000, originally standing in my name; and No. Ct. 717 of 4 per cent. of 1st February 1842-43, for Rs. 500, interest of which has been long since drawn by me, and not endorsed by me to any one. The interest and the renewal of the said two Notes have been stopped at the Public Debt Office, Bank of Bengal.

WOOMES CHUNDER GHOSE,
Calcutta, No. 140, Upper Chitpore Road.

Stolen

The Government Promissory Note, No. 026520, of the 4 per cent. of 1st May 1865, for Rs. 1,100, originally standing in the name of J. R. Duxbury, and last endorsed to Piralli Behelulji, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicate in favour of the proprietor.

PIRALLI BEHELULJI,
Chinch Bunder, 3rd Row, No. 9.

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CALCUTTA, SATURDAY, AUGUST 27, 1881.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND OFFICE.

Abstract Statement of the Uncovenanted Service Family Pension Fund for the Third Quarter ending 31st January 1881, compared with the corresponding quarter of the year 1880.

Particulars.	In the 3rd quarter ending 31st January 1881.	In the 3rd quarter ending 31st January 1880.	Increase.	Decrease.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Balance at credit of the Fund on the Government books at the end of the previous quarter.	68,97,493 5 0	64,58,200 3 4	4,39,293 1 8	.....
Add Receipts—				
Subscriptions from November to January in the Widows' Fund	*1,07,228 10 9	1,11,134 9 9	.....	3,905 15 0
Ditto ditto ditto Children's Fund ...	73,815 14 5	73,812 8 3	203 6 2	.....
Entrance Fees, &c., ditto ditto	647 9 3	418 4 0	229 5 3	.....
Interest on reserve Funds. W. F., and C. Funds and divisible surplus by a transfer to debit of subscribers.	1,028 4 0	104 4 0	924 0 0	.....
Total Receipts ...	1,82,720 6 5	1,85,369 10 0	1,356 11 5	3,905 15 0
Grand Total ...	70,80,213 11 5	66,43,469 13 4	4,40,649 13 1	3,905 15 0
Deduct Payments—				
Pensions paid to Incumbents in the Widows' Fund	73,282 14 1	68,077 6 3	5,205 7 10	.....
Ditto ditto Children's Fund	52,565 1 7	50,364 5 9	2,140 11 10	.....
Establishment, including office rent and contingencies	9,390 1 9	8,990 11 6	399 6 3	.....
Loss in exchange on remittances to England	10,845 9 2	9,491 11 5	1,353 13 9	.....
Total Payments ...	1,46,023 10 7	1,36,924 2 11	9,099 7 8	.....
Net balance in favour of the Fund, exclusive of Interest upon Capital.	69,34,190 0 10	65,06,545 10 5	A 4,31,550 5 5	3,905 15 0
Proportion of Interest on Reserve Fund payable to Subscribers ...	33,282 12 0	33,237 12 0	45 0 0	.....
Total ...	33,282 12 0	33,237 12 0	45 0 0	.....

	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
Number of subscribers	1,444	955	1,430	941	14	14
Ditto of incumbents	348	557	331	534	17	23
Ditto sharing interest on Reserve Fund	864	590	819	557	45	33

	Rs. A. P.
* Actual receipts	1,10,813 5 9
Deduct items refunded and written back	3,584 11 0
Total ...	1,07,228 10 9
A. Net increase of capital	Rs. 4,27,644 6 5

G. W. Macleod,
Accountant.

H. Ronaldson,
J. Bell,
} *Auditors.*

U. S. F. P. Fund Office, *the 12th August* 1881.

Published by order of the Directors,
W. H Ryland, *Secretary.*

PROMISSORY NOTES.

Lost

The Government Promissory Notes, No. 000595 of 4 per cent. of 31st March 1835-36, for Rs. 1,000, originally standing in my name; and No. Ct. 717 of 4 per cent. of 1st February 1842-43, for Rs. 500, interest of which has been long since drawn by me, and not endorsed by me to any one. The interest and the renewal of the said wo Notes have been stopped at the Public Debt ffice, Bank of Bengal.

WOOMES CHUNDER GHOSE,
Calcutta, No. 140, Upper Chitpore Road.

Lost

The lower halves of the Government Promissory Notes, Nos. 027720, 027942 and 091745, of the 4 per cent. of 1865, for Rs. 1,000, Rs. 500 and Rs. 500, originally standing in the names of the Chartered Mercantile Bank of India, London and China, Byramjee Nusserwanji Sirvie and the Executive Commissariat Officer, Morar, respectively, and last endorsed to Lieutenant-Colonel A. Copland, the preprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicates in favour of the proprietor.

GRINDLAY, GROOM & Co.,
Bankers.
Fort Bombay.

Lost

The Government Promissory Notes, Nos. 064391, of the 4 per cent. of 1865, for Rs. 1,000; 089582, of the 4 per cent. of 1842-43, for Rs. 4,000; A012497, of the reduced 4 per cent. of 1879, for Rs. 4,000; A012498, of the reduced 4 per cent. of 1879, for Rs. 2,000; the first Note originally standing in the name of Ram Chand Seal, the second in the name of Deb Nauth Sreemany, the third and fourth in the name of Sree Ram Chunder Ghoshal, and last endorsed to Sree Ram Chunder Ghoshal, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SREE RAM CHUNDER GHOSHAL,
Beshpara, Zillah Hooghly

Stolen

The Government Promissory Note, No. 026520, of the 4 per cent. of 1st May 1865, for Rs. 1,100, originally standing in the name of J. R. Duxbury, and last endorsed to Piralli Behelulji, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicate in favour of the proprietor.

PIRALLI BEHELULJI,
Chinch Bunder, 3rd Row, No. 9.

Stolen

The Government Promissory Note, No. 050117, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of the Oriental Bank Corporation, and included in No. 15007, and last endorsed to me by Baboo Prosad Das Boral, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of a duplicate in favour of the proprietress.

DURGAMONI DEBAYA,
Barranossi Ghose's Street.

The Gazette of India.

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CALCUTTA, SATURDAY, SEPTEMBER 3, 1881.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, No. 000595 of 4 per cent. of 31st March 1835-36, for Rs. 1,000, originally standing in my name; and No. Ct. 717 of 4 per cent. of 1st February 1842-43, for Rs. 500, interest of which has been long since drawn by me, and not endorsed by me to any one. The interest and the renewal of the said two Notes have been stopped at the Public Debt Office, Bank of Bengal.

WOOMES CHUNDER GHOSE,
Calcutta, No. 140, Upper Chitpore Road.

Lost

The lower halves of the Government Promissory Notes, Nos. 027720, 027942 and 094745, of the 4 per cent. of 1865, for Rs. 1,000, Rs. 500 and Rs. 500, originally standing in the names of the Chartered Mercantile Bank of India, London and China, Byramjee Nusserwanji Sirvie and the Executive Commissariat Officer, Morar, respectively, and last endorsed to Lieutenant-Colonel A. Copland, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicates in favour of the proprietor.

GRINDLAY, GROOM & Co.,
Bankers.
Fort Bombay.

Lost

The Government Promissory Notes, Nos. 064391, of the 4 per cent. of 1865, for Rs. 1,000; 089582, of the 4 per cent. of 1842-43, for Rs. 4,000; A012497, of the reduced 4 per cent. of 1879, for Rs. 4,000; A012498, of the reduced 4 per cent. of 1879, for Rs. 2,000; the first Note originally standing in the name of Ram Chand Seal, the second in the name of Deb Nauth Sreemany, the third and fourth in the name of Sree Ram Chunder Ghoshal, and last endorsed to Sree Ram Chunder Ghoshal, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SREE RAM CHUNDER GHOSHAL,
Beshpara, Zillah Hooghly.

Stolen

The Government Promissory Note, No. 050117, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of the Oriental Bank Corporation, and included in No. 15007, and last endorsed to me by Baboo Prosad Das Boral, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of a duplicate in favour of the proprietress.

DURGAMONI DEBAYA,
Barranossi Ghose's Street.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 10, 1881.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

In the High Court of Judicature at Fort William in Bengal, Ordinary Original Civil Jurisdiction.

IN THE MATTER OF THE INDIAN COMPANIES ACT OF 1866 AND OF THE CALCUTTA JUTE MILLS COMPANY, LIMITED.

Notice to Shareholders.

The shareholders of the abovenamed Company are required, on or before the 1st day of November next, to send their names and addresses, together with their share certificates, to Alexander Ranken McIntosh, the Official Liquidator of the said Company, at No. 3, Fairlie Place, in the Town of Calcutta, and, if so required by notice in writing from the said Official Liquidator of the said Company, are by their Attornies or Pleaders to come in and prove their claims as such shareholders at the High Court of Judicature at Fort William in Bengal at such time as shall be specified in such notice, or in default thereof they will be excluded from the benefit of any distribution made to such shareholders as shall have come in and duly proved their claims.

Dated this 13th day of August 1881.

R. BELCHAMBERS,
Registrar.

JOSCELINE F. WATKINS,
Solicitor for the Official Liquidator.

PROMISSORY NOTES.

Lost

The lower halves of the Government Promissory Notes, Nos. 027720, 027942 and 094745, of the 4 per cent. of 1865, for Rs. 1,000, Rs. 500 and Rs. 500, originally standing in the names of the Chartered Mercantile Bank of India, London and China, Byramjee Nusserwanji Sirvie and the Executive Commissariat Officer, Morar, respectively, and last endorsed to Lieutenant-Colonel A. Copland, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicates in favour of the proprietor.

GRINDLAY, GROOM & Co.,
Bankers.
Fort Bombay.

Lost

The Government Promissory Notes, Nos. 064391, of the 4 per cent. of 1865, for Rs. 1,000; 089582, of the 4 per cent. of 1842-43, for Rs. 4,000; A012497, of the reduced 4 per cent. of 1879, for Rs. 4,000; A012498, of the reduced 4 per cent. of 1879, for Rs. 2,000; the first Note originally standing in the name of Ram Chand Seal, the second in the name of Deb Nauth Sreemany, the third and fourth in the name of Sree Ram Chunder Ghoshal, and last endorsed to Sree Ram Chunder Ghoshal, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SREE RAM CHUNDER GHOSHAL,
Beshpara, Zillah Hooghly.

Stolen

The Government Promissory Note, No. 050117, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of the Oriental Bank Corporation, and included in No. 15007, and last endorsed to me by Baboo Prosad Das Boral, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of a duplicate in favour of the proprietress.

DURGAMONI DEBAYA,
Barranossi Ghose's Street.

The Gazette of India.

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CALCUTTA, SATURDAY, SEPTEMBER 17, 1881.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

In the High Court of Judicature at Fort William in Bengal, Ordinary Original Civil Jurisdiction.

IN THE MATTER OF THE INDIAN COMPANIES ACT OF 1866 AND OF THE CALCUTTA JUTE MILLS COMPANY, LIMITED.

Notice to Shareholders.

The shareholders of the abovenamed Company are required, on or before the 1st day of November next, to send their names and addresses, together with their share certificates, to Alexander Ranken McIntosh, the Official Liquidator of the said Company, at No. 3, Fairlie Place, in the Town of Calcutta, and, if so required by notice in writing from the said Official Liquidator of the said Company, are by their Attornies or Pleaders to come in and prove their claims as such shareholders at the High Court of Judicature at Fort William in Bengal at such time as shall be specified in such notice, or in default thereof they will be excluded from the benefit of any distribution made to such shareholders as shall have come in and duly proved their claims.

Dated this 13th day of August 1881.

R. BELCHAMBERS,
Registrar.

JOSCELINE F. WATKINS,
Solicitor for the Official Liquidator.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 038622, of the 4 per cent. of 1854-55, for Rs. 2,000, originally standing in the name of Gopi Lall Pande, and last endorsed to Tares Chandra Pande, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

TARES CHANDRA PANDE,
Pakour, Zillah Bhagulpore.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 24, 1881.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

In the High Court of Judicature at Fort William in Bengal, Ordinary Original Civil Jurisdiction.

IN THE MATTER OF THE INDIAN COMPANIES ACT OF 1866 AND OF THE CALCUTTA JUTE MILLS COMPANY, LIMITED.

Notice to Shareholders.

The shareholders of the abovenamed Company are required, on or before the 1st day of November next, to send their names and addresses, together with their share certificates, to Alexander Ranken McIntosh, the Official Liquidator of the said Company, at No. 3, Fairlie Place, in the Town of Calcutta, and, if so required by notice in writing from the said Official Liquidator of the said Company, are by their Attornies or Pleaders to come in and prove their claims as such shareholders, at the High Court of Judicature at Fort William in Bengal at such time as shall be specified in such notice, or in default thereof they will be excluded from the benefit of any distribution made to such shareholders as shall have come in and duly proved their claims.

Dated this 13th day of August 1881.

R. BELCHAMBERS,
Registrar.

JOSCELINE F. WATKINS,
Solicitor for the Official Liquidator.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 038622, of the 4 per cent. of 1854-55, for Rs. 2,000, originally standing in the name of Gopi Lall Pande, and last endorsed to Tares Chandra Pande, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

TARES CHANDRA PANDE,
Pakour, Zillah Bhagulpore.

Lost

The Government Promissory Note, No. 066485, of the 4 per cent. of 1865, for Rs. 500, originally standing in the name of Deno Nauth Banerjee, and last endorsed to Hara Nundo Shaw, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

HARA NUNDO SHAW,
No. 85, Colootollah.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 1, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

Result of Votes on the propositions submitted in Circular No. 2, dated 15th June 1881.

Subject.	For	Against
1. Alteration of Rule 43, to enable subscribers to pay their subscriptions to the London Agents at the market rate of exchange, as proposed in paragraph 3.	771	17
2. Amendment of Rule 42, by the addition of bye-law 17 relating to deductions from pay or pension bills, as proposed in paragraph 4.	751	27

By Order of the Directors,

W. H. RYLAND,
Secretary.

FUND OFFICE,
CALCUTTA;
The 28th September 1881.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 038622, of the 4 per cent. of 1854-55, for Rs. 2,000, originally standing in the name of Gopi Lall Pande, and last endorsed to Tares Chandra Pande, the proprietor, by whom it was never endorsed to any other person. **Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.**

TARES CHANDRA PANDE,
Pakour, Zillah Bhagulpore.

Lost

The Government Promissory Note, No. 066485, of the 4 per cent. of 1865, for Rs. 500, originally standing in the name of Deno Nauth Banerjee, and last endorsed to Hara Nundo Shaw, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

HARA NUNDO SHAW,
No. 85, Colootollah.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 8, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 066485, of the 4 per cent. of 1865, for Rs. 500, originally standing in the name of Deno Nauth Banerjee, and last endorsed to Hara Nundo Shaw, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

HARA NUNDO SHAW,
No. 85, Colootollah.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 22, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost or Stolen

The Government Promissory Note, No. ~~244444~~ ~~244184~~, of the 4 per cent. of 1842-43, for Rs. 500, last endorsed to Soudaminee Dossee, the proprietress, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietress.

SOUDAMINEE DOSSEE.

CALCUTTA,
The 21st October 1881.

Stolen

The lower halves of Government Promissory Notes, No. 077070, of the 4 per cent. Loan of 1842-43, for Rs. 500, and No. 008825, of the 4½ per cent. of 1872, for Rs. 500, originally standing in the names of Seeta Nath Mytee and J. W. Fordham, respectively, and last endorsed to the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SEETA NATH MYTEE,
Etawah.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 29, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 090867, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of Chundun Dass Roy, and last endorsed to Okhoy Kumar Mullick, the deceased proprietor, by whom it was never endorsed to any other person. The interest and the renewal of the said Note have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

NETYA MOYEE DASSEE,
Mothurabatty.

Lost or Stolen

The Government Promissory Note, No. $\frac{094456}{021162}$, of the 4 per cent. of 1842-43, for Rs. 500, last endorsed to Soudaminee Dossee, the proprietress, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietress.

SOUDAMINEE DOSSEE.
CALCUTTA,
The 21st October 1881.

Stolen

The lower halves of Government Promissory Notes, No. 077070, of the 4 per cent. Loan of 1842-43, for Rs. 500, and No. 008825, of the 4½ per cent. of 1872, for Rs. 500, originally standing in the names of Seeta Nath Mytee and J. W. Fordham, respectively, and last endorsed to the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SEETA NATH MYTEE,
Etawah.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 5, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

The interest and responsibility of Mr. Gustav Diefenbach in our firm ceased on the 30th of April 1881.

REINHOLD & Co.

CALCUTTA,
The 1st November 1881.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 090867, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of Chundun Dass Roy, and last endorsed to Okhoy Kumar Mullick, the deceased proprietor, by whom it was never endorsed to any other person. The interest and the renewal of the said Note have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

NETYA MOYEE DASSEE,
Mothurabatty.

Lost or Stolen

The Government Promissory Note, No. $\frac{094458}{084164}$, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of Joygopal Bose, and last endorsed to Sowdaminee Dassee, the proprietress, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal.

SOWDAMINEE DASSEE.

Stolen

The lower halves of Government Promissory Notes, No. 077070, of the 4 per cent. Loan of 1842-43, for Rs. 500, and No. 008825, of the 4½ per cent. of 1872, for Rs. 500, originally standing in the names of Seeta Nath Mytee and J. W. Fordham, respectively, and last endorsed to the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SEETA NATH MYTEE,
Etawah.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 12, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

Messrs. GEDDES, CLARKE and PATERSON.

DISSOLUTION OF PARTNERSHIP.

Notice is hereby given that the partnership which formerly subsisted between Auckland Campbell Geddes, Tom Priddy Clarke, and Robert Stuart Paterson, and carried on under the style or firm of Geddes, Clarke and Paterson, was determined and dissolved by mutual consent on the 4th day of April 1881.

JNO. MACFARLANE,
Solicitor to the said
Messrs. Geddes, Clarke and Paterson.

TREACHERS BUILDING,
BOMBAY;
The 26th October 1881.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 090867, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of Chundun Dass Roy, and last endorsed to Okhoy Kumar Mullick, the deceased proprietor, by whom it was never endorsed to any other person. The interest and the renewal of the said Note have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

NETYA MOYEE DASSEE,
Methurabatty.

Lost or Stolen

The Government Promissory Note, No. $\frac{094456}{024164}$, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of Joygopal Bose, and last endorsed to Sowdaminee Dassee, the proprietress, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal.

SOWDAMINEE DASSEE.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 19, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, Nos. 072443 to 45 of the 4 per cent. loan of 1st May 1865, for Rs. 1,000 each, originally standing in the name of the Chartered Mercantile Bank of India, London and China, and last endorsed to Manoel Agostinho Pereira e Silva, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicates in favour of the proprietor.

MANOEL AGOSTINHO PEREIRA E SILVA,
Curtoriur, Salsette, Goa.

Lost or Stolen

The Government Promissory Note, No. $\frac{024456}{024464}$, of the 4 per cent. of 1842-43, for Rs. 500, originally standing in the name of Joygopal Bose, and last endorsed to Sowdaminee Dassee, the proprietress, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal.

SOWDAMINEE DASSEE.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 26, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL CIVIL FUND.

NOTICE.

The Half-yearly General Meeting of Subscribers will be held at the Town Hall on Wednesday, the 27th January 1882, at 4-30 P.M., for the election of Managers for the ensuing year.

COLMAN MACAULAY,
Secretary.

NOTICE.

Probate of the last will and testament of Nocoor Chunder Paul, late of No. 8, Okoor Dutt's Lane, Calcutta, deceased, has been this day granted by the High Court of Judicature at Fort William in Bengal, in its Testamentary and Intestate Jurisdiction, to Baboo Toolseedoss Paul, the sole executor named in the last will and testament of the said deceased.

WATKINS & WATKINS,
Attorneys.

CALCUTTA,
The 23rd November 1881.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, Nos. 072443 to 45 of the 4 per cent. loan of 1st May 1865, for Rs. 1,000 each, originally standing in the name of the Chartered Mercantile Bank of India, London and China, and last endorsed to Manoel Agostinho Pereira e Silva, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicates in favour of the proprietor.

MANOEL AGOSTINHO PEREIRA E SILVA,
Curtoriur, Salsette, Goa.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 3, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Notes, Nos. 972448 to 45 of the 4 per cent. loan of 1st May 1865, for Rs. 1,000 each, originally standing in the name of the Chartered Mercantile Bank of India, London and China, and last endorsed to Manoel Agostinho Pereira e Silva, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereon have been stopped at the Public Debt Office, Bank of Bombay, and application is about to be made for the issue of duplicates in favour of the proprietor.

MANOEL AGOSTINHO PEREIRA E SILVA,
Curtoriur, Salsette, Goa.

Lost

In transit from Lahore Treasury to Public Debt Office, Calcutta, the Government Promissory Note, **No. 060633, of the reduced 4 per cent. Loan of 1879, for Rs. 2,500, standing in the name of Narshing Dass,** the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal.

J. A. ROBINSON,
Treasury Officer,
for *Deputy Commissioner.*

LAHORE,
The 23rd November 1881.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 10, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PARTNERSHIP.

The interest and responsibility of Mr. Arthur L. Sykes in our firm ceased by mutual consent as from 1st July last. He will however continue for the present to manage the business of the firm and to sign the firm as before.

SYKES & Co.,
1, Grant's Lane,
Calcutta.

NOTICE.

Mr. William Craik is authorized to sign our firm per procuration.

GEORGE HENDERSON & Co.

CALCUTTA,
The 3rd December 1881.

PROMISSORY NOTES.

Lost

In transit from Lahore Treasury to Public Debt Office, Calcutta, the Government Promissory Note, No. 060633, of the reduced 4 per cent. Loan of 1879, for Rs. 2,500, standing in the name of Narshing Dass, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal.

J. A. ROBINSON,
Treasury Officer,
for *Deputy Commissioner.*

LAHORE.
The 23rd November 1881.

Lost or Stolen

Government Promissory Note, No. 024316 of 1st February 1842-43, for Rs. 1,000, payment of which has been stopped at the Bank of Bengal. A reward will be given to the person who will bring back the same to the undersigned.

DOURGA CHORONE ROQUITH,
No. 1, Old Court House Lane.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 17, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

Abstract Statement of the Uncovenanted Service Family Pension Fund for the Fourth Quarter ending 30th April 1881, *compared with the corresponding Quarter of the year* 1880.

Particulars.	In the 4th quarter ending 30th April 1881.	In the 4th quarter ending 30th April 1880.	Increase.	Decrease.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Balance at credit of the Fund on the Government books at the end of previous quarter	69,34,190 0 10	65,06,545 10 5	4,27,644 6 5	.....
Add Receipts—				
Subscriptions from February to April in the Widows' Fund ...	1,08,664 5 3	1,10,133 9 2	.....	1,469 3 11
Ditto ditto Children's Fund ...	73,049 1 9	72,803 5 9	245 12 0	.....
Entrance Fees, &c., ditto	763 2 6	757 9 0	5 9 6	.....
Amount received with interest from Government of India for sums advanced to Widows and Orphans on account of the mutiny of 1857—				
Rs. A. P. Rs. A. P.				
Widows' Fund ... 2,100 0 0				
Childrens' Fund ... 768 0 0				
Interest ... 93 2 0				
2,961 2 0				
Deduct—Balance at debit of interest account transferred to Widows' Fund ... 82 10 6				
2,878 7 6	2,878 7 6	2,961 1 11	.....	82 10 5
Interest received from Government of India	*	3,86,759 2 1	.....	3,86,759 2 1
Interest on Reserve Fund passed to debit of three subscribers	602 4 0	.....	602 4 0	.....
Total Receipts ...	1,86,957 5 0	5,73,414 11 11	853 9 6	3,88,311 0 5
Grand Total ...	71,20,147 5 10	70,79,960 6 4	A 4,28,497 15 11	3,88,311 0 5
Deduct Payments—				
Pensions payable to incumbents in the Widows' Fund	75,196 4 8	69,554 4 8	5,642 0 0	.....
Ditto ditto Children's Fund ...	54,058 7 6	51,431 11 2	2,626 12 4	.....
Establishment, including office rent and contingencies	9,622 3 3	8,235 7 7	1,386 11 8	.....
Net loss in exchange on remittance to England	8,022 2 11	8,295 1 2	.....	372 14 3
Total Payments ...	1,47,799 2 4	1,38,516 8 7	B 9,655 8 0	372 14 3
Net balance in favour of the Fund, exclusive of Interest upon Capital	69,72,348 3 6	69,41,443 13 9	C 4,18,842 7 11	3,87,938 2 2
Proportion of Interest on Reserve Fund payable to Subscribers ...	33,282 12 0	33,237 12 0	45 0 0	.....

	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
Number of Subscribers	1,483	968	1,413	949	20	19	.....	.....
Ditto of Incumbents	355	541	333	536	22	5	.....	.....
Ditto of Subscribers sharing interest Reserve Fund	864	590	819	567	45	33	.....	.....

* Intimation not yet received from the Comptroller-General.

	Rs. A. P.
A—Net increase	40,186 15 6
B— Ditto	9,282 9 9
C— Ditto	30,904 5 9

G. W. Macleod, *Accountant.*

H. Ronaldson,
James Bell, } *Auditors.*

Published by order of the Directors,
W. H. Ryland, *Secretary.*
Uncovenanted Service Family Pension Fund.

Fund Office, the 17th November 1881.

PROMISSORY NOTES.

Lost

In transit from Lahore Treasury to Public Debt Office, Calcutta, the Government Promissory Note, No. 060633, of the reduced 4 per cent. Loan of 1879, for Rs. 2,500, standing in the name of Narshing Dass, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal.

J. A. ROBINSON,
Treasury Officer,
for *Deputy Commissioner.*

LAHORE,
The 23rd November 1881.

Lost or Stolen

Government Promissory Note, No. 024316 of 1st February 1842-43, for Rs. 1,000, payment of which has been stopped at the Bank of Bengal. A reward will be given to the person who will bring back the same to the undersigned.

DOURGA CHORONE ROQUITH,
No. 1, Old Court House Lane.

Destroyed

The Government Promissory Notes, No. 089468, of the 4 per cent. Loan of 1842-43, for Rs. 1,000, and No. 067609, of the 4 per cent. Loan of 1842-43, for Rs. 500, both originally standing in the name of the Bank of Bengal, and last endorsed to Goshay Churn Dass, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicates in favour of the proprietor.

DWARKA NAUTH DUTT,
Attorney-at-Law,
and Attorney for Goshay Churn Dass.

CALCUTTA,
No. 3, HASTINGS STREET;
The 12th December 1881.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 24, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

Result of Votes on the question submitted in Circular No. 3, dated 10th September 1881.

Subject.	For.	Against.
Whether the widow of the late Mr. R. W. Sherriff shall be admitted to pension on payment of all arrears of subscription with interest at 6 per cent.	1,284	10

By Order of the Directors,
W. H. RYLAND,
Secretary.

CALCUTTA,
FUND OFFICE;
The 17th December 1881.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 053583, of the 4 per cent. Loan of 1865, for Rs. 500, originally standing in the name of Nobo Coomar Aucharjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

SHACAMBURY DABEA,
At Belloor.

Lost or Stolen

Government Promissory Note, No. 024316 of 1st February 1842-43, for Rs. 1,000, payment of which has been stopped at the Bank of Bengal. A reward will be given to the person who will bring back the same to the undersigned.

DOURGA CHORONE ROQUITH,
No. 1, Old Court House Lane.

Destroyed

The Government Promissory Notes, No. 089468, of the 4 per cent. Loan of 1842-43, for Rs. 1,000, and No. 067609, of the 4 per cent. Loan of 1842-43, for Rs. 500, both originally standing in the name of the Bank of Bengal, and last endorsed to Goshay Churn Dass, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicates in favour of the proprietor.

DWARKA NAUTH DUTT,
Attorney-at-Law.
and Attorney for Goshay Churn Dass.

CALCUTTA,
No. 3, HASTINGS STREET;
The 12th December 1881.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 31, 1881.

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

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

NOTICE.

The Forty-fourth Annual General Meeting of Subscribers of the above Institution will be held in the Town Hall, on Saturday, the 28th January 1882, at 3 P.M., to receive the Report of the Directors and to consider such matters as may then be submitted.

By Order of the Directors,

W. H. RYLAND,
Secretary.

CALCUTTA,
The 26th December 1881.

PROMISSORY NOTES.

Lost

The Government Promissory Note, No. 053583, of the 4 per cent. Loan of 1865, for Rs. 500, originally standing in the name of Nobo Coomar Aucharjee, the proprietor, by whom it was never endorsed to any other person. Payment of the above Note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

SHACAMBURY DABEA,
At Belloor.

Lost

The Government Promissory Notes, Nos. 142785 for Rs. 500, 142786 for Rs. 500, and 142787 for Rs. 1,000, of the 4 per cent. Loan of 1865, originally standing in the name of Bistoo Das Ghose, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicates in favour of the proprietor.

DEBENDRO NATH GHOSE,
No. 25, Mooktaram Baboo's Street.

Destroyed

The Government Promissory Notes, No. 089468, of the 4 per cent. Loan of 1842-43, for Rs. 1,000, and No. 067609, of the 4 per cent. Loan of 1842-43, for Rs. 500, both originally standing in the name of the Bank of Bengal, and last endorsed to Goshay Churn Dass, the proprietor, by whom they were never endorsed to any other person. Payment of the above Notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is to be made for the issue of duplicates in favour of the proprietor.

DWARKA NAUTH DUTT,
Attorney-at-Law,
and Attorney for Goshay Churn Dass.

CALCUTTA,
No. 3, HASTINGS STREET;
The 12th December 1881.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY SEPTEMBER 3, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 31st August, 1881, and is hereby promulgated for general information:—

ACT No. XIX OF 1881.

THE BURMA FOREST ACT, 1881.

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4. Saving of rights of profit from the Burma Land and Revenue Act, 1876.

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SCHEDULE.—ENACTMENTS REPEALED.

An Act to amend the law relating to Forests, Forest-produce, and the duty leviable on Timber in British Burma.

Preamble.

WHEREAS it is expedient to amend the law relating to forests, forest-produce, and the duty leviable on timber in British Burma; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Burma Forest Act, 1881":

Local extent.

It extends to all the territories for the time being administered by the Chief Commissioner of British Burma, provided that the Chief Commissioner may, by notification in the official Gazette, exempt any place from its operation; but not so as to affect anything done, or any offence committed, or any fine or penalty incurred, or any proceedings commenced in such place before such exemption; and

Commencement.

it shall come into force on such day as the Chief Commissioner may, by notification in the official Gazette, direct.

Repeal of enactments.

2. On and from such day the enactments and rules mentioned in the schedule hereto annexed shall be repealed to the extent mentioned in the third column of the same schedule.

Interpretation-clause.

3. In this Act, and in all rules made hereunder, unless there is something repugnant in the subject or context,—

"Forest-officer" means all persons appointed by name or as holding an office by or under the orders of the Governor General in Council or the Chief Commissioner to be—

"Forest-officer."

Conservators, Deputy Conservators, Assistant Conservators, Sub-Assistant Conservators, Forest-rangers, Foresters, or Forest-guards, or to discharge any function of a Forest-officer under this Act or any rule made hereunder:

"tree": "tree" includes also bamboos, stumps and brushwood:

"timber": "timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned or hollowed out for any purpose or not:

"forest-produce": "forest-produce" includes the following things when found in, or brought from a forest (that is to say):—

minerals (including limestone and laterite), surface-soil, trees, timber, plants, grass, peat, canes, creepers, reeds, leaves, moss, flowers, fruits, seeds, roots, juice, catechu, bark, caoutchouc, gum, wood-oil, resin, varnish, lac, charcoal, honey and wax;

"forest-offence": "forest-offence" means an offence punishable under this Act or any rule made hereunder:

"cattle": "cattle" includes also elephants, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids:

"river": "river" includes also streams, canals, creeks and other channels, natural or artificial:

"land at the disposal of Government.": "land at the disposal of Government" means

(*a*) land in respect of which no person has acquired the status of a land-holder under section seven of the Burma Land and Revenue Act, 1876,

(*b*) land in respect of which no person has acquired any right created by grant or lease made by, or on behalf of, the British Government.

"Magistrate": "Magistrate" means a Magistrate of the first or second class and includes a Magistrate of the third class when he is specially empowered by the Chief Commissioner to try forest-offences.

Saving of rights of profit from the Burma Land and Revenue Act, 1876.

4. Nothing in the Burma Land and Revenue Act, 1876, shall be deemed to affect or ever to have affected any right by which one person is entitled to remove and appropriate, for his own profit, any part of the soil belonging to another person or to the Government, or anything growing in, or attached to, or subsisting upon, the land of another person or of the Government.

CHAPTER II.

OF RESERVED FORESTS.

Power to reserve forests.

5. The Chief Commissioner may constitute any land at the disposal of Government, a reserved forest in manner hereinafter provided.

Notification by Chief Commissioner.

6. Whenever it is proposed to constitute any land a reserved forest, the Chief Commissioner shall publish a notification in the official Gazette—

(*a*) specifying as nearly as possible the situation and limits of such land;

(*b*) declaring that it is proposed to constitute such land a reserved forest;

(*c*) appointing an officer (hereinafter called "the Forest-Settlement-officer") to inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favor of, any person in or over any land comprised within such limits, and any claims relating to the practice within such limits of toungya cultivation, and to deal with the same as provided in this chapter.

The officer appointed under clause (*c*) of this section shall ordinarily be a person other than a Forest-officer; but a Forest-officer may be appointed by the Chief Commissioner to assist the Forest-Settlement-officer in the inquiry prescribed by this chapter.

Proclamation by Forest-Settlement-officer.

7. When a notification has been published under section six, the Forest-Settlement-officer shall publish in the language of the country, at the head-quarters of each township in which any portion of the land comprised in such notification is situate, and in every town and village in the neighbourhood of such land, a proclamation—

(*a*) specifying as nearly as possible the situation and limits of the proposed forest;

(*b*) setting forth the substance of the provisions of section eight;

(*c*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*d*) fixing a period of not less than three months from the date of publishing such proclamation, and requiring every person claiming any right or making any claim referred to or mentioned in section six either to present to such officer within such period a written notice specifying, or to appear before him within such period and state, the nature of such right or claim.

Bar of accrual of forest-rights.

8. During the interval between the publication of such proclamation and the date fixed by the notification declaring the forest to be reserved as hereinafter provided, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by, or on behalf of, the Government or some person in whom such right, or power to create the same, was vested when the

Prohibition of building, clearing, &c.

proclamation was published; and, on such land, no new house shall be built or plantation formed, no fresh clearings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture, except as hereinafter provided.

Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest-Settlement-officer, or any clearings lawfully made for toungya cultivation by persons in the habit of practicing such cultivation on such land.

Inquiry by Forest-Settlement-officer.

9. The Forest-Settlement-officer shall take down in writing all statements made under section seven, and shall inquire into all claims made under that section, and the existence of any right or practice mentioned in section six in respect of which no claim is made. The Forest-Settlement-officer shall at the same time consider and record any objection which the Forest-officer (if any), appointed under section six to assist him, may make to any such claim or to the existence of any such right or practice.

Powers of Forest-Settlement-officer.

10. For the purposes of such inquiry, the Forest-Settlement-officer may exercise the following powers (that is to say) :—

(*a*) the powers of a demarcation-officer under The Burma Boundaries Act, 1880; and

(*b*) the powers conferred on a Civil Court by the Code of Civil Procedure for compelling the attendance of witnesses and the production of documents.

Claims relating to practice of toungya cultivation how dealt with.

11. In the case of a claim relating to the practice of toungya cultivation, the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and permitting, or refusing to permit, such practice wholly or in part.

If such practice is permitted wholly or in part, the Forest-Settlement-officer may—

(*a*) alter the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants; or

(*b*) cause certain portions of the reserved forest to be separately demarcated, and give permission to the claimants to practice toungya cultivation under such rules and conditions as he may prescribe.

No right to practice toungya cultivation shall be deemed to be conferred by an order under this section permitting such practice, and, except with the sanction of the Chief Commissioner, such cultivation shall only be practiced by the person to whom such permission is granted.

Power to acquire land over which right is claimed.

12. In the case of a claim to a right in or over any land other than the following rights :—

(*a*) a right of way,

(*b*) a right to a water-course, and to use of water,

(*c*) a right of pasture, or to forest-produce,

the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

If such claim is admitted wholly or in part, the Forest-Settlement-officer may (1) come to an agreement with the claimant for the surrender of the right; or, (2) exclude the land from the limits of the proposed forest; or, (3) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870.

For the purpose of so acquiring such land—

(i) the Forest-Settlement-officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(ii) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section nine of that Act;

(iii) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and

(iv) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land, or partly in land and partly in money.

Order on claims to rights of way, water-course, pasture, and to forest-produce.

13. In the case of a claim to rights of the kind specified in clauses (*a*), (*b*) and (*c*) of section twelve, the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

When a claim to any such right is admitted, if the right is for the beneficial enjoyment of any land or buildings, he shall record the designation, position and area of such land, and the designation and position of such buildings.

Where the right is a right to forest-produce, he shall also record whether the forest-produce obtained by the exercise of such right may be sold or bartered, and such other particulars as may be necessary in order to define the nature, incidents and extent of the right.

Provision for rights of pasture or to forest-produce admitted.

14. When the Forest-Settlement-officer has admitted wholly or in part, and recorded under section thirteen, a claim to a right of pasture or to forest-produce, he shall as far as possible provide for the exercise of such right—

(*a*) by altering the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimant;

(*b*) by recording an order continuing to the claimant a right of pasture or to forest-produce (as the case may be), subject to such rules as may be prescribed by the Chief Commissioner.

The order passed under clause (*b*) shall record, as far as practicable, the number and description of the cattle which the claimant is from time to time entitled to graze, the local limits within which, and the seasons during which, such pasture is permitted; or

the quantity of timber or other forest-produce which the claimant is authorized to take or receive, the local limits within which, the season during which, and the mode in which, the taking of such produce is permitted; and

such other particulars as may be required in order to define the extent of the right which is continued, and the mode in which it may be exercised.

Commutation of such rights.

15. Whenever any right of pasture or to forest-produce admitted under section thirteen is not provided for in one of the ways prescribed in section fourteen, the Forest-Settlement-officer shall, subject to such rules as the Chief Commissioner may prescribe in this behalf, commute such right by paying a sum of money in lieu thereof, or, with the consent of the claimant, by the grant of land, or in such other manner as such officer thinks fit.

For the purpose of granting land under this section, the Forest-Settlement-officer shall be deemed to be an Assistant Commissioner in charge of a sub-division.

Appeal from order passed under foregoing sections.

16. Any person who has made a claim under this chapter may, within three months from the date of any order passed on such claim by the Forest-Settlement-officer under section eleven, twelve, thirteen, fourteen or fifteen, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Deputy Commissioner, as the Chief Commissioner may, by notification in the official Gazette, appoint by name, or as holding an office, to hear appeals from such orders.

Appeal under section 16.

17. Every appeal under section sixteen shall be made by petition in writing, and may be delivered to the Forest-Settlement-officer, who shall forward it without delay to the officer competent to hear the same.

Hearing of appeals.

Every such appeal shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to land-revenue, and the order passed thereon by such officer shall be final, except as hereinafter provided.

Notification declaring forest reserved.

18. When the following events have occurred (namely) :—

(*a*) the period fixed under section seven for preferring claims has elapsed, and all claims (if any) made within such period have been disposed of by the Forest-Settlement-officer, and

(*b*) if such claims have been made, the period fixed by section sixteen for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate officer, and

(*c*) all lands (if any) to be included in the proposed forest, which the Forest-Settlement-officer has, under section twelve, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section sixteen of that Act,

the Chief Commissioner may publish a notification in the official Gazette, specifying the limits of the forest which it is intended to reserve, and declaring the same to be reserved from a date fixed by such notification.

From the date so fixed, such forest shall be deemed to be a reserved forest.

Extinction of rights not claimed.

19. Rights in respect of which no claim has been preferred under section seven, and of the existence of which no knowledge has been acquired by enquiry under section nine, shall thereupon be extinguished, unless, before the publication of such notification, the person claiming them has satisfied the Forest-Settlement-officer that he had sufficient cause for not preferring such claim within the period fixed under section seven.

Publication of translation of such notification in neighbourhood of forest.

20. The Deputy Commissioner of the district in which the forest is situate shall, before the date fixed by such notification, cause a translation thereof in the language of the country to be published in the manner prescribed for the proclamation under section seven.

Power to revise arrangement made under section 11, 14 or 17.

21. The Chief Commissioner may, within five years from the publication of any notification under section eighteen, revise any arrangement made under section eleven, fourteen or seventeen, and may rescind or modify any order made under this chapter, and direct that any one of the proceedings specified in section fourteen be taken in lieu of any other of such proceedings, or that the permission granted under section eleven or rights admitted under section thirteen be commuted under section fifteen.

No right acquired over reserved forest except as here provided.

22. No right of any description shall be acquired in or over a reserved forest, except by succession, or under a grant or contract in writing made by, or on behalf of, the Government, or some person in whom such right, or the power to create such right, was vested when the notification under section eighteen was published.

Rights not to be alienated without sanction.

23. Notwithstanding anything herein contained, no right continued under section fourteen shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Chief Commissioner: provided that, when any such right is continued for the beneficial enjoyment of any land or house, it may be sold or otherwise alienated with such land or house without such sanction.

No timber or other forest-produce obtained in exercise of any right so continued shall be sold or bartered except to the extent defined by the order recorded under section fourteen.

Power to stop ways and water-courses in reserved forest.

24. Any Forest-officer may, from time to time, with the previous sanction of the Chief Commissioner or of any officer duly authorized in that behalf, stop any public or private way or water-course in a reserved forest: provided that for the way or water-course so stopped, another way or water-course which in the opinion of the Chief Commissioner is equally convenient, already exists, or has been provided or constructed by such Forest-officer.

Penalties for trespass or damage in reserved forests.

25. Any person who in a reserved forest—

(*a*) trespasses, or pastures cattle, or permits cattle to trespass,

(*b*) causes any damage by negligence in felling any tree or cutting or dragging any timber,

(*c*) strips off the bark or leaves from or otherwise damages any tree,

(*d*) in contravention of any rules made by the Chief Commissioner, hunts, shoots, fishes, poisons water, or sets traps or snares,

shall be punished with fine which may extend to fifty rupees, or when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

Acts prohibited in such forests.

26. Any person who—

(*a*) makes any fresh clearing prohibited by section eight, or

(*b*) sets fire to a reserved forest, or kindles any fire or, in contravention of any rules made by the Chief Commissioner, leaves any fire burning in such manner as to endanger the same,

or who, in a reserved forest,

(*c*) kindles, keeps or carries any fire except at such seasons and in such manner as a Forest-officer specially empowered in this behalf may from time to time notify,

(*d*) fells, girdles, lops, taps, or burns any tree,

(*e*) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce,

(*f*) clears or breaks up any land for cultivation or any other purpose,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.

Acts excepted from prohibition contained in sections 25 and 26.

27. Nothing in section twenty-five or section twenty-six shall be deemed to prohibit (*a*) any act done in accordance with any rule made by the Chief Commissioner or with the permission in writing of a Forest-officer, specially empowered to grant such permission; or (*b*) any practice of toungya cultivation permitted under section eleven; or (*c*) the exercise of any right continued under section fourteen or created by grant or contract in the manner described in section twenty-two.

Penalty for offences committed by persons having rights in reserved forests.

28. Whenever fire is caused wilfully or by gross negligence in a reserved forest by any person having rights in such forest, or having permission to practice toungya cultivation therein, or by any person in his employment, or whenever any person having rights in such forest contravenes the provisions of section twenty-three, the Chief Commissioner may (notwithstanding that a penalty has been inflicted under section twenty-six in respect of such fire) direct that in such forest or any specified portion thereof the exercise of all or any of the rights of pasture or to forest-produce shall be extinguished or suspended for such period as he thinks fit, and may withdraw any permission to practice toungya cultivation in such forest or portion.

Power to declare forest no longer reserved.

29. The Chief Commissioner may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, direct that, from a date fixed by such notification, any forest or any portion thereof reserved under this Act shall cease to be reserved.

From the date so fixed, such forest or portion shall cease to be reserved; but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

Forests reserved under former rules.

30. Any forest which has been declared a reserved forest under any rules in force previous to the day on which this Act comes into force shall be deemed to have been reserved hereunder;

and all questions decided, orders issued and records prepared in connection with the reservation of such forest shall be deemed to have been decided, issued and prepared hereunder, and all provisions of this Act relating to reserved forests shall apply to such forest.

CHAPTER III.

OF VILLAGE-FORESTS.

Constitution of village-forests.

31. The Chief Commissioner may by notification in the official Gazette constitute any land at the disposal of Government a village-forest for the benefit of any village-community or group of village-communities, and may in like manner vary or cancel any such notification.

Every such notification shall specify the limits of such village-forest.

Teak trees in village-forest the property of Government.

32. All teak trees in a village-forest shall be deemed to be the property of Government; and no person shall cut, mark, lop, girdle, or injure by fire or otherwise, any such trees without the permission in writing of a Forest-officer specially empowered to grant such permission.

Power to make rules for village-forests.

33. The Chief Commissioner may make rules for regulating the management of village-forests, prescribing the conditions under which the community or group of communities for the benefit of which any such forest is constituted may be provided with timber or other forest-produce or with pasture, and their duties in respect of the protection and improvement of such forest.

The Chief Commissioner may, by such rules, declare any of the provisions of Chapter II of this Act to be applicable to village-forests.

Saving of private rights.

34. Nothing in this chapter shall be deemed to affect any existing rights of any person in or over any village-forest.

Power to inquire into and deal with such rights.

The Chief Commissioner may in any case direct that all claims to any such rights, other than the rights of the village-community or group of village communities for the benefit of which such village-forest is constituted, shall be inquired into, recorded and provided for in the manner prescribed by Chapter II of this Act.

CHAPTER IV.

OF THE PROTECTION OF CERTAIN TREES AND NATURAL PRODUCE.

Reserved trees.

35. All teak trees standing on any land not included in a reserved or village-forest shall be deemed to be the property of Government and shall be reserved trees.

The Chief Commissioner may by notification in the official Gazette—

(*a*) declare that any other trees or any specified class of other trees standing on any land at the disposal of Government shall, from a date to be fixed by such notification, be reserved trees;

(*b*) vary or cancel any such notification;

(*c*) declare that any teak trees standing on land other than land at the disposal of Government shall, from a date to be fixed by such notification, cease to be the property of Government and to be reserved trees.

Protection of reserved trees.

36. No person shall cut, mark, lop, girdle, tap, or injure by fire or otherwise, any reserved tree, except as provided by rules made by the Chief Commissioner in this behalf, or with the permission in writing of a Forest-officer specially empowered to grant such permission.

Whoever cuts, marks, lops, girdles, taps, or injures by fire or otherwise, any reserved tree in contravention of this section shall be punished with fine which may extend to twenty rupees, or when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.

Power to make rules generally.

37. No person shall make use of the pasturage or of the natural produce of any land at the disposal of Government and not included in a reserved or village-forest, except in accordance with rules which may be prescribed by the Chief Commissioner. Such rules may, with respect to such land,—

(*a*) regulate or prohibit the cutting of toungyas, or the issue of grants or leases by Government with respect to land on which teak trees are growing;

(*b*) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires;

(*c*) regulate or prohibit the cutting, sawing, conversion and removal of trees and timber, and the collection and removal of natural produce;

(*d*) regulate or prohibit the quarrying of stone, the boiling of catch, or the burning of lime or charcoal;

(*e*) regulate or prohibit the cutting of grass and pasturing of cattle, and regulate the payments (if any) to be made for such cutting or pasturing;

(*f*) regulate or prohibit hunting, shooting, fishing, poisoning water and setting traps or snares;

(*g*) regulate the sale or free grant of timber or other natural produce; and

(*h*) prescribe, or authorize any Forest-officer to prescribe, subject to the control of the Chief Commissioner, the fees, royalties or other payments for such timber or other natural produce, and the manner in which such fees, royalties or other payments shall be levied, whether in transit, or partly in transit, or otherwise.

Penalties for acts in contravention of rules.

The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

The Chief Commissioner may exempt any person or class of persons or any local area from the operation of any such rule, and may cancel such exemption.

Nothing in this chapter to prohibit acts done in certain cases.

38. Nothing in this chapter or in any rule made under this chapter shall be deemed to prohibit any act done with the permission in writing of a Forest-officer specially empowered to grant such permission, or in the exercise of any right.

CHAPTER V.

OF THE DUTY ON TIMBER.

Power to impose duty on timber.

39. The Chief Commissioner may levy a duty, in such manner, at such places, and at such rates, as he may prescribe by notification in the official Gazette, on all timber which is brought into British Burma from any place beyond the frontier of British Burma.

Power to fix value for *ad valorem* duty.

In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, by like notification, fix the value on which such duty shall be assessed.

Duty on certain timber floated down the Attaran.

40. On all teak timber cut within the limits of the Attaran Forest and floated down the Attaran river, duty shall be levied at the following rates, that is to say:—

	Rs.	A.	P.	
On logs above five feet in girth ...	4	0	0	per log.
Ditto below „ „ ...	2	0	0	„
On stem pieces	0	9	0	per piece.
On ship crooks	0	4	0	per crook.

These rates shall not apply to timber for which special rates have been fixed by any agreement entered into with Government.

Power to exempt timber from duty.

41. The Chief Commissioner may exempt any timber from the duty to which it is liable under section thirty-nine or section forty, and revoke such exemption.

Provisions of chapter not to limit purchase-money or royalty.

42. Nothing in this chapter shall be deemed to limit the amount (if any) chargeable as purchase-money or royalty on any timber.

CHAPTER VI.

OF THE CONTROL OF TIMBER IN TRANSIT.

Power to make rules to regulate transit of timber.

43. The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber in transit by land or water, is vested in the Chief Commissioner, and he may make rules to regulate the transit of all timber.

Such rules may (among other matters)—

(*a*) prescribe the routes by which alone timber may be imported into, exported from, or moved within, British Burma;

(*b*) prohibit the import and export or moving of such timber without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes;

(*d*) fix, or authorize any Forest-officer to fix, subject to the control of the Chief Commissioner, the fees payable for such passes;

(*e*) in the case of timber formed into a raft or fastened to the shore, prohibit the loosening or the setting adrift of such timber by any person not the owner thereof, or not acting on behalf of such owner or of the Government;

(*f*) provide for the stoppage, reporting, examination and marking of timber in transit in respect of which there is reason to believe that any money is payable to Government or to which it is desirable, for the purposes of this Act, to affix a mark;

(*g*) establish, or authorize any Forest-officer to establish, subject to the control of the Chief Commissioner, stations to which such timber shall be taken by those in charge of it for examination, or for the realization of such money, or in order that such mark may be affixed to it; and the conditions under which such timber shall be brought to, stored at, and removed from, such station;

(*h*) provide for the management and control of such stations, and for regulating the appointment and duties of persons employed thereat;

(*i*) authorize the transport of timber the property of Government across any land, and regulate the compensation to be paid for any damage done by the transport of such timber;

(*j*) prohibit the closing up or obstruction of the channel or banks of any river used for the transit of timber, and the throwing of grass, brushwood, branches and leaves into any such river, or any other act which tends to cause the obstruction of such channel;

(*k*) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river, and for recovering the cost of such prevention or removal, from the person, or by the sale of any timber, causing such obstruction;

(*l*) prohibit absolutely, or subject to conditions within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing, marking or supermarking of timber, the altering or effacing of any marks on the same, and possession or carrying of marking-hammers or other implements used for marking timber;

(*m*) regulate the use of property-marks for timber, and the registration of such marks; declare the circumstances in which the registration of any property-marks may be refused or cancelled; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

44. The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

Penalties for breach of rules made under section 43.

In cases where the offence is committed after sunset and before sunrise, or after making preparation for resistance to the execution of any law or any legal process, or where the offender has been previously convicted of a like offence, the convicting Magistrate may inflict double the penalty prescribed for such offence.

45. In case of any accident or emergency involving danger to any property at any such station, every person employed at such station, whether by the Government or by any private person, shall render assistance to any Forest-officer or Police-officer demanding his aid in averting such danger and securing such property from damage or loss.

All persons bound to aid in case of accident at station.

CHAPTER VII.

OF THE COLLECTION OF DRIFT, STRANDED AND OTHER TIMBER.

46. All timber found adrift, beached, stranded or sunk,

all timber bearing marks which have not been registered under rules made under section forty-three,

all timber which has been supermarked, or on which the marks have been obliterated, altered or defaced by fire or otherwise, and

in such areas as the Chief Commissioner directs, all unmarked timber,

shall be deemed to be the property of Government unless and until any person establishes his right thereto as provided in this chapter.

Certain kinds of timber to be deemed property of Government until title thereto proved.

Such timber may be collected by any Forest-officer or other person entitled to collect the same, and may be brought to such stations as a Forest-officer specially empowered in this behalf may from time to time notify as stations for the reception of drift-timber.

Power to collect the same.

The Chief Commissioner may, by notification in the official Gazette, exempt any class of timber from the provisions of this section, and withdraw such exemption.

47. Public notice shall from time to time, as occasion may require, be given by a Forest-officer specially empowered in this behalf of timber collected under section forty-six. Such notice shall contain a description of the timber, and shall require any person claiming the same to present to such officer, within a period not less than one month from the date on which such notice is given, a written statement of such claim.

Notice to claimants of drift-timber.

48. When any such statement is presented as aforesaid, the Forest-officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

If such timber is claimed by more than one person, the Forest-officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the Civil Court and retain the timber pending the receipt of an order from such Court for its disposal.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any compensation against the Government or against any Forest-officer on account of such rejection, or the

On rejection of claim to such timber, claimant may institute suit.

detention or removal of any timber, or the delivery thereof to any other person under this section.

No such timber shall be subject to process of any Civil Court until it has been delivered, or a suit brought under this section has been decided.

49. If no statement is presented in the manner and within the period prescribed by the notice issued under section forty-seven, or, where such statement having been so presented and the claim having been rejected, the claimant omits to institute a suit to recover possession of such timber within the further period mentioned in section forty-eight, the ownership of such timber shall vest in the Government free from all incumbrances; or, when such timber has been delivered to another person under section forty-eight, in such other person, free from all incumbrances not created by him.

Disposal of unclaimed timber.

50. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest-officer, or other person entitled to receive it, such sum on account thereof as may be due for salving, collecting, moving, storing and disposing of the same.

Payments to be made by claimant before timber is delivered to him.

51. The Chief Commissioner may make rules to regulate the following matters (namely):—

Power to make rules and prescribe penalties.

(*a*) the salving, collection and disposal of all timber mentioned in section forty-six;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amount to be paid for salving, collecting, moving, storing and disposing of such timber; and

(*d*) the use and registration of hammers and other instruments to be used for marking such timber.

The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to five months, or fine which may extend to five hundred rupees, or both.

CHAPTER VIII.

PENALTIES AND PROCEDURE.

52. When there is reason to believe that a forest-offence has been committed in respect of any timber or forest-produce, such timber or produce, together with all tools, boats, carts and cattle used in committing any such offence, may be seized by any Forest-officer or Police-officer.

Seizure of property liable to confiscation.

Every officer seizing any property under this section shall place on such property, or the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made:

Report to Magistrate.

Provided that when the timber or forest-produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

53. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

Procedure thereupon.

54. When any person is convicted of a forest-offence, all timber or forest-produce in respect of which such offence has been committed, and all tools, boats, carts and cattle used in committing such offence, shall be liable, by order of the convicting Magistrate, to confiscation.

Timber, forest-produce, tools, &c., when liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

55. When the trial of any forest-offence is concluded, any timber or forest-produce in respect of which such offence has been committed shall, if it is the property of Government, or has been confiscated, be taken possession of by a Forest-officer specially empowered in this behalf; and in any other case may be disposed of in such manner as the Court may order.

Disposal, on conclusion of trial for forest-offence, of produce in respect of which it was committed.

56. When the offender is not known or cannot be found, the Magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest-officer specially empowered in this behalf, or to be made over to such Forest-officer or other person as the Magistrate considers entitled to the same:

Procedure when offender not known or cannot be found.

Provided that no such order shall be made until the expiration of one month from the date of seizing such property, or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he may produce in support of his claim.

The Magistrate shall either cause a notice of any application under this section to be served upon any person whom he has reason to believe is interested in the property seized, or shall publish such notice in any way which he thinks fit.

57. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section fifty-two and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

Procedure as to perishable property seized under section 52.

58. Any person claiming to be interested in property seized under section fifty-two may, within one month from the date of any order passed under section fifty-four, section fifty-five or section fifty-six, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Appeal from orders under sections 54, 55 and 56.

59. When an order for the confiscation of any property has been passed under section fifty-four or fifty-six, and the period limited by section fifty-eight for presenting an appeal

Property when to vest in Government.

from such order has elapsed, and no such appeal has been presented, or when, on such an appeal being presented, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the Government free from all incumbrances.

Saving of power to release property seized.

60. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Chief Commissioner from directing at any time the immediate release of any property seized under section fifty-two and the withdrawal of any charge made in respect of such property.

Punishment for wrongful seizure.

61. Any Forest-officer or Police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Any fine so imposed, or any portion thereof, shall, if the convicting Magistrate so direct, be given as compensation to the person aggrieved by such seizure.

Penalty for counterfeiting or defacing marks in trees and timber and for altering boundary-marks.

62. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code—

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest-officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or

(*b*) unlawfully affixes to any timber or standing tree a mark used by Forest-officers, or

(*c*) alters, defaces or obliterates any such mark placed on any timber or standing tree by or under the authority of a Forest-officer, or

(*d*) alters, moves, destroys or defaces any boundary-mark of any forest or waste-land to which any provisions of this Act apply,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

Power to arrest without warrant.

63. Any Forest-officer or Police-officer may, without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest-offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case.

Power to prevent commission of offence.

64. Every Forest-officer and Police-Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Operation of other laws not barred.

65. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes a forest offence or from being liable under such other law to any higher punishment or penalty than that provided by this Act or the rules made hereunder:

Provided that no person shall be punished twice for the same offence.

Power to compound offences.

66. Any Forest-officer specially empowered in this behalf may accept from any person reasonably suspected of having committed any forest-offence other than an offence under section sixty-one or section sixty-two a sum of money by way of compensation for the offence which may have been committed; and where any property has been seized as liable to confiscation, may release the same on payment of the value thereof as estimated by such officer.

On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the accused person, if in custody, shall be discharged, the property seized shall be released, and no further proceedings shall be taken against such person or property.

Presumption that timber or forest-produce belongs to Government.

67. When in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber or forest-produce is the property of the Government, such timber or produce shall be presumed to be the property of the Government until the contrary is proved.

CHAPTER IX.

CATTLE-TRESPASS.

Cattle-trespass Act, 1871, to apply.

68. Cattle trespassing in a reserved forest or in a village-forest shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Forest-officer or Police-officer.

Power to alter fines fixed by that Act.

69. The Chief Commissioner may, by notification in the official Gazette, direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section sixty-eight of this Act, such fines as he thinks fit, but not exceeding the following (that is to say):—

	Rs.	A.
For each elephant	10	0
For each buffalo	2	0
For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer ...	1	0
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid ...	0	8

CHAPTER X.

OF FOREST-OFFICERS.

Chief Commissioner may invest Forest-officers with certain powers.

70. The Chief Commissioner may invest any Forest-officer by name, or as holding an office, with the following powers (that is to say):—

(*a*) the powers of a Demarcation-officer under the Burma Boundaries Act, 1880;

(*b*) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;

(*c*) power to issue search-warrants under the Code of Criminal Procedure;

(*d*) power to hold enquiries into forest-offences, and in the course of such enquiries to receive and record evidence;

(*e*) power to notify seasons and manner in which fire may be kindled, kept or carried in a reserved forest;

(*f*) power to grant any permission referred to in section twenty-seven, thirty-two, thirty-six or thirty-eight;

(*g*) power to notify stations for the reception of drift timber;

(*h*) power to give public notice of timber collected under section forty-six;

(*i*) power to take possession of property under this Act;

(*j*) power to direct the release of property or withdrawal of charges;

(*k*) power to accept compensation for forest-offences;

and may withdraw any powers so conferred.

Any evidence recorded under clause (*d*) of this section shall be admissible in any subsequent trial before a Magistrate of the alleged offender: Provided that it has been taken in the presence of the accused person, and recorded in the manner provided by section 333, section 334 or section 335 of the Code of Criminal Procedure.

Forest-officers deemed public servants.

71. All Forest-officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Indemnity for acts done in good faith.

72. No suit or criminal prosecution shall lie against any public servant for anything done or omitted by him in good faith under this Act.

Forest-officers not to trade.

73. Except with the permission in writing of the Chief Commissioner, no Forest-officer shall, as principal or agent, trade in timber or forest-produce, or be or become interested in any lease or mortgage of any forest or in any contract for working any forest, whether in British or foreign territory.

CHAPTER XI.

MISCELLANEOUS.

Additional powers to make rules.

74. The Chief Commissioner may make rules consistent with this Act—

(*a*) to declare by what Forest-officer or class of Forest-officers the powers or duties conferred or imposed by or under this Act on a Forest-officer shall be exercised or performed;

(*b*) to regulate the procedure of Forest-Settlement-officers;

(*c*) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this Act or from the Public Treasury; and

(*d*) generally to carry out the provisions of this Act.

Rules when to have force of law.

75. All rules made by the Chief Commissioner under this Act shall be published in the official Gazette, and shall thereupon have the force of law.

Powers of Chief Commissioner exercisable from time to time.

All powers conferred by this Act on the Chief Commissioner may be exercised from time to time as occasion requires.

Persons bound to assist Forest-officer and Police-officer.

76. Every person who exercises any right in a reserved forest or a village-forest, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle or to practice toungya cultivation in, such forest, and

every person who is employed by any such person in such forest, and

every person in any village contiguous to such forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community,

shall be bound to furnish without unnecessary delay to the nearest Forest-officer or Police-officer any information he may possess respecting the occurrence of a fire in or near such forest, or, the commission of, or intention to commit, any forest-offence, and shall assist any Forest-officer or Police-officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest;

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;

(*c*) in preventing the commission in such forest of any forest-offence; and

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

Recovery of money due to Government.

77. All money, other than fines, payable to the Government under this Act, or under any rule made hereunder, or on account of the price of any timber or forest-produce, or of expenses incurred in the execution of this Act in respect of such timber or forest-produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.

Lien on forest-produce for such money.

78. When any such money is payable for, or in respect of, any forest-produce, the amount thereof shall be deemed to be a first charge on such produce; and such produce may be taken possession of by a Forest-officer specially empowered in this behalf, and may be retained by him until such amount has been paid.

Power to sell such produce.

If such amount is not paid when due, such Forest-officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Government.

Government and its officers not liable for loss or damage in respect of certain timber.

79. The Government shall not be responsible for any loss or damage which may occur in respect of any timber while at a station established under a rule

made under section forty-three, or while detained elsewhere for the purposes of this Act, or in respect of any timber collected under section forty-six; and no Forest-officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously or fraudulently.

Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act.

80. Whenever it appears to the Chief Commissioner that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Act, 1870, section four.

SCHEDULE.

(*See section 2.*)

ENACTMENTS REPEALED.

Number and year of Act or Regulation.	Title.	Extent of repeal.
Act VII of 1865...	An Act to give effect to rules for the management and preservation of Government forests.	So much as has not been repealed.
Act VII of 1869...	An Act to give validity to certain rules relating to forests in British Burma.	The whole.
Act XIII of 1873	An Act to amend the law relating to timber floated down the rivers of British Burma.	So much as has not been repealed.
Regulation IX of 1874.	The Arakan Hill District Laws Regulation, 1874.	So far as it relates to Acts VII of 1865 and VII of 1869.
	The Rules for the better management and preservation of the Government Forests in British Burma, dated the second day of August, 1865.	The whole.

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY SEPTEMBER 10, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 31st August, 1881, and is hereby promulgated for general information:—

ACT NO. XIX OF 1881.

THE BURMA FOREST ACT, 1881.

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SCHEDULE.—ENACTMENTS REPEALED.

An Act to amend the law relating to Forests, Forest-produce, and the duty leviable on Timber in British Burma.

Preamble.

WHEREAS it is expedient to amend the law relating to forests, forest-produce, and the duty leviable on timber in British Burma; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Burma Forest Act, 1881":

Local extent.

It extends to all the territories for the time being administered by the Chief Commissioner of British Burma, provided that the Chief Commissioner may, by notification in the official Gazette, exempt any place from its operation; but not so as to affect anything done, or any offence committed, or any fine or penalty incurred, or any proceedings commenced in such place before such exemption; and

Commencement.

it shall come into force on such day as the Chief Commissioner may, by notification in the official Gazette, direct.

Repeal of enactments.

2. On and from such day the enactments and rules mentioned in the schedule hereto annexed shall be repealed to the extent mentioned in the third column of the same schedule.

Interpretation-clause.

3. In this Act, and in all rules made hereunder, unless there is something repugnant in the subject or context,—

"Forest-officer." means all persons appointed by name or as holding an office by or under the orders of the Governor General in Council or the Chief Commissioner to be—

Conservators, Deputy Conservators, Assistant Conservators, Sub-Assistant Conservators, Forest-rangers, Foresters, or Forest-guards, or to discharge any function of a Forest-officer under this Act or any rule made hereunder:

"tree": "tree" includes also bamboos, stumps and brushwood:

"timber": "timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned or hollowed out for any purpose or not:

"forest-produce." "forest-produce" includes the following things when found in, or brought from a forest (that is to say) :—

minerals (including limestone and laterite), surface-soil, trees, timber, plants, grass, peat, canes, creepers, reeds, leaves, moss, flowers, fruits, seeds, roots, juice, catechu, bark, caoutchouc, gum, wood-oil, resin, varnish, lac, charcoal, honey and wax;

"forest-offence": "forest-offence" means an offence punishable under this Act or any rule made hereunder:

"cattle": "cattle" includes also elephants, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids:

"river": "river" includes also streams, canals, creeks and other channels, natural or artificial:

"land at the disposal of Government.": "land at the disposal of Government" means

(*a*) land in respect of which no person has acquired the status of a land-holder under section seven of the Burma Land and Revenue Act, 1876,

(*b*) land in respect of which no person has acquired any right created by grant or lease made by, or on behalf of, the British Government.

"Magistrate": "Magistrate" means a Magistrate of the first or second class and includes a Magistrate of the third class when he is specially empowered by the Chief Commissioner to try forest-offences.

Saving of rights of profit from the Burma Land and Revenue Act, 1876.

4. Nothing in the Burma Land and Revenue Act, 1876, shall be deemed to affect or ever to have affected any right by which one person is entitled to remove and appropriate, for his own profit, any part of the soil belonging to another person or to the Government, or anything growing in, or attached to, or subsisting upon, the land of another person or of the Government.

CHAPTER II.

OF RESERVED FORESTS.

Power to reserve forests.

5. The Chief Commissioner may constitute any land at the disposal of Government, a reserved forest in manner hereinafter provided.

Notification by Chief Commissioner.

6. Whenever it is proposed to constitute any land a reserved forest, the Chief Commissioner shall publish a notification in the official Gazette—

(*a*) specifying as nearly as possible the situation and limits of such land;

(*b*) declaring that it is proposed to constitute such land a reserved forest;

(*c*) appointing an officer (hereinafter called "the Forest-Settlement-officer") to inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favor of, any person in or over any land comprised within such limits, and any claims relating to the practice within such limits of toungya cultivation, and to deal with the same as provided in this chapter.

The officer appointed under clause (*c*) of this section shall ordinarily be a person other than a Forest-officer; but a Forest-officer may be appointed by the Chief Commissioner to assist the Forest-Settlement-officer in the inquiry prescribed by this chapter.

Proclamation by Forest-Settlement-officer.

7. When a notification has been published under section six, the Forest-Settlement-officer shall publish in the language of the country, at the head-quarters of each township in which any portion of the land comprised in such notification is situate, and in every town and village in the neighbourhood of such land, a proclamation—

(*a*) specifying as nearly as possible the situation and limits of the proposed forest;

(*b*) setting forth the substance of the provisions of section eight;

(*c*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*d*) fixing a period of not less than three months from the date of publishing such proclamation, and requiring every person claiming any right or making any claim referred to or mentioned in section six either to present to such officer within such period a written notice specifying, or to appear before him within such period and state, the nature of such right or claim.

Bar of accrual of forest-rights.

8. During the interval between the publication of such proclamation and the date fixed by the notification declaring the forest to be reserved as hereinafter provided, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by, or on behalf of, the Government or some person in whom such right, or power to create the same, was vested when the

Prohibition of building, clearing, &c.

proclamation was published; and, on such land, no new house shall be built or plantation formed, no fresh clearings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture, except as hereinafter provided.

Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest-Settlement-officer, or any clearings lawfully made for toungya cultivation by persons in the habit of practicing such cultivation on such land.

Inquiry by Forest-Settlement-officer.

9. The Forest-Settlement-officer shall take down in writing all statements made under section seven, and shall inquire into all claims made under that section, and the existence of any right or practice mentioned in section six in respect of which no claim is made. The Forest-Settlement-officer shall at the same time consider and record any objection which the Forest-officer (if any), appointed under section six to assist him, may make to any such claim or to the existence of any such right or practice.

Powers of Forest-Settlement-officer.

10. For the purposes of such inquiry, the Forest-Settlement-officer may exercise the following powers (that is to say) :—

(*a*) the powers of a demarcation-officer under The Burma Boundaries Act, 1880; and

(*b*) the powers conferred on a Civil Court by the Code of Civil Procedure for compelling the attendance of witnesses and the production of documents.

Claims relating to practice of toungya cultivation how dealt with.

11. In the case of a claim relating to the practice of toungya cultivation, the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and permitting, or refusing to permit, such practice wholly or in part.

If such practice is permitted wholly or in part, the Forest-Settlement-officer may—

(*a*) alter the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants; or

(*b*) cause certain portions of the reserved forest to be separately demarcated, and give permission to the claimants to practice toungya cultivation under such rules and conditions as he may prescribe.

No right to practice toungya cultivation shall be deemed to be conferred by an order under this section permitting such practice, and, except with the sanction of the Chief Commissioner, such cultivation shall only be practiced by the person to whom such permission is granted.

Power to acquire land over which right is claimed.

12. In the case of a claim to a right in or over any land other than the following rights :—

(*a*) a right of way,

(*b*) a right to a water-course, and to use of water,

(*c*) a right of pasture, or to forest-produce,

the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

If such claim is admitted wholly or in part, the Forest-Settlement-officer may (1) come to an agreement with the claimant for the surrender of the right; or, (2) exclude the land from the limits of the proposed forest; or, (3) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870.

For the purpose of so acquiring such land—

(i) the Forest-Settlement-officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(ii) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section nine of that Act;

(iii) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and

(iv) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land, or partly in land and partly in money.

Order on claims to rights of way, watercourse, pasture, and to forest-produce.

13. In the case of a claim to rights of the kind specified in clauses (*a*), (*b*) and (*c*) of section twelve, the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

When a claim to any such right is admitted, if the right is for the beneficial enjoyment of any land or buildings, he shall record the designation, position and area of such land, and the designation and position of such buildings.

Where the right is a right to forest-produce, he shall also record whether the forest-produce obtained by the exercise of such right may be sold or bartered, and such other particulars as may be necessary in order to define the nature, incidents and extent of the right.

Provision for rights of pasture or to forest-produce admitted.

14. When the Forest-Settlement-officer has admitted wholly or in part, and recorded under section thirteen, a claim to a right of pasture or to forest-produce, he shall as far as possible provide for the exercise of such right—

(*a*) by altering the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimant;

(*b*) by recording an order continuing to the claimant a right of pasture or to forest-produce (as the case may be), subject to such rules as may be prescribed by the Chief Commissioner.

The order passed under clause (*b*) shall record, as far as practicable, the number and description of the cattle which the claimant is from time to time entitled to graze, the local limits within which, and the seasons during which, such pasture is permitted; or

the quantity of timber or other forest-produce which the claimant is authorized to take or receive, the local limits within which, the season during which, and the mode in which, the taking of such produce is permitted; and

such other particulars as may be required in order to define the extent of the right which is continued, and the mode in which it may be exercised.

Commutation of such rights.

15. Whenever any right of pasture or to forest-produce admitted under section thirteen is not provided for in one of the ways prescribed in section fourteen, the Forest-Settlement-officer shall, subject to such rules as the Chief Commissioner may prescribe in this behalf, commute such right by paying a sum of money in lieu thereof, or, with the consent of the claimant, by the grant of land, or in such other manner as such officer thinks fit.

For the purpose of granting land under this section, the Forest-Settlement-officer shall be deemed to be an Assistant Commissioner in charge of a sub-division.

Appeal from order passed under foregoing sections.

16. Any person who has made a claim under this chapter may, within three months from the date of any order passed on such claim by the Forest-Settlement-officer under section eleven, twelve, thirteen, fourteen or fifteen, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Deputy Commissioner, as the Chief Commissioner may, by notification in the official Gazette, appoint by name, or as holding an office, to hear appeals from such orders.

Appeal under section 16.

17. Every appeal under section sixteen shall be made by petition in writing, and may be delivered to the Forest-Settlement-officer, who shall forward it without delay to the officer competent to hear the same.

Hearing of appeals.

Every such appeal shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to land-revenue, and the order passed thereon by such officer shall be final, except as hereinafter provided.

Notification declaring forest reserved.

18. When the following events have occurred (namely) :—

(*a*) the period fixed under section seven for preferring claims has elapsed, and all claims (if any) made within such period have been disposed of by the Forest-Settlement-officer, and

(*b*) if such claims have been made, the period fixed by section sixteen for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate officer, and

(*c*) all lands (if any) to be included in the proposed forest, which the Forest-Settlement-officer has, under section twelve, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section sixteen of that Act,

the Chief Commissioner may publish a notification in the official Gazette, specifying the limits of the forest which it is intended to reserve, and declaring the same to be reserved from a date fixed by such notification.

From the date so fixed, such forest shall be deemed to be a reserved forest.

Extinction of rights not claimed.

19. Rights in respect of which no claim has been preferred under section seven, and of the existence of which no knowledge has been acquired by enquiry under section nine, shall thereupon be extinguished, unless, before the publication of such notification, the person claiming them has satisfied the Forest-Settlement-officer that he had sufficient cause for not preferring such claim within the period fixed under section seven.

Publication of translation of such notification in neighbourhood of forest.

20. The Deputy Commissioner of the district in which the forest is situate shall, before the date fixed by such notification, cause a translation thereof in the language of the country to be published in the manner prescribed for the proclamation under section seven.

Power to revise arrangement made under section 11, 14 or 17.

21. The Chief Commissioner may, within five years from the publication of any notification under section eighteen, revise any arrangement made under section eleven, fourteen or seventeen, and may rescind or modify any order made under this chapter, and direct that any one of the proceedings specified in section fourteen be taken in lieu of any other of such proceedings, or that the permission granted under section eleven or rights admitted under section thirteen be commuted under section fifteen.

No right acquired over reserved forest except as here provided.

22. No right of any description shall be acquired in or over a reserved forest, except by succession, or under a grant or contract in writing made by, or on behalf of, the Government, or some person in whom such right, or the power to create such right, was vested when the notification under section eighteen was published.

Rights not to be alienated without sanction.

23. Notwithstanding anything herein contained, no right continued under section fourteen shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Chief Commissioner: provided that, when any such right is continued for the beneficial enjoyment of any land or house, it may be sold or otherwise alienated with such land or house without such sanction.

No timber or other forest-produce obtained in exercise of any right so continued shall be sold or bartered except to the extent defined by the order recorded under section fourteen.

Power to stop ways and water-courses in reserved forest.

24. Any Forest-officer may, from time to time, with the previous sanction of the Chief Commissioner or of any officer duly authorized in that behalf, stop any public or private way or water-course in a reserved forest: provided that for the way or water-course so stopped, another way or water-course which in the opinion of the Chief Commissioner is equally convenient, already exists, or has been provided or constructed by such Forest-officer.

Penalties for trespass or damage in reserved forests.

25. Any person who in a reserved forest—

(*a*) trespasses, or pastures cattle, or permits cattle to trespass,

(*b*) causes any damage by negligence in felling any tree or cutting or dragging any timber,

(*c*) strips off the bark or leaves from or otherwise damages any tree,

(*d*) in contravention of any rules made by the Chief Commissioner, hunts, shoots, fishes, poisons water, or sets traps or snares,

shall be punished with fine which may extend to fifty rupees, or when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

Acts prohibited in such forests.

26. Any person who—

(*a*) makes any fresh clearing prohibited by section eight, or

(*b*) sets fire to a reserved forest, or kindles any fire or, in contravention of any rules made by the Chief Commissioner, leaves any fire burning in such manner as to endanger the same,

or who, in a reserved forest,

(*c*) kindles, keeps or carries any fire except at such seasons and in such manner as a Forest-officer specially empowered in this behalf may from time to time notify,

(*d*) fells, girdles, lops, taps, or burns any tree,

(*e*) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce,

(*f*) clears or breaks up any land for cultivation or any other purpose,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.

Acts excepted from prohibition contained in sections 25 and 26.

27. Nothing in section twenty-five or section twenty-six shall be deemed to prohibit (*a*) any act done in accordance with any rule made by the Chief Commissioner or with the permission in writing of a Forest-officer, specially empowered to grant such permission; or (*b*) any practice of toungya cultivation permitted under section eleven; or (*c*) the exercise of any right continued under section fourteen or created by grant or contract in the manner described in section twenty-two.

Penalty for offences committed by persons having rights in reserved forests.

28. Whenever fire is caused wilfully or by gross negligence in a reserved forest by any person having rights in such forest, or having permission to practice toungya cultivation therein, or by any person in his employment, or whenever any person having rights in such forest contravenes the provisions of section twenty-three, the Chief Commissioner may (notwithstanding that a penalty has been inflicted under section twenty-six in respect of such fire) direct that in such forest or any specified portion thereof the exercise of all or any of the rights of pasture or to forest-produce shall be extinguished or suspended for such period as he thinks fit, and may withdraw any permission to practice toungya cultivation in such forest or portion.

Power to declare forest no longer reserved.

29. The Chief Commissioner may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, direct that, from a date fixed by such notification, any forest or any portion thereof reserved under this Act shall cease to be reserved.

From the date so fixed, such forest or portion shall cease to be reserved; but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

Forests reserved under former rules.

30. Any forest which has been declared a reserved forest under any rules in force previous to the day on which this Act comes into force shall be deemed to have been reserved hereunder;

and all questions decided, orders issued and records prepared in connection with the reservation of such forest shall be deemed to have been decided, issued and prepared hereunder, and all provisions of this Act relating to reserved forests shall apply to such forest.

CHAPTER III.

OF VILLAGE-FORESTS.

Constitution of village-forests.

31. The Chief Commissioner may by notification in the official Gazette constitute any land at the disposal of Government a village-forest for the benefit of any village-community or group of village-communities, and may in like manner vary or cancel any such notification.

Every such notification shall specify the limits of such village-forest.

Teak trees in village-forest the property of Government.

32. All teak trees in a village-forest shall be deemed to be the property of Government; and no person shall cut, mark, lop, girdle, or injure by fire or otherwise, any such trees without the permission in writing of a Forest-officer specially empowered to grant such permission.

Power to make rules for village-forests.

33. The Chief Commissioner may make rules for regulating the management of village-forests, prescribing the conditions under which the community or group of communities for the benefit of which any such forest is constituted may be provided with timber or other forest-produce or with pasture, and their duties in respect of the protection and improvement of such forest.

The Chief Commissioner may, by such rules, declare any of the provisions of Chapter II of this Act to be applicable to village-forests.

Saving of private rights.

34. Nothing in this chapter shall be deemed to affect any existing rights of any person in or over any village-forest.

Power to inquire into and deal with such rights.

The Chief Commissioner may in any case direct that all claims to any such rights, other than the rights of the village-community or group of village communities for the benefit of which such village-forest is constituted, shall be inquired into, recorded and provided for in the manner prescribed by Chapter II of this Act.

CHAPTER IV.

OF THE PROTECTION OF CERTAIN TREES AND NATURAL PRODUCE.

Reserved trees.

35. All teak trees standing on any land not included in a reserved or village-forest shall be deemed to be the property of Government and shall be reserved trees.

The Chief Commissioner may by notification in the official Gazette—

(*a*) declare that any other trees or any specified class of other trees standing on any land at the disposal of Government shall, from a date to be fixed by such notification, be reserved trees;

(*b*) vary or cancel any such notification;

(*c*) declare that any teak trees standing on land other than land at the disposal of Government shall, from a date to be fixed by such notification, cease to be the property of Government and to be reserved trees.

Protection of reserved trees.

36. No person shall cut, mark, lop, girdle, tap, or injure by fire or otherwise, any reserved tree, except as provided by rules made by the Chief Commissioner in this behalf, or with the permission in writing of a Forest-officer specially empowered to grant such permission.

Whoever cuts, marks, lops, girdles, taps, or injures by fire or otherwise, any reserved tree in contravention of this section shall be punished with fine which may extend to twenty rupees, or when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.

Power to make rules generally.

37. No person shall make use of the pasturage or of the natural produce of any land at the disposal of Government and not included in a reserved or village-forest, except in accordance with rules which may be prescribed by the Chief Commissioner. Such rules may, with respect to such land,—

(*a*) regulate or prohibit the cutting of toungyas, or the issue of grants or leases by Government with respect to land on which teak trees are growing;

(*b*) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires;

(*c*) regulate or prohibit the cutting, sawing, conversion and removal of trees and timber, and the collection and removal of natural produce;

(*d*) regulate or prohibit the quarrying of stone, the boiling of cutch, or the burning of lime or charcoal;

(*e*) regulate or prohibit the cutting of grass and pasturing of cattle, and regulate the payments (if any) to be made for such cutting or pasturing;

(*f*) regulate or prohibit hunting, shooting, fishing, poisoning water and setting traps or snares;

(*g*) regulate the sale or free grant of timber or other natural produce; and

(*h*) prescribe, or authorize any Forest-officer to prescribe, subject to the control of the Chief Commissioner, the fees, royalties or other payments for such timber or other natural produce, and the manner in which such fees, royalties or other payments shall be levied, whether in transit, or partly in transit, or otherwise.

Penalties for acts in contravention of rules.

The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

The Chief Commissioner may exempt any person or class of persons or any local area from the operation of any such rule, and may cancel such exemption.

Nothing in this chapter to prohibit acts done in certain cases.

38. Nothing in this chapter or in any rule made under this chapter shall be deemed to prohibit any act done with the permission in writing of a Forest-officer specially empowered to grant such permission, or in the exercise of any right.

CHAPTER V.

OF THE DUTY ON TIMBER.

Power to impose duty on timber.

39. The Chief Commissioner may levy a duty, in such manner, at such places, and at such rates, as he may prescribe by notification in the official Gazette, on all timber which is brought into British Burma from any place beyond the frontier of British Burma.

Power to fix value for *ad valorem* duty.

In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, by like notification, fix the value on which such duty shall be assessed.

Duty on certain timber floated down the Attaran.

40. On all teak timber cut within the limits of the Attaran Forest and floated down the Attaran river, duty shall be levied at the following rates, that is to say:—

	Rs.	A.	P.	
On logs above five feet in girth	... 4	0	0	per log.
Ditto below „ „	... 2	0	0	„
On stem pieces ...	... 0	9	0	per piece.
On ship crooks ...	... 0	4	0	per crook.

These rates shall not apply to timber for which special rates have been fixed by any agreement entered into with Government.

Power to exempt timber from duty.

41. The Chief Commissioner may exempt any timber from the duty to which it is liable under section thirty-nine or section forty, and revoke such exemption.

Provisions of chapter not to limit purchase-money or royalty.

42. Nothing in this chapter shall be deemed to limit the amount (if any) chargeable as purchase-money or royalty on any timber.

CHAPTER VI.

OF THE CONTROL OF TIMBER IN TRANSIT.

Power to make rules to regulate transit of timber.

43. The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber in transit by land or water, is vested in the Chief Commissioner, and he may make rules to regulate the transit of all timber.

Such rules may (among other matters)—

(*a*) prescribe the routes by which alone timber may be imported into, exported from, or moved within, British Burma;

(*b*) prohibit the import and export or moving of such timber without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes;

(*d*) fix, or authorize any Forest-officer to fix, subject to the control of the Chief Commissioner, the fees payable for such passes;

(*e*) in the case of timber formed into a raft or fastened to the shore, prohibit the loosening or the setting adrift of such timber by any person not the owner thereof, or not acting on behalf of such owner or of the Government;

(*f*) provide for the stoppage, reporting, examination and marking of timber in transit in respect of which there is reason to believe that any money is payable to Government or to which it is desirable, for the purposes of this Act, to affix a mark;

(*g*) establish, or authorize any Forest-officer to establish, subject to the control of the Chief Commissioner, stations to which such timber shall be taken by those in charge of it for examination, or for the realization of such money, or in order that such mark may be affixed to it; and the conditions under which such timber shall be brought to, stored at, and removed from, such station;

(*h*) provide for the management and control of such stations, and for regulating the appointment and duties of persons employed thereat;

(*i*) authorize the transport of timber the property of Government across any land, and regulate the compensation to be paid for any damage done by the transport of such timber;

(*j*) prohibit the closing up or obstruction of the channel or banks of any river used for the transit of timber, and the throwing of grass, brushwood, branches and leaves into any such river, or any other act which tends to cause the obstruction of such channel;

(*k*) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river, and for recovering the cost of such prevention or removal, from the person, or by the sale of any timber, causing such obstruction;

(*l*) prohibit absolutely, or subject to conditions within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing, marking or supermarking of timber, the altering or effacing of any marks on the same, and possession or carrying of marking-hammers or other implements used for marking timber;

(*m*) regulate the use of property-marks for timber, and the registration of such marks; declare the circumstances in which the registration of any property-marks may be refused or cancelled; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

Penalties for breach of rules made under section 43.

44. The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

In cases where the offence is committed after sunset and before sunrise, or after making preparation for resistance to the execution of any law or any legal process, or where the offender has been previously convicted of a like offence, the convicting Magistrate may inflict double the penalty prescribed for such offence.

All persons bound to aid in case of accident at station.

45. In case of any accident or emergency involving danger to any property at any such station, every person employed at such station, whether by the Government or by any private person, shall render assistance to any Forest-officer or Police-officer demanding his aid in averting such danger and securing such property from damage or loss.

CHAPTER VII.

OF THE COLLECTION OF DRIFT, STRANDED AND OTHER TIMBER.

Certain kinds of timber to be deemed property of Government until title thereto proved.

46. All timber found adrift, beached, stranded or sunk,

all timber bearing marks which have not been registered under rules made under section forty-three,

all timber which has been supermarked, or on which the marks have been obliterated, altered or defaced by fire or otherwise, and

in such areas as the Chief Commissioner directs, all unmarked timber,

shall be deemed to be the property of Government unless and until any person establishes his right thereto as provided in this chapter.

Power to collect the same.

Such timber may be collected by any Forest-officer or other person entitled to collect the same, and may be brought to such stations as a Forest-officer specially empowered in this behalf may from time to time notify as stations for the reception of drift-timber.

The Chief Commissioner may, by notification in the official Gazette, exempt any class of timber from the provisions of this section, and withdraw such exemption.

Notice to claimants of drift-timber.

47. Public notice shall from time to time, as occasion may require, be given by a Forest-officer specially empowered in this behalf of timber collected under section forty-six. Such notice shall contain a description of the timber, and shall require any person claiming the same to present to such officer, within a period not less than one month from the date on which such notice is given, a written statement of such claim.

Procedure on claim preferred to such timber.

48. When any such statement is presented as aforesaid, the Forest-officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

If such timber is claimed by more than one person, the Forest-officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the Civil Court and retain the timber pending the receipt of an order from such Court for its disposal.

On rejection of claim to such timber, claimant may institute suit.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any compensation against the Government or against any Forest-officer on account of such rejection, or the

detention or removal of any timber, or the delivery thereof to any other person under this section.

No such timber shall be subject to process of any Civil Court until it has been delivered, or a suit brought under this section has been decided.

Disposal of unclaimed timber.

49. If no statement is presented in the manner and within the period prescribed by the notice issued under section forty-seven, or, where such statement having been so presented and the claim having been rejected, the claimant omits to institute a suit to recover possession of such timber within the further period mentioned in section forty-eight, the ownership of such timber shall vest in the Government free from all incumbrances; or, when such timber has been delivered to another person under section forty-eight, in such other person, free from all incumbrances not created by him.

Payments to be made by claimant before timber is delivered to him.

50. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest-officer, or other person entitled to receive it, such sum on account thereof as may be due for salving, collecting, moving, storing and disposing of the same.

Power to make rules and prescribe penalties.

51. The Chief Commissioner may make rules to regulate the following matters (namely):—

(*a*) the salving, collection and disposal of all timber mentioned in section forty-six;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amount to be paid for salving, collecting, moving, storing and disposing of such timber; and

(*d*) the use and registration of hammers and other instruments to be used for marking such timber.

The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER VIII.

PENALTIES AND PROCEDURE.

Seizure of property liable to confiscation.

52. When there is reason to believe that a forest-offence has been committed in respect of any timber or forest-produce, such timber or produce, together with all tools, boats, carts and cattle used in committing any such offence, may be seized by any Forest-officer or Police-officer.

Report to Magistrate.

Every officer seizing any property under this section shall place on such property, or the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made:

Provided that when the timber or forest-produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

Procedure thereupon.

53. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

Timber, forest-produce, tools, &c., when liable to confiscation.

54. When any person is convicted of a forest-offence, all timber or forest-produce in respect of which such offence has been committed, and all tools, boats, carts and cattle used in committing such offence, shall be liable, by order of the convicting Magistrate, to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

Disposal, on conclusion of trial for forest-offence, of produce in respect of which it was committed.

55. When the trial of any forest-offence is concluded, any timber or forest-produce in respect of which such offence has been committed shall, if it is the property of Government, or has been confiscated, be taken possession of by a Forest-officer specially empowered in this behalf; and in any other case may be disposed of in such manner as the Court may order.

Procedure when offender not known or cannot be found.

56. When the offender is not known or cannot be found, the Magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest-officer specially empowered in this behalf, or to be made over to such Forest-officer or other person as the Magistrate considers entitled to the same:

Provided that no such order shall be made until the expiration of one month from the date of seizing such property, or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he may produce in support of his claim.

The Magistrate shall either cause a notice of any application under this section to be served upon any person whom he has reason to believe is interested in the property seized, or shall publish such notice in any way which he thinks fit.

Procedure as to perishable property seized under section 52.

57. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section fifty-two and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

Appeal from orders under sections 54, 55 and 56.

58. Any person claiming to be interested in property seized under section fifty-two may, within one month from the date of any order passed under section fifty-four, section fifty-five or section fifty-six, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Property when to vest in Government.

59. When an order for the confiscation of any property has been passed under section fifty-four or fifty-six, and the period limited by section fifty-eight for presenting an appeal

from such order has elapsed, and no such appeal has been presented, or when, on such an appeal being presented, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the Government free from all incumbrances.

Saving of power to release property seized.

60. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Chief Commissioner from directing at any time the immediate release of any property seized under section fifty-two and the withdrawal of any charge made in respect of such property.

Punishment for wrongful seizure.

61. Any Forest-officer or Police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Any fine so imposed, or any portion thereof, shall, if the convicting Magistrate so direct, be given as compensation to the person aggrieved by such seizure.

Penalty for counterfeiting or defacing marks in trees and timber and for altering boundary-marks.

62. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code—

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest-officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or

(*b*) unlawfully affixes to any timber or standing tree a mark used by Forest-officers, or

(*c*) alters, defaces or obliterates any such mark placed on any timber or standing tree by or under the authority of a Forest-officer, or

(*d*) alters, moves, destroys or defaces any boundary-mark of any forest or waste-land to which any provisions of this Act apply,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

Power to arrest without warrant.

63. Any Forest-officer or Police-officer may, without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest-offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case.

Power to prevent commission of offence.

64. Every Forest-officer and Police-Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Operation of other laws not barred.

65. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes a forest offence or from being liable under such other law to any higher punishment or penalty than that provided by this Act or the rules made hereunder:

Provided that no person shall be punished twice for the same offence.

Power to compound offences.

66. Any Forest-officer specially empowered in this behalf may accept from any person reasonably suspected of having committed any forest-offence other than an offence under section sixty-one or section sixty-two a sum of money by way of compensation for the offence which may have been committed; and where any property has been seized as liable to confiscation, may release the same on payment of the value thereof as estimated by such officer.

On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the accused person, if in custody, shall be discharged, the property seized shall be released, and no further proceedings shall be taken against such person or property.

Presumption that timber or forest-produce belongs to Government.

67. When in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber or forest-produce is the property of the Government, such timber or produce shall be presumed to be the property of the Government until the contrary is proved.

CHAPTER IX.

CATTLE-TRESPASS.

Cattle-trespass Act, 1871, to apply.

68. Cattle trespassing in a reserved forest or in a village-forest shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Forest-officer or Police-officer.

Power to alter fines fixed by that Act.

69. The Chief Commissioner may, by notification in the official Gazette, direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section sixty-eight of this Act, such fines as he thinks fit, but not exceeding the following (that is to say):—

	Rs.	A.
For each elephant	10	0
For each buffalo	2	0
For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer ...	1	0
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid ...	0	8

CHAPTER X.

OF FOREST-OFFICERS.

Chief Commissioner may invest Forest-officers with certain powers.

70. The Chief Commissioner may invest any Forest-officer by name, or as holding an office, with the following powers (that is to say):—

(*a*) the powers of a Demarcation-officer under the Burma Boundaries Act, 1880;

(*b*) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;

(*c*) power to issue search-warrants under the Code of Criminal Procedure;

(*d*) power to hold enquiries into forest-offences, and in the course of such enquiries to receive and record evidence;

(*e*) power to notify seasons and manner in which fire may be kindled, kept or carried in a reserved forest;

(*f*) power to grant any permission referred to in section twenty-seven, thirty-two, thirty-six or thirty-eight;

(*g*) power to notify stations for the reception of drift timber;

(*h*) power to give public notice of timber collected under section forty-six;

(*i*) power to take possession of property under this Act;

(*j*) power to direct the release of property or withdrawal of charges;

(*k*) power to accept compensation for forest-offences;

and may withdraw any powers so conferred.

Any evidence recorded under clause (*d*) of this section shall be admissible in any subsequent trial before a Magistrate of the alleged offender: Provided that it has been taken in the presence of the accused person, and recorded in the manner provided by section 333, section 334 or section 335 of the Code of Criminal Procedure.

Forest-officers deemed public servants.

71. All Forest-officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Indemnity for acts done in good faith.

72. No suit or criminal prosecution shall lie against any public servant for anything done or omitted by him in good faith under this Act.

Forest-officers not to trade.

73. Except with the permission in writing of the Chief Commissioner, no Forest-officer shall, as principal or agent, trade in timber or forest-produce, or be or become interested in any lease or mortgage of any forest or in any contract for working any forest, whether in British or foreign territory.

CHAPTER XI.

MISCELLANEOUS.

Additional powers to make rules.

74. The Chief Commissioner may make rules consistent with this Act—

(*a*) to declare by what Forest-officer or class of Forest-officers the powers or duties conferred or imposed by or under this Act on a Forest-officer shall be exercised or performed;

(*b*) to regulate the procedure of Forest-Settlement-officers;

(*c*) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this Act or from the Public Treasury; and

(*d*) generally to carry out the provisions of this Act.

Rules when to have force of law.

75. All rules made by the Chief Commissioner under this Act shall be published in the official Gazette, and shall thereupon have the force of law.

Powers of Chief Commissioner exercisable from time to time.

All powers conferred by this Act on the Chief Commissioner may be exercised from time to time as occasion requires.

Persons bound to assist Forest-officer and Police-officer.

76. Every person who exercises any right in a reserved forest or a village-forest, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle or to practice toungya cultivation in, such forest, and

every person who is employed by any such person in such forest, and

every person in any village contiguous to such forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community,

shall be bound to furnish without unnecessary delay to the nearest Forest-officer or Police-officer any information he may possess respecting the occurrence of a fire in or near such forest, or, the commission of, or intention to commit, any forest-offence, and shall assist any Forest-officer or Police-officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest;

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;

(*c*) in preventing the commission in such forest of any forest-offence; and

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

Recovery of money due to Government.

77. All money, other than fines, payable to the Government under this Act, or under any rule made hereunder, or on account of the price of any timber or forest-produce, or of expenses incurred in the execution of this Act in respect of such timber or forest-produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.

Lien on forest-produce for such money.

78. When any such money is payable for, or in respect of, any forest-produce, the amount thereof shall be deemed to be a first charge on such produce; and such produce may be taken possession of by a Forest-officer specially empowered in this behalf, and may be retained by him until such amount has been paid.

Power to sell such produce.

If such amount is not paid when due, such Forest-officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Government.

Government and its officers not liable for loss or damage in respect of certain timber.

79. The Government shall not be responsible for any loss or damage which may occur in respect of any timber while at a station established under a rule

made under section forty-three, or while detained elsewhere for the purposes of this Act, or in respect of any timber collected under section forty-six; and no Forest-officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously or fraudulently.

Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act.

80. Whenever it appears to the Chief Commissioner that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Act, 1870, section four.

SCHEDULE.

(See section 2.)

ENACTMENTS REPEALED.

Number and year of Act or Regulation.	Title.	Extent of repeal.
Act VII of 1865...	An Act to give effect to rules for the management and preservation of Government forests.	So much as has not been repealed.
Act VII of 1869...	An Act to give validity to certain rules relating to forests in British Burma.	The whole.
Act XIII of 1873	An Act to amend the law relating to timber floated down the rivers of British Burma.	So much as has not been repealed.
Regulation IX of 1874.	The Arakan Hill District Laws Regulation, 1874.	So far as it relates to Acts VII of 1865 and VII of 1869.
	The Rules for the better management and preservation of the Government Forests in British Burma, dated the second day of August, 1865.	The whole.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th September, 1881, and is hereby promulgated for general information:—

ACT No. XX OF 1881.

THE SINDH INCUMBERED ESTATES ACT, 1881.

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An Act to amend the law providing for the relief of Jágírdárs and Zamíndárs in Sindh.

WHEREAS it is expedient to amend the law providing for the relief of Jágírdárs and Zamíndárs in Sindh; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Sindh Incumbered Estates Act, 1881"; and it shall come into force on the passing thereof.

Short title.

Commencement.

2. Act No. XIV of 1876 (*to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh*) is repealed; but all applications, appointments and rules made, all notices published and all other things duly done under the said Act shall be deemed to have been respectively made, published and done under this Act.

Repeal of Act No. XIV of 1876.

Interpretation-clause.

3. In this Act—

"Jágír land" includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *mámul* or garden grants:

"Jágír land":

"Jágírdár" means a person who, or whose ancestor, was found in possession of jágír land in Sindh on the seventeenth day of February, 1843, and to whom the said land, or a portion of the same, or other land in lieu thereof, has been continued by the British Government, and to whom, or to whose ancestor, a sanad has been, or hereafter may be, granted confirming such continuance:

"Jágírdár":

"Zamíndár" means a person holding lands in Sindh on the aggregate of which he or his ancestor has been assessed by the Government, on account of land-revenue for any one of the five revenue years next before the fourteenth day of September, 1876, a sum not less than three hundred rupees:

"Zamíndár":

"Commissioner" means the Commissioner in Sindh.

"Commissioner."

CHAPTER II.

OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within six months after the passing of this Act, any jágírdár or zamíndár,

Application for the benefit of this Act.

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an inquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities, and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

Order to inquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an inquiry to be made as aforesaid.

6. When an inquiry has been directed under section five, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such inquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

7. The officer so appointed, after making inquiry, shall submit a report of the proceedings to the Commissioner.

Report of inquiry and proceedings thereon.

On receipt of such report, the Commissioner may (*a*) direct a further inquiry; or (*b*) dismiss the application; or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

CHAPTER III.

OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its

"Order of management;" to what it extends.

publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date, and to the amount of any loan which may be received by the manager from Government in the manner hereinafter provided.

The management shall be deemed to commence from the date on which the order is published.

Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:—

Effect of order of management.

First, all proceedings then pending in any civil Court in British India in respect to the debts and liabilities mentioned in section eight shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any civil Court in British India in respect of such debts and liabilities;

Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent—

The debtor incompetent—

(*a*) to enter into any contract involving him in pecuniary liability, or

to contract debts,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to encumber or alienate property under management.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

to grant receipts for rent thereof.

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms consistent with this Act as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

Manager to have powers of owner and to receive rents and profits,

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector under the law for the time being in force for the recovery of land-revenue due to Government:

to have powers of a Collector for their recovery.

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section ten, the manager shall pay—

Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs;

costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management;

Government revenue, &c.,

Thirdly, the rent (if any) due to the jágírdár or other superior holder in respect of the said property;

rent due to superior holder,

Fourthly, such periodical allowances as the Commissioner may from time to time fix for the maintenance of the debtor and his family;

allowance for maintenance of debtor,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section eight other than those so due or incurred to Government, and also for the repayment, either before or after the liquidation of such debts and liabilities, of any loan received from Government by the manager under this Act.

Residue how disposed of.

CHAPTER IV.

PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhí, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager, together with a copy of the entry on which he relies. The manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section nineteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section twelve, the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

15. The manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Determination of debts and liabilities.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Power to rank debts and to fix interest.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section eleven, and for the repayment of the money (if any) which the manager proposes to borrow from Government under this Act; and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Provisions of scheme.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme or any revised liquidation-scheme submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

19. At any time before he has sanctioned a liquidation-scheme under section eighteen, the Commissioner may, by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section ten;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section eleven shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section nine, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

CHAPTER V.

OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the local Government may from time to time by rule direct; and thereupon—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section nine shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished; and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Chapter IV of this Act in respect of such debt or liability.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Chapter IV of this Act.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit; and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

23. Subject to the rules made under section thirty-one, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to lease.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient; or

(*c*) by borrowing money from Government at such rate of interest as appears reasonable to the local Government.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

26. When the debts and liabilities mentioned in the liquidation-scheme and the amount of any loan received from Government under clause (*c*) of section twenty-four, together with the interest (if any) due thereon, have been paid and discharged, the manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section twenty-four, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections ten, twenty-three and twenty-four.

Restoration of owner.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section nine; and

3*rdly*, no civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

28. When a jágírdár or zamíndár has been restored under section twenty-six to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jagírdár or zamíndár shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

CHAPTER VI.

OF APPEAL AND REVISION.

29. An appeal against any decision or order under sections fourteen, fifteen, sixteen and twenty-two, and imposing a fine or imprisonment in exercise of the powers conferred by section thirty-five, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon consistent with the provisions of this Act as he thinks fit.

Power to call for proceedings and pass order thereon.

CHAPTER VII.

MISCELLANEOUS.

31. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Chapter IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determin-

ation, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities and repaying any loan received hereunder from Government;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities; and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and shall thereupon have the force of law.

Power to appoint new manager.

32. Whenever the Commissioner thinks fit, he may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers to be public servants.

33. Every manager appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of anything done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

37. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th September, 1881, and is hereby promulgated for general information:—

ACT No. XXI OF 1881.

THE BROACH AND KAIRA INCUMBERED ESTATES ACT, 1881.

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An Act to amend the law providing for the relief of Thákurs in the Districts of Broach and Kaira.

WHEREAS it is expedient to amend the law providing for the relief of Thákurs in the Districts of Broach and Kaira; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Broach and Kaira Incumbered Estates Act, 1881": Short title.

and it shall come into force on the passing thereof. Commencement.

2. Act No. XIV of 1877 (*to relieve from Incumbrances the estates of Thákurs in Broach and Kaira*), except the last three sections, is repealed; Partial repeal of Act No. XIV of 1877.

But all applications, appointments and rules made, all notices published and all other things duly done under the said Act or under Act No. XV of 1871 (*to relieve from Incumbrances the estates of Thákurs in Broach*) shall be deemed to have been respectively made, published and done under this Act.

In section 40 of the said Act No. XIV of 1877, for the words "the said Taluqdárí Settlement Officer," the words "the Taluqdárí Settlement Officer mentioned in the Broach and Kaira Incumbered Estates Act, 1881, section seven," shall be substituted.

3. In this Act— Interpretation-clause.

"Thákur" means also taluqdár, jágírdár and kasbátí, and such other classes of holders of estates as the local Government may, with the previous sanction of the Governor General in Council, declare to be Thákurs for the purposes of this Act: "Thákur":

"Heir" means the person for the time being entitled as heir to a Thákur: "Heir":

"Commissioner" means the Revenue Commissioner of the Northern Division of the Presidency of Bombay. "Commissioner."

CHAPTER II.

OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within six months after the passing of this Act, any Thákur, Application for benefit of Act.

or any person who would be sole heir or one of the heirs to such Thákur if he then died intestate, may apply, in writing, to the Commissioner stating that such Thákur is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any Thákur or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a Thákur, or the person who would be his sole heir if he then died, the Commissioner shall direct an inquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same. Order to inquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an inquiry to be made as aforesaid.

6. When an inquiry has been directed under section five, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such inquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require. Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code. False averments in statement.

7. The officer so appointed, after making inquiry, shall submit a report of his proceedings to the Commissioner. Report of inquiry and proceedings thereon.

On receipt of such report, the Commissioner may—

(*a*) direct a further inquiry, or

(*b*) dismiss the application, or

(*c*) by order published in the *Bombay Government Gazette*, direct that the immoveable property of the debtor shall be managed, and that his debts shall be liquidated, in the manner hereinafter provided, by a manager.

The Taluqdárí Settlement-officer for the time being shall, unless the local Government in any case otherwise directs, be such manager.

CHAPTER III.

OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date, and to the amount of any loan which may be received by the manager from Government in the manner hereinafter provided. "Order of management;" to what it extends.

The management shall be deemed to commence from the date on which the order is published. Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:— Effect of order of management.

First, all proceedings then pending in any civil Court in British India in respect to the debts and liabilities mentioned in section eight shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended; Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any civil Court in British India in respect of such debts and liabilities; Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent— The debtor incompetent—

(*a*) to enter into any contract involving him in pecuniary liability, or to contract debts,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or to incumber or alienate property,

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom: to grant receipts for rent.

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms consistent with this Act as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management, Manager to have powers of owner and to receive rents and profits;

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a Thákur, all the powers possessed by a Collector, under the law for the time being in force, for to have powers of Collector for their recovery.

securing and recovering land-revenue due to Government:

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section ten, the manager shall pay— Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs; costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management; Government revenue, &c.,

Thirdly, the rent (if any) due to any superior holder in respect of the said property; rent due to superior holder,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance and other necessary expenses of the debtor and of such members of his family as the Commissioner directs; allowance for maintenance and expenses of debtor and family,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and as are approved by the Commissioner. cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section eight other than those so due or incurred to Government, and also for the repayment, either before or after the liquidation of such debts and liabilities, of any loan received from Government by the manager under this Act. Residue how disposed of.

CHAPTER IV.

PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Bombay Government Gazette* a notice in English and Gujrátí calling upon all persons having claims against the debtor or the property under management to notify the same in writing to such manager within six months from the date of the publication. Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mámlatdárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit. Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof. Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim. Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager together with a copy of the entry on which he relies, Entries in books.

The manager shall mark the book for the purpose of identification, and after examining and comparing the copy with the original, shall return the book to the claimant.

Power to exclude documents not produced with claim.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Claim not duly notified to be barred.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section nineteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Admission of claims within further period of six months.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section twelve, the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Determination of debts and liabilities.

15. The manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Power to rank debts and to fix interest.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Scheme for liquidation.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) shewing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Provisions of scheme.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section eleven, and for the repayment of the money (if any) which the manager proposes to borrow from Government under this Act, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may—

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

Power to relinquish management.

19. At any time before he has sanctioned a liquidation-scheme under section eighteen, the Commissioner may, by an order published in the *Bombay Government Gazette*, direct that on a date fixed by such order the management shall be relinquished.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section ten;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section eleven shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section nine, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

CHAPTER V.

OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

Effects of sanctioning scheme.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the local Government may from time to time by rule direct; and thereupon—

1st, all proceedings, processes, executions and attachments stayed or suspended under section nine shall be for ever barred, and

2nd, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Chapter IV of this Act in respect of such debt or liability.

Power to remove mortgagee in possession.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a civil Court, enter upon the property and summarily eviet therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Chapter IV of this Act.

Power to inquire into consideration given for leases.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, with the consent of the Commissioner, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit; and in default of such payment, the lease shall be cancelled.

Power to lease.

23. Subject to the rules made under section thirty-one, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to raise money by mortgage or sale.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

(*a*) by mortgaging the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by charging the whole or any part of such property; or

(*c*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient; or

(*d*) by borrowing money from Government at such rate of interest as appears reasonable to the local Government.

Manager's receipt a discharge.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Termination of management.

26. When the debts and liabilities mentioned in the liquidation-scheme and the amount of any loan received from Government under clause (*d*) of section twenty-four, together with the interest (if any) due thereon, have been paid and discharged as therein provided, or in such other manner as the Commissioner thinks fit, the manager shall publish in the *Bombay Government Gazette* a notice fixing a date for the termination of the management.

Restoration of owner.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section twenty-four, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections ten, twenty-three and twenty-four.

Death of debtor during management.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

1st, the management shall continue and proceed in all respects as if such debtor were still living;

2ndly, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section nine; and

3rdly, no civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management, for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

Mortgages, &c., made by restored Thákur valid only for his life.

28. When a Thákur has been restored under section twenty-six to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such Thákur, shall be valid as to any time beyond his natural life.

CHAPTER VI.

OF APPEAL AND REVISION.

Appeal.

29. An appeal against any decision or order under sections fourteen, fifteen, sixteen and twenty-two, or imposing a fine or imprisonment in exercise of the powers conferred by section thirty-five, shall lie to the Commissioner, if preferred within six weeks from the date of such decison or order.

There shall be no appeal against the decision of the Commissioner on such appeal.

Power to call for proceedings and pass order thereon.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon consistent with the provisions of this Act as he thinks fit.

CHAPTER VII.

MISCELLANEOUS.

Power to make rules.

31. The local Government may, from time to time, make rules consistent with this Act—

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Chapter IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and

liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities and repaying any loan received hereunder from Government;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities; and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Bombay Government Gazette*, and when so published shall have the force of law.

Power to appoint new manager.

32. The local Government may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers and their agents to be public servants.

33. Every manager appointed under this Act and every agent of such manager shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation, a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager and any officer making an inquiry under section five may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of anything done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Broach and Kaira in respect of certain suits.

37. Nothing in this Act precludes the Courts in Broach and Kaira having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

Exemption of certain Thákurs from certain provisions of Act.

38. Nothing in section nine shall be deemed to render any of the following Thákurs, namely, the Thákur of Ahmod, the Thákur of Sarod, the Thákur of Kerwára, the Thákur of Dehej, and the Thákur of Janiádra incompetent to enter into contracts involving him in pecuniary liability, nor shall anything in section twenty-eight apply to any of the said Thákurs:

Provided that, if any such Thákur has, since the scheme for the settlement of his debts and liabilities was approved under section 11 of the said Act No. XV of 1871, entered into any contract involving him in pecuniary liability exceeding the average annual income derived during the previous five years from his immoveable property after deducting therefrom the land-tax and other dues of Government, the local Government may, by notification in the *Bombay Government Gazette*, declare that the exemption made by the former part of this section shall cease in his case, and thereupon such exemption shall cease accordingly.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY SEPTEMBER 17, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 31st August, 1881, and is hereby promulgated for general information:—

ACT No. XIX OF 1881.

THE BURMA FOREST ACT, 1881.

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SCHEDULE.—ENACTMENTS REPEALED.

An Act to amend the law relating to Forests, Forest-produce, and the duty leviable on Timber in British Burma.

WHEREAS it is expedient to amend the law relating to forests, forest-produce, and the duty leviable on timber in British Burma; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Burma Forest Act, 1881": Short title.

It extends to all the territories for the time being administered by the Chief Commissioner of British Burma, provided that the Chief Commissioner may, by notification in the official Gazette, exempt any place from its operation; but not so as to affect anything done, or any offence committed, or any fine or penalty incurred, or any proceedings Local extent.

commenced in such place before such exemption; and

it shall come into force on such day as the Chief Commissioner may, by notification in the official Gazette, direct. Commencement.

2. On and from such day the enactments and rules mentioned in the schedule hereto annexed shall be repealed to the extent mentioned in the third column of the same schedule. Repeal of enactments.

3. In this Act, and in all rules made hereunder, unless there is something repugnant in the subject or context,— Interpretation-clause.

"Forest-officer" means all persons appointed by name or as holding an office by or under the orders of the Governor General in Council or the Chief Commissioner to be— "Forest-officer."

Conservators, Deputy Conservators, Assistant Conservators, Sub-Assistant Conservators, Forest-rangers, Foresters, or Forest-guards, or to discharge any function of a Forest-officer under this Act or any rule made hereunder:

"tree" includes also bamboos, stumps and brushwood: "tree":

"timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned or hollowed out for any purpose or not: "timber":

"forest-produce" includes the following things when found in, or brought from a forest (that is to say):— "forest-produce."

minerals (including limestone and laterite), surface-soil, trees, timber, plants, grass, peat, canes, creepers, reeds, leaves, moss, flowers, fruits, seeds, roots, juice, catechu, bark, caoutchouc, gum, wood-oil, resin, varnish, lac, charcoal, honey and wax;

"forest-offence" means an offence punishable under this Act or any rule made hereunder: "forest-offence":

"cattle" includes also elephants, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids: "cattle":

"river" includes also streams, canals, creeks and other channels, natural or artificial: "river":

"land at the disposal of Government" means "land at the disposal of Government."

(*a*) land in respect of which no person has acquired the status of a land-holder under section seven of the Burma Land and Revenue Act, 1876,

(*b*) land in respect of which no person has acquired any right created by grant or lease made by, or on behalf of, the British Government.

"Magistrate" means a Magistrate of the first or second class and includes a Magistrate of the third class when he is specially empowered by the Chief Commissioner to try forest-offences. "Magistrate."

4. Nothing in the Burma Land and Revenue Act, 1876, shall be deemed to affect or ever to have affected any right by which one person is entitled to remove and appropriate, for his own profit, any part of the soil belonging to another person or to the Government, or anything growing in, or attached to, or subsisting upon, the land of another person or of the Government. Saving of rights of profit from the Burma Land and Revenue Act, 1876.

CHAPTER II.

OF RESERVED FORESTS.

5. The Chief Commissioner may constitute any land at the disposal of Government, a reserved forest in manner hereinafter provided. Power to reserve forests.

6. Whenever it is proposed to constitute any land a reserved forest, the Chief Commissioner shall publish a notification in the official Gazette— Notification by Chief Commissioner.

(*a*) specifying as nearly as possible the situation and limits of such land;

(*b*) declaring that it is proposed to constitute such land a reserved forest;

(*c*) appointing an officer (hereinafter called "the Forest-Settlement-officer") to inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favor of, any person in or over any land comprised within such limits, and any claims relating to the practice within such limits of toungya cultivation, and to deal with the same as provided in this chapter.

The officer appointed under clause (*c*) of this section shall ordinarily be a person other than a Forest-officer; but a Forest-officer may be appointed by the Chief Commissioner to assist the Forest-Settlement-officer in the inquiry prescribed by this chapter.

7. When a notification has been published under section six, the Forest-Settlement-officer shall publish in the language of the country, at the head-quarters of each township in which any portion of the land comprised in such notification is situate, and in every town and village in the neighbourhood of such land, a proclamation— Proclamation by Forest-Settlement-officer.

(*a*) specifying as nearly as possible the situation and limits of the proposed forest;

(*b*) setting forth the substance of the provisions of section eight;

(*c*) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(*d*) fixing a period of not less than three months from the date of publishing such proclamation, and requiring every person claiming any right or making any claim referred to or mentioned in section six either to present to such officer within such period a written notice specifying, or to appear before him within such period and state, the nature of such right or claim.

8. During the interval between the publication of such proclamation and the date fixed by the notification declaring the forest to be reserved as hereinafter provided, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by, or on behalf of, the Government or some person in whom such right, or power to create the same, was vested when the Bar of accrual of forest-rights.

Prohibition of building, clearing, &c.

proclamation was published; and, on such land, no new house shall be built or plantation formed, no fresh clearings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture, except as hereinafter provided.

Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest-Settlement-officer, or any clearings lawfully made for toungya cultivation by persons in the habit of practicing such cultivation on such land.

Inquiry by Forest-Settlement-officer.

9. The Forest-Settlement-officer shall take down in writing all statements made under section seven, and shall inquire into all claims made under that section, and the existence of any right or practice mentioned in section six in respect of which no claim is made. The Forest-Settlement-officer shall at the same time consider and record any objection which the Forest-officer (if any), appointed under section six to assist him, may make to any such claim or to the existence of any such right or practice.

Powers of Forest-Settlement-officer.

10. For the purposes of such inquiry, the Forest-Settlement-officer may exercise the following powers (that is to say):—

(*a*) the powers of a demarcation-officer under The Burma Boundaries Act, 1880; and

(*b*) the powers conferred on a Civil Court by the Code of Civil Procedure for compelling the attendance of witnesses and the production of documents.

Claims relating to practice of toungya cultivation how dealt with.

11. In the case of a claim relating to the practice of toungya cultivation, the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and permitting, or refusing to permit, such practice wholly or in part.

If such practice is permitted wholly or in part, the Forest-Settlement-officer may—

(*a*) alter the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants; or

(*b*) cause certain portions of the reserved forest to be separately demarcated, and give permission to the claimants to practice toungya cultivation under such rules and conditions as he may prescribe.

No right to practice toungya cultivation shall be deemed to be conferred by an order under this section permitting such practice, and, except with the sanction of the Chief Commissioner, such cultivation shall only be practiced by the person to whom such permission is granted.

Power to acquire land over which right is claimed.

12. In the case of a claim to a right in or over any land other than the following rights:—

(*a*) a right of way,

(*b*) a right to a water-course, and to use of water,

(*c*) a right of pasture, or to forest-produce,

the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

If such claim is admitted wholly or in part, the Forest-Settlement-officer may (1) come to an agreement with the claimant for the surrender of the right; or, (2) exclude the land from the limits of the proposed forest; or, (3) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870.

For the purpose of so acquiring such land—

(i) the Forest-Settlement-officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;

(ii) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section nine of that Act;

(iii) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and

(iv) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land, or partly in land and partly in money.

Order on claims to rights of way, watercourse, pasture, and to forest-produce.

13. In the case of a claim to rights of the kind specified in clauses (*a*), (*b*) and (*c*) of section twelve, the Forest-Settlement-officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

When a claim to any such right is admitted, if the right is for the beneficial enjoyment of any land or buildings, he shall record the designation, position and area of such land, and the designation and position of such buildings.

Where the right is a right to forest-produce, he shall also record whether the forest-produce obtained by the exercise of such right may be sold or bartered, and such other particulars as may be necessary in order to define the nature, incidents and extent of the right.

Provision for rights of pasture or to forest-produce admitted.

14. When the Forest-Settlement-officer has admitted wholly or in part, and recorded under section thirteen, a claim to a right of pasture or to forest-produce, he shall as far as possible provide for the exercise of such right—

(*a*) by altering the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimant;

(*b*) by recording an order continuing to the claimant a right of pasture or to forest-produce (as the case may be), subject to such rules as may be prescribed by the Chief Commissioner.

The order passed under clause (*b*) shall record, as far as practicable, the number and description of the cattle which the claimant is from time to time entitled to graze, the local limits within which, and the seasons during which, such pasture is permitted; or

the quantity of timber or other forest-produce which the claimant is authorized to take or receive, the local limits within which, the season during which, and the mode in which, the taking of such produce is permitted; and

such other particulars as may be required in order to define the extent of the right which is continued, and the mode in which it may be exercised.

Commutation of such rights.

15. Whenever any right of pasture or to forest-produce admitted under section thirteen is not provided for in one of the ways prescribed in section fourteen, the Forest-Settlement-officer shall, subject to such rules as the Chief Commissioner may prescribe in this behalf, commute such right by paying a sum of money in lieu thereof, or, with the consent of the claimant, by the grant of land, or in such other manner as such officer thinks fit.

For the purpose of granting land under this section, the Forest-Settlement-officer shall be deemed to be an Assistant Commissioner in charge of a sub-division.

Appeal from order passed under foregoing sections.

16. Any person who has made a claim under this chapter may, within three months from the date of any order passed on such claim by the Forest-Settlement-officer under section eleven, twelve, thirteen, fourteen or fifteen, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Deputy Commissioner, as the Chief Commissioner may, by notification in the official Gazette, appoint by name, or as holding an office, to hear appeals from such orders.

Appeal under section 16.

17. Every appeal under section sixteen shall be made by petition in writing, and may be delivered to the Forest-Settlement-officer, who shall forward it without delay to the officer competent to hear the same.

Hearing of appeals.

Every such appeal shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to land-revenue, and the order passed thereon by such officer shall be final, except as hereinafter provided.

Notification declaring forest reserved.

18. When the following events have occurred (namely):—

(*a*) the period fixed under section seven for preferring claims has elapsed, and all claims (if any) made within such period have been disposed of by the Forest-Settlement-officer, and

(*b*) if such claims have been made, the period fixed by section sixteen for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate officer, and

(*c*) all lands (if any) to be included in the proposed forest, which the Forest-Settlement-officer has, under section twelve, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section sixteen of that Act,

the Chief Commissioner may publish a notification in the official Gazette, specifying the limits of the forest which it is intended to reserve, and declaring the same to be reserved from a date fixed by such notification.

From the date so fixed, such forest shall be deemed to be a reserved forest.

Extinction of rights not claimed.

19. Rights in respect of which no claim has been preferred under section seven, and of the existence of which no knowledge has been acquired by enquiry under section nine, shall thereupon be extinguished, unless, before the publication of such notification, the person claiming them has satisfied the Forest-Settlement-officer that he had sufficient cause for not preferring such claim within the period fixed under section seven.

Publication of translation of such notification in neighbourhood of forest.

20. The Deputy Commissioner of the district in which the forest is situate shall, before the date fixed by such notification, cause a translation thereof in the language of the country to be published in the manner prescribed for the proclamation under section seven.

Power to revise arrangement made under section 11, 14 or 17.

21. The Chief Commissioner may, within five years from the publication of any notification under section eighteen, revise any arrangement made under section eleven, fourteen or seventeen, and may rescind or modify any order made under this chapter, and direct that any one of the proceedings specified in section fourteen be taken in lieu of any other of such proceedings, or that the permission granted under section eleven or rights admitted under section thirteen be commuted under section fifteen.

No right acquired over reserved forest except as here provided.

22. No right of any description shall be acquired in or over a reserved forest, except by succession, or under a grant or contract in writing made by, or on behalf of, the Government, or some person in whom such right, or the power to create such right, was vested when the notification under section eighteen was published.

Rights not to be alienated without sanction.

23. Notwithstanding anything herein contained, no right continued under section fourteen shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Chief Commissioner: provided that, when any such right is continued for the beneficial enjoyment of any land or house, it may be sold or otherwise alienated with such land or house without such sanction.

No timber or other forest-produce obtained in exercise of any right so continued shall be sold or bartered except to the extent defined by the order recorded under section fourteen.

Power to stop ways and water-courses in reserved forest.

24. Any Forest-officer may, from time to time, with the previous sanction of the Chief Commissioner or of any officer duly authorized in that behalf, stop any public or private way or water-course in a reserved forest: provided that for the way or water-course so stopped, another way or water-course which in the opinion of the Chief Commissioner is equally convenient, already exists, or has been provided or constructed by such Forest-officer.

Penalties for trespass or damage in reserved forests.

25. Any person who in a reserved forest—

(*a*) trespasses, or pastures cattle, or permits cattle to trespass,

(*b*) causes any damage by negligence in felling any tree or cutting or dragging any timber,

(*c*) strips off the bark or leaves from or otherwise damages any tree,

(*d*) in contravention of any rules made by the Chief Commissioner, hunts, shoots, fishes, poisons water, or sets traps or snares,

shall be punished with fine which may extend to fifty rupees, or when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

Acts prohibited in such forests.

26. Any person who—

(*a*) makes any fresh clearing prohibited by section eight, or

(*b*) sets fire to a reserved forest, or kindles any fire or, in contravention of any rules made by the Chief Commissioner, leaves any fire burning in such manner as to endanger the same,

or who, in a reserved forest,

(*c*) kindles, keeps or carries any fire except at such seasons and in such manner as a Forest-officer specially empowered in this behalf may from time to time notify,

(*d*) fells, girdles, lops, taps, or burns any tree,

(*e*) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce,

(*f*) clears or breaks up any land for cultivation or any other purpose,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.

Acts excepted from prohibition contained in sections 25 and 26.

27. Nothing in section twenty-five or section twenty-six shall be deemed to prohibit (*a*) any act done in accordance with any rule made by the Chief Commissioner or with the permission in writing of a Forest-officer, specially empowered to grant such permission; or (*b*) any practice of toungya cultivation permitted under section eleven; or (*c*) the exercise of any right continued under section fourteen or created by grant or contract in the manner described in section twenty-two.

Penalty for offences committed by persons having rights in reserved forests.

28. Whenever fire is caused wilfully or by gross negligence in a reserved forest by any person having rights in such forest, or having permission to practice toungya cultivation therein, or by any person in his employment, or whenever any person having rights in such forest contravenes the provisions of section twenty-three, the Chief Commissioner may (notwithstanding that a penalty has been inflicted under section twenty-six in respect of such fire) direct that in such forest or any specified portion thereof the exercise of all or any of the rights of pasture or to forest-produce shall be extinguished or suspended for such period as he thinks fit, and may withdraw any permission to practice toungya cultivation in such forest or portion.

Power to declare forest no longer reserved.

29. The Chief Commissioner may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, direct that, from a date fixed by such notification, any forest or any portion thereof reserved under this Act shall cease to be reserved.

From the date so fixed, such forest or portion shall cease to be reserved; but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

Forests reserved under former rules.

30. Any forest which has been declared a reserved forest under any rules in force previous to the day on which this Act comes into force shall be deemed to have been reserved hereunder;

and all questions decided, orders issued and records prepared in connection with the reservation of such forest shall be deemed to have been decided, issued and prepared hereunder, and all provisions of this Act relating to reserved forests shall apply to such forest.

CHAPTER III.

OF VILLAGE-FORESTS.

Constitution of village-forests.

31. The Chief Commissioner may by notification in the official Gazette constitute any land at the disposal of Government a village-forest for the benefit of any village-community or group of village-communities, and may in like manner vary or cancel any such notification.

Every such notification shall specify the limits of such village-forest.

Teak trees in village-forest the property of Government.

32. All teak trees in a village-forest shall be deemed to be the property of Government; and no person shall cut, mark, lop, girdle, or injure by fire or otherwise, any such trees without the permission in writing of a Forest-officer specially empowered to grant such permission.

Power to make rules for village-forests.

33. The Chief Commissioner may make rules for regulating the management of village-forests, prescribing the conditions under which the community or group of communities for the benefit of which any such forest is constituted may be provided with timber or other forest-produce or with pasture, and their duties in respect of the protection and improvement of such forest.

The Chief Commissioner may, by such rules, declare any of the provisions of Chapter II of this Act to be applicable to village-forests.

Saving of private rights.

34. Nothing in this chapter shall be deemed to affect any existing rights of any person in or over any village-forest.

Power to inquire into and deal with such rights.

The Chief Commissioner may in any case direct that all claims to any such rights, other than the rights of the village-community or group of village communities for the benefit of which such village-forest is constituted, shall be inquired into, recorded and provided for in the manner prescribed by Chapter II of this Act.

CHAPTER IV.

OF THE PROTECTION OF CERTAIN TREES AND NATURAL PRODUCE.

Reserved trees.

35. All teak trees standing on any land not included in a reserved or village-forest shall be deemed to be the property of Government and shall be reserved trees.

The Chief Commissioner may by notification in the official Gazette—

(*a*) declare that any other trees or any specified class of other trees standing on any land at the disposal of Government shall, from a date to be fixed by such notification, be reserved trees;

(*b*) vary or cancel any such notification;

(*c*) declare that any teak trees standing on land other than land at the disposal of Government shall, from a date to be fixed by such notification, cease to be the property of Government and to be reserved trees.

Protection of reserved trees.

36. No person shall cut, mark, lop, girdle, tap, or injure by fire or otherwise, any reserved tree, except as provided by rules made by the Chief Commissioner in this behalf, or with the permission in writing of a Forest-officer specially empowered to grant such permission.

Whoever cuts, marks, lops, girdles, taps, or injures by fire or otherwise, any reserved tree in contravention of this section shall be punished with fine which may extend to twenty rupees, or when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.

Power to make rules generally.

37. No person shall make use of the pasturage or of the natural produce of any land at the disposal of Government and not included in a reserved or village-forest, except in accordance with rules which may be prescribed by the Chief Commissioner. Such rules may, with respect to such land,—

(*a*) regulate or prohibit the cutting of toungyas, or the issue of grants or leases by Government with respect to land on which teak trees are growing;

(*b*) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires;

(*c*) regulate or prohibit the cutting, sawing, conversion and removal of trees and timber, and the collection and removal of natural produce;

(*d*) regulate or prohibit the quarrying of stone, the boiling of cutch, or the burning of lime or charcoal;

(*e*) regulate or prohibit the cutting of grass and pasturing of cattle, and regulate the payments (if any) to be made for such cutting or pasturing;

(*f*) regulate or prohibit hunting, shooting, fishing, poisoning water and setting traps or snares;

(*g*) regulate the sale or free grant of timber or other natural produce; and

(*h*) prescribe, or authorize any Forest-officer to prescribe, subject to the control of the Chief Commissioner, the fees, royalties or other payments for such timber or other natural produce, and the manner in which such fees, royalties or other payments shall be levied, whether in transit, or partly in transit, or otherwise.

Penalties for acts in contravention of rules.

The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

The Chief Commissioner may exempt any person or class of persons or any local area from the operation of any such rule, and may cancel such exemption.

Nothing in this chapter to prohibit acts done in certain cases.

38. Nothing in this chapter or in any rule made under this chapter shall be deemed to prohibit any act done with the permission in writing of a Forest-officer specially empowered to grant such permission, or in the exercise of any right.

CHAPTER V.

OF THE DUTY ON TIMBER.

Power to impose duty on timber.

39. The Chief Commissioner may levy a duty, in such manner, at such places, and at such rates, as he may prescribe by notification in the official Gazette, on all timber which is brought into British Burma from any place beyond the frontier of British Burma.

Power to fix value for *ad valorem* duty.

In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, by like notification, fix the value on which such duty shall be assessed.

Duty on certain timber floated down the Attaran.

40. On all teak timber cut within the limits of the Attaran Forest and floated down the Attaran river, duty shall be levied at the following rates, that is to say:—

	Rs.	A.	P.	
On logs above five feet in girth ...	4	0	0	per log.
Ditto below „ „ ...	2	0	0	„
On stem pieces	0	9	0	per piece.
On ship crooks ...	0	4	0	per crook.

These rates shall not apply to timber for which special rates have been fixed by any agreement entered into with Government.

Power to exempt timber from duty.

41. The Chief Commissioner may exempt any timber from the duty to which it is liable under section thirty-nine or section forty, and revoke such exemption.

Provisions of chapter not to limit purchase-money or royalty.

42. Nothing in this chapter shall be deemed to limit the amount (if any) chargeable as purchase-money or royalty on any timber.

CHAPTER VI.

OF THE CONTROL OF TIMBER IN TRANSIT.

Power to make rules to regulate transit of timber.

43. The control of all rivers and their banks, as regards the floating of timber, as well as the control of all timber in transit by land or water, is vested in the Chief Commissioner, and he may make rules to regulate the transit of all timber.

Such rules may (among other matters)—

(*a*) prescribe the routes by which alone timber may be imported into, exported from, or moved within, British Burma;

(*b*) prohibit the import and export or moving of such timber without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such pass;

(*c*) provide for the issue, production and return of such passes;

(*d*) fix, or authorize any Forest-officer to fix, subject to the control of the Chief Commissioner, the fees payable for such passes;

(*e*) in the case of timber formed into a raft or fastened to the shore, prohibit the loosening or the setting adrift of such timber by any person not the owner thereof, or not acting on behalf of such owner or of the Government;

(*f*) provide for the stoppage, reporting, examination and marking of timber in transit in respect of which there is reason to believe that any money is payable to Government or to which it is desirable, for the purposes of this Act, to affix a mark;

(*g*) establish, or authorize any Forest-officer to establish, subject to the control of the Chief Commissioner, stations to which such timber shall be taken by those in charge of it for examination, or for the realization of such money, or in order that such mark may be affixed to it; and the conditions under which such timber shall be brought to, stored at, and removed from, such station;

(*h*) provide for the management and control of such stations, and for regulating the appointment and duties of persons employed thereat;

(*i*) authorize the transport of timber the property of Government across any land, and regulate the compensation to be paid for any damage done by the transport of such timber;

(*j*) prohibit the closing up or obstruction of the channel or banks of any river used for the transit of timber, and the throwing of grass, brushwood, branches and leaves into any such river, or any other act which tends to cause the obstruction of such channel;

(*k*) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river, and for recovering the cost of such prevention or removal, from the person, or by the sale of any timber, causing such obstruction;

(*l*) prohibit absolutely, or subject to conditions within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing, marking or supermarking of timber, the altering or effacing of any marks on the same, and possession or carrying of marking-hammers or other implements used for marking timber;

(*m*) regulate the use of property-marks for timber, and the registration of such marks; declare the circumstances in which the registration of any property-marks may be refused or cancelled; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

44. The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

Penalties for breach of rules made under section 43.

In cases where the offence is committed after sunset and before sunrise, or after making preparation for resistance to the execution of any law or any legal process, or where the offender has been previously convicted of a like offence, the convicting Magistrate may inflict double the penalty prescribed for such offence.

45. In case of any accident or emergency involving danger to any property at any such station, every person employed at such station, whether by the Government or by any private person, shall render assistance to any Forest-officer or Police-officer demanding his aid in averting such danger and securing such property from damage or loss.

All persons bound to aid in case of accident at station.

CHAPTER VII.

OF THE COLLECTION OF DRIFT, STRANDED AND OTHER TIMBER.

46. All timber found adrift, beached, stranded or sunk,

all timber bearing marks which have not been registered under rules made under section forty-three,

all timber which has been supermarked, or on which the marks have been obliterated, altered or defaced by fire or otherwise, and

in such areas as the Chief Commissioner directs, all unmarked timber,

shall be deemed to be the property of Government unless and until any person establishes his right thereto as provided in this chapter.

Certain kinds of timber to be deemed property of Government until title thereto proved.

Such timber may be collected by any Forest-officer or other person entitled to collect the same, and may be brought to such stations as a Forest-officer specially empowered in this behalf may from time to time notify as stations for the reception of drift-timber.

Power to collect the same.

The Chief Commissioner may, by notification in the official Gazette, exempt any class of timber from the provisions of this section, and withdraw such exemption.

47. Public notice shall from time to time, as occasion may require, be given by a Forest-officer specially empowered in this behalf of timber collected under section forty-six. Such notice shall contain a description of the timber, and shall require any person claiming the same to present to such officer, within a period not less than one month from the date on which such notice is given, a written statement of such claim.

Notice to claimants of drift-timber.

48. When any such statement is presented as aforesaid, the Forest-officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

If such timber is claimed by more than one person, the Forest-officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the Civil Court and retain the timber pending the receipt of an order from such Court for its disposal.

Any person whose claim has been rejected under this section may, within two months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any compensation against the Government or against any Forest-officer on account of such rejection, or the

On rejection of claim to such timber, claimant may institute suit.

detention or removal of any timber, or the delivery thereof to any other person under this section.

No such timber shall be subject to process of any Civil Court until it has been delivered, or a suit brought under this section has been decided.

49. If no statement is presented in the manner and within the period prescribed by the notice issued under section forty-seven, or, where such statement having been so presented and the claim having been rejected, the claimant omits to institute a suit to recover possession of such timber within the further period mentioned in section forty-eight, the ownership of such timber shall vest in the Government free from all incumbrances; or, when such timber has been delivered to another person under section forty-eight, in such other person, free from all incumbrances not created by him.

Disposal of unclaimed timber.

50. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest-officer, or other person entitled to receive it, such sum on account thereof as may be due for salving, collecting, moving, storing and disposing of the same.

Payments to be made by claimant before timber is delivered to him.

51. The Chief Commissioner may make rules to regulate the following matters (namely):—

Power to make rules and prescribe penalties.

(*a*) the salving, collection and disposal of all timber mentioned in section forty-six;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amount to be paid for salving, collecting, moving, storing and disposing of such timber; and

(*d*) the use and registration of hammers and other instruments to be used for marking such timber.

The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER VIII.

PENALTIES AND PROCEDURE.

52. When there is reason to believe that a forest-offence has been committed in respect of any timber or forest-produce, such timber or produce, together with all tools, boats, carts and cattle used in committing any such offence, may be seized by any Forest-officer or Police-officer.

Seizure of property liable to confiscation.

Every officer seizing any property under this section shall place on such property, or the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made:

Report to Magistrate.

Provided that when the timber or forest-produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

53. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

Procedure thereupon.

54. When any person is convicted of a forest-offence, all timber or forest-produce in respect of which such offence has been committed, and all tools, boats, carts and cattle used in committing such offence, shall be liable, by order of the convicting Magistrate, to confiscation.

Timber, forest-produce, tools, &c., when liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

55. When the trial of any forest-offence is concluded, any timber or forest-produce in respect of which such offence has been committed shall, if it is the property of Government, or has been confiscated, be taken possession of by a Forest-officer specially empowered in this behalf; and in any other case may be disposed of in such manner as the Court may order.

Disposal, on conclusion of trial for forest-offence, of produce in respect of which it was committed.

56. When the offender is not known or cannot be found, the Magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest-officer specially empowered in this behalf, or to be made over to such Forest-officer or other person as the Magistrate considers entitled to the same:

Procedure when offender not known or cannot be found.

Provided that no such order shall be made until the expiration of one month from the date of seizing such property, or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he may produce in support of his claim.

The Magistrate shall either cause a notice of any application under this section to be served upon any person whom he has reason to believe is interested in the property seized, or shall publish such notice in any way which he thinks fit.

57. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section fifty-two and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

Procedure as to perishable property seized under section 52.

58. Any person claiming to be interested in property seized under section fifty-two may, within one month from the date of any order passed under section fifty-four, section fifty-five or section fifty-six, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Appeal from orders under sections 54, 55 and 56.

59. When an order for the confiscation of any property has been passed under section fifty-four or fifty-six, and the period limited by section fifty-eight for presenting an appeal

Property when to vest in Government.

from such order has elapsed, and no such appeal has been presented, or when, on such an appeal being presented, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the Government free from all incumbrances.

Saving of power to release property seized.

60. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Chief Commissioner from directing at any time the immediate release of any property seized under section fifty-two and the withdrawal of any charge made in respect of such property.

Punishment for wrongful seizure.

61. Any Forest-officer or Police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Any fine so imposed, or any portion thereof, shall, if the convicting Magistrate so direct, be given as compensation to the person aggrieved by such seizure.

Penalty for counterfeiting or defacing marks in trees and timber and for altering boundary-marks.

62. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code—

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest-officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or

(*b*) unlawfully affixes to any timber or standing tree a mark used by Forest-officers, or

(*c*) alters, defaces or obliterates any such mark placed on any timber or standing tree by or under the authority of a Forest-officer, or

(*d*) alters, moves, destroys or defaces any boundary-mark of any forest or waste-land to which any provisions of this Act apply,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

Power to arrest without warrant.

63. Any Forest-officer or Police-officer may, without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest-offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case.

Power to prevent commission of offence.

64. Every Forest-officer and Police-Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Operation of other laws not barred.

65. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes a forest offence or from being liable under such other law to any higher punishment or penalty than that provided by this Act or the rules made hereunder:

Provided that no person shall be punished twice for the same offence.

Power to compound offences.

66. Any Forest-officer specially empowered in this behalf may accept from any person reasonably suspected of having committed any forest-offence other than an offence under section sixty-one or section sixty-two a sum of money by way of compensation for the offence which may have been committed; and where any property has been seized as liable to confiscation, may release the same on payment of the value thereof as estimated by such officer.

On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the accused person, if in custody, shall be discharged, the property seized shall be released, and no further proceedings shall be taken against such person or property.

Presumption that timber or forest-produce belongs to Government.

67. When in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber or forest-produce is the property of the Government, such timber or produce shall be presumed to be the property of the Government until the contrary is proved.

CHAPTER IX.

CATTLE-TRESPASS.

Cattle-trespass Act, 1871, to apply.

68. Cattle trespassing in a reserved forest or in a village-forest shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Forest-officer or Police-officer.

Power to alter fines fixed by that Act.

69. The Chief Commissioner may, by notification in the official Gazette, direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section sixty-eight of this Act, such fines as he thinks fit, but not exceeding the following (that is to say):—

	Rs.	A.
For each elephant	10	0
For each buffalo	2	0
For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer ...	1	0
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid ...	0	8

CHAPTER X.

OF FOREST-OFFICERS.

Chief Commissioner may invest Forest-officers with certain powers.

70. The Chief Commissioner may invest any Forest-officer by name, or as holding an office, with the following powers (that is to say):—

(*a*) the powers of a Demarcation-officer under the Burma Boundaries Act, 1880;

(*b*) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;

(*c*) power to issue search-warrants under the Code of Criminal Procedure;

(*d*) power to hold enquiries into forest-offences, and in the course of such enquiries to receive and record evidence;

(*e*) power to notify seasons and manner in which fire may be kindled, kept or carried in a reserved forest;

(*f*) power to grant any permission referred to in section twenty-seven, thirty-two, thirty-six or thirty-eight;

(*g*) power to notify stations for the reception of drift timber;

(*h*) power to give public notice of timber collected under section forty-six;

(*i*) power to take possession of property under this Act;

(*j*) power to direct the release of property or withdrawal of charges;

(*k*) power to accept compensation for forest-offences;

and may withdraw any powers so conferred.

Any evidence recorded under clause (*d*) of this section shall be admissible in any subsequent trial before a Magistrate of the alleged offender: Provided that it has been taken in the presence of the accused person, and recorded in the manner provided by section 333, section 334 or section 335 of the Code of Criminal Procedure.

Forest-officers deemed public servants.

71. All Forest-officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Indemnity for acts done in good faith.

72. No suit or criminal prosecution shall lie against any public servant for anything done or omitted by him in good faith under this Act.

Forest-officers not to trade.

73. Except with the permission in writing of the Chief Commissioner, no Forest-officer shall, as principal or agent, trade in timber or forest-produce, or be or become interested in any lease or mortgage of any forest or in any contract for working any forest, whether in British or foreign territory.

CHAPTER XI.

MISCELLANEOUS.

Additional powers to make rules.

74. The Chief Commissioner may make rules consistent with this Act—

(*a*) to declare by what Forest-officer or class of Forest-officers the powers or duties conferred or imposed by or under this Act on a Forest-officer shall be exercised or performed;

(*b*) to regulate the procedure of Forest-Settlement-officers;

(*c*) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this Act or from the Public Treasury; and

(*d*) generally to carry out the provisions of this Act.

Rules when to have force of law.

75. All rules made by the Chief Commissioner under this Act shall be published in the official Gazette, and shall thereupon have the force of law.

All powers conferred by this Act on the Chief Commissioner may be exercised from time to time as occasion requires.

Powers of Chief Commissioner exercisable from time to time.

Persons bound to assist Forest-officer and Police-officer.

76. Every person who exercises any right in a reserved forest or a village-forest, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle or to practice toungya cultivation in, such forest, and

every person who is employed by any such person in such forest, and

every person in any village contiguous to such forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community,

shall be bound to furnish without unnecessary delay to the nearest Forest-officer or Police-officer any information he may possess respecting the occurrence of a fire in or near such forest, or, the commission of, or intention to commit, any forest-offence, and shall assist any Forest-officer or Police-officer demanding his aid—

(*a*) in extinguishing any fire occurring in such forest;

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;

(*c*) in preventing the commission in such forest of any forest-offence; and

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

Recovery of money due to Government.

77. All money, other than fines, payable to the Government under this Act, or under any rule made hereunder, or on account of the price of any timber or forest-produce, or of expenses incurred in the execution of this Act in respect of such timber or forest-produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.

Lien on forest-produce for such money.

78. When any such money is payable for, or in respect of, any forest-produce, the amount thereof shall be deemed to be a first charge on such produce; and such produce may be taken possession of by a Forest-officer specially empowered in this behalf, and may be retained by him until such amount has been paid.

Power to sell such produce.

If such amount is not paid when due, such Forest-officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Government.

Government and its officers not liable for loss or damage in respect of certain timber.

79. The Government shall not be responsible for any loss or damage which may occur in respect of any timber while at a station established under a rule

made under section forty-three, or while detained elsewhere for the purposes of this Act, or in respect of any timber collected under section forty-six; and no Forest-officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously or fraudulently.

Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act.

80. Whenever it appears to the Chief Commissioner that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Act, 1870, section four.

SCHEDULE.

(See section 2.)

ENACTMENTS REPEALED.

Number and year of Act or Regulation.	Title.	Extent of repeal.
Act VII of 1865...	An Act to give effect to rules for the management and preservation of Government forests.	So much as has not been repealed.
Act VII of 1869...	An Act to give validity to certain rules relating to forests in British Burma.	The whole.
Act XIII of 1873	An Act to amend the law relating to timber floated down the rivers of British Burma.	So much as has not been repealed.
Regulation IX of 1874.	The Arakan Hill District Laws Regulation, 1874.	So far as it relates to Acts VII of 1865 and VII of 1869.
	The Rules for the better management and preservation of the Government Forests in British Burma, dated the second day of August, 1865.	The whole.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th September, 1881, and is hereby promulgated for general information :—

ACT No. XX OF 1881.

THE SINDH INCUMBERED ESTATES ACT, 1881.

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An Act to amend the law providing for the relief of Jágírdárs and Zamíndárs in Sindh.

WHEREAS it is expedient to amend the law providing for the relief of Jágírdárs and Zamíndárs in Sindh; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Sindh Incumbered Estates Act, 1881"; and it shall come into force on the passing thereof.

Short title.

Commencement.

2. Act No. XIV of 1876 (*to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh*) is repealed; but all applications, appointments and rules made, all notices published and all other things duly done under the said Act shall be deemed to have been respectively made, published and done under this Act.

Repeal of Act No. XIV of 1876.

Interpretation-clause. **3.** In this Act—

"Jágír land" includes also a share held hereditarily of the revenues of a Government village, but does not include *sirí* or *mámul* or garden grants:

"Jágír land":

"Jágírdár" means a person who, or whose ancestor, was found in possession of jágír land in Sindh on the seventeenth day of February, 1843, and to whom the said land, or a portion of the same, or other land in lieu thereof, has been continued by the British Government, and to whom, or to whose ancestor, a sanad has been, or hereafter may be, granted confirming such continuance:

"Jágírdár":

"Zamíndár" means a person holding lands in Sindh on the aggregate of which he or his ancestor has been assessed by the Government, on account of land-revenue for any one of the five revenue years next before the fourteenth day of September, 1876, a sum not less than three hundred rupees:

"Zamíndár":

"Commissioner" means the Commissioner in Sindh.

"Commissioner."

CHAPTER II.

OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within six months after the passing of this Act, any jágírdár or zamíndár,

Application for the benefit of this Act.

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an inquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities, and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

Order to inquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an inquiry to be made as aforesaid.

6. When an inquiry has been directed under section five, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such inquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

7. The officer so appointed, after making inquiry, shall submit a report of the proceedings to the Commissioner.

Report of inquiry and proceedings thereon.

On receipt of such report, the Commissioner may (*a*) direct a further inquiry; or (*b*) dismiss the application; or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

CHAPTER III.

OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its

"Order of management;" to what it extends.

publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date, and to the amount of any loan which may be received by the manager from Government in the manner hereinafter provided.

The management shall be deemed to commence from the date on which the order is published.

Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:—

Effect of order of management.

First, all proceedings then pending in any civil Court in British India in respect to the debts and liabilities mentioned in section eight shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended;

Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any civil Court in British India in respect of such debts and liabilities;

Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent—

The debtor incompetent—

(*a*) to enter into any contract involving him in pecuniary liability, or

to contract debts,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to encumber or alienate property under management.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom:

to grant receipts for rent thereof.

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms consistent with this Act as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

Manager to have powers of owner and to receive rents and profits,

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector under the law for the time being in force for the recovery of land-revenue due to Government;

to have powers of a Collector for their recovery.

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section ten, the manager shall pay—

Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs;

costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management;

Government revenue, &c.,

Thirdly, the rent (if any) due to the jágírdár or other superior holder in respect of the said property;

rent due to superior holder,

Fourthly, such periodical allowances as the Commissioner may from time to time fix for the maintenance of the debtor and his family;

allowance for maintenance of debtor,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section eight other than those so due or incurred to Government, and also for the repayment, either before or after the liquidation of such debts and liabilities, of any loan received from Government by the manager under this Act.

Residue how disposed of.

CHAPTER IV.

PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhí, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such manager within six months from the date of the publication.

Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim.

Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager, together with a copy of the entry on which he relies. The manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

Entries in books.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section nineteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section twelve, the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

15. The manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Determination of debts and liabilities.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Power to rank debts and to fix interest.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section eleven, and for the repayment of the money (if any) which the manager proposes to borrow from Government under this Act; and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Provisions of scheme.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme or any revised liquidation-scheme submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

19. At any time before he has sanctioned a liquidation-scheme under section eighteen, the Commissioner may, by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section ten;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section eleven shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section nine, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

CHAPTER V.

OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the local Government may from time to time by rule direct; and thereupon—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section nine shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished; and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Chapter IV of this Act in respect of such debt or liability.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Chapter IV of this Act.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit; and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

23. Subject to the rules made under section thirty-one, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to lease.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient; or

(*c*) by borrowing money from Government at such rate of interest as appears reasonable to the local Government.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

26. When the debts and liabilities mentioned in the liquidation-scheme and the amount of any loan received from Government under clause (*c*) of section twenty-four, together with the interest (if any) due thereon, have been paid and discharged, the manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section twenty-four, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections ten, twenty-three and twenty-four.

Restoration of owner.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section nine; and

3*rdly*, no civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

28. When a jágírdár or zamíndár has been restored under section twenty-six to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jagírdár or zamíndár shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

CHAPTER VI.

OF APPEAL AND REVISION.

29. An appeal against any decision or order under sections fourteen, fifteen, sixteen and twenty-two, and imposing a fine or imprisonment in exercise of the powers conferred by section thirty-five, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon consistent with the provisions of this Act as he thinks fit.

Power to call for proceedings and pass order thereon.

CHAPTER VII.

MISCELLANEOUS.

31. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Chapter IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determin-

ation, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities and repaying any loan received hereunder from Government;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities; and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and shall thereupon have the force of law.

Power to appoint new manager.

32. Whenever the Commissioner thinks fit, he may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers to be public servants.

33. Every manager appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of anything done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

37. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th September, 1881, and is hereby promulgated for general information:—

ACT No. XXI OF 1881.

THE BROACH AND KAIRA INCUMBERED ESTATES ACT, 1881.

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An Act to amend the law providing for the relief of Thákurs in the Districts of Broach and Kaira.

WHEREAS it is expedient to amend the law providing for the relief of Thákurs in the Districts of Broach and Kaira; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Broach and Kaira Incumbered Estates Act, 1881": Short title.

and it shall come into force on the passing thereof. Commencement.

2. Act No. XIV of 1877 (*to relieve from Incumbrances the estates of Thákurs in Broach and Kaira*), except the last three sections, is repealed; Partial repeal of Act No. XIV of 1877.

But all applications, appointments and rules made, all notices published and all other things duly done under the said Act or under Act No. XV of 1871 (*to relieve from Incumbrances the estates of Thákurs in Broach*) shall be deemed to have been respectively made, published and done under this Act.

In section 40 of the said Act No. XIV of 1877, for the words "the said Taluqdárí Settlement Officer," the words "the Taluqdárí Settlement Officer mentioned in the Broach and Kaira Incumbered Estates Act, 1881, section seven," shall be substituted.

3. In this Act— Interpretation-clause.

"Thákur" means also taluqdár, jágírdár and kasbátí, and such other classes of holders of estates as the local Government may, with the previous sanction of the Governor General in Council, declare to be Thákurs for the purposes of this Act: "Thákur":

"Heir" means the person for the time being entitled as heir to a Thákur: "Heir":

"Commissioner" means the Revenue Commissioner of the Northern Division of the Presidency of Bombay. "Commissioner."

CHAPTER II.

OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within six months after the passing of this Act, any Thákur, Application for benefit of Act.

or any person who would be sole heir or one of the heirs to such Thákur if he then died intestate, may apply, in writing, to the Commissioner stating that such Thákur is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any Thákur or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a Thákur, or the person who would be his sole heir if he then died, the Commissioner shall direct an inquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same. Order to inquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an inquiry to be made as aforesaid.

6. When an inquiry has been directed under section five, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such inquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require. Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code. False averments in statement.

7. The officer so appointed, after making inquiry, shall submit a report of his proceedings to the Commissioner. Report of inquiry and proceedings thereon.

On receipt of such report, the Commissioner may—

(*a*) direct a further inquiry, or

(*b*) dismiss the application, or

(*c*) by order published in the *Bombay Government Gazette*, direct that the immoveable property of the debtor shall be managed, and that his debts shall be liquidated, in the manner hereinafter provided, by a manager.

The Taluqdárí Settlement-officer for the time being shall, unless the local Government in any case otherwise directs, be such manager.

CHAPTER III.

OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date, and to the amount of any loan which may be received by the manager from Government in the manner hereinafter provided. "Order of management;" to what it extends.

The management shall be deemed to commence from the date on which the order is published. Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:— Effect of order of management.

First, all proceedings then pending in any civil Court in British India in respect to the debts and liabilities mentioned in section eight shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended; Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any civil Court in British India in respect of such debts and liabilities; Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent— The debtor incompetent—

(*a*) to enter into any contract involving him in pecuniary liability, or to contract debts,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or to incumber or alienate property,

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom: to grant receipts for rent.

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms consistent with this Act as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management, Manager to have powers of owner and to receive rents and profits;

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a Thákur, all the powers possessed by a Collector, under the law for the time being in force, for to have powers of Collector for their recovery.

securing and recovering land-revenue due to Government:

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section ten, the manager shall pay— Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs; costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management; Government revenue, &c.,

Thirdly, the rent (if any) due to any superior holder in respect of the said property; rent due to superior holder,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance and other necessary expenses of the debtor and of such members of his family as the Commissioner directs; allowance for maintenance and expenses of debtor and family,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and as are approved by the Commissioner. cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section eight other than those so due or incurred to Government, and also for the repayment, either before or after the liquidation of such debts and liabilities, of any loan received from Government by the manager under this Act. Residue how disposed of.

CHAPTER IV.

PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Bombay Government Gazette* a notice in English and Gujrátí calling upon all persons having claims against the debtor or the property under management to notify the same in writing to such manager within six months from the date of the publication. Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mámlatdárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit. Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof. Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim. Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager together with a copy of the entry on which he relies. Entries in books.

The manager shall mark the book for the purpose of identification, and after examining and comparing the copy with the original, shall return the book to the claimant.

Power to exclude documents not produced with claim.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Claim not duly notified to be barred.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section nineteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Admission of claims within further period of six months.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section twelve, the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Determination of debts and liabilities.

15. The manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Power to rank debts and to fix interest.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Scheme for liquidation.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) shewing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Provisions of scheme.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section eleven, and for the repayment of the money (if any) which the manager proposes to borrow from Government under this Act, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may—

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

Power to relinquish management.

19. At any time before he has sanctioned a liquidation-scheme under section eighteen, the Commissioner may, by an order published in the *Bombay Government Gazette*, direct that on a date fixed by such order the management shall be relinquished.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section ten;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section eleven shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section nine, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

CHAPTER V.

OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

Effects of sanctioning scheme.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the local Government may from time to time by rule direct; and thereupon—

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section nine shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Chapter IV of this Act in respect of such debt or liability.

Power to remove mortgagee in possession.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Chapter IV of this Act.

Power to inquire into consideration given for leases.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, with the consent of the Commissioner, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit; and in default of such payment, the lease shall be cancelled.

Power to lease.

23. Subject to the rules made under section thirty-one, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to raise money by mortgage or sale.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

(*a*) by mortgaging the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by charging the whole or any part of such property; or

(*c*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient; or

(*d*) by borrowing money from Government at such rate of interest as appears reasonable to the local Government.

Manager's receipt a discharge.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Termination of management.

26. When the debts and liabilities mentioned in the liquidation-scheme and the amount of any loan received from Government under clause (*d*) of section twenty-four, together with the interest (if any) due thereon, have been paid and discharged as therein provided, or in such other manner as the Commissioner thinks fit, the manager shall publish in the *Bombay Government Gazette* a notice fixing a date for the termination of the management.

Restoration of owner.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section twenty-four, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections ten, twenty-three and twenty-four.

Death of debtor during management.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section nine; and

3*rdly*, no civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management, for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

Mortgages, &c., made by restored Thákur valid only for his life.

28. When a Thákur has been restored under section twenty-six to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such Thákur, shall be valid as to any time beyond his natural life.

CHAPTER VI.

OF APPEAL AND REVISION.

Appeal.

29. An appeal against any decision or order under sections fourteen, fifteen, sixteen and twenty-two, or imposing a fine or imprisonment in exercise of the powers conferred by section thirty-five, shall lie to the Commissioner, if preferred within six weeks from the date of such decison or order.

There shall be no appeal against the decision of the Commissioner on such appeal.

Power to call for proceedings and pass order thereon.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon consistent with the provisions of this Act as he thinks fit.

CHAPTER VII.

MISCELLANEOUS.

Power to make rules.

31. The local Government may, from time to time, make rules consistent with this Act—

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Chapter IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and

liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities and repaying any loan received hereunder from Government;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities; and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Bombay Government Gazette*, and when so published shall have the force of law.

Power to appoint new manager.

32. The local Government may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers and their agents to be public servants.

33. Every manager appointed under this Act and every agent of such manager shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation, a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager and any officer making an inquiry under section five may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of anything done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Broach and Kaira in respect of certain suits.

37. Nothing in this Act precludes the Courts in Broach and Kaira having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

Exemption of certain Thákurs from certain provisions of Act.

38. Nothing in section nine shall be deemed to render any of the following Thákurs, namely, the Thákur of Ahmod, the Thákur of Sarod, the Thákur of Kerwára, the Thákur of Dehej, and the Thákur of Janiádra incompetent to enter into contracts involving him in pecuniary liability, nor shall anything in section twenty-eight apply to any of the said Thákurs:

Provided that, if any such Thákur has, since the scheme for the settlement of his debts and liabilities was approved under section 11 of the said Act No. XV of 1871, entered into any contract involving him in pecuniary liability exceeding the average annual income derived during the previous five years from his immoveable property after deducting therefrom the land-tax and other dues of Government, the local Government may, by notification in the *Bombay Government Gazette*, declare that the exemption made by the former part of this section shall cease in his case, and thereupon such exemption shall cease accordingly.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY SEPTEMBER 24, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

[**Third publication.**]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th September, 1881, and is hereby promulgated for general information:—

ACT No. XX OF 1881.

THE SINDH INCUMBERED ESTATES ACT, 1881.

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An Act to amend the law providing for the relief of Jágírdárs and Zamíndárs in Sindh.

Preamble.

WHEREAS it is expedient to amend the law providing for the relief of Jágírdárs and Zamíndárs in Sindh ; It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title. Commencement.

1. This Act may be called "The Sindh Incumbered Estates Act, 1881"; and it shall come into force on the passing thereof.

Repeal of Act No. XIV of 1876.

2. Act No. XIV of 1876 (*to relieve from Incumbrances the estates of Jágírdárs and Zamíndárs in Sindh*) is repealed ; but all applications, appointments and rules made, all notices published and all other things duly done under the said Act shall be deemed to have been respectively made, published and done under this Act.

Interpretation-clause.

3. In this Act—

"Jágír land": "Jágír land" includes also a share held hereditarily of the revenues of a Government village, but does not include *siri* or *máunl* or garden grants :

"Jágírdár": "Jágírdár" means a person who, or whose ancestor, was found in possession of jágír land in Sindh on the seventeenth day of February, 1843, and to whom the said land, or a portion of the same, or other land in lieu thereof, has been continued by the British Government, and to whom, or to whose ancestor, a sanad has been, or hereafter may be, granted confirming such continuance :

"Zamíndár": "Zamíndár" means a person holding lands in Sindh on the aggregate of which he or his ancestor has been assessed by the Government, on account of land-revenue for any one of the five revenue years next before the fourteenth day of September, 1876, a sum not less than three hundred rupees :

"Commissioner." "Commissioner" means the Commissioner in Sindh.

CHAPTER II.

OF THE APPLICATION AND PRELIMINARY INQUIRY.

Application for the benefit of this Act.

4. At any time within six months after the passing of this Act, any jágírdár or zamíndár,

or any person who would be sole heir or one of the heirs to such jágírdár or zamíndár if he then died intestate,

may apply, in writing, to the Commissioner, stating that such jágírdár or zamíndár is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any jágírdár, zamíndár or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

Order to inquire.

5. When any such application is made by or on behalf of a jágírdár, or the person who would be his sole heir if he then died, the Commissioner shall direct an inquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities, and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an inquiry to be made as aforesaid.

Verified statement to be submitted.

6. When an inquiry has been directed under section five, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such inquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code.

False averments in statement.

Report of inquiry and proceedings thereon.

7. The officer so appointed, after making inquiry, shall submit a report of the proceedings to the Commissioner.

On receipt of such report, the Commissioner may (*a*) direct a further inquiry ; or (*b*) dismiss the application ; or (*c*), by order published in the *Sindh Official Gazette*, appoint an officer (hereinafter called the manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.

CHAPTER III.

OF THE ORDER OF MANAGEMENT.

"Order of management;" to what it extends.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date, and to the amount of any loan which may be received by the manager from Government in the manner hereinafter provided.

Commencement of management.

The management shall be deemed to commence from the date on which the order is published.

Effect of order of management.

9. On the publication of the order of management the following consequences shall ensue :—

Stay of pending proceedings, &c.

First, all proceedings then pending in any civil Court in British India in respect to the debts and liabilities mentioned in section eight shall be stayed ; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended ;

Bar of fresh proceedings.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any civil Court in British India in respect of such debts and liabilities ;

The debtor incompetent—

Thirdly, so long as the management continues, the debtor shall be incompetent—

to contract debts,

(*a*) to enter into any contract involving him in pecuniary liability, or

to encumber or alienate property under management.

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or

to grant receipts for rent thereof.

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom :

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms consistent with this Act as may be agreed upon between the parties ;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

Manager to have powers of owner and to receive rents and profits,

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management,

to have powers of a Collector for their recovery.

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a jágírdár or zamíndár, as the case may be, all the powers possessed by a Collector under the law for the time being in force for the recovery of land-revenue due to Government :

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

Manager to pay therefrom—

11. From the sums received or recovered under section ten, the manager shall pay—

costs of management and repairs,

First, the costs of the management, including the costs of necessary repairs ;

Government revenue, &c.,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management ;

rent due to superior holder,

Thirdly, the rent (if any) due to the jágírdár or other superior holder in respect of the said property ;

allowance for maintenance of debtor,

Fourthly, such periodical allowances as the Commissioner may from time to time fix for the maintenance of the debtor and his family ;

cost of improvements, &c.

Fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Commissioner.

Residue how disposed of.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section eight other than those so due or incurred to Government, and also for the repayment, either before or after the liquidation of such debts and liabilities, of any loan received from Government by the manager under this Act.

CHAPTER IV.

PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

Notice to claimants against debtor.

12. On the publication of the order of management, the manager shall publish in the *Sindh Official Gazette* a notice in English and Sindhí, calling upon all persons having claims against the debtor, or the property under management, to notify the same in writing to such manager within six months from the date of the publication.

Copies of notice to be exhibited.

He shall also cause copies of such notice to be exhibited at the mukhtiárkárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit.

Claim to contain full particulars.

13. Every such claimant shall, along with his claim, present full particulars thereof.

Documents to be given up.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim.

Entries in books.

If the document be an entry in any book, the claimant shall produce the book to the manager, together with a copy of the entry on which he relies. The manager shall mark the book for the purpose of identification, and, after examining and comparing the copy with the original, shall return the book to the claimant.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Exclusion of documents not produced.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section nineteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Claim not duly notified to be barred.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section twelve, the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Provision for admission of claims within further period of six months.

15. The manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Determination of debts and liabilities.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Power to rank debts and to fix interest.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Scheme for liquidation.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section eleven, and for the repayment of the money (if any) which the manager proposes to borrow from Government under this Act; and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Provisions of scheme.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme or any revised liquidation-scheme submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

19. At any time before he has sanctioned a liquidation-scheme under section eighteen, the Commissioner may, by an order published in the *Sindh Official Gazette*, direct that on a date fixed by such order the management shall be relinquished.

Power to relinquish management.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section ten;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section eleven shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section nine, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

CHAPTER V.

OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the local Government may from time to time by rule direct; and thereupon—

Effects of sanctioning scheme.

1*st*, all proceedings, processes, executions and attachments stayed or suspended under section nine shall be for ever barred, and

2*nd*, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished; and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Chapter IV of this Act in respect of such debt or liability.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

Power to remove mortgagee in possession.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under the liquidation-scheme, the amount (if any) awarded to him under Chapter IV of this Act.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager, with the sanction of the Commissioner, may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit; and in default of such payment the lease shall be cancelled.

Power to inquire into consideration given for leases.

23. Subject to the rules made under section thirty-one, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to lease.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

Power to raise money by mortgage or sale.

(*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient; or

(*c*) by borrowing money from Government at such rate of interest as appears reasonable to the local Government.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Manager's receipt to be a discharge.

26. When the debts and liabilities mentioned in the liquidation-scheme and the amount of any loan received from Government under clause (*c*) of section twenty-four, together with the interest (if any) due thereon, have been paid and discharged, the manager shall publish in the *Sindh Official Gazette* a notice fixing a date for the termination of the management.

Termination of management.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section twenty-four, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections ten, twenty-three and twenty-four.

Restoration of owner.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

Death of debtor during management.

1*st*, the management shall continue and proceed in all respects as if such debtor were still living;

2*ndly*, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section nine; and

3*rdly*, no civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

28. When a jágírdár or zamíndár has been restored under section twenty-six to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such jagírdár or zamíndár shall be valid as to any time beyond his natural life.

Mortgages, &c., made by restored jágírdár valid only for his life.

CHAPTER VI.

OF APPEAL AND REVISION.

29. An appeal against any decision or order under sections fourteen, fifteen, sixteen and twenty-two, and imposing a fine or imprisonment in exercise of the powers conferred by section thirty-five, shall lie to the Commissioner, if preferred within six weeks from the date of such decision or order.

Appeal.

There shall be no appeal against the decision of the Commissioner on such appeal.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon consistent with the provisions of this Act as he thinks fit.

Power to call for proceedings and pass order thereon.

CHAPTER VII.

MISCELLANEOUS.

31. The Commissioner, with the previous sanction of the Governor of Bombay in Council, may, from time to time, make rules consistent with this Act—

Power to make rules.

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Chapter IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determin-

ation, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities and repaying any loan received hereunder from Government;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities; and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Sindh Official Gazette*, and shall thereupon have the force of law.

Power to appoint new manager.

32. Whenever the Commissioner thinks fit, he may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers to be public servants.

33. Every manager appointed under this Act shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation to be deemed a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of anything done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Sindh in respect of certain suits.

37. Nothing in this Act precludes the Courts in Sindh having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 7th September, 1881, and is hereby promulgated for general information:—

ACT No. XXI OF 1881.

THE BROACH AND KAIRA INCUMBERED ESTATES ACT, 1881.

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An Act to amend the law providing for the relief of Thákurs in the Districts of Broach and Kaira.

WHEREAS it is expedient to amend the law providing for the relief of Thákurs in the Districts of Broach and Kaira; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Broach and Kaira Incumbered Estates Act, 1881": Short title.

and it shall come into force on the passing thereof. Commencement.

2. Act No. XIV of 1877 (*to relieve from Incumbrances the estates of Thákurs in Broach and Kaira*), except the last three sections, is repealed; Partial repeal of Act No. XIV of 1877.

But all applications, appointments and rules made, all notices published and all other things duly done under the said Act or under Act No. XV of 1871 (*to relieve from Incumbrances the estates of Thákurs in Broach*) shall be deemed to have been respectively made, published and done under this Act.

In section 40 of the said Act No. XIV of 1877, for the words "the said Taluqdárí Settlement Officer," the words "the Taluqdárí Settlement Officer mentioned in the Broach and Kaira Incumbered Estates Act, 1881, section seven," shall be substituted.

3. In this Act— Interpretation-clause.

"Thákur" means also taluqdár, jágírdár and kasbátí, and such other classes of holders of estates as the local Government may, with the previous sanction of the Governor General in Council, declare to be Thákurs for the purposes of this Act: "Thákur":

"Heir" means the person for the time being entitled as heir to a Thákur: "Heir":

"Commissioner" means the Revenue Commissioner of the Northern Division of the Presidency of Bombay. "Commissioner."

CHAPTER II.

OF THE APPLICATION AND PRELIMINARY INQUIRY.

4. At any time within six months after the passing of this Act, any Thákur, Application for benefit of Act.

or any person who would be sole heir or one of the heirs to such Thákur if he then died intestate, may apply, in writing, to the Commissioner stating that such Thákur is subject to debts or liabilities, other than debts due, or liabilities incurred, to Government, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.

When any Thákur or other person entitled to make an application under this section is a minor, or of unsound mind, or an idiot, such application may be made on his behalf by the guardian or other legal curator of his person, or by the legally constituted administrator or manager of his estate.

5. When any such application is made by or on behalf of a Thákur, or the person who would be his sole heir if he then died, the Commissioner shall direct an inquiry to be made by such officer as he thinks fit into the nature and amount of such debts and liabilities and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same. Order to inquire.

When such an application is made in any other case, it shall be in the discretion of the Commissioner, subject to any general rules which may from time to time be made by the Governor of Bombay in Council in this behalf, either to reject such application or to direct an inquiry to be made as aforesaid.

6. When an inquiry has been directed under section five, the applicant shall, within a period to be fixed by the Commissioner, submit to the officer appointed to make such inquiry a statement duly verified by the said applicant, or by some other competent person, in the manner required by law for the verification of plaints, and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immoveable, to meet the same, as the Commissioner, or the said officer subject to his control, may require. Verified statement to be submitted.

If any such statement contains any averment which the person making the verification knows or believes to be false, or does not know or believe to be true, such person shall be deemed to have intentionally given false evidence within the meaning of the Indian Penal Code. False averments in statement.

7. The officer so appointed, after making inquiry, shall submit a report of his proceedings to the Commissioner. Report of inquiry and proceedings thereon.

On receipt of such report, the Commissioner may—

(*a*) direct a further inquiry, or

(*b*) dismiss the application, or

(*c*) by order published in the *Bombay Government Gazette*, direct that the immoveable property of the debtor shall be managed, and that his debts shall be liquidated, in the manner hereinafter provided, by a manager.

The Taluqdárí Settlement-officer for the time being shall, unless the local Government in any case otherwise directs, be such manager.

CHAPTER III.

OF THE ORDER OF MANAGEMENT.

8. Such order (hereinafter called "the order of management") shall extend to all immoveable property of or to which the debtor is on the date of its publication possessed or entitled in his own right, or which he is entitled to redeem, or which may be acquired by or devolve on him during the continuance of the management, and to all debts and liabilities to which he is subject, or which are charged on the whole or any part of his immoveable property on the said date, and to the amount of any loan which may be received by the manager from Government in the manner hereinafter provided. "Order of management;" to what it extends.

The management shall be deemed to commence from the date on which the order is published. Commencement of management.

9. On the publication of the order of management the following consequences shall ensue:— Effect of order of management.

First, all proceedings then pending in any civil Court in British India in respect to the debts and liabilities mentioned in section eight shall be stayed; and the operation of all processes, executions and attachments then in force for or in respect of such debts and liabilities shall be suspended; Stay of pending proceedings, &c.

Secondly, so long as the management continues, no fresh proceedings, processes, executions or attachments shall be instituted in or issued by any civil Court in British India in respect of such debts and liabilities; Bar of fresh proceedings.

Thirdly, so long as the management continues, the debtor shall be incompetent— The debtor incompetent—

(*a*) to enter into any contract involving him in pecuniary liability, or to contract debts,

(*b*) to mortgage, charge, lease or alienate the property under management or any part thereof, or to incumber or alienate property,

(*c*) to grant valid receipts for the rents and profits arising or accruing therefrom: to grant receipts for rent.

Provided that nothing contained in this clause shall be deemed to preclude the manager from letting, and the debtor from taking, the whole or any part of such property on such terms consistent with this Act as may be agreed upon between the parties;

Fourthly, so long as the management continues, no person other than the manager shall be competent to mortgage, charge, lease or alienate such property or any part thereof.

10. The manager shall, during the management of the property, have all powers which the owner thereof might, as such, have legally exercised, and shall receive and recover all rents and profits due in respect of the property under management, Manager to have powers of owner and to receive rents and profits;

and for the purpose of recovering such rents and profits shall have, in addition to any powers possessed by a Thákur, all the powers possessed by a Collector, under the law for the time being in force, for to have powers of Collector for their recovery.

securing and recovering land-revenue due to Government:

Provided that he shall not, before the liquidation-scheme hereinafter mentioned has been sanctioned, demise the property under management, or any part thereof, for any term exceeding two years, to take effect in possession.

11. From the sums received or recovered under section ten, the manager shall pay— Manager to pay therefrom—

First, the costs of the management, including the costs of necessary repairs; costs of management and repairs,

Secondly, the Government revenue and all debts and liabilities for the time being due or incurred to Government in respect of the property under management; Government revenue, &c.,

Thirdly, the rent (if any) due to any superior holder in respect of the said property; rent due to superior holder,

Fourthly, such periodical allowance as the Commissioner may from time to time fix for the maintenance and other necessary expenses of the debtor and of such members of his family as the Commissioner directs; allowance for maintenance and expenses of debtor and family,

Fifthly, the cost of such improvements of the said property as he thinks necessary, and as are approved by the Commissioner. cost of improvements, &c.

The residue shall be retained by the manager for the liquidation, in manner hereinafter provided, of the debts and liabilities mentioned in section eight other than those so due or incurred to Government, and also for the repayment, either before or after the liquidation of such debts and liabilities, of any loan received from Government by the manager under this Act. Residue how disposed of.

CHAPTER IV.

PROOF OF DEBTS AND SCHEME FOR LIQUIDATION.

12. On the publication of the order of management, the manager shall publish in the *Bombay Government Gazette* a notice in English and Gujrátí calling upon all persons having claims against the debtor or the property under management to notify the same in writing to such manager within six months from the date of the publication. Notice to claimants against debtor.

He shall also cause copies of such notice to be exhibited at the Mámlatdárs' kachahrís in the district in which the said property lies, and at such other places as he thinks fit. Copies of notice to be exhibited.

13. Every such claimant shall, along with his claim, present full particulars thereof. Claim to contain full particulars.

Every document on which the claimant founds his claim, or on which he relies in support thereof, shall be delivered to the manager along with the claim. Documents to be given up.

If the document be an entry in any book, the claimant shall produce the book to the manager together with a copy of the entry on which he relies. Entries in books.

The manager shall mark the book for the purpose of identification, and after examining and comparing the copy with the original, shall return the book to the claimant.

Power to exclude documents not produced with claim.

If any document in the possession or under the control of the claimant is not delivered or produced by him to the manager along with the claim, the manager may refuse to receive such document in evidence on the claimant's behalf at the investigation of the case.

Claim not duly notified to be barred.

14. Every such claim (other than claims of the Government) not notified to the manager within the time and in the manner required by such notice shall, except as provided in section nineteen, clause (*d*), be deemed for all purposes and on all occasions, whether during the continuance of the management or afterwards, to have been duly discharged:

Admission of claims within further period of six months.

Provided that, when proof is made to the manager that the claimant was unable to comply with the provisions of section twelve, the manager may receive such claim within the further period of six months from the expiration of the original period of six months.

Determination of debts and liabilities.

15. The manager shall inquire into the history and merits of every claim received under sections twelve and fourteen, and shall, in accordance with the rules to be made under this Act, determine the amount of the debts and liabilities (if any) justly due to the several claimants.

Power to rank debts and to fix interest.

16. If such amount cannot be paid at once, the manager shall then proceed to rank such debts and liabilities according to the order in which they shall be paid, and to fix the interest (if any) to be paid thereon, respectively, from the date of the final decision thereon to the date of the payment and discharge thereof.

Scheme for liquidation.

17. When the total amount of the debts and liabilities (including those due and incurred to Government) has been finally determined, the manager shall prepare and submit to the Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation-scheme) shewing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.

Provisions of scheme.

Every such scheme shall further provide for the continuance of the payments to be made by the manager under section eleven, and for the repayment of the money (if any) which the manager proposes to borrow from Government under this Act, and may provide for the improvement of the property under management either from the said income or with the aid of the funds raised as aforesaid, or partly in one of such ways and partly in the other.

Proceedings of Commissioner on submission of scheme.

18. The Commissioner may—

(*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or

(*b*) sanction any liquidation-scheme, or any revised liquidation-scheme, submitted to him, either as it stands, or subject to such modifications as he may deem expedient.

Power to relinquish management.

19. At any time before he has sanctioned a liquidation-scheme under section eighteen, the Commissioner may, by an order published in the *Bombay Government Gazette*, direct that on a date fixed by such order the management shall be relinquished.

On the date so fixed—

(*a*) the management shall terminate;

(*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases made under section ten;

(*c*) any residue of the rents and profits of the said property retained under the last clause of section eleven shall be paid to him; and

(*d*) the proceedings, processes, executions and attachments stayed and suspended under section nine, and the debts and liabilities barred by section fourteen, shall revive.

In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.

CHAPTER V.

OF THE PROCEEDINGS SUBSEQUENT TO SANCTION OF THE LIQUIDATION-SCHEME.

Effects of sanctioning scheme.

20. When the Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the local Government may from time to time by rule direct; and thereupon—

1st, all proceedings, processes, executions and attachments stayed or suspended under section nine shall be for ever barred, and

2nd, every debt or liability due or owing to any person which was proveable before the manager shall be extinguished, and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Chapter IV of this Act in respect of such debt or liability.

Power to remove mortgagee in possession.

21. If the property under management or any part thereof be in the possession of a mortgagee or conditional vendee, the manager, at any time after the liquidation-scheme has been sanctioned as aforesaid, may, by an order in writing, require such incumbrancer to deliver up possession of the same to him at the end of the then current revenue year.

If such incumbrancer refuse or neglect to obey such order, the manager may, without resorting to a civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

Nothing in this section shall be held to affect the right of any incumbrancer to receive, under

the liquidation-scheme, the amount (if any) awarded to him under Chapter IV of this Act.

Power to inquire into consideration given for leases.

22. If the property under management or any part thereof be in the possession of any person claiming to hold under a lease dated within the three years immediately preceding the commencement of the management, the manager may inquire into the sufficiency of the consideration for which the lease was given; and if such consideration appear to him insufficient, may by order, with the consent of the Commissioner, at any time after the liquidation-scheme has been sanctioned as aforesaid, either set aside the lease or require the person so in possession to pay such consideration for the said lease as the manager thinks fit; and in default of such payment, the lease shall be cancelled.

Power to lease.

23. Subject to the rules made under section thirty-one, the manager, after the liquidation-scheme has been sanctioned as aforesaid, shall have power to demise all or any part of the property under management for any term of years not exceeding twenty years absolute, to take effect in possession, in consideration of the payment to him of any fine, or without fine, and reserving such rents, and under such conditions, as may be agreed upon.

Power to raise money by mortgage or sale.

24. At any time after the liquidation-scheme has been sanctioned as aforesaid, the manager, with the previous assent of the Commissioner, shall have power to raise any money which may be required for carrying out such scheme—

(*a*) by mortgaging the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or

(*b*) by charging the whole or any part of such property; or

(*c*) by selling, by public auction or by private contract, and upon such terms as the manager thinks fit, such portion of the said property as may appear expedient; or

(*d*) by borrowing money from Government at such rate of interest as appears reasonable to the local Government.

Manager's receipt a discharge.

25. The manager's receipt for any moneys, rents or profits raised or received by him under this Act shall discharge the person paying the same therefrom and from being concerned to see to the application thereof.

Termination of management.

26. When the debts and liabilities mentioned in the liquidation-scheme and the amount of any loan received from Government under clause (*d*) of section twenty-four, together with the interest (if any) due thereon, have been paid and discharged as therein provided, or in such other manner as the Commissioner thinks fit, the manager shall publish in the *Bombay Government Gazette* a notice fixing a date for the termination of the management.

Restoration of owner.

On the date so fixed the management shall terminate, and the owner shall be restored to the possession and enjoyment of the property under management, or of such part thereof as has not been sold by the manager under the power conferred by section twenty-four, but subject to the leases and mortgages (if any) granted and made by the manager under the powers conferred by sections ten, twenty-three and twenty-four.

Death of debtor during management.

27. If the debtor dies after the publication of the order of management and before the management has been terminated in either of the modes hereinbefore provided—

1st, the management shall continue and proceed in all respects as if such debtor were still living;

2ndly, any person succeeding to the whole or any portion of the property under management shall, while such management continues, be subject in respect of such property to the disabilities imposed by clauses (*b*) and (*c*) of section nine; and

3rdly, no civil Court in British India shall, during the continuance of the management, issue any attachment or other process against any portion of the property under management, for or in respect of any debt or liability incurred by any such person whether before or after his said succession.

Mortgages, &c., made by restored Thákur valid only for his life.

28. When a Thákur has been restored under section twenty-six to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made by such Thákur, shall be valid as to any time beyond his natural life.

CHAPTER VI.

OF APPEAL AND REVISION.

Appeal.

29. An appeal against any decision or order under sections fourteen, fifteen, sixteen and twenty-two, or imposing a fine or imprisonment in exercise of the powers conferred by section thirty-five, shall lie to the Commissioner, if preferred within six weeks from the date of such decison or order.

There shall be no appeal against the decision of the Commissioner on such appeal.

Power to call for proceedings and pass order thereon.

30. The Commissioner may, of his own motion or on the application of any person concerned, call for the proceedings in any case under this Act, and pass such order thereon consistent with the provisions of this Act as he thinks fit.

CHAPTER VII.

MISCELLANEOUS.

Power to make rules.

31. The local Government may, from time to time, make rules consistent with this Act—

(*a*) to regulate the security to be required from subordinate officers under this Act;

(*b*) to regulate the procedure in all cases under this Act;

(*c*) for the guidance of officers enquiring into and determining on claims under Chapter IV of this Act; and in particular as to the allowance of interest (if any) on each of the principal debts and

liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount of such debts and liabilities from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities and repaying any loan received hereunder from Government;

(*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of British India, and for the sale of such securities; and

(*e*) generally to carry out the provisions of this Act.

Such rules shall be published in the *Bombay Government Gazette*, and when so published shall have the force of law.

Power to appoint new manager.

32. The local Government may suspend or remove any manager, and may appoint any officer in the stead of any manager appointed under this Act; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager.

Every such new manager shall have the same powers as if he had been originally appointed.

Managers and their agents to be public servants.

33. Every manager appointed under this Act and every agent of such manager shall be deemed a public servant within the meaning of the Indian Penal Code.

Investigation, a judicial proceeding.

34. Every investigation conducted by the manager with reference to any claim preferred before him under this Act, or to any matter connected with any such claim, shall be taken to be a judicial proceeding within the meaning of the Indian Penal Code.

Power to summon witnesses and compel production of documents.

35. For the purposes of this Act, the manager and any officer making an inquiry under section five may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a civil Court by the Code of Civil Procedure.

Bar of suits.

36. No suit or other proceeding shall be maintained against any person in respect of anything done by him *bonâ fide* pursuant to this Act.

Saving of jurisdiction of Courts in Broach and Kaira in respect of certain suits.

37. Nothing in this Act precludes the Courts in Broach and Kaira having jurisdiction in suits relating to the succession to any immoveable property brought under the operation of this Act from entertaining and disposing of such suits; but to all such suits the manager of such property shall be made a party.

Exemption of certain Thákurs from certain provisions of Act.

38. Nothing in section nine shall be deemed to render any of the following Thákurs, namely, the Thákur of Ahmod, the Thákur of Sarod, the Thákur of Kerwára, the Thákur of Dehej, and the Thákur of Janiádra incompetent to enter into contracts involving him in pecuniary liability, nor shall anything in section twenty-eight apply to any of the said Thákurs:

Provided that, if any such Thákur has, since the scheme for the settlement of his debts and liabilities was approved under section 11 of the said Act No. XV of 1871, entered into any contract involving him in pecuniary liability exceeding the average annual income derived during the previous five years from his immoveable property after deducting therefrom the land-tax and other dues of Government, the local Government may, by notification in the *Bombay Government Gazette*, declare that the exemption made by the former part of this section shall cease in his case, and thereupon such exemption shall cease accordingly.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information:—

ACT No. XXII OF 1881.

THE EXCISE ACT, 1881.

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An Act to amend the law relating to the Excise-revenue in Northern India, British Burma and Coorg.

WHEREAS it is expedient to amend the law in force in Northern India, British Burma and Coorg relating to the production, sale, possession and import of spirit, fermented liquors and intoxicating drugs, and the collection of the revenue derived therefrom; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Excise Act, 1881": Short title.

It extends to the territories administered respectively by the Lieutenant-Governors of the North-Western Provinces and the Panjáb and the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg, and Ajmer and Merwára; and Local extent.

it shall come into force on the first day of January, 1882. Commencement.

2. On and from that day the Excise Act, 1871, shall be repealed, but all rules made, powers conferred and licenses and farms granted under that Act and in force on the same day shall be deemed to have been respectively made, conferred and granted under this Act. Repeal of Act X of 1871.

Interpretation-clause. **3.** In this Act—

"Chief Revenue-authority": (*a*) "Chief Revenue-authority" means—

in the territories administered by the Lieutenant-Governor of the North-Western Provinces—the Board of Revenue;

in the territories administered by the Lieutenant-Governor of the Panjáb—the Financial Commissioner; and

in the territories respectively administered by the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg, and Ajmer and Merwára—the Chief Commissioner:

"Collector": (*b*) "Collector" includes any Revenue-officer in independent charge of a District and any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Collector under this Act:

"Commissioner of Revenue": "Commissioner of Revenue" means any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Commissioner of Revenue under this Act:

"Magistrate": (*c*) "Magistrate" means any Magistrate exercising powers not less than those of a Magistrate of the second class, or any Magistrate of the third class specially authorized in this behalf by the Magistrate of the District:

"Place": (*d*) "Place" includes also house, boat and raft:

"Tárí": (*e*) "Tárí" means the sap of any kind of palm-tree.

"Fermented liquor": (*f*) "Fermented liquor" means malt liquor, wine, pachwai and fermented tárí, and, in any provision of this Act, shall, if the Local Government, subject to the control of the Governor General in Council, so directs, include any other fermented liquor, and also tárí though it may not have perceptibly begun to ferment:

"Spirit": (*g*) "Spirit" means any liquor containing alcohol obtained by distillation:

"Intoxicating drugs": (*h*) The expression "intoxicating drugs" means gánja, bhang, charas, and every preparation and admixture of the same:

"Tola": (*i*) "Tola" means a weight of one hundred and eighty grains Troy:

"Ser": (*j*) "Ser" means a weight of eighty tolas:

"Retail": (*k*) The articles next hereinafter mentioned shall be deemed to be sold retail within the meaning of this Act when sold in quantities not exceeding those next hereinafter specified in respect of them, that is to say,—

Foreign spirit or foreign fermented liquor, two imperial gallons or twelve reputed quart bottles;

country spirit, one ser, and in British Burma one reputed quart bottle;

country fermented liquor, four sers, and in British Burma four reputed quart bottles;

bhang, or any preparation or admixture thereof, one quarter of a ser;

gánja or charas, or any preparation or admixture thereof, five tolas:

"Wholesale." If sold in larger quantities they shall be deemed to be sold wholesale.

"Country spirit"; "Foreign spirit." In any case in which doubt arises the Local Government may decide what for the purposes of this Act shall be deemed to be "country spirit," "country fermented liquor," "foreign spirit," and "foreign fermented liquor"; and such decision shall be binding on the Courts.

Saving of Acts XVI of 1863 and III of 1880. **4.** Nothing herein contained shall affect Act No. XVI of 1863 (*to make special provision for the levy of the Excise Duty payable on Spirits used exclusively in Arts and Manufactures or in Chemistry*) or the Cantonments Act, 1880.

CHAPTER II.

PRODUCTION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

Manufacture of spirit and liquor without license prohibited. **5.** No person shall construct, work or possess a distillery, still or brewery, or manufacture fermented liquor, in any district except under a license granted by the Collector or by a person authorised by the Collector to grant such license, and in accordance with the conditions (if any) contained therein.

Power to establish distilleries for country spirit. **6.** The Collector may, with the previous sanction of the Chief Revenue-authority, from time to time,

(*a*) establish at any place within his district a distillery in which country spirit may be made, and discontinue any distillery so established;

(*b*) fix limits within his district within which no such spirit, unless made in the said distillery, shall be introduced without a pass from him.

Duty on spirit. **7.** No spirit shall be removed from any distillery licensed under section five or established under section six, until—

(*a*) the duty payable in respect of such spirit under the Indian Tariff Act, 1875, section eleven, has been paid, or

(*b*) a bond for such duty has been executed, or

(*c*) a duty in respect of the materials used in making such spirit has been levied at such rates and in such manner as the Local Government, with the previous sanction of the Governor General in Council, may from time to time direct.

Power to make rules as to distilleries and breweries licensed under section 5. **8.** The Chief Revenue-authority may, from time to time, make rules as to—

(*a*) the granting of licenses for distilleries, stills and breweries under section five;

(*b*) the notices to be given by the proprietor of a licensed distillery when he commences and discontinues work;

(*c*) the size and description of the stills in such distillery;

(*d*) the storing and passing out of the spirit made in such distillery, and the contents of the passes;

(*e*) the inspection and examination of the distillery and warehouses, and of the spirit made and stored therein;

(*f*) the furnishing of statements of the spirit, and of the stills, coppers, casks and other utensils, in the distillery.

And for distilleries established under section 6. **9.** The Chief Revenue-authority may, from time to time, make rules as to—

(*a*) the management of distilleries established under section six, and in particular as to the conditions on which any materials to be used in making spirit may be brought into such distillery;

(*b*) the conditions on which spirit may be made in such distilleries; and

(*c*) the storing and passing out of the spirit so made, and the contents of the passes.

Sanction to rules under sections 8 and 9. **10.** Except in the territories respectively administered by the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg and Ajmer and Merwára, the sanction of the Local Government is required to validate rules under sections eight and nine.

Production of intoxicating drugs. **11.** In British Burma, the cultivation of hemp and the preparation of intoxicating drugs therefrom are prohibited except under, and in accordance with, a license granted by such officer as the Chief Commissioner may from time to time appoint in this behalf.

In the other territories to which this Act extends, the Chief Revenue-authority may, from time to time, make such rules to restrict and regulate the

cultivation of hemp and the preparation of intoxicating drugs therefrom as it may deem necessary to secure the duty leviable in respect of those drugs.

CHAPTER III.

SALE OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

12. No spirit, fermented liquor or intoxicating drug shall be sold except under, and in accordance with the terms of, a license granted under the provisions hereinafter contained.

Spirit, fermented liquor and drugs not to be sold without license.

Proviso. Provided as follows—

(*a*) nothing in this section applies to the sale of any foreign spirit or foreign fermented liquor legally procured by any person for his private use and sold by him or by auction on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease;

(*b*) any officer empowered in this behalf by the Chief Revenue-authority may grant to travelling merchants, subject to such rules and restrictions as such authority may from time to time prescribe, a general license authorizing them to sell foreign spirit and foreign fermented liquor wholesale in any district which they may visit in the course of their travels, without taking out a fresh license for that district;

(*c*) any person making or producing country spirit or country fermented liquor, in accordance with the provisions of this Act, may, subject to any rules from time to time made by the Local Government in this behalf, sell such spirit or liquor to any person licensed under this Act as a retail vendor of such spirit or liquor;

(*d*) any cultivator of the hemp plant may sell any intoxicating drug prepared from his plants to any person licensed under this Act to sell the same, or to any person authorized to purchase the same by the Collector's order in writing.

13. Subject to the rules made by the Chief Controlling Revenue-authority under the power hereinafter conferred, the Collector may grant licenses for the sale of foreign spirit and foreign fermented liquor, wholesale or retail, and for the retail sale of country spirit or country fermented liquor, and (except in British Burma) of intoxicating drugs, within his district or any part thereof or at any place therein.

Licenses how granted.

Licenses for the sale of country spirit and country fermented liquor and intoxicating drugs, wholesale, and licenses for the sale, in British Burma, of intoxicating drugs, retail, shall be granted only by such officer as the Local Government from time to time appoints in this behalf.

Any license granted under this section may be cancelled by the Collector for any cause specified therein.

Power to cancel license for cause specified therein.

14. Whenever the Collector considers that the license of a vendor of country spirit, country fermented liquor or intoxicating drugs should be cancelled for any cause other than those specified in such license, he shall remit a sum equal to the amount of the license-fee for fifteen days, and shall either give fifteen days' previous notice of his intention to cancel the license, or shall, in addition to remitting such sum as aforesaid, make such compensation for default of notice as the Commissioner of Revenue or Chief Revenue-authority directs.

Power to cancel license for other causes.

On the expiration of such notice or the payment of such additional compensation, the Collector may cancel the said license.

15. Any retail vendor licensed under this Act may surrender his license on the expiration of one month's previous notice given by him to the Collector of his intention to surrender the same, and on payment of such sum, not exceeding the amount of the license-fee for six months, as the Collector may fix in this behalf.

Surrender of retail license.

If the Collector is satisfied that there is a sufficient reason for surrendering a license, he may remit the sum so fixed.

16. The Collector may, with the sanction of the Chief Revenue-authority, let in farm—

Power to farm fees.

(*a*) the fees leviable in any district or part of a district on licenses for the retail sale of any description of country spirit or country fermented liquor or (except in British Burma) of intoxicating drugs:

(*b*) the right to manufacture, in any district or part of a district in which no distillery is established under section six, country spirit or country fermented liquor.

When the fees so leviable or the right to manufacture such spirit or liquor, or both, are or is let in farm, the farmer may, subject to such reservations or restrictions as the Collector, with the sanction of the Chief Revenue-authority, may from time to time make or impose, grant licenses for the retail sale, or for the manufacture, or for both, as the case may be, of such articles within the local limits of his farm, and shall file in the Collector's office a list of all the licenses granted by him in such form and on such day or days in each year as the Chief Revenue-authority may, from time to time, prescribe in this behalf.

Farmer to grant licenses.

List of licenses granted by farmer to be filed.

17. The Collector may, with the sanction of the Chief Revenue-authority, cancel any farm granted under this Act.

Farm may be cancelled.

18. If any such farm be cancelled for any cause other than a breach on the part of the farmer of the conditions of the farm, or if any reservation or restriction with respect to the grant of licenses be made or imposed within the term of the farm, the farmer shall be entitled to receive for any loss which he sustains thereby such compensation as the Chief Revenue-authority may determine.

Compensation to farmers in certain cases.

19. Every farmer under this Act may use the same means and processes for the recovery of any arrear of fees due to him from any retail vendor as may be lawfully used by the local landholders for the recovery of arrears of rent due to them from their tenants.

Recovery of arrears by farmers.

20. The Chief Revenue-authority may, from time to time, make rules to regulate the mode in which tárí shall be supplied to licensed vendors of the same, and the grant of licenses or passes to persons possessing or transporting intoxicating drugs for the supply of the licensed vendors of such drugs.

Power to regulate supply of tárí and intoxicating drugs to licensed vendors.

CHAPTER IV.

POSSESSION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

21. No person shall have in his possession any quantity of any spirit or fermented liquor larger than that specified in section three, clause (*k*), in respect of such spirit or liquor, unless he is permitted to manufacture or sell the same, or he holds a pass therefor from the Collector or from some other officer empowered by the Local Government to grant such passes.

Possession of spirit, &c.

Nothing in this section extends to—

Proviso.

(*a*) any foreign spirit or foreign fermented liquor in the possession of any common carrier or warehouse-man as such, or purchased by any person for his private use and not for sale, or

(*b*) tárí intended to be used for the manufacture of gúr or molasses.

22. In British Burma no person shall have in his possession any intoxicating drugs except under, and in accordance with the terms of, a general exemption granted by the Chief Commissioner, or a license granted by such officer as the Chief Commissioner may, from time to time, appoint in this behalf.

Possession of intoxicating drugs.

In the other territories to which this Act extends, no person shall have in his possession any larger quantity of such drugs than that specified in section three, clause (*k*), in respect of such drugs, unless he is permitted to manufacture or sell the same.

CHAPTER V.

IMPORT OF SPIRIT.

23. No person shall bring into any territory to which this Act extends any spirit manufactured at any place in India beyond the limits of British India, until duty equal to the duty prescribed for such spirit under the Indian Tariff Act, 1875, section eleven, has been paid in respect thereof and a pass has been obtained therefor from such officer as the Local Government may, from time to time, appoint in this behalf.

Spirit from foreign territory subject to duty.

CHAPTER VI.

OFFICERS AND THEIR POWERS.

24. The Collector may appoint persons, by name or by virtue of their office, to be officers for the collection of the excise-revenue and for the prevention of offences against this Act; and the officers so appointed shall, in addition to their ordinary designations (if any), be styled Excise-officers.

Collectors may appoint Excise-officers.

25. The Collector may recover any amount due to the Government under this Act or the rules made hereunder, by distress and sale of the moveable property of the person from whom such amount is due or of his surety, or by any other process for the time being in force for the recovery of arrears of land-revenue due from landholders or from farmers of land or their sureties.

Recovery of arrears of fees.

26. Any Excise-officer may enter and inspect at any time by day or by night the shop or premises in which any manufacturer or vendor licensed under this Act carries on the manufacture of country spirit, or the sale of country spirit, country fermented liquor or intoxicating drugs.

Power of Excise-officers to inspect shops.

27. Any Excise-officer may stop and detain any person carrying any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act;

To arrest persons carrying spirit, &c., liable to confiscation.

and may seize such spirit, liquor or drug, together with any vessels, packages or coverings in which it is contained, and any animals and conveyances used in carrying it;

and may also arrest the person in whose possession such spirit, liquor or drug is found.

28. Any Excise-officer in the receipt of a monthly salary of not less than ten rupees may arrest any person having in his possession any article liable to confiscation under this Act, or engaged in the unlawful sale of any spirit, fermented liquor or intoxicating drug, and may seize such article, spirit, liquor or drug.

To arrest persons in possession of article liable to confiscation, and to seize article.

29. Whenever any Excise-officer in receipt of such monthly salary as aforesaid has reason to believe, from information given by any person (which information shall be taken down in writing), that in any place spirit is unlawfully manufactured, or any article liable to confiscation under this Act is kept or concealed,

To search on information of illicit manufacture or possession.

such officer may, after sunrise and before sunset (but always in the presence of an officer of police in the receipt of a monthly salary of not less than ten rupees), enter into such place,

and in case of resistance may break open any door and force and remove any other obstacle to such entry, and may seize and carry away such spirit or article,

and may also arrest the occupier of the place, with all other persons concerned in the manufacture of such spirit or in the keeping and concealing of such article.

30. The Collector may issue his warrant for the arrest of any person whom he has reason to believe, either from information in writing, or from the proceedings in any other case under this Act or any other law, to be engaged in the unlawful sale of spirit or fermented liquor or intoxicating drugs, or to have in his possession any article liable to confiscation under this Act.

Collector may issue warrant of arrest in certain cases.

31. The Collector may issue his warrant for the search of any place in which he has reason to believe,

Collector may issue search-warrant.

either from information in writing, or from the proceedings in any other case under this Act or any other law, that spirit is unlawfully manufactured, or that any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act is kept or concealed.

Such warrant may be executed by any Excise-officer in the receipt of a monthly salary of not less than ten rupees, at the time and in the manner prescribed in section twenty-nine.

Special warrant authorizing search at night.

Whenever the Collector thinks that the search should be made after sunset and before sunrise on any particular day, he shall issue a warrant specially authorizing the search to be so made. Such warrant may be executed by any Excise-officer as aforesaid in the manner prescribed in section twenty-nine, and shall cease to be in force at sunrise on the day next following.

Excise-officer to report arrest, &c.;

32. Whenever an Excise-officer arrests any person,

or seizes any article liable to confiscation under this Act,

or enters any place for the purpose of searching for any such article,

he shall, within twenty-four hours thereafter, make a full report of all the particulars of such arrest, seizure or search, to his official superior, and, unless acting under the warrant of the Collector, shall take the person arrested, or the article seized, with all convenient despatch to the Magistrate for trial or adjudication.

and to take person arrested to Magistrate.

33. Whenever any person is arrested or any article is seized under the warrant of a Collector issued under this Act, the officer making such arrest or seizure shall, within twenty-four hours thereafter, take the person arrested or the article seized, to the Collector, and the Collector, after such enquiry as he thinks necessary, shall send such person or article to the nearest Magistrate, or shall order the immediate discharge of such person or the release of such article.

Procedure after arrest or seizure.

34. All Police-officers are required to aid the Excise-officers in the due execution of this Act, upon request made by such officers.

Police to aid Excise-officers.

CHAPTER VII.

PENALTIES.

35. Whoever in contravention of section five constructs, works or possesses a distillery, still or brewery, or makes fermented liquor, shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both;

For illegally manufacturing spirit or liquor.

and all spirit and liquor made in contravention of section five, and all materials and implements collected for the purpose of such manufacture, shall be liable to confiscation.

36. Any person who—

(*a*) without a special pass from the Collector, introduces, into the limits fixed for the consumption of spirit made at a distillery established under section six, any country spirit manufactured at another place, or

For illegally introducing country spirit.

(*b*) in contravention of section seven, or of any rule made under section eight or section nine, removes any spirit from a distillery, or

For illegally removing spirit.

(*c*) in contravention of section twenty-three, brings any spirit into any territory to which this Act extends,

For illegally importing spirit.

shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both;

and the spirit, together with the vessels containing the same, and any animals and conveyances used in carrying it, shall be liable to confiscation.

37. Any person who, except in cases herein otherwise provided for, wilfully contravenes any rule made under section eight or section nine shall be punished with fine not exceeding one hundred rupees.

For contravening rules prescribed by Chief Revenue-authority.

38. Any person who, in contravention of section eleven or of any rule made thereunder, cultivates hemp or prepares any intoxicating drug, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

For illegally cultivating hemp and preparing drugs.

39. Any person who, in contravention of section twelve, sells any spirit, fermented liquor or intoxicating drug, shall be punished with imprisonment for a term which may extend to four months, or with a fine which may extend to one thousand rupees, or with both.

For illicit sale of spirit, &c.

40. Any person licensed to sell retail spirit, or fermented liquor, or intoxicating drugs, who permits drunkenness, riot or gaming in his shop, or permits persons of notoriously bad character to meet or remain therein, or receives any wearing apparel or other effects in barter for spirit, fermented liquor or intoxicating drugs, shall be punished with fine which may extend to two hundred rupees.

For permitting drunkenness, &c., in shop.

41. Any person who possesses any spirit, liquor or drug, in contravention of section twenty-one or section twenty-two, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both;

Illegal possession of spirit, liquor or drug.

and the spirit, liquor or drug, together with any vessels, packages and coverings in which it is contained, and any animals and conveyances used in carrying it, shall be liable to confiscation.

42. Any person holding a license under this Act and refusing to produce the same on the demand of any Excise-officer, and any person who breaks any rule made under this Act or any condition of a license granted under this Act, for the breach of which rule or condition no other penalty is hereby provided, shall be punished with fine which may extend to fifty rupees.

For refusal to produce license and for breach of rules and conditions.

43. Any owner or occupier of land, and any agent of any such owner or occupier, who authorizes or connives at the illegal manufacture of spirit or the sale of spirit or fermented liquor or intoxicating drugs, shall for every such offence be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both.

For conniving at illicit manufacture or sale of spirit, &c.

And any person invested with local jurisdiction who authorizes or connives at the illegal sale of any spirit, fermented liquor or intoxicating drug within the local limits of such jurisdiction shall be punished with fine which may extend to five hundred rupees.

44. Any Police-officer who, without lawful excuse, neglects or refuses to aid an Excise-officer as required by section thirty-four, and any officer in charge of a Police station who, on application made by an Excise-officer desiring to act under section twenty-nine, fails to attend a search himself, or to depute a subordinate officer of the required rank, shall be punished with fine which may extend to five hundred rupees.

For Police neglecting to aid Excise-officers.

45. Any Excise-officer who—

(*a*) without reasonable grounds of suspicion searches or causes to be searched any place, or

For vexatious search or seizure.

(*b*) vexatiously and unnecessarily seizes the movable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Act, or

(*c*) vexatiously and unnecessarily arrests any person, or

(*d*) commits any other excess not required for the execution of his duty,

shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

46. Any Excise-officer who, in contravention of section thirty-two or section thirty-three, neglects to report the particulars of an arrest, seizure or search, or delays taking to the Magistrate or Collector, as the case may be, any person arrested or any article seized under this Act, shall be punished with fine which may extend to two hundred rupees.

For delay in reporting arrest, &c., or in taking person arrested to Magistrate.

47. No complaint of an offence under any one of the following sections, namely, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two and forty-three, shall be received unless it is made by the Collector or by an Excise-officer; and no complaint of any offence under this Act shall be received unless it is made within the six months next after the commission of such offence.

Prosecutions restricted.

48. Every person imprisoned for an offence under section thirty-seven or section forty-two shall be confined in the civil jail, and every person imprisoned for an offence under any other section shall be confined in the criminal jail.

Confinement in what jail.

49. Whoever attempts to commit any offence punishable under this Act or abets within the meaning of the Indian Penal Code the commission of any such offence shall be punished with the punishment provided for such offence.

Attempts and abetment.

50. Any Magistrate before whom any person is convicted of any offence under sections thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one or forty-three may award to any person who has contributed in any way to such conviction the whole or any portion of any fine imposed upon the offender and paid by him or realized from his property.

Disposal of fines, &c., as rewards.

51. Any article liable to confiscation under this Act may, on the application of an Excise-officer, be confiscated by the order of any Magistrate within the local limits of whose jurisdiction it is found.

Magistrate to pass order of confiscation.

CHAPTER VIII.

MILITARY CANTONMENTS.

52. Within the limits of any military cantonment, and within such distance from those limits as the Local Government in any case prescribes, no licenses for the manufacture of spirit, or for the sale of spirit or fermented liquor, shall be granted, nor shall the fees leviable on licenses for the retail sale of such spirit or liquor, or the right to manufacture such spirit or liquor be let in farm, unless with the knowledge and consent of the Commanding Officer;

Manufacture and sale of spirits, &c., in military cantonments.

and upon his requisition any such license which has been granted, either by the Collector or by a farmer, within such distance or limits shall be immediately cancelled.

53. In all other respects the provisions of this Act shall have effect within such limits or distance: Provided that whenever any arrest or search under this Act is to be made within the limits of any cantonment, the Collector or other officer authorized to make such arrest or search shall, whenever it may be practicable, give previous notice to the Commanding Officer, and in all other cases shall report the arrest or search to such Commanding Officer with as little delay as possible.

Mode of making arrest or search in military cantonments.

CHAPTER IX.

MISCELLANEOUS.

54. The Collector shall in all proceedings under this Act be subject to the control of the Commissioner of Revenue, and all orders passed by a Collector under this Act shall be appealable to such Commissioner in manner provided by the rules for the time being in force relating to appeals from the orders of Collectors.

Collector subject to control of Commissioner.

The Chief Revenue-authority may revise any order passed by a Collector under this Act or by a Commissioner under this section.

55. The Chief Controlling Revenue-authority may, from time to time, make rules consistent with this Act—

Additional power to make rules.

(*a*) as to the period for which any license or farm under this Act shall be granted;

(*b*) as to the fee payable for any such license or farm, and the time or times at which it shall be payable;

(*c*) as to the security to be given by any licensee or farmer under this Act;

(*d*) as to the form of any license or farming lease and of the counterpart thereof (if any) to be taken from such licensee or farmer, and the conditions which may be inserted therein;

(*e*) as to the disposal of things confiscated under this Act;

(*f*) as to the duties of Excise-officers; and

(*g*) to provide generally for carrying out the provisions of this Act.

Power to exempt articles and persons.

56. The Local Government may from time to time, by notification in the official Gazette, exempt within any specified local area any specified articles or any specified class of persons from all or any of the foregoing provisions of this Act, and may, by like notification, cancel any such exemption.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information:—

ACT No. XXIII OF 1881.

An Act to amend the Dekkhan Agriculturists' Relief Act, 1879.

Preamble.

WHEREAS it is expedient to amend, in manner hereinafter appearing, the Dekkhan Agriculturists' Relief Act, 1879; It is hereby enacted as follows:—

Short title.

Commencement.

1. This Act may be called "The Dekkhan Agriculturists' Relief Act, 1881"; and it shall come into force at once.

"Section."

2. In this Act "section" means a section of the Dekkhan Agriculturists' Relief Act, 1879.

Amendment of section 1.

3. In section one, before the word "Sections," the words "This section and" shall be, and be deemed to have always been, inserted.

Amendment of section 2, clause (2).

4. For section two, clause (2), the following shall be substituted:—

'Agriculturist.'

"'Agriculturist' means a person who, when or after incurring any liability the subject of any proceeding under this Act, by himself, his servants or tenants earned or earns his livelihood, wholly or partially, by agriculture carried on within the limits of the said districts.

"A cultivator who has temporarily ceased to earn his livelihood in manner aforesaid, without any intention of changing his status as such, does not thereby cease to be an agriculturist within this definition.

"An assignee of Government assessment or a mortgagee is not, as such, an agriculturist within this definition.

"An agriculturist shall be deemed to 'reside' where he earns his livelihood in manner aforesaid."

Amendment of sections 8 and 12.

5. In section three, clause (*y*), the words "not being merely a surety for the principal debtor," and in section twelve the words "not being merely a surety of the principal debtor," shall be omitted.

Amendment of section 19.

6. In section nineteen, first clause, for the words "there is no other claim against him," the words "the other debts (if any) due by him do not, taken together with such sum, amount to fifty rupees" shall be substituted; and to the same clause the words "of such sum" shall be added.

Addition to section 38.

7. To section 38, the following shall be added:—

"The expression 'officer of police' in this section shall not be deemed to include a police patel appointed under Bombay Act No. VIII of 1867 (*for the Regulation of the Village Police in the Presidency of Bombay*)."

Amendment of section 44.

8. In section forty-four, for the word "place," the word "táluqa" shall be substituted.

Addition to section 47.

9. To section forty-seven the following shall be added, namely:—

"*Explanation.*—The expression 'civil Court' in this section does not include a Mámlatdár's Court under Bombay Act No. III of 1876 (*to consolidate and amend the law relating to the powers and procedure of Mámlatdárs' Courts*)."

New section substituted for section 48.

10. For section forty-eight the following section shall be substituted:—

Allowance to be made in period of limitation.

"48. In computing the period of limitation prescribed for any such suit or application the time intervening between the application made by the plaintiff under section thirty-nine and the grant of the certificate under section forty-six shall be excluded.

Limitation in certain cases.

"Any such application which after the first day of November, 1879, has been rejected, and which, if such time had been excluded in computing the period of limitation prescribed for such application, would have been entertained, shall be entertained if made within two months from the twenty-sixth day of October, 1881.

New section substituted for section 51.

11. For section fifty-one the following section shall be substituted:—

District Judge may withdraw case from Conciliator or Subordinate Judge,

"51. The District Judge may—

"(*a*) transfer any application pending before a Conciliator to the file of any other Conciliator;

"(*b*) transfer to his own file any suit or other matter pending before the Court of any Subordinate Judge under Chapter II or Chapter IV of this Act, and may dispose of the same as if he were a Subordinate Judge; or

"(*c*) stay the proceedings in any such suit or matter, and sit together with such Judge as a Bench to dispose of such suit or matter in accordance with the provisions of this Act.

(or sit with Subordinate Judge as a Bench for trial of any case.)

"If the members of any Bench sitting under this section differ in opinion, the opinion of the District Judge shall prevail."

(Addition to section 56.) **12.** To section fifty-six the following shall be added, namely :—

"or apply to any instrument which is executed by an agriculturist merely as a surety."

(New section substituted for section 57.) **13.** For section fifty-seven the following section shall be substituted :—

"57. When any persons intend to execute any instrument to which section fifty-six applies, all such persons shall appear before the Village Registrar appointed for the area in which the agriculturist, or when there are several agriculturists intending to execute the instrument, any one of such agriculturists, resides, and such Registrar, after satisfying himself in such manner as he deems fit as to the identity of the intending executants and receiving the fee (if any) prescribed by the local Government in this behalf, and the stamp (if any) which may be required by law, shall write the instrument, or cause the same to be written under his superintendence; and after reading the same aloud, or causing it to be so read, in the hearing of the intending executants, shall require them to execute it in his presence.

(Such instruments to be written by, or under the superintendence of, a Village Registrar and executed in his presence.)

"Every instrument so written and executed shall at the time of execution be attested by the Village Registrar; and also, if any of the executants thereof is unable to read such instrument, by two respectable witnesses.

(Attestation of such instruments.)

"For the purposes of this section every executant of any such instrument shall appear in person before the Village Registrar; but every other party thereto may appear either in person or by any agent, being his relative, servant or dependent, whom he has duly furnished with a power-of-attorney authorizing him to appear and act on his behalf."

(Amendment of section 58.) **14.** In section fifty-eight, for the words "parties to any instrument have executed it," the words "intending executants have executed any instrument" shall be substituted.

(New section substituted for section 68.) **15.** For section sixty-eight the following section shall be substituted :—

"68. No pleader, vakíl or mukhtár, and no advocate or attorney of a High Court, shall be permitted to appear on behalf of any party to any case before a Conciliator or a Village-Munsif the subject-matter whereof does not exceed in amount or value one hundred rupees:

(Pleaders, &c., excluded in certain cases.)

"Provided that any party to any such case may be permitted, on reasonable cause being shown to the satisfaction of the Conciliator or Village-Munsif, to employ any relative, servant or dependent who is not, and has not previously been, a pleader, vakil or mukhtár, or an advocate or attorney of a High Court, to appear either conjointly with, or in lieu of, such party.

"When a relative, servant or dependent appears in lieu of a party, he shall be furnished by him with a power-of-attorney defining the extent to which he is empowered to act."

(Repeal of section 71.) **16.** Section seventy-one is hereby repealed.

(New section substituted for section 72.) **17.** For section seventy-two the following section shall be substituted :—

"72. In any suit under this Act for the recovery of money from a person, not being merely a surety for the principal debtor, who at the time when the cause of action arose was an agriculturist, the following periods of limitation shall be deemed to be substituted for those prescribed in the second column of the second schedule annexed to the Indian Limitation Act, 1877 (that is to say) :—

(Limitation.)

"(*a*) When such suit is founded on a written instrument registered under this Act or any law in force at the date of the execution of such instrument,—twelve years;

"(*b*) in any other case,—six years:

"Provided that nothing herein contained shall revive the right to bring any suit which would have been barred by limitation if it had been instituted immediately before this Act comes into force."

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information :—

ACT No. XXIV OF 1881.

An Act to amend the Panjáb Laws Act, 1872.

(Preamble.) WHEREAS, in order to provide for the establishment of a system of municipal-watchmen in certain municipalities in the territories administered by the Lieutenant-Governor of the Panjáb, it is expedient to amend the Panjáb Laws Act, 1872; It is hereby enacted as follows :—

(Short title. Commencement.) **1.** This Act may be called "The Panjáb Laws Amendment Act, 1881," and shall come into force at once.

(Substitution of new sections for sections 39A and 39B.) **2.** For sections 39A and 39B of the said Act, the following sections shall be substituted :—

"39A. The Local Government may establish a system of village-watchmen or municipal-watchmen in any part of the territories under its administration, and in furtherance of this object may, from time to time, make rules to provide for the following matters :—

(Power to establish system of village-watchmen and municipal-watchmen, and to make rules.)

(*a*) the definition of the limits of watchmen's beats;

(*b*) the determination of the several grades of watchmen, and the number of each grade to be appointed to each beat;

(*c*) the appointment, suspension, dismissal and resignation of watchmen of each grade;

(*d*) the equipment and discipline of, and the control and supervision over, such watchmen;

(*e*) the conferring upon them, and the exercise by them, of any powers, and the enjoyment by them of any protection or privilege, which may be exercised and enjoyed by a police-officer under any law for the time being in force;

(*f*) the performance by them of such duties relating to police, sanitation or statistics, or for the benefit of the village-communities or municipalities within their respective beats, as the Local Government thinks fit;

(*g*) the exercise of authority over, and the rendering of aid to, such watchmen by headmen of the villages or members of the Municipal Committees of the towns comprised in their respective beats;

(*h*) the performance, by the headmen of villages comprised in the beat of any watchman, of any of the duties of a village-watchman in aid of, or substitution for, such watchman;

(*i*) the exercise, by such village-headmen for the purposes referred to in clauses (*g*) and (*h*), or by members of Municipal Committees for the purposes referred to in clause (*g*) of this section, of any of the powers, and the enjoyment by such headmen or members of any privilege or protection, of a village-watchman or a municipal-watchman as the case may be;

(*j*) the determination of the rate at which, and the mode in which, watchmen shall be paid, and, in the case of village-watchmen, of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchman system shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in, or resorting to, such villages, or partly in one of these ways and partly in the other;

(*k*) the collection with or without the aid of the village-headmen, and by any process available for the realization of the land-revenue, of any tax imposed under clause (*j*) of this section, and the application of, and the mode of accounting for, the same; and generally for

(*l*) the efficient working of the system of village-watchmen or municipal-watchmen:

"Provided—

1*st*,—that the rules to be made regarding the appointment of village-watchmen shall allow to the headmen of the villages comprised in the beat to which such a watchman is to be appointed, a power of nomination to be exercised in such manner, and subject to such reasonable conditions, as may be prescribed by such rules;

2ndly,—that the rules to be made under clause (*j*) of this section with regard to village-watchmen shall include provisions for recording and securing due consideration of the views and opinions on the matters therein referred to of the headmen of the villages comprised in each beat.

"39B. Every person is bound to render to a village-watchman, or municipal-watchman, or village-headman discharging the duties of a police-officer under the rules made hereunder, all the assistance which he is bound to render to a police-officer.

Obligation to assist watchmen and headmen.

"Any person who obstructs such watchman or headman in the discharge of such duties may be arrested without warrant by a police-officer or by any watchman or village-headman empowered in this behalf by the Local Government."

Person obstructing watchman or headman may be arrested without warrant.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 27th October, 1881, and is hereby promulgated for general information:—

ACT No. XXV OF 1881.

An Act to amend the law in force in the Mahál of Bánki.

WHEREAS it has been determined to annex the territory comprised in the mahál of Bánki to the district of Katak:

Preamble.

And whereas the said territory forms portion of a scheduled district under the Scheduled Districts Act, 1874:

And whereas it is expedient that the law in force in the said territory should, on such annexation, be the same as the law in force in the district of Katak, and that the said territory should cease to be a portion of a scheduled district:

It is hereby enacted as follows:—

1. This Act may be called "The Bánki Laws Act, 1881."

Short title.

2. All enactments which shall on the first day of April, 1882, be in force in the district of Katak and not in the said territory shall be deemed to come into force in the said territory on that day:

Laws of Katak to apply.

And all enactments which shall on that day be in force in the said territory and not in the district of Katak shall be deemed to be repealed on and from that day in the said territory.

Other laws repealed.

3. All proceedings commenced before any authority in the said territory before the said first day of April, 1882, and still pending on the said day, shall be disposed of by such authority as the Local Government may direct; and, save as aforesaid, shall be carried on as if this Act had not been passed.

Pending proceedings.

4. On and from the said first day of April, 1882, the said territory shall cease to be a portion of a scheduled district; and in Part III of the first schedule to the said Scheduled Districts Act, 1874, for the words "Mahals of Angúl and Bánki," the words "Mahál of Angúl" shall be substituted;

Territory to cease to be a scheduled district.

And in the following Bengal Regulations, namely, Regulation XII of 1805, section thirty-six, Regulation XIII of 1805, section thirteen, and Regulation XI of 1816, section two, the words "Ditto Bánki" shall be repealed.

Amendment of certain Bengal Regulations.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

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SIMLA, SATURDAY NOVEMBER 5, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information:—

ACT No. XXII OF 1881.

THE EXCISE ACT, 1881.

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An Act to amend the law relating to the Excise-revenue in Northern India, British Burma and Coorg.

WHEREAS it is expedient to amend the law in force in Northern India, British Burma and Coorg relating to the production, sale, possession and import of spirit, fermented liquors and intoxicating drugs, and the collection of the revenue derived therefrom; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Excise Act, 1881": Short title.

It extends to the territories administered respectively by the Lieutenant-Governors of the North-Western Provinces and the Panjáb and the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg, and Ajmer and Merwára; and Local extent.

it shall come into force on the first day of January, 1882. Commencement.

2. On and from that day the Excise Act, 1871, shall be repealed, but all rules made, powers conferred and licenses and farms granted under that Act and in force on the same day shall be deemed to have been respectively made, conferred and granted under this Act. Repeal of Act X of 1871.

Interpretation-clause. **3.** In this Act—

"Chief Revenue-authority": (*a*) "Chief Revenue-authority" means—

in the territories administered by the Lieutenant-Governor of the North-Western Provinces—the Board of Revenue;

in the territories administered by the Lieutenant-Governor of the Panjáb—the Financial Commissioner; and

in the territories respectively administered by the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg, and Ajmer and Merwára—the Chief Commissioner:

"Collector": (*b*) "Collector" includes any Revenue-officer in independent charge of a District and any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Collector under this Act:

"Commissioner of Revenue": "Commissioner of Revenue" means any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Commissioner of Revenue under this Act:

"Magistrate": (*c*) "Magistrate" means any Magistrate exercising powers not less than those of a Magistrate of the second class, or any Magistrate of the third class specially authorized in this behalf by the Magistrate of the District:

"Place": (*d*) "Place" includes also house, boat and raft:

"Tárí": (*e*) "Tárí" means the sap of any kind of palm-tree.

"Fermented liquor": (*f*) "Fermented liquor" means malt liquor, wine, pachwai and fermented tárí, and, in any provision of this Act, shall, if the Local Government, subject to the control of the Governor General in Council, so directs, include any other fermented liquor, and also tárí though it may not have perceptibly begun to ferment:

"Spirit": (*g*) "Spirit" means any liquor containing alcohol obtained by distillation:

"Intoxicating drugs": (*h*) The expression "intoxicating drugs" means gánja, bhang, charas, and every preparation and admixture of the same:

"Tola": (*i*) "Tola" means a weight of one hundred and eighty grains Troy:

"Ser": (*j*) "Ser" means a weight of eighty tolas:

"Retail": (*k*) The articles next hereinafter mentioned shall be deemed to be sold retail within the meaning of this Act when sold in quantities not exceeding those next hereinafter specified in respect of them, that is to say,—

Foreign spirit or foreign fermented liquor, two imperial gallons or twelve reputed quart bottles;

country spirit, one ser, and in British Burma one reputed quart bottle;

country fermented liquor, four sers, and in British Burma four reputed quart bottles;

bhang, or any preparation or admixture thereof, one quarter of a ser;

gánja or charas, or any preparation or admixture thereof, five tolas:

"Wholesale." If sold in larger quantities they shall be deemed to be sold wholesale.

"Country spirit": "Foreign spirit." In any case in which doubt arises the Local Government may decide what for the purposes of this Act shall be deemed to be "country spirit," "country fermented liquor," "foreign spirit," and "foreign fermented liquor"; and such decision shall be binding on the Courts.

4. Nothing herein contained shall affect Act No. XVI of 1863 (*to make special provision for the levy of the Excise Duty payable on Spirits used exclusively in Arts and Manufactures or in Chemistry*) or the Cantonments Act, 1880. Saving of Acts XVI of 1863 and III of 1880.

CHAPTER II.

PRODUCTION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

5. No person shall construct, work or possess a distillery, still or brewery, or manufacture fermented liquor, in any district except under a license granted by the Collector or by a person authorised by the Collector to grant such license, and in accordance with the conditions (if any) contained therein. Manufacture of spirit and liquor without license prohibited.

6. The Collector may, with the previous sanction of the Chief Revenue-authority, from time to time, Power to establish distilleries for country spirit.

(*a*) establish at any place within his district a distillery in which country spirit may be made, and discontinue any distillery so established;

(*b*) fix limits within his district within which no such spirit, unless made in the said distillery, shall be introduced without a pass from him.

7. No spirit shall be removed from any distillery licensed under section five or established under section six, until— Duty on spirit.

(*a*) the duty payable in respect of such spirit under the Indian Tariff Act, 1875, section eleven, has been paid, or

(*b*) a bond for such duty has been executed, or

(*c*) a duty in respect of the materials used in making such spirit has been levied at such rates and in such manner as the Local Government, with the previous sanction of the Governor General in Council, may from time to time direct.

8. The Chief Revenue-authority may, from time to time, make rules as to— Power to make rules as to distilleries and breweries licensed under section 5.

(*a*) the granting of licenses for distilleries, stills and breweries under section five;

(*b*) the notices to be given by the proprietor of a licensed distillery when he commences and discontinues work;

(*c*) the size and description of the stills in such distillery;

(*d*) the storing and passing out of the spirit made in such distillery, and the contents of the passes;

(*e*) the inspection and examination of the distillery and warehouses, and of the spirit made and stored therein;

(*f*) the furnishing of statements of the spirit, and of the stills, coppers, casks and other utensils, in the distillery.

9. The Chief Revenue-authority may, from time to time, make rules as to— And for distilleries established under section 6.

(*a*) the management of distilleries established under section six, and in particular as to the conditions on which any materials to be used in making spirit may be brought into such distillery;

(*b*) the conditions on which spirit may be made in such distilleries; and

(*c*) the storing and passing out of the spirit so made, and the contents of the passes.

10. Except in the territories respectively administered by the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg and Ajmer and Merwára, the sanction of the Local Government is required to validate rules under sections eight and nine. Sanction to rules under sections 8 and 9.

11. In British Burma, the cultivation of hemp and the preparation of intoxicating drugs therefrom are prohibited except under, and in accordance with, a license granted by such officer as the Chief Commissioner may from time to time appoint in this behalf. Production of intoxicating drugs.

In the other territories to which this Act extends, the Chief Revenue-authority may, from time to time, make such rules to restrict and regulate the

cultivation of hemp and the preparation of intoxicating drugs therefrom as it may deem necessary to secure the duty leviable in respect of those drugs.

CHAPTER III.

SALE OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

12. No spirit, fermented liquor or intoxicating drug shall be sold except under, and in accordance with the terms of, a license granted under the provisions hereinafter contained.

Spirit, fermented liquor and drugs not to be sold without license.

Proviso. Provided as follows—

(*a*) nothing in this section applies to the sale of any foreign spirit or foreign fermented liquor legally procured by any person for his private use and sold by him or by auction on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease;

(*b*) any officer empowered in this behalf by the Chief Revenue-authority may grant to travelling merchants, subject to such rules and restrictions as such authority may from time to time prescribe, a general license authorizing them to sell foreign spirit and foreign fermented liquor wholesale in any district which they may visit in the course of their travels, without taking out a fresh license for that district;

(*c*) any person making or producing country spirit or country fermented liquor, in accordance with the provisions of this Act, may, subject to any rules from time to time made by the Local Government in this behalf, sell such spirit or liquor to any person licensed under this Act as a retail vendor of such spirit or liquor;

(*d*) any cultivator of the hemp plant may sell any intoxicating drug prepared from his plants to any person licensed under this Act to sell the same, or to any person authorized to purchase the same by the Collector's order in writing.

13. Subject to the rules made by the Chief Controlling Revenue-authority under the power hereinafter conferred, the Collector may grant licenses for the sale of foreign spirit and foreign fermented liquor, wholesale or retail, and for the retail sale of country spirit or country fermented liquor, and (except in British Burma) of intoxicating drugs, within his district or any part thereof or at any place therein.

Licenses how granted.

Licenses for the sale of country spirit and country fermented liquor and intoxicating drugs, wholesale, and licenses for the sale, in British Burma, of intoxicating drugs, retail, shall be granted only by such officer as the Local Government from time to time appoints in this behalf.

Any license granted under this section may be cancelled by the Collector for any cause specified therein.

Power to cancel license for cause specified therein.

14. Whenever the Collector considers that the license of a vendor of country spirit, country fermented liquor or intoxicating drugs should be cancelled for any cause other than those specified in such license, he shall remit a sum equal to the amount of the license-fee for fifteen days, and shall either give fifteen days' previous notice of his intention to cancel the license, or shall, in addition to remitting such sum as aforesaid, make such compensation for default of notice as the Commissioner of Revenue or Chief Revenue-authority directs.

Power to cancel license for other causes.

On the expiration of such notice or the payment of such additional compensation, the Collector may cancel the said license.

15. Any retail vendor licensed under this Act may surrender his license on the expiration of one month's previous notice given by him to the Collector of his intention to surrender the same, and on payment of such sum, not exceeding the amount of the license-fee for six months, as the Collector may fix in this behalf.

Surrender of retail license.

If the Collector is satisfied that there is a sufficient reason for surrendering a license, he may remit the sum so fixed.

16. The Collector may, with the sanction of the Chief Revenue-authority, let in farm—

Power to farm fees.

(*a*) the fees leviable in any district or part of a district on licenses for the retail sale of any description of country spirit or country fermented liquor or (except in British Burma) of intoxicating drugs:

(*b*) the right to manufacture, in any district or part of a district in which no distillery is established under section six, country spirit or country fermented liquor.

When the fees so leviable or the right to manufacture such spirit or liquor, or both, are or is let in farm, the farmer may, subject to such reservations or restrictions as the Collector, with the sanction of the Chief Revenue-authority, may from time to time make or impose, grant licenses for the retail sale, or for the manufacture, or for both, as the case may be, of such articles within the local limits of his farm, and shall file in the Collector's office a list of all the licenses granted by him in such form and on such day or days in each year as the Chief Revenue-authority may, from time to time, prescribe in this behalf.

Farmer to grant licenses.

List of licenses granted by farmer to be filed.

17. The Collector may, with the sanction of the Chief Revenue-authority, cancel any farm granted under this Act.

Farm may be cancelled.

18. If any such farm be cancelled for any cause other than a breach on the part of the farmer of the conditions of the farm, or if any reservation or restriction with respect to the grant of licenses be made or imposed within the term of the farm, the farmer shall be entitled to receive for any loss which he sustains thereby such compensation as the Chief Revenue-authority may determine.

Compensation to farmers in certain cases.

19. Every farmer under this Act may use the same means and processes for the recovery of any arrear of fees due to him from any retail vendor as may be lawfully used by the local landholders for the recovery of arrears of rent due to them from their tenants.

Recovery of arrears by farmers.

20. The Chief Revenue-authority may, from time to time, make rules to regulate the mode in which tárí shall be supplied to licensed vendors of the same, and the grant of licenses or passes to persons possessing or transporting intoxicating drugs for the supply of the licensed vendors of such drugs.

Power to regulate supply of tárí and intoxicating drugs to licensed vendors.

CHAPTER IV.

POSSESSION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

21. No person shall have in his possession any quantity of any spirit or fermented liquor larger than that specified in section three, clause (*k*), in respect of such spirit or liquor, unless he is permitted to manufacture or sell the same, or he holds a pass therefor from the Collector or from some other officer empowered by the Local Government to grant such passes.

Possession of spirit, &c.

Nothing in this section extends to—

Proviso. (*a*) any foreign spirit or foreign fermented liquor in the possession of any common carrier or warehouse-man as such, or purchased by any person for his private use and not for sale, or

(*b*) tárí intended to be used for the manufacture of gúr or molasses.

22. In British Burma no person shall have in his possession any intoxicating drugs except under, and in accordance with the terms of, a general exemption granted by the Chief Commissioner, or a license granted by such officer as the Chief Commissioner may, from time to time, appoint in this behalf.

Possession of intoxicating drugs.

In the other territories to which this Act extends, no person shall have in his possession any larger quantity of such drugs than that specified in section three, clause (*k*), in respect of such drugs, unless he is permitted to manufacture or sell the same.

CHAPTER V.

IMPORT OF SPIRIT.

23. No person shall bring into any territory to which this Act extends any spirit manufactured at any place in India beyond the limits of British India, until duty equal to the duty prescribed for such spirit under the Indian Tariff Act, 1875, section eleven, has been paid in respect thereof and a pass has been obtained therefor from such officer as the Local Government may, from time to time, appoint in this behalf.

Spirit from foreign territory subject to duty.

CHAPTER VI.

OFFICERS AND THEIR POWERS.

24. The Collector may appoint persons, by name or by virtue of their office, to be officers for the collection of the excise-revenue and for the prevention of offences against this Act; and the officers so appointed shall, in addition to their ordinary designations (if any), be styled Excise-officers.

Collectors may appoint Excise-officers.

25. The Collector may recover any amount due to the Government under this Act or the rules made hereunder, by distress and sale of the moveable property of the person from whom such amount is due or of his surety, or by any other process for the time being in force for the recovery of arrears of land-revenue due from landholders or from farmers of land or their sureties.

Recovery of arrears of fees.

26. Any Excise-officer may enter and inspect at any time by day or by night the shop or premises in which any manufacturer or vendor licensed under this Act carries on the manufacture of country spirit, or the sale of country spirit, country fermented liquor or intoxicating drugs.

Power of Excise-officers to inspect shops.

27. Any Excise-officer may stop and detain any person carrying any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act;

To arrest persons carrying spirit, &c., liable to confiscation.

and may seize such spirit, liquor or drug, together with any vessels, packages or coverings in which it is contained, and any animals and conveyances used in carrying it;

and may also arrest the person in whose possession such spirit, liquor or drug is found.

28. Any Excise-officer in the receipt of a monthly salary of not less than ten rupees may arrest any person having in his possession any article liable to confiscation under this Act, or engaged in the unlawful sale of any spirit, fermented liquor or intoxicating drug, and may seize such article, spirit, liquor or drug.

To arrest persons in possession of article liable to confiscation, and to seize article.

29. Whenever any Excise-officer in receipt of such monthly salary as aforesaid has reason to believe, from information given by any person (which information shall be taken down in writing), that in any place spirit is unlawfully manufactured, or any article liable to confiscation under this Act is kept or concealed,

To search on information of illicit manufacture or possession.

such officer may, after sunrise and before sunset (but always in the presence of an officer of police in the receipt of a monthly salary of not less than ten rupees), enter into such place,

and in case of resistance may break open any door and force and remove any other obstacle to such entry, and may seize and carry away such spirit or article,

and may also arrest the occupier of the place, with all other persons concerned in the manufacture of such spirit or in the keeping and concealing of such article.

30. The Collector may issue his warrant for the arrest of any person whom he has reason to believe, either from information in writing, or from the proceedings in any other case under this Act or any other law, to be engaged in the unlawful sale of spirit or fermented liquor or intoxicating drugs, or to have in his possession any article liable to confiscation under this Act.

Collector may issue warrant of arrest in certain cases.

31. The Collector may issue his warrant for the search of any place in which he has reason to believe,

Collector may issue search-warrant.

either from information in writing, or from the proceedings in any other case under this Act or any other law, that spirit is unlawfully manufactured, or that any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act is kept or concealed.

Such warrant may be executed by any Excise-officer in the receipt of a monthly salary of not less than ten rupees, at the time and in the manner prescribed in section twenty-nine.

Special warrant authorizing search at night.

Whenever the Collector thinks that the search should be made after sunset and before sunrise on any particular day, he shall issue a warrant specially authorizing the search to be so made. Such warrant may be executed by any Excise-officer as aforesaid in the manner prescribed in section twenty-nine, and shall cease to be in force at sunrise on the day next following.

Excise-officer to report arrest, &c.;

32. Whenever an Excise-officer arrests any person,

or seizes any article liable to confiscation under this Act,

or enters any place for the purpose of searching for any such article,

he shall, within twenty-four hours thereafter, make a full report of all the particulars of such arrest, seizure or search, to his official superior, and, unless acting under the warrant of the Collector, shall take the person arrested, or the article seized, with all convenient despatch to the Magistrate for trial or adjudication.

and to take person arrested to Magistrate.

Procedure after arrest or seizure.

33. Whenever any person is arrested or any article is seized under the warrant of a Collector issued under this Act, the officer making such arrest or seizure shall, within twenty-four hours thereafter, take the person arrested or the article seized, to the Collector, and the Collector, after such enquiry as he thinks necessary, shall send such person or article to the nearest Magistrate, or shall order the immediate discharge of such person or the release of such article.

Police to aid Excise-officers.

34. All Police-officers are required to aid the Excise-officers in the due execution of this Act, upon request made by such officers.

CHAPTER VII.

PENALTIES.

For illegally manufacturing spirit or liquor.

35. Whoever in contravention of section five constructs, works or possesses a distillery, still or brewery, or makes fermented liquor, shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both;

and all spirit and liquor made in contravention of section five, and all materials and implements collected for the purpose of such manufacture, shall be liable to confiscation.

36. Any person who—

(*a*) without a special pass from the Collector, introduces, into the limits fixed for the consumption of spirit made at a distillery established under section six, any country spirit manufactured at another place, or

For illegally introducing country spirit.

(*b*) in contravention of section seven, or of any rule made under section eight or section nine, removes any spirit from a distillery, or

For illegally removing spirit.

(*c*) in contravention of section twenty-three, brings any spirit into any territory to which this Act extends,

For illegally importing spirit.

shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both;

and the spirit, together with the vessels containing the same, and any animals and conveyances used in carrying it, shall be liable to confiscation.

For contravening rules prescribed by Chief Revenue authority.

37. Any person who, except in cases herein otherwise provided for, wilfully contravenes any rule made under section eight or section nine shall be punished with fine not exceeding one hundred rupees.

For illegally cultivating hemp and preparing drugs.

38. Any person who, in contravention of section eleven or of any rule made thereunder, cultivates hemp or prepares any intoxicating drug, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

For illicit sale of spirit, &c.

39. Any person who, in contravention of section twelve, sells any spirit, fermented liquor or intoxicating drug, shall be punished with imprisonment for a term which may extend to four months, or with a fine which may extend to one thousand rupees, or with both.

For permitting drunkenness, &c., in shop.

40. Any person licensed to sell retail spirit, or fermented liquor, or intoxicating drugs, who permits drunkenness, riot or gaming in his shop, or permits persons of notoriously bad character to meet or remain therein, or receives any wearing apparel or other effects in barter for spirit, fermented liquor or intoxicating drugs, shall be punished with fine which may extend to two hundred rupees.

Illegal possession of spirit, liquor or drug.

41. Any person who possesses any spirit, liquor or drug, in contravention of section twenty-one or section twenty-two, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both;

and the spirit, liquor or drug, together with any vessels, packages and coverings in which it is contained, and any animals and conveyances used in carrying it, shall be liable to confiscation.

For refusal to produce license and for breach of rules and conditions.

42. Any person holding a license under this Act and refusing to produce the same on the demand of any Excise-officer, and any person who breaks any rule made under this Act or any condition of a license granted under this Act, for the breach of which rule or condition no other penalty is hereby provided, shall be punished with fine which may extend to fifty rupees.

For conniving at illicit manufacture or sale of spirit, &c.

43. Any owner or occupier of land, and any agent of any such owner or occupier, who authorizes or connives at the illegal manufacture of spirit or the sale of spirit or fermented liquor or intoxicating drugs, shall for every such offence be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both.

And any person invested with local jurisdiction who authorizes or connives at the illegal sale of any spirit, fermented liquor or intoxicating drug within the local limits of such jurisdiction shall be punished with fine which may extend to five hundred rupees.

For Police neglecting to aid Excise-officers.

44. Any Police-officer who, without lawful excuse, neglects or refuses to aid an Excise-officer as required by section thirty-four, and any officer in charge of a Police station who, on application made by an Excise-officer desiring to act under section twenty-nine, fails to attend a search himself, or to depute a subordinate officer of the required rank, shall be punished with fine which may extend to five hundred rupees.

45. Any Excise-officer who—

For vexatious search or seizure.

(*a*) without reasonable grounds of suspicion searches or causes to be searched any place, or

(*b*) vexatiously and unnecessarily seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Act, or

(*c*) vexatiously and unnecessarily arrests any person, or

(*d*) commits any other excess not required for the execution of his duty,

shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

For delay in reporting arrest, &c., or in taking person arrested to Magistrate.

46. Any Excise-officer who, in contravention of section thirty-two or section thirty-three, neglects to report the particulars of an arrest, seizure or search, or delays taking to the Magistrate or Collector, as the case may be, any person arrested or any article seized under this Act, shall be punished with fine which may extend to two hundred rupees.

Prosecutions restricted.

47. No complaint of an offence under any one of the following sections, namely, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two and forty-three, shall be received unless it is made by the Collector or by an Excise-officer; and no complaint of any offence under this Act shall be received unless it is made within the six months next after the commission of such offence.

Confinement in what jail.

48. Every person imprisoned for an offence under section thirty-seven or section forty-two shall be confined in the civil jail, and every person imprisoned for an offence under any other section shall be confined in the criminal jail.

Attempts and abetment.

49. Whoever attempts to commit any offence punishable under this Act or abets within the meaning of the Indian Penal Code the commission of any such offence shall be punished with the punishment provided for such offence.

Disposal of fines, &c., as rewards.

50. Any Magistrate before whom any person is convicted of any offence under sections thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one or forty-three may award to any person who has contributed in any way to such conviction the whole or any portion of any fine imposed upon the offender and paid by him or realized from his property.

Magistrate to pass order of confiscation.

51. Any article liable to confiscation under this Act may, on the application of an Excise-officer, be confiscated by the order of any Magistrate within the local limits of whose jurisdiction it is found.

CHAPTER VIII.

MILITARY CANTONMENTS.

Manufacture and sale of spirits, &c., in military cantonments.

52. Within the limits of any military cantonment, and within such distance from those limits as the Local Government in any case prescribes, no licenses for the manufacture of spirit, or for the sale of spirit or fermented liquor, shall be granted, nor shall the fees leviable on licenses for the retail sale of such spirit or liquor, or the right to manufacture such spirit or liquor be let in farm, unless with the knowledge and consent of the Commanding Officer;

and upon his requisition any such license which has been granted, either by the Collector or by a farmer, within such distance or limits shall be immediately cancelled.

Mode of making arrest or search in military cantonments.

53. In all other respects the provisions of this Act shall have effect within such limits or distance: Provided that whenever any arrest or search under this Act is to be made within the limits of any cantonment, the Collector or other officer authorized to make such arrest or search shall, whenever it may be practicable, give previous notice to the Commanding Officer, and in all other cases shall report the arrest or search to such Commanding Officer with as little delay as possible.

CHAPTER IX.

MISCELLANEOUS.

Collector subject to control of Commissioner.

54. The Collector shall in all proceedings under this Act be subject to the control of the Commissioner of Revenue, and all orders passed by a Collector under this Act shall be appealable to such Commissioner in manner provided by the rules for the time being in force relating to appeals from the orders of Collectors.

The Chief Revenue-authority may revise any order passed by a Collector under this Act or by a Commissioner under this section.

Additional power to make rules.

55. The Chief Controlling Revenue-authority may, from time to time, make rules consistent with this Act—

(*a*) as to the period for which any license or farm under this Act shall be granted;

(*b*) as to the fee payable for any such license or farm, and the time or times at which it shall be payable;

(*c*) as to the security to be given by any licensee or farmer under this Act;

(*d*) as to the form of any license or farming lease and of the counterpart thereof (if any) to be taken from such licensee or farmer, and the conditions which may be inserted therein;

(*e*) as to the disposal of things confiscated under this Act;

(*f*) as to the duties of Excise-officers; and

(*g*) to provide generally for carrying out the provisions of this Act.

Power to exempt articles and persons.

56. The Local Government may from time to time, by notification in the official Gazette, exempt within any specified local area any specified articles or any specified class of persons from all or any of the foregoing provisions of this Act, and may, by like notification, cancel any such exemption.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information:—

ACT No. XXIII OF 1881.

An Act to amend the Dekkhan Agriculturists' Relief Act, 1879.

Preamble.

WHEREAS it is expedient to amend, in manner hereinafter appearing, the Dekkhan Agriculturists' Relief Act, 1879; It is hereby enacted as follows:—

Short title. Commencement.

1. This Act may be called "The Dekkhan Agriculturists' Relief Act, 1881"; and it shall come into force at once.

"Section."

2. In this Act "section" means a section of the Dekkhan Agriculturists' Relief Act, 1879.

Amendment of section 1.

3. In section one, before the word "Sections," the words "This section and" shall be, and be deemed to have always been, inserted.

Amendment of section 2, clause (2).

4. For section two, clause (2), the following shall be substituted:—

'Agriculturist.'

"'Agriculturist' means a person who, when or after incurring any liability the subject of any proceeding under this Act, by himself, his servants or tenants earned or earns his livelihood, wholly or partially, by agriculture carried on within the limits of the said districts.

"A cultivator who has temporarily ceased to earn his livelihood in manner aforesaid, without any intention of changing his status as such, does not thereby cease to be an agriculturist within this definition.

"An assignee of Government assessment or a mortgagee is not, as such, an agriculturist within this definition.

"An agriculturist shall be deemed to 'reside' where he earns his livelihood in manner aforesaid."

Amendment of sections 8 and 12.

5. In section three, clause (*y*), the words "not being merely a surety for the principal debtor," and in section twelve the words "not being merely a surety of the principal debtor," shall be omitted.

Amendment of section 19.

6. In section nineteen, first clause, for the words "there is no other claim against him," the words "the other debts (if any) due by him do not, taken together with such sum, amount to fifty rupees" shall be substituted; and to the same clause the words "of such sum" shall be added.

Addition to section 38.

7. To section 38, the following shall be added:—

"The expression 'officer of police' in this section shall not be deemed to include a police patel appointed under Bombay Act No. VIII of 1867 (*for the Regulation of the Village Police in the Presidency of Bombay*)."

Amendment of section 44.

8. In section forty-four, for the word "place," the word "táluqa" shall be substituted.

Addition to section 47.

9. To section forty-seven the following shall be added, namely:—

"*Explanation.*—The expression 'civil Court' in this section does not include a Mámlatdár's Court under Bombay Act No. III of 1876 (*to consolidate and amend the law relating to the powers and procedure of Mámlatdárs' Courts*)."

New section substituted for section 48.

10. For section forty-eight the following section shall be substituted:—

Allowance to be made in period of limitation.

"48. In computing the period of limitation prescribed for any such suit or application the time intervening between the application made by the plaintiff under section thirty-nine and the grant of the certificate under section forty-six shall be excluded.

Limitation in certain cases.

"Any such application which after the first day of November, 1879, has been rejected, and which, if such time had been excluded in computing the period of limitation prescribed for such application, would have been entertained, shall be entertained if made within two months from the twenty-sixth day of October, 1881.

New section substituted for section 51.

11. For section fifty-one the following section shall be substituted:—

District Judge may withdraw case from Conciliator or Subordinate Judge,

"51. The District Judge may—

"(*a*) transfer any application pending before a Conciliator to the file of any other Conciliator;

"(*b*) transfer to his own file any suit or other matter pending before the Court of any Subordinate Judge under Chapter II or Chapter IV of this Act, and may dispose of the same as if he were a Subordinate Judge; or

"(*c*) stay the proceedings in any such suit or matter, and sit together with such Judge as a Bench to dispose of such suit or matter in accordance with the provisions of this Act.

(or sit with Subordinate Judge as a Bench for trial of any case.)

"If the members of any Bench sitting under this section differ in opinion, the opinion of the District Judge shall prevail."

(Addition to section 56.) **12.** To section fifty-six the following shall be added, namely :—

"or apply to any instrument which is executed by an agriculturist merely as a surety."

(New section substituted for section 57.) **13.** For section fifty-seven the following section shall be substituted :—

"57. When any persons intend to execute any instrument to which section fifty-six applies, all such persons shall appear before the Village Registrar appointed for the area in which the agriculturist, or when there are several agriculturists intending to execute the instrument, any one of such agriculturists, resides, and such Registrar, after satisfying himself in such manner as he deems fit as to the identity of the intending executants and receiving the fee (if any) prescribed by the local Government in this behalf, and the stamp (if any) which may be required by law, shall write the instrument, or cause the same to be written under his superintendence; and after reading the same aloud, or causing it to be so read, in the hearing of the intending executants, shall require them to execute it in his presence.

(Such instruments to be written by, or under the superintendence of, a Village Registrar and executed in his presence.)

"Every instrument so written and executed shall at the time of execution be attested by the Village Registrar; and also, if any of the executants thereof is unable to read such instrument, by two respectable witnesses.

(Attestation of such instruments.)

"For the purposes of this section every executant of any such instrument shall appear in person before the Village Registrar; but every other party thereto may appear either in person or by any agent, being his relative, servant or dependent, whom he has duly furnished with a power-of-attorney authorizing him to appear and act on his behalf."

(Amendment of section 58.) **14.** In section fifty-eight, for the words "parties to any instrument have executed it," the words "intending executants have executed any instrument" shall be substituted.

(New section substituted for section 68.) **15.** For section sixty-eight the following section shall be substituted :—

"68. No pleader, vakíl or mukhtár, and no advocate or attorney of a High Court, shall be permitted to appear on behalf of any party to any case before a Conciliator or a Village-Munsif the subject-matter whereof does not exceed in amount or value one hundred rupees:

(Pleaders, &c., excluded in certain cases.)

"Provided that any party to any such case may be permitted, on reasonable cause being shown to the satisfaction of the Conciliator or Village-Munsif, to employ any relative, servant or dependent who is not, and has not previously been, a pleader, vakíl or mukhtár, or an advocate or attorney of a High Court, to appear either conjointly with, or in lieu of, such party.

"When a relative, servant or dependent appears in lieu of a party, he shall be furnished by him with a power-of-attorney defining the extent to which he is empowered to act."

(Repeal of section 71.) **16.** Section seventy-one is hereby repealed.

(New section substituted for section 72.) **17.** For section seventy-two the following section shall be substituted :—

"72. In any suit under this Act for the recovery of money from a person, not being merely a surety for the principal debtor, who at the time when the cause of action arose was an agriculturist, the following periods of limitation shall be deemed to be substituted for those prescribed in the second column of the second schedule annexed to the Indian Limitation Act, 1877 (that is to say) :—

(Limitation.)

"(*a*) When such suit is founded on a written instrument registered under this Act or any law in force at the date of the execution of such instrument,—twelve years;

"(*b*) in any other case,—six years:

"Provided that nothing herein contained shall revive the right to bring any suit which would have been barred by limitation if it had been instituted immediately before this Act comes into force."

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information :—

ACT No. XXIV OF 1881.

An Act to amend the Panjáb Laws Act, 1872.

(Preamble.) WHEREAS, in order to provide for the establishment of a system of municipal-watchmen in certain municipalities in the territories administered by the Lieutenant-Governor of the Panjáb, it is expedient to amend the Panjáb Laws Act, 1872; It is hereby enacted as follows :—

(Short title. Commencement.) **1.** This Act may be called "The Panjáb Laws Amendment Act, 1881," and shall come into force at once.

(Substitution of new sections for sections 39A and 39B.) **2.** For sections 39A and 39B of the said Act, the following sections shall be substituted :—

"39A. The Local Government may establish a system of village-watchmen or municipal-watchmen in any part of the territories under its administration, and in furtherance of this object may, from time to time, make rules to provide for the following matters :—

(Power to establish system of village-watchmen and municipal-watchmen, and to make rules.)

(*a*) the definition of the limits of watchmen's beats;

(*b*) the determination of the several grades of watchmen, and the number of each grade to be appointed to each beat;

(*c*) the appointment, suspension, dismissal and resignation of watchmen of each grade;

(*d*) the equipment and discipline of, and the control and supervision over, such watchmen;

(*e*) the conferring upon them, and the exercise by them, of any powers, and the enjoyment by them of any protection or privilege, which may be exercised and enjoyed by a police-officer under any law for the time being in force;

(*f*) the performance by them of such duties relating to police, sanitation or statistics, or for the benefit of the village-communities or municipalities within their respective beats, as the Local Government thinks fit;

(*g*) the exercise of authority over, and the rendering of aid to, such watchmen by headmen of the villages or members of the Municipal Committees of the towns comprised in their respective beats;

(*h*) the performance, by the headmen of villages comprised in the beat of any watchman, of any of the duties of a village-watchman in aid of, or substitution for, such watchman;

(*i*) the exercise, by such village-headmen for the purposes referred to in clauses (*g*) and (*h*), or by members of Municipal Committees for the purposes referred to in clause (*g*) of this section, of any of the powers, and the enjoyment by such headmen or members of any privilege or protection, of a village-watchman or a municipal-watchman as the case may be;

(*j*) the determination of the rate at which, and the mode in which, watchmen shall be paid, and, in the case of village-watchmen, of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchman system shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in, or resorting to, such villages, or partly in one of these ways and partly in the other;

(*k*) the collection with or without the aid of the village-headmen, and by any process available for the realization of the land-revenue, of any tax imposed under clause (*j*) of this section, and the application of, and the mode of accounting for, the same; and generally for

(*l*) the efficient working of the system of village-watchmen or municipal-watchmen:

"Provided—

1*st*,—that the rules to be made regarding the appointment of village-watchmen shall allow to the headmen of the villages comprised in the beat to which such a watchman is to be appointed, a power of nomination to be exercised in such manner, and subject to such reasonable conditions, as may be prescribed by such rules;

2ndly,—that the rules to be made under clause (*j*) of this section with regard to village-watchmen shall include provisions for recording and securing due consideration of the views and opinions on the matters therein referred to of the headmen of the villages comprised in each beat.

"39B. Every person is bound to render to a village-watchman, or municipal-watchman, or village-headman discharging the duties of a police-officer under the rules made hereunder, all the assistance which he is bound to render to a police-officer.

Obligation to assist watchmen and headmen.

"Any person who obstructs such watchman or headman in the discharge of such duties may be arrested without warrant by a police-officer or by any watchman empowered in this behalf by the Local Government."

Person obstructing watchman or headman may be arrested without warrant.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 27th October, 1881, and is hereby promulgated for general information :—

ACT No. XXV OF 1881.

An Act to amend the law in force in the Mahál of Bánki.

WHEREAS it has been determined to annex the territory comprised in the mahál of Bánki to the district of Katak:

Preamble.

And whereas the said territory forms portion of a scheduled district under the Scheduled Districts Act, 1874:

And whereas it is expedient that the law in force in the said territory should, on such annexation, be the same as the law in force in the district of Katak, and that the said territory should cease to be a portion of a scheduled district:

It is hereby enacted as follows :—

1. This Act may be called "The Bánki Laws Act, 1881."

Short title.

2. All enactments which shall on the first day of April, 1882, be in force in the district of Katak and not in the said territory shall be deemed to come into force in the said territory on that day:

Laws of Katak to apply.

And all enactments which shall on that day be in force in the said territory and not in the district of Katak shall be deemed to be repealed on and from that day in the said territory.

Other laws repealed.

3. All proceedings commenced before any authority in the said territory before the said first day of April, 1882, and still pending on the said day, shall be disposed of by such authority as the Local Government may direct; and, save as aforesaid, shall be carried on as if this Act had not been passed.

Pending proceedings.

4. On and from the said first day of April, 1882, the said territory shall cease to be a portion of a scheduled district; and in Part III of the first schedule to the said Scheduled Districts Act, 1874, for the words "Mahás of Angúl and Bánki," the words "Mahál of Angúl" shall be substituted;

Territory to cease to be a scheduled district.

And in the following Bengal Regulations, namely, Regulation XII of 1805, section thirty-six, Regulation XIII of 1805, section thirteen, and Regulation XI of 1816, section two, the words "Ditto Bánki" shall be repealed.

Amendment of certain Bengal Regulations.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY NOVEMBER 12, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information :—

ACT No. XXII OF 1881.

THE EXCISE ACT, 1881.

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An Act to amend the law relating to the Excise-revenue in Northern India, British Burma and Coorg.

WHEREAS it is expedient to amend the law in force in Northern India, British Burma and Coorg relating to the production, sale, possession and import of spirit, fermented liquors and intoxicating drugs, and the collection of the revenue derived therefrom; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Excise Act, 1881": Short title.

It extends to the territories administered respectively by the Lieutenant-Governors of the North-Western Provinces and the Panjáb and the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg, and Ajmer and Merwára; and Local extent.

it shall come into force on the first day of January, 1882. Commencement.

2. On and from that day the Excise Act, 1871, shall be repealed, but all rules made, powers conferred and licenses and farms granted under that Act and in force on the same day shall be deemed to have been respectively made, conferred and granted under this Act. Repeal of Act X of 1871.

3. In this Act— Interpretation-clause.

(*a*) "Chief Revenue-authority" means— "Chief Revenue-authority":

in the territories administered by the Lieutenant-Governor of the North-Western Provinces—the Board of Revenue;

in the territories administered by the Lieutenant-Governor of the Panjáb—the Financial Commissioner; and

in the territories respectively administered by the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg, and Ajmer and Merwára—the Chief Commissioner:

(*b*) "Collector" includes any Revenue-officer in independent charge of a District and any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Collector under this Act: "Collector":

"Commissioner of Revenue" means any officer appointed by the Local Government to discharge, throughout any specified local area, the functions of a Commissioner of Revenue under this Act: "Commissioner of Revenue":

(*c*) "Magistrate" means any Magistrate exercising powers not less than those of a Magistrate of the second class, or any Magistrate of the third class specially authorized in this behalf by the Magistrate of the District: "Magistrate":

(*d*) "Place" includes also house, boat and raft: "Place":

(*e*) "Tárí" means the sap of any kind of palm-tree. "Tárí":

(*f*) "Fermented liquor" means malt liquor, wine, pachwai and fermented tárí, and, in any provision of this Act, shall, if the Local Government, subject to the control of the Governor General in Council, so directs, include any other fermented liquor, and also tárí though it may not have perceptibly begun to ferment: "Fermented liquor":

(*g*) "Spirit" means any liquor containing alcohol obtained by distillation: "Spirit":

(*h*) The expression "intoxicating drugs" means gánja, bhang, charas, and every preparation and admixture of the same: "Intoxicating drugs":

(*i*) "Tola" means a weight of one hundred and eighty grains Troy: "Tola":

(*j*) "Ser" means a weight of eighty tolas: "Ser":

(*k*) The articles next hereinafter mentioned shall be deemed to be sold retail within the meaning of this Act when sold in quantities not exceeding those next hereinafter specified in respect of them, that is to say,— "Retail":

Foreign spirit or foreign fermented liquor, two imperial gallons or twelve reputed quart bottles;

country spirit, one ser, and in British Burma one reputed quart bottle;

country fermented liquor, four sers, and in British Burma four reputed quart bottles;

bhang, or any preparation or admixture thereof, one quarter of a ser;

gánja or charas, or any preparation or admixture thereof, five tolas:

If sold in larger quantities they shall be deemed to be sold wholesale. "Wholesale."

In any case in which doubt arises the Local Government may decide what for the purposes of this Act shall be deemed to be "country spirit," "country fermented liquor," "foreign spirit," and "foreign fermented liquor"; and such decision shall be binding on the Courts. "Country spirit": "Foreign spirit."

4. Nothing herein contained shall affect Act No. XVI of 1863 (*to make special provision for the levy of the Excise Duty payable on Spirits used exclusively in Arts and Manufactures or in Chemistry*) or the Cantonments Act, 1880. Saving of Acts XVI of 1863 and III of 1880.

CHAPTER II.

PRODUCTION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

5. No person shall construct, work or possess a distillery, still or brewery, or manufacture fermented liquor, in any district except under a license granted by the Collector or by a person authorised by the Collector to grant such license, and in accordance with the conditions (if any) contained therein. Manufacture of spirit and liquor without license prohibited.

6. The Collector may, with the previous sanction of the Chief Revenue-authority, from time to time, Power to establish distilleries for country spirit.

(*a*) establish at any place within his district a distillery in which country spirit may be made, and discontinue any distillery so established;

(*b*) fix limits within his district within which no such spirit, unless made in the said distillery, shall be introduced without a pass from him.

7. No spirit shall be removed from any distillery licensed under section five or established under section six, until— Duty on spirit.

(*a*) the duty payable in respect of such spirit under the Indian Tariff Act, 1875, section eleven, has been paid, or

(*b*) a bond for such duty has been executed, or

(*c*) a duty in respect of the materials used in making such spirit has been levied at such rates and in such manner as the Local Government, with the previous sanction of the Governor General in Council, may from time to time direct.

8. The Chief Revenue-authority may, from time to time, make rules as to— Power to make rules as to distilleries and breweries licensed under section 5.

(*a*) the granting of licenses for distilleries, stills and breweries under section five;

(*b*) the notices to be given by the proprietor of a licensed distillery when he commences and discontinues work;

(*c*) the size and description of the stills in such distillery;

(*d*) the storing and passing out of the spirit made in such distillery, and the contents of the passes;

(*e*) the inspection and examination of the distillery and warehouses, and of the spirit made and stored therein;

(*f*) the furnishing of statements of the spirit, and of the stills, coppers, casks and other utensils, in the distillery.

9. The Chief Revenue-authority may, from time to time, make rules as to— And for distilleries established under section 6.

(*a*) the management of distilleries established under section six, and in particular as to the conditions on which any materials to be used in making spirit may be brought into such distillery;

(*b*) the conditions on which spirit may be made in such distilleries; and

(*c*) the storing and passing out of the spirit so made, and the contents of the passes.

10. Except in the territories respectively administered by the Chief Commissioners of Oudh, the Central Provinces, British Burma, Coorg and Ajmer and Merwára, the sanction of the Local Government is required to validate rules under sections eight and nine. Sanction to rules under sections 8 and 9.

11. In British Burma, the cultivation of hemp and the preparation of intoxicating drugs therefrom are prohibited except under, and in accordance with, a license granted by such officer as the Chief Commissioner may from time to time appoint in this behalf. Production of intoxicating drugs.

In the other territories to which this Act extends, the Chief Revenue-authority may, from time to time, make such rules to restrict and regulate the

cultivation of hemp and the preparation of intoxicating drugs therefrom as it may deem necessary to secure the duty leviable in respect of those drugs.

CHAPTER III.

SALE OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

Spirit, fermented liquor and drugs not to be sold without license.

12. No spirit, fermented liquor or intoxicating drug shall be sold except under, and in accordance with the terms of, a license granted under the provisions hereinafter contained.

Proviso.

Provided as follows—

(*a*) nothing in this section applies to the sale of any foreign spirit or foreign fermented liquor legally procured by any person for his private use and sold by him or by auction on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease;

(*b*) any officer empowered in this behalf by the Chief Revenue-authority may grant to travelling merchants, subject to such rules and restrictions as such authority may from time to time prescribe, a general license authorizing them to sell foreign spirit and foreign fermented liquor wholesale in any district which they may visit in the course of their travels, without taking out a fresh license for that district;

(*c*) any person making or producing country spirit or country fermented liquor, in accordance with the provisions of this Act, may, subject to any rules from time to time made by the Local Government in this behalf, sell such spirit or liquor to any person licensed under this Act as a retail vendor of such spirit or liquor;

(*d*) any cultivator of the hemp plant may sell any intoxicating drug prepared from his plants to any person licensed under this Act to sell the same, or to any person authorized to purchase the same by the Collector's order in writing.

Licenses how granted.

13. Subject to the rules made by the Chief Controlling Revenue-authority under the power hereinafter conferred, the Collector may grant licenses for the sale of foreign spirit and foreign fermented liquor, wholesale or retail, and for the retail sale of country spirit or country fermented liquor, and (except in British Burma) of intoxicating drugs, within his district or any part thereof or at any place therein.

Licenses for the sale of country spirit and country fermented liquor and intoxicating drugs, wholesale, and licenses for the sale, in British Burma, of intoxicating drugs, retail, shall be granted only by such officer as the Local Government from time to time appoints in this behalf.

Any license granted under this section may be cancelled by the Collector for any cause specified therein.

Power to cancel license for cause specified therein.

Power to cancel license for other causes.

14. Whenever the Collector considers that the license of a vendor of country spirit, country fermented liquor or intoxicating drugs should be cancelled for any cause other than those specified in such license, he shall remit a sum equal to the amount of the license-fee for fifteen days, and shall either give fifteen days' previous notice of his intention to cancel the license, or shall, in addition to remitting such sum as aforesaid, make such compensation for default of notice as the Commissioner of Revenue or Chief Revenue-authority directs.

On the expiration of such notice or the payment of such additional compensation, the Collector may cancel the said license.

Surrender of retail license.

15. Any retail vendor licensed under this Act may surrender his license on the expiration of one month's previous notice given by him to the Collector of his intention to surrender the same, and on payment of such sum, not exceeding the amount of the license-fee for six months, as the Collector may fix in this behalf.

If the Collector is satisfied that there is a sufficient reason for surrendering a license, he may remit the sum so fixed.

Power to farm fees.

16. The Collector may, with the sanction of the Chief Revenue-authority, let in farm—

(*a*) the fees leviable in any district or part of a district on licenses for the retail sale of any description of country spirit or country fermented liquor or (except in British Burma) of intoxicating drugs:

(*b*) the right to manufacture, in any district or part of a district in which no distillery is established under section six, country spirit or country fermented liquor.

Farmer to grant licenses.

When the fees so leviable or the right to manufacture such spirit or liquor, or both, are or is let in farm, the farmer may, subject to such reservations or restrictions as the Collector, with the sanction of the Chief Revenue-authority, may from time to time make or impose, grant licenses for the retail sale, or for the manufacture, or for both, as the case may be, of such articles within the local limits of his farm, and shall file in the Collector's office a list of all the licenses granted by him in such form and on such day or days in each year as the Chief Revenue-authority may, from time to time, prescribe in this behalf.

List of licenses granted by farmer to be filed.

Farm may be cancelled.

17. The Collector may, with the sanction of the Chief Revenue-authority, cancel any farm granted under this Act.

Compensation to farmers in certain cases.

18. If any such farm be cancelled for any cause other than a breach on the part of the farmer of the conditions of the farm, or if any reservation or restriction with respect to the grant of licenses be made or imposed within the term of the farm, the farmer shall be entitled to receive for any loss which he sustains thereby such compensation as the Chief Revenue-authority may determine.

Recovery of arrears by farmers.

19. Every farmer under this Act may use the same means and processes for the recovery of any arrear of fees due to him from any retail vendor as may be lawfully used by the local landholders for the recovery of arrears of rent due to them from their tenants.

Power to regulate supply of tárí and intoxicating drugs to licensed vendors.

20. The Chief Revenue-authority may, from time to time, make rules to regulate the mode in which tárí shall be supplied to licensed vendors of the same, and the grant of licenses or passes to persons possessing or transporting intoxicating drugs for the supply of the licensed vendors of such drugs.

CHAPTER IV.

POSSESSION OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS.

Possession of spirit, &c.

21. No person shall have in his possession any quantity of any spirit or fermented liquor larger than that specified in section three, clause (*k*), in respect of such spirit or liquor, unless he is permitted to manufacture or sell the same, or he holds a pass therefor from the Collector or from some other officer empowered by the Local Government to grant such passes.

Nothing in this section extends to—

Proviso.

(*a*) any foreign spirit or foreign fermented liquor in the possession of any common carrier or warehouse-man as such, or purchased by any person for his private use and not for sale, or

(*b*) tárí intended to be used for the manufacture of gúr or molasses.

Possession of intoxicating drugs.

22. In British Burma no person shall have in his possession any intoxicating drugs except under, and in accordance with the terms of, a general exemption granted by the Chief Commissioner, or a license granted by such officer as the Chief Commissioner may, from time to time, appoint in this behalf.

In the other territories to which this Act extends, no person shall have in his possession any larger quantity of such drugs than that specified in section three, clause (*k*), in respect of such drugs, unless he is permitted to manufacture or sell the same.

CHAPTER V.

IMPORT OF SPIRIT.

Spirit from foreign territory subject to duty.

23. No person shall bring into any territory to which this Act extends any spirit manufactured at any place in India beyond the limits of British India, until duty equal to the duty prescribed for such spirit under the Indian Tariff Act, 1875, section [illegible], has been paid in respect thereof and a pass [illegible] been obtained therefor from such officer as the Local Government may, from time to time, appoint in this behalf.

CHAPTER VI.

OFFICERS AND THEIR POWERS.

Collectors may appoint Excise-officers.

24. The Collector may appoint persons, by name or by virtue of their office, to be officers for the collection of the excise-revenue and for the prevention of offences against this Act; and the officers so appointed shall, in addition to their ordinary designations (if any), be styled Excise-officers.

Recovery of arrears of fees.

25. The Collector may recover any amount due to the Government under this Act or the rules made hereunder, by distress and sale of the moveable property of the person from whom such amount is due or of his surety, or by any other process for the time being in force for the recovery of arrears of land-revenue due from landholders or from farmers of land or their sureties.

Power of Excise-officers to inspect shops.

26. Any Excise-officer may enter and inspect at any time by day or by night the shop or premises in which any manufacturer or vendor licensed under this Act carries on the manufacture of country spirit, or the sale of country spirit, country fermented liquor or intoxicating drugs.

To arrest persons carrying spirit, &c., liable to confiscation.

27. Any Excise-officer may stop and detain any person carrying any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act;

and may seize such spirit, liquor or drug, together with any vessels, packages or coverings in which it is contained, and any animals and conveyances used in carrying it;

and may also arrest the person in whose possession such spirit, liquor or drug is found.

To arrest persons in possession of article liable to confiscation, and to seize article.

28. Any Excise-officer in the receipt of a monthly salary of not less than ten rupees may arrest any person having in his possession any article liable to confiscation under this Act, or engaged in the unlawful sale of any spirit, fermented liquor or intoxicating drug, and may seize such article, spirit, liquor or drug.

To search on information of illicit manufacture or possession.

29. Whenever any Excise-officer in receipt of such monthly salary as aforesaid has reason to believe, from information given by any person (which information shall be taken down in writing), that in any place spirit is unlawfully manufactured, or any article liable to confiscation under this Act is kept or concealed,

such officer may, after sunrise and before sunset (but always in the presence of an officer of police in the receipt of a monthly salary of not less than ten rupees), enter into such place,

and in case of resistance may break open any door and force and remove any other obstacle to such entry, and may seize and carry away such spirit or article,

and may also arrest the occupier of the place, with all other persons concerned in the manufacture of such spirit or in the keeping and concealing of such article.

Collector may issue warrant of arrest in certain cases.

30. The Collector may issue his warrant for the arrest of any person whom he has reason to believe, either from information in writing, or from the proceedings in any other case under this Act or any other law, to be engaged in the unlawful sale of spirit or fermented liquor or intoxicating drugs, or to have in his possession any article liable to confiscation under this Act.

Collector may issue search-warrant.

31. The Collector may issue his warrant for the search of any place in which he has reason to believe,

either from information in writing, or from the proceedings in any other case under this Act or any other law, that spirit is unlawfully manufactured, or that any spirit, fermented liquor or intoxicating drug liable to confiscation under this Act is kept or concealed.

Such warrant may be executed by any Excise-officer in the receipt of a monthly salary of not less than ten rupees, at the time and in the manner prescribed in section twenty-nine.

Special warrant authorizing search at night.

Whenever the Collector thinks that the search should be made after sunset and before sunrise on any particular day, he shall issue a warrant specially authorizing the search to be so made. Such warrant may be executed by any Excise-officer as aforesaid in the manner prescribed in section twenty-nine, and shall cease to be in force at sunrise on the day next following.

Excise-officer to report arrest, &c.;

32. Whenever an Excise-officer arrests any person,

or seizes any article liable to confiscation under this Act,

or enters any place for the purpose of searching for any such article,

he shall, within twenty-four hours thereafter, make a full report of all the particulars of such arrest, seizure or search, to his official superior, and, unless acting under the warrant of the Collector, shall take the person arrested, or the article seized, with all convenient despatch to the Magistrate for trial or adjudication.

and to take person arrested to Magistrate.

Procedure after arrest or seizure.

33. Whenever any person is arrested or any article is seized under the warrant of a Collector issued under this Act, the officer making such arrest or seizure shall, within twenty-four hours thereafter, take the person arrested or the article seized, to the Collector, and the Collector, after such enquiry as he thinks necessary, shall send such person or article to the nearest Magistrate, or shall order the immediate discharge of such person or the release of such article.

Police to aid Excise-officers.

34. All Police-officers are required to aid the Excise-officers in the due execution of this Act, upon request made by such officers.

CHAPTER VII.

PENALTIES.

For illegally manufacturing spirit or liquor.

35. Whoever in contravention of section five constructs, works or possesses a distillery, still or brewery, or makes fermented liquor, shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both;

and all spirit and liquor made in contravention of section five, and all materials and implements collected for the purpose of such manufacture, shall be liable to confiscation.

36. Any person who—

For illegally introducing country spirit.

(*a*) without a special pass from the Collector, introduces, into the limits fixed for the consumption of spirit made at a distillery established under section six, any country spirit manufactured at another place, or

(*b*) in contravention of section seven, or of any rule made under section eight or section nine, removes any spirit from a distillery, or

For illegally removing spirit.

(*c*) in contravention of section twenty-three, brings any spirit into any territory to which this Act extends,

For illegally importing spirit.

shall be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both;

and the spirit, together with the vessels containing the same, and any animals and conveyances used in carrying it, shall be liable to confiscation.

For contravening rules prescribed by Chief Revenue-authority.

37. Any person who, except in cases herein otherwise provided for, wilfully contravenes any rule made under section eight or section nine shall be punished with fine not exceeding one hundred rupees.

For illegally cultivating hemp and preparing drugs.

38. Any person who, in contravention of section eleven or of any rule made thereunder, cultivates hemp or prepares any intoxicating drug, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

For illicit sale of spirit, &c.

39. Any person who, in contravention of section twelve, sells any spirit, fermented liquor or intoxicating drug, shall be punished with imprisonment for a term which may extend to four months, or with a fine which may extend to one thousand rupees, or with both.

For permitting drunkenness, &c., in shop.

40. Any person licensed to sell retail spirit, or fermented liquor, or intoxicating drugs, who permits drunkenness, riot or gaming in his shop, or permits persons of notoriously bad character to meet or remain therein, or receives any wearing apparel or other effects in barter for spirit, fermented liquor or intoxicating drugs, shall be punished with fine which may extend to two hundred rupees.

Illegal possession of spirit, liquor or drug.

41. Any person who possesses any spirit, liquor or drug, in contravention of section twenty-one or section twenty-two, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both;

and the spirit, liquor or drug, together with any vessels, packages and coverings in which it is contained, and any animals and conveyances used in carrying it, shall be liable to confiscation.

For refusal to produce license and for breach of rules and conditions.

42. Any person holding a license under this Act and refusing to produce the same on the demand of any Excise-officer, and any person who breaks any rule made under this Act or any condition of a license granted under this Act, for the breach of which rule or condition no other penalty is hereby provided, shall be punished with fine which may extend to fifty rupees.

For conniving at illicit manufacture or sale of spirit, &c.

43. Any owner or occupier of land, and any agent of any such owner or occupier, who authorizes or connives at the illegal manufacture of spirit or the sale of spirit or fermented liquor or intoxicating drugs, shall for every such offence be punished with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both.

And any person invested with local jurisdiction who authorizes or connives at the illegal sale of any spirit, fermented liquor or intoxicating drug within the local limits of such jurisdiction shall be punished with fine which may extend to five hundred rupees.

For Police neglecting to aid Excise-officers.

44. Any Police-officer who, without lawful excuse, neglects or refuses to aid an Excise-officer as required by section thirty-four, and any officer in charge of a Police station who, on application made by an Excise-officer desiring to act under section twenty-nine, fails to attend a search himself, or to depute a subordinate officer of the required rank, shall be punished with fine which may extend to five hundred rupees.

45. Any Excise-officer who—

For vexatious search or seizure.

(*a*) without reasonable grounds of suspicion searches or causes to be searched any place, or

(*b*) vexatiously and unnecessarily seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Act, or

(*c*) vexatiously and unnecessarily arrests any person, or

(*d*) commits any other excess not required for the execution of his duty,

shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

For delay in reporting arrest, &c., or in taking person arrested to Magistrate.

46. Any Excise-officer who, in contravention of section thirty-two or section thirty-three, neglects to report the particulars of an arrest, seizure or search, or delays taking to the Magistrate or Collector, as the case may be, any person arrested or any article seized under this Act, shall be punished with fine which may extend to two hundred rupees.

Prosecutions restricted.

47. No complaint of an offence under any one of the following sections, namely, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two and forty-three, shall be received unless it is made by the Collector or by an Excise-officer; and no complaint of any offence under this Act shall be received unless it is made within the six months next after the commission of such offence.

Confinement in what jail.

48. Every person imprisoned for an offence under section thirty-seven or section forty-two shall be confined in the civil jail, and every person imprisoned for an offence under any other section shall be confined in the criminal jail.

Attempts and abetment.

49. Whoever attempts to commit any offence punishable under this Act or abets within the meaning of the Indian Penal Code the commission of any such offence shall be punished with the punishment provided for such offence.

Disposal of fines, &c., as rewards.

50. Any Magistrate before whom any person is convicted of any offence under sections thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one or forty-three may award to any person who has contributed in any way to such conviction the whole or any portion of any fine imposed upon the offender and paid by him or realized from his property.

Magistrate to pass order of confiscation.

51. Any article liable to confiscation under this Act may, on the application of an Excise-officer, be confiscated by the order of any Magistrate within the local limits of whose jurisdiction it is found.

CHAPTER VIII.

MILITARY CANTONMENTS.

Manufacture and sale of spirits, &c., in military cantonments.

52. Within the limits of any military cantonment, and within such distance from those limits as the Local Government in any case prescribes, no licenses for the manufacture of spirit, or for the sale of spirit or fermented liquor, shall be granted, nor shall the fees leviable on licenses for the retail sale of such spirit or liquor, or the right to manufacture such spirit or liquor be let in farm, unless with the knowledge and consent of the Commanding Officer;

and upon his requisition any such license which has been granted, either by the Collector or by a farmer, within such distance or limits shall be immediately cancelled.

Mode of making arrest or search in military cantonments.

53. In all other respects the provisions of this Act shall have effect within such limits or distance: Provided that whenever any arrest or search under this Act is to be made within the limits of any cantonment, the Collector or other officer authorized to make such arrest or search shall, whenever it may be practicable, give previous notice to the Commanding Officer, and in all other cases shall report the arrest or search to such Commanding Officer with as little delay as possible.

CHAPTER IX.

MISCELLANEOUS.

Collector subject to control of Commissioner.

54. The Collector shall in all proceedings under this Act be subject to the control of the Commissioner of Revenue, and all orders passed by a Collector under this Act shall be appealable to such Commissioner in manner provided by the rules for the time being in force relating to appeals from the orders of Collectors.

The Chief Revenue-authority may revise any order passed by a Collector under this Act or by a Commissioner under this section.

Additional power to make rules.

55. The Chief Controlling Revenue-authority may, from time to time, make rules consistent with this Act—

(*a*) as to the period for which any license or farm under this Act shall be granted;

(*b*) as to the fee payable for any such license or farm, and the time or times at which it shall be payable;

(*c*) as to the security to be given by any licensee or farmer under this Act;

(*d*) as to the form of any license or farming lease and of the counterpart thereof (if any) to be taken from such licensee or farmer, and the conditions which may be inserted therein;

(*e*) as to the disposal of things confiscated under this Act;

(*f*) as to the duties of Excise-officers; and

(*g*) to provide generally for carrying out the provisions of this Act.

Power to exempt articles and persons.

56. The Local Government may from time to time, by notification in the official Gazette, exempt within any specified local area any specified articles or any specified class of persons from all or any of the foregoing provisions of this Act, and may, by like notification, cancel any such exemption.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information:—

ACT No. XXIII OF 1881.

An Act to amend the Dekkhan Agriculturists' Relief Act, 1879.

Preamble.

WHEREAS it is expedient to amend, in manner hereinafter appearing, the Dekkhan Agriculturists' Relief Act, 1879; It is hereby enacted as follows:—

Short title.

Commencement.

1. This Act may be called "The Dekkhan Agriculturists' Relief Act, 1881"; and it shall come into force at once.

"Section."

2. In this Act "section" means a section of the Dekkhan Agriculturists' Relief Act, 1879.

Amendment of section 1.

3. In section one, before the word "Sections," the words "This section and" shall be, and be deemed to have always been, inserted.

Amendment of section 2, clause (2).

4. For section two, clause (2), the following shall be substituted:—

'Agriculturist.'

"'Agriculturist' means a person who, when or after incurring any liability the subject of any proceeding under this Act, by himself, his servants or tenants earned or earns his livelihood, wholly or partially, by agriculture carried on within the limits of the said districts.

"A cultivator who has temporarily ceased to earn his livelihood in manner aforesaid, without any intention of changing his status as such, does not thereby cease to be an agriculturist within this definition.

"An assignee of Government assessment or a mortgagee is not, as such, an agriculturist within this definition.

"An agriculturist shall be deemed to 'reside' where he earns his livelihood in manner aforesaid."

Amendment of sections 8 and 12.

5. In section three, clause (*y*), the words "not being merely a surety for the principal debtor," and in section twelve the words "not being merely a surety of the principal debtor," shall be omitted.

Amendment of section 19.

6. In section nineteen, first clause, for the words "there is no other claim against him," the words "the other debts (if any) due by him do not, taken together with such sum, amount to fifty rupees" shall be substituted; and to the same clause the words "of such sum" shall be added.

Addition to section 38.

7. To section 38, the following shall be added:—

"The expression 'officer of police' in this section shall not be deemed to include a police patel appointed under Bombay Act No. VIII of 1867 (*for the Regulation of the Village Police in the Presidency of Bombay*)."

Amendment of section 44.

8. In section forty-four, for the word "place," the word "táluqa" shall be substituted.

Addition to section 47.

9. To section forty-seven the following shall be added, namely:—

"*Explanation.*—The expression 'civil Court' in this section does not include a Mámlatdár's Court under Bombay Act No. III of 1876 (*to consolidate and amend the law relating to the powers and procedure of Mámlatdárs' Courts*)."

New section substituted for section 48.

10. For section forty-eight the following section shall be substituted:—

Allowance to be made in period of limitation.

"48. In computing the period of limitation prescribed for any such suit or application the time intervening between the application made by the plaintiff under section thirty-nine and the grant of the certificate under section forty-six shall be excluded.

Limitation in certain cases.

"Any such application which after the first day of November, 1879, has been rejected, and which, if such time had been excluded in computing the period of limitation prescribed for such application, would have been entertained, shall be entertained if made within two months from the twenty-sixth day of October, 1881.

New section substituted for section 51.

11. For section fifty-one the following section shall be substituted:—

District Judge may withdraw case from Conciliator or Subordinate Judge,

"51. The District Judge may—

"(*a*) transfer any application pending before a Conciliator to the file of any other Conciliator;

"(*b*) transfer to his own file any suit or other matter pending before the Court of any Subordinate Judge under Chapter II or Chapter IV of this Act, and may dispose of the same as if he were a Subordinate Judge; or

"(*c*) stay the proceedings in any such suit or matter, and sit together with such Judge as a Bench to dispose of such suit or matter in accordance with the provisions of this Act.

or sit with Subordinate Judge as a Bench for trial of any case.

"If the members of any Bench sitting under this section differ in opinion, the opinion of the District Judge shall prevail."

Addition to section 56.

12. To section fifty-six the following shall be added, namely :—

"or apply to any instrument which is executed by an agriculturist merely as a surety."

New section substituted for section 57.

13. For section fifty-seven the following section shall be substituted :—

"57. When any persons intend to execute any instrument to which section fifty-six applies, all such persons shall appear before the Village Registrar appointed for the area in which the agriculturist, or when there are several agriculturists intending to execute the instrument, any one of such agriculturists, resides, and such Registrar, after satisfying himself in such manner as he deems fit as to the identity of the intending executants and receiving the fee (if any) prescribed by the local Government in this behalf, and the stamp (if any) which may be required by law, shall write the instrument, or cause the same to be written under his superintendence; and after reading the same aloud, or causing it to be so read, in the hearing of the intending executants, shall require them to execute it in his presence.

Such instruments to be written by, or under the superintendence of, a Village Registrar and executed in his presence.

"Every instrument so written and executed shall at the time of execution be attested by the Village Registrar; and also, if any of the executants thereof is unable to read such instrument, by two respectable witnesses.

Attestation of such instruments.

"For the purposes of this section every executant of any such instrument shall appear in person before the Village Registrar; but every other party thereto may appear either in person or by any agent, being his relative, servant or dependent, whom he has duly furnished with a power-of-attorney authorizing him to appear and act on his behalf."

Amendment of section 58.

14. In section fifty-eight, for the words "parties to any instrument have executed it," the words "intending executants have executed any instrument" shall be substituted.

New section substituted for section 68.

15. For section sixty-eight the following section shall be substituted :—

"68. No pleader, vakíl or mukhtár, and no advocate or attorney of a High Court, shall be permitted to appear on behalf of any party to any case before a Conciliator or a Village-Munsif the subject-matter whereof does not exceed in amount or value one hundred rupees:

Pleaders, &c., excluded in certain cases.

"Provided that any party to any such case may be permitted, on reasonable cause being shown to the satisfaction of the Conciliator or Village-Munsif, to employ any relative, servant or dependent who is not, and has not previously been, a pleader, vakíl or mukhtár, or an advocate or attorney of a High Court, to appear either conjointly with, or in lieu of, such party.

"When a relative, servant or dependent appears in lieu of a party, he shall be furnished by him with a power-of-attorney defining the extent to which he is empowered to act."

Repeal of section 71.

16. Section seventy-one is hereby repealed.

New section substituted for section 72.

17. For section seventy-two the following section shall be substituted :—

"72. In any suit under this Act for the recovery of money from a person, not being merely a surety for the principal debtor, who at the time when the cause of action arose was an agriculturist, the following periods of limitation shall be deemed to be substituted for those prescribed in the second column of the second schedule annexed to the Indian Limitation Act, 1877 (that is to say) :—

Limitation.

"(*a*) When such suit is founded on a written instrument registered under this Act or any law in force at the date of the execution of such instrument,—twelve years;

"(*b*) in any other case,—six years:

"Provided that nothing herein contained shall revive the right to bring any suit which would have been barred by limitation if it had been instituted immediately before this Act comes into force."

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 26th October, 1881, and is hereby promulgated for general information :—

ACT No. XXIV OF 1881.

An Act to amend the Panjáb Laws Act, 1872.

Preamble.

WHEREAS, in order to provide for the establishment of a system of municipal-watchmen in certain municipalities in the territories administered by the Lieutenant-Governor of the Panjáb, it is expedient to amend the Panjáb Laws Act, 1872; It is hereby enacted as follows :—

Short title. Commencement.

1. This Act may be called "The Panjáb Laws Amendment Act, 1881," and shall come into force at once.

Substitution of new sections for sections 39A and 39B.

2. For sections 39A and 39B of the said Act, the following sections shall be substituted :—

Power to establish system of village-watchmen and municipal-watchmen, and to make rules.

"39A. The Local Government may establish a system of village-watchmen or municipal-watchmen in any part of the territories under its administration, and in furtherance of this object may, from time to time, make rules to provide for the following matters :—

(*a*) the definition of the limits of watchmen's beats;

(*b*) the determination of the several grades of watchmen, and the number of each grade to be appointed to each beat;

(*c*) the appointment, suspension, dismissal and resignation of watchmen of each grade;

(*d*) the equipment and discipline of, and the control and supervision over, such watchmen;

(*e*) the conferring upon them, and the exercise by them, of any powers, and the enjoyment by them of any protection or privilege, which may be exercised and enjoyed by a police-officer under any law for the time being in force;

(*f*) the performance by them of such duties relating to police, sanitation or statistics, or for the benefit of the village-communities or municipalities within their respective beats, as the Local Government thinks fit;

(*g*) the exercise of authority over, and the rendering of aid to, such watchmen by headmen of the villages or members of the Municipal Committees of the towns comprised in their respective beats;

(*h*) the performance, by the headmen of villages comprised in the beat of any watchman, of any of the duties of a village-watchman in aid of, or substitution for, such watchman;

(*i*) the exercise, by such village-headmen for the purposes referred to in clauses (*g*) and (*h*), or by members of Municipal Committees for the purposes referred to in clause (*g*) of this section, of any of the powers, and the enjoyment by such headmen or members of any privilege or protection, of a village-watchman or a municipal-watchman as the case may be;

(*j*) the determination of the rate at which, and the mode in which, watchmen shall be paid, and in the case of village-watchmen, of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchman system shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in, or resorting to, such villages, or partly in one of these ways and partly in the other;

(*k*) the collection with or without the aid of the village-headmen, and by any process available for the realization of the land-revenue, of any tax imposed under clause (*j*) of this section, and the application of, and the mode of accounting for, the same; and generally for

(*l*) the efficient working of the system of village-watchmen or municipal-watchmen:

"Provided—

1*st*,—that the rules to be made regarding the appointment of village-watchmen shall allow to the headmen of the villages comprised in the beat to which such a watchman is to be appointed, a power of nomination to be exercised in such manner, and subject to such reasonable conditions, as may be prescribed by such rules;

2ndly,—that the rules to be made under clause (*j*) of this section with regard to village-watchmen shall include provisions for recording and securing due consideration of the views and opinions on the matters therein referred to of the headmen of the villages comprised in each beat.

"39B. Every person is bound to render to a village-watchman, or municipal-watchman, or village-headman discharging the duties of a police-officer under the rules made hereunder, all the assistance which he is bound to render to a police-officer.

Obligation to assist watchmen and headman.

"Any person who obstructs such watchman or headman in the discharge of such duties may be arrested without warrant by a police-officer or by any watchman or village-headman empowered in this behalf by the Local Government."

Person obstructing watchman or headman may be arrested without warrant.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 27th October, 1881, and is hereby promulgated for general information:—

ACT No. XXV OF 1881.

An Act to amend the law in force in the Mahál of Bánki.

WHEREAS it has been determined to annex the territory comprised in the mahál of Bánki to the district of Katak:

Preamble.

And whereas the said territory forms portion of a scheduled district under the Scheduled Districts Act, 1874:

And whereas it is expedient that the law in force in the said territory should, on such annexation, be the same as the law in force in the district of Katak, and that the said territory should cease to be a portion of a scheduled district:

It is hereby enacted as follows:—

1. This Act may be called "The Bánki Laws Act, 1881."

Short title.

2. All enactments which shall on the first day of April, 1882, be in force in the district of Katak and not in the said territory shall be deemed to come into force in the said territory on that day:

Laws of Katak to apply.

And all enactments which shall on that day be in force in the said territory and not in the district of Katak shall be deemed to be repealed on and from that day in the said territory.

Other laws repealed.

3. All proceedings commenced before any authority in the said territory before the said first day of April, 1882, and still pending on the said day, shall be disposed of by such authority as the Local Government may direct; and, save as aforesaid, shall be carried on as if this Act had not been passed.

Pending proceedings.

4. On and from the said first day of April, 1882, the said territory shall cease to be a portion of a scheduled district; and in Part III of the first schedule to the said Scheduled Districts Act, 1874, for the words "Maháls of Angúl and Bánki," the words "Mahál of Angúl" shall be substituted;

Territory to cease to be a scheduled district.

And in the following Bengal Regulations, namely, Regulation XII of 1805, section thirty-six, Regulation XIII of 1805, section thirteen, and Regulation XI of 1816, section two, the words "Ditto Bánki" shall be repealed.

Amendment of certain Bengal Regulations.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 10, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 9th December, 1881, and is hereby promulgated for general information:—

ACT No. XXVI OF 1881.

THE NEGOTIABLE INSTRUMENTS ACT, 1881.

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SCHEDULE.

An Act to define and amend the law relating to Promissory Notes, Bills of Exchange and Cheques.

WHEREAS it is expedient to define and amend the law relating to promissory notes, bills of exchange and cheques; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Negotiable Instruments Act, 1881:"

Short title.

It extends to the whole of British India; but nothing herein contained affects the Indian Paper Currency Act, 1871, section twenty-one, or affects any local usage relating to any instrument in an oriental language: Provided that such usages may be excluded by any words in the body of the instrument, which indicate an intention that the legal relations of the parties thereto shall be governed by this Act; and it shall come into force on the first day of March, 1882.

Local extent.

Saving of usages relating to hundís, &c.

Commencement.

2. On and from that day the enactments specified in the schedule hereto annexed shall be repealed to the extent mentioned in the third column thereof.

Repeal of enactments.

3. In this Act—

Interpretation-clause.

"Banker": "Banker" includes also persons or a corporation or company acting as bankers; and

"Notary Public": "Notary Public" includes also any person appointed by the Governor General in Council to perform the functions of a Notary Public under this Act.

CHAPTER II.

OF NOTES, BILLS AND CHEQUES.

4. A "promissory note" is an instrument in writing (not being a banknote or a currency-note) containing an unconditional undertaking, signed by the maker, to pay a certain sum of money only to, or to the order of, a certain person, or to the bearer of the instrument.

"Promissory note."

Illustrations.

A signs instruments in the following terms:—

(a). "I promise to pay B or order Rs. 500."

(b). "I acknowledge myself to be indebted to B in Rs. 1,000, to be paid on demand, for value received."

(c). "Mr. B, I O U Rs. 1,000."

(d). "I promise to pay B Rs. 500 and all other sums which shall be due to him."

(e). "I promise to pay B Rs. 500, first deducting thereout any money which he may owe me."

(f). "I promise to pay B Rs. 500 seven days after my marriage with C."

(g). "I promise to pay B Rs. 500 on D's death, provided D leaves me enough to pay that sum."

(h). "I promise to pay B Rs. 500 and to deliver to him my black horse on 1st January next."

The instruments respectively marked (a) and (b) are promissory notes. The instruments respectively marked (c), (d), (e), (f), (g) and (h) are not promissory notes.

5. A "bill of exchange" is an instrument in writing containing an unconditional order, signed by the maker, directing a certain person to pay a certain sum of money only to, or to the order of, a certain person or to the bearer of the instrument.

"Bill of exchange."

A promise or order to pay is not "conditional," within the meaning of this section and section four, by reason of the time for payment of the amount or any instalment thereof being expressed to be on the lapse of a certain period after the occurrence of a specified event which, according to the ordinary expectation of mankind, is certain to happen, although the time of its happening may be uncertain.

The sum payable may be "certain," within the meaning of this section and section four, although it includes future interest or is payable at an indicated rate of exchange, or is according to the course of exchange, and although the instrument provides that, on default of payment of an instalment, the balance unpaid shall become due.

The person to whom it is clear that the direction is given or that payment is to be made may be a "certain person," within the meaning of this section and section four, although he is mis-named or designated by description only.

6. A "cheque" is a bill of exchange drawn on a specified banker and not expressed to be payable otherwise than on demand.

"Cheque."

7. The maker of a bill of exchange or cheque is called the "drawer;" the person thereby directed to pay is called the "drawee."

"Drawer." "Drawee."

When in the bill or in any indorsement thereon the name of any person is given in addition to the drawee to be resorted to in case of need, such person is called a "drawee in case of need."

"Drawee in case of need."

After the drawee of a bill has signed his assent upon the bill, or, if there are more parts thereof than one, upon one of such parts, and delivered the same, or given notice of such signing to the holder or to some person on his behalf, he is called the "acceptor."

"Acceptor."

When acceptance is refused and the bill is protested for non-acceptance, and any person accepts it *supra protest* for honour of the drawer or of any one of the indorsers, such person is called an "acceptor for honour."

"Acceptor for honour."

The person named in the instrument, to whom or to whose order the money is by the instrument directed to be paid, is called the "payee."

"Payee."

8. The "holder" of a promissory note, bill of exchange or cheque means any person entitled in his own name to the possession thereof and to receive or recover the amount due thereon from the parties thereto.

"Holder."

Where the note, bill or cheque is lost or destroyed, its holder is the person so entitled at the time of such loss or destruction.

9. "Holder in due course" means any person who for consideration became the possessor of a promissory note, bill of exchange or cheque if payable to bearer,

"Holder in due course."

or the payee or indorsee thereof, if payable to, or to the order of, a payee,

before the amount mentioned in it became payable, and without having sufficient cause to believe that any defect existed in the title of the person from whom he derived his title.

10. "Payment in due course" means payment in accordance with the apparent tenor of the instrument in good faith and without negligence to any person in possession thereof under circumstances which do not afford a reasonable ground for believing that he is not entitled to receive payment of the amount therein mentioned.

"Payment in due course."

11. A promissory note, bill of exchange or cheque drawn or made in British India, and made payable in, or drawn upon any person resident in, British India shall be deemed to be an inland instrument.

Inland instrument.

12. Any such instrument not so drawn, made or made payable shall be deemed to be a foreign instrument.

Foreign instrument.

13. A "negotiable instrument" means a promissory note, bill of exchange or cheque expressed to be payable to a specified person or his order, or to the order of a specified person, or to the bearer thereof, or to a specified person or the bearer thereof.

"Negotiable instrument."

14. When a promissory note, bill of exchange or cheque is transferred to any person, so as to constitute that person the holder thereof, the instrument is said to be negotiated.

Negotiation.

15. When the maker or holder of a negotiable instrument signs the same, otherwise than as such maker, for the purpose of negotiation, on the back or face thereof or on a slip of paper annexed thereto, or so signs for the same purpose a stamped paper intended to be completed as a negotiable instrument, he is said to indorse the same, and is called the "indorser."

Indorsement.

16. If the indorser signs his name only, the indorsement is said to be "in blank," and if he adds a direction to pay the amount mentioned in the instrument to, or to the order of, a specified person, the indorsement is said to be "in full;" and the person so specified is called the "indorsee" of the instrument.

Indorsement "in blank" and "in full." "Indorsee."

17. Where an instrument may be construed either as a promissory note or bill of exchange, the holder may at his election treat it as either, and the instrument shall be thenceforward treated accordingly.

Ambiguous instruments.

18. If the amount undertaken or ordered to be paid is stated differently in figures and in words, the amount stated in words shall be the amount undertaken or ordered to be paid.

Where amount is stated differently in figures and words.

19. A promissory note or bill of exchange, in which no time for payment is specified, and a cheque, are payable on demand.

Instruments payable on demand.

20. Where one person signs and delivers to another a paper stamped in accordance with the law relating to negotiable instruments then in force in British India, and either wholly blank or having written thereon an incomplete negotiable instrument, he thereby gives *primâ facie* authority to the holder thereof to make or complete, as the case may be, upon it a negotiable instrument, for any amount specified therein and not exceeding the amount covered by the stamp. The person so signing shall be liable upon such instrument, in the capacity in which he signed the same, to any holder in due course for such amount: provided that no person other than a holder in due course shall recover from the person delivering the instrument anything in excess of the amount intended by him to be paid thereunder.

Inchoate stamped instruments.

21. In a promissory note or bill of exchange the expressions "at sight" and "on presentment" mean on demand. The expression "after sight" means, in a promissory note, after presentment for sight, and, in a bill of exchange, after acceptance, or noting for non-acceptance, or protest for non-acceptance.

"At sight." "On presentment." "After sight."

22. The maturity of a promissory note or bill of exchange is the date at which it falls due.

"Maturity."

Every promissory note or bill of exchange which is not expressed to be payable on demand, at sight or on presentment is at maturity on the third day after the day on which it is expressed to be payable.

Days of grace.

23. In calculating the date at which a promissory note or bill of exchange, made payable a stated number of months after date or after sight, or after a certain event, is at maturity, the period stated shall be held to terminate on the day of the month which corresponds with the day on which the instrument is dated, or presented for acceptance or sight, or noted for non-acceptance, or protested for non-acceptance, or the event happens, or, where the instrument is a bill of exchange made payable a stated number of months after sight and has been accepted for honour, with the day on which it was so accepted. If the month in which the period would terminate has no corresponding day, the period shall be held to terminate on the last day of such month.

Calculating maturity of bill or note payable so many months after date or sight.

Illustrations.

(*a*). A negotiable instrument, dated 29th January, 1878, is made payable at one month after date. The instrument is at maturity on the third day after the 28th February, 1878.

(*b*). A negotiable instrument, dated 30th August, 1878, is made payable three months after date. The instrument is at maturity on the 3rd December, 1878.

(*c*). A promissory note or bill of exchange, dated 31st August, 1878, is made payable three months after date. The instrument is at maturity on the 3rd December, 1878.

24. In calculating the date at which a promissory note or bill of exchange made payable a certain number of days after date or after sight or after a certain event is at maturity, the day of the date, or of presentment for acceptance or sight, or of protest for non-acceptance, or on which the event happens, shall be excluded.

Calculating maturity of bill or note payable so many days after date or sight.

25. When the day on which a promissory note or bill of exchange is at maturity is a public holiday, the instrument shall be deemed to be due on the next preceding business day.

When day of maturity is a holiday.

Explanation.—The expression "public holiday" includes Sundays: New-Year's day, Christmas day: if either of such days falls on a Sunday, the next following Monday: Good-Friday; and any other day declared by the Local Government, by notification in the official Gazette, to be a public holiday.

CHAPTER III.

PARTIES TO NOTES, BILLS AND CHEQUES.

26. Every person capable of contracting, according to the law to which he is subject, may bind himself and be bound by the making, drawing, acceptance, indorsement, delivery and negotiation of a promissory note, bill of exchange or cheque.

Capacity to make, &c., promissory notes, &c.

A minor may draw, indorse, deliver and negotiate such instruments so as to bind all parties except himself.

Minor.

Nothing herein contained shall be deemed to empower a corporation to make, indorse or accept such instruments except in cases in which, under the law for the time being in force, they are so empowered.

27. Every person capable of binding himself or of being bound, as mentioned in section twenty-six, may so bind himself or be bound by a duly authorized agent acting in his name.

Agency.

A general authority to transact business and to receive and discharge debts does not confer upon an agent the power of accepting or indorsing bills of exchange so as to bind his principal.

An authority to draw bills of exchange does not of itself import an authority to indorse.

28. An agent who signs his name to a promissory note, bill of exchange or cheque without indicating thereon that he signs as agent, or that he does not intend thereby to incur personal responsibility, is liable personally on the instrument, except to those who induced him to sign upon the belief that the principal only would be held liable.

Liability of agent signing.

29. A legal representative of a deceased person who signs his name to a promissory note, bill of exchange or cheque is liable personally thereon unless he expressly limits his liability to the extent of the assets received by him as such.

Liability of legal representative signing.

30. The drawer of a bill of exchange or cheque is bound, in case of dishonour by the drawee or acceptor thereof, to compensate the holder, provided due notice of dishonour has been given to, or received by, the drawer as hereinafter provided.

Liability of drawer.

31. The drawee of a cheque having sufficient funds of the drawer in his hands properly applicable to the payment of such cheque must pay the cheque when duly required so to do, and, in default of such payment, must compensate the drawer for any loss or damage caused by such default.

Liability of drawee of cheque.

32. In the absence of a contract to the contrary, the maker of a promissory note and the acceptor before maturity of a bill of exchange are bound to pay the amount thereof at maturity according to the apparent tenor of the note or acceptance respectively, and the acceptor of a bill of exchange at or after maturity is bound to pay the amount thereof to the holder on demand.

Liability of maker of note and acceptor of bill.

In default of such payment as aforesaid, such maker or acceptor is bound to compensate any party to the note or bill for any loss or damage sustained by him and caused by such default.

33. No person except the drawee of a bill of exchange, or all or some of several drawees, or a person named therein as a drawee in case of need, or an acceptor for honour, can bind himself by an acceptance.

Only drawee can be acceptor except in need or for honour.

34. Where there are several drawees of a bill of exchange who are not partners, each of them can accept it for himself, but none of them can accept it for another without his authority.

Acceptance by several drawees not partners.

35. In the absence of a contract to the contrary, whoever indorses and delivers a negotiable instrument before maturity, without, in such indorsement, expressly excluding or making conditional his own liability, is bound thereby to every subsequent holder, in case of dishonour by the drawee, acceptor or maker, to compensate such holder for any loss or damage caused to him by such dishonour, provided due notice of dishonour has been given to, or received by, such indorser as hereinafter provided.

Liability of indorser.

Every indorser after dishonour is liable as upon an instrument payable on demand.

36. Every prior party to a negotiable instrument is liable thereon to a holder in due course until the instrument is duly satisfied.

Liability of prior parties to holder in due course.

37. The maker of a promissory note or cheque, the drawer of a bill of exchange until acceptance, and the acceptor are, in the absence of a contract to the contrary, respectively liable thereon as principal debtors, and the other parties thereto are liable thereon as sureties for the maker, drawer or acceptor, as the case may be.

Maker, drawer and acceptor principals.

38. As between the parties so liable as sureties, each prior party is, in the absence of a contract to the contrary, also liable thereon as a principal debtor in respect of each subsequent party.

Prior party a principal in respect of each subsequent party.

Illustration.

A draws a bill payable to his own order on B, who accepts. A afterwards indorses the bill to C, C to D, and D to E. As between E and B, B is the principal debtor, and A, C and D are his sureties. As between E and A, A is the principal debtor, and C and D are his sureties. As between E and C, C is the principal debtor and D is his surety.

39. When the holder of an accepted bill of exchange enters into any contract with the acceptor which, under section 134 or 135 of the Indian Contract Act, 1872, would discharge the other parties, the holder may expressly reserve his right to charge the other parties, and in such case they are not discharged.

Suretyship.

40. Where the holder of a negotiable instrument, without the consent of the indorser, destroys or impairs the indorser's remedy against a prior party, the indorser is discharged from liability to the holder to the same extent as if the instrument had been paid at maturity.

Discharge of indorser's liability.

Illustration.

A is the holder of a bill of exchange made payable to the order of B, which contains the following indorsements in blank:—

First indorsement, "B."
Second indorsement, "Peter Williams."
Third indorsement, "Wright & Co."
Fourth indorsement, "John Rozario."

This bill A puts in suit against John Rozario and strikes out, without John Rozario's consent, the indorsements by Peter Williams and Wright & Co. A is not entitled to recover anything from John Rozario.

41. An acceptor of a bill of exchange already indorsed is not relieved from liability by reason that such indorsement is forged, if he knew or had reason to believe the indorsement to be forged when he accepted the bill.

Acceptor bound, although indorsement forged.

42. An acceptor of a bill of exchange drawn in a fictitious name and payable to the drawer's order is not, by reason that such name is fictitious, relieved from liability to any holder in due course claiming under an indorsement by the same hand as the drawer's signature, and purporting to be made by the drawer.

Acceptance of bill drawn in fictitious name.

43. A negotiable instrument made, drawn, accepted, indorsed or transferred without consideration, or for a consideration which fails, creates no obligation of payment between the parties to the transaction. But if any such party has transferred the instrument with or without indorsement to a holder for consideration, such holder, and every subsequent holder deriving title from him, may recover the amount due on such instrument from the transferor for consideration or any prior party thereto.

Negotiable instrument made, &c., without consideration.

Exception I.—No party for whose accommodation a negotiable instrument has been made, drawn, accepted or indorsed can, if he have paid the amount thereof, recover thereon such amount from any person who became a party to such instrument for his accommodation.

Exception II.—No party to the instrument who has induced any other party to make, draw, accept, indorse or transfer the same to him for a consideration which he has failed to pay or perform in full shall recover thereon an amount exceeding the value of the consideration (if any) which he has actually paid or performed.

44. When the consideration for which a person signed a promissory note, bill of exchange or cheque consisted of money, and was originally absent in part or has subsequently failed in part, the sum which a holder standing in immediate relation with such signer is entitled to receive from him is proportionally reduced.

Partial absence or failure of money-consideration.

Explanation.—The drawer of a bill of exchange stands in immediate relation with the acceptor. The maker of a promissory note, bill of exchange or cheque stands in immediate relation with the payee, and the indorser with his indorsee. Other signers may by agreement stand in immediate relation with a holder.

Illustration.

A draws a bill on B for Rs. 500 payable to the order of A. B accepts the bill, but subsequently dishonours it by non-payment. A sues B on the bill. B proves that it was accepted for value as to Rs. 400, and as an accommodation to the plaintiff as to the residue. A can only recover Rs. 400.

45. Where a part of the consideration for which a person signed a promissory note, bill of exchange or cheque, though not consisting of money, is ascertainable in money without collateral enquiry, and there has been a failure of that part, the sum which a holder standing in immediate relation with such signer is entitled to receive from him is proportionally reduced.

Partial failure of consideration not consisting of money.

CHAPTER IV.

OF NEGOTIATION.

46. The making, acceptance or indorsement of a promissory note, bill of exchange or cheque is completed by delivery, actual or constructive.

Delivery.

As between parties standing in immediate relation, delivery to be effectual must be made by the party making, accepting or indorsing the instrument, or by a person authorized by him in that behalf.

As between such parties and any holder of the instrument other than a holder in due course, it may be shown that the instrument was delivered conditionally or for a special purpose only, and not for the purpose of transferring absolutely the property therein.

A promissory note, bill of exchange or cheque payable to bearer is negotiable by the delivery thereof.

A promissory note, bill of exchange or cheque payable to order is negotiable by the holder by indorsement and delivery thereof.

47. Subject to the provisions of section fifty-eight, a promissory note, bill of exchange or cheque payable to bearer is negotiable by delivery thereof.

Negotiation by delivery.

Exception.—A promissory note, bill of exchange or cheque delivered on condition that it is not to take effect except in a certain event is not negotiable (except in the hands of a holder for value without notice of the condition) unless such event happens.

Illustrations.

(*a*). A, the holder of a negotiable instrument payable to bearer, delivers it to B's agent to keep for B. The instrument has been negotiated.

(*b*). A, the holder of a negotiable instrument payable to bearer, which is in the hands of A's banker, who is at the time the banker of B, directs the banker to transfer the instrument to B's credit in the banker's account with B. The banker does so, and accordingly now possesses the instrument as B's agent. The instrument has been negotiated, and B has become the holder of it.

48. Subject to the provisions of section fifty-eight, a promissory note, bill of exchange or cheque payable to the order of a specified person, or to a specified person or order, is negotiable by the holder by indorsement and delivery thereof.

Negotiation by indorsement.

49. The holder of a negotiable instrument indorsed in blank may, without signing his own name, by writing above the indorser's signature a direction to pay to any other person as indorsee, convert the indorsement in blank into an indorsement in full; and the holder does not thereby incur the responsibility of an indorser.

Conversion of indorsement in blank into indorsement in full.

50. The indorsement of a negotiable instrument followed by delivery transfers to the indorsee the property therein with the right of further negotiation; but the indorsement may, by express words, restrict or exclude such right, or may merely constitute the indorsee an agent to indorse the instrument, or to receive its contents for the indorser, or for some other specified person.

Effect of indorsement.

Illustrations.

B signs the following indorsements on different negotiable instruments payable to bearer:—

(*a*) "Pay the contents to C only."

(*b*) "Pay C for my use."

(*c*) "Pay C or order for the account of B."

(*d*) "The within must be credited to C."

These indorsements exclude the right of further negotiation by C.

(*e*) "Pay C."

(*f*) "Pay C value in account with the Oriental Bank."

(*g*) "Pay the contents to C, being part of the consideration in a certain deed of assignment executed by C to the indorser and others."

These indorsements do not exclude the right of further negotiation by C.

51. Every sole maker, drawer, payee or indorsee, or all of several joint makers, drawers, payees or indorsees, of a negotiable instrument may, if the negotiability of such instrument has not been restricted or excluded as mentioned in section fifty, indorse and negotiate the same.

Who may negotiate.

Explanation.—Nothing in this section enables a maker or drawer to indorse or negotiate an instrument, unless he is in lawful possession or is holder thereof; or enables a payee or indorsee to indorse or negotiate an instrument, unless he is holder thereof.

Illustration.

A bill is drawn payable to A or order. A indorses it to B, the indorsement not containing the words "or order" or any equivalent words. B may negotiate the instrument.

52. The indorser of a negotiable instrument may, by express words in the indorsement, exclude his own liability thereon, or make such liability or the right of the indorsee to receive the amount due thereon depend upon the happening of a specified event, although such event may never happen.

Indorser who excludes his own liability or makes it conditional.

Where an indorser so excludes his liability and afterwards becomes the holder of the instrument, all intermediate indorsers are liable to him.

Illustrations.

(*a*). The indorser of a negotiable instrument signs his name, adding the words—

"Without recourse."

Upon this indorsement he incurs no liability.

(*b*). A is the payee and holder of a negotiable instrument. Excluding personal liability by an indorsement "without recourse," he transfers the instrument to B, and B indorses it to C, who indorses it to A. A is not only reinstated in his former rights, but has the rights of an indorsee against B and C.

53. A holder of a negotiable instrument who derives title from a holder in due course has the rights thereon of that holder in due course.

Holder deriving title from holder in due course.

54. Subject to the provisions hereinafter contained as to crossed cheques, a negotiable instrument indorsed in blank is payable to the bearer thereof even although originally payable to order.

Instrument indorsed in blank.

55. If a negotiable instrument, after having been indorsed in blank, is indorsed in full, the amount of it cannot be claimed from the indorser in full, except by the person to whom it has been indorsed in full, or by one who derives title through such person.

Conversion of indorsement in blank into indorsement in full.

56. No writing on a negotiable instrument is valid for the purpose of negotiation if such writing purports to transfer only a part of the amount appearing to be due on the instrument; but where such amount has been partly paid, a note to that effect may be indorsed on the instrument, which may then be negotiated for the balance.

Indorsement for part of sum due.

57. The legal representative of a deceased person cannot negotiate by delivery only a promissory note, bill of exchange or cheque payable to order and indorsed by the deceased but not delivered.

Legal representative cannot by delivery only negotiate instrument indorsed by deceased.

58. When a negotiable instrument has been lost, or has been obtained from any maker, acceptor or holder thereof by means of an offence or fraud, or for an unlawful consideration, no possessor or indorsee who claims through the person who found or so obtained the instrument is entitled to receive the amount due thereon from such maker, acceptor or holder, or from any party prior to such holder, unless such possessor or indorsee is, or some person through whom he claims was, a holder thereof in due course.

Instrument obtained by unlawful means or for unlawful consideration.

59. The holder of a negotiable instrument, who has acquired it after dishonour, whether by non-acceptance or non-payment, with notice thereof, or after maturity, has only, as against the other parties, the rights thereon of his transferor:

Instrument acquired after dishonour or when overdue.

Provided that any person who, in good faith and for consideration, becomes the holder, after maturity, of a promissory note or bill of exchange made, drawn or accepted without consideration, for the purpose of enabling some party thereto to raise money thereon, may recover the amount of the note or bill from any prior party.

Accommodation note or bill.

Illustration.

The acceptor of a bill of exchange, when he accepted it, deposited with the drawer certain goods as a collateral security for the payment of the bill, with power to the drawer to sell the goods and apply the proceeds in discharge of the bill if it were not paid at maturity. The bill not having been paid at maturity, the drawer sold the goods and retained the proceeds, but indorsed the bill to A. A's title is subject to the same objection as the drawer's title.

60. A negotiable instrument may be negotiated (except by the maker, drawee or acceptor after maturity) until payment or satisfaction thereof by the maker, drawee or acceptor at or after maturity, but not after such payment or satisfaction.

Instrument negotiable till payment or satisfaction.

CHAPTER V.

OF PRESENTMENT.

61. A bill of exchange payable after sight must, if no time or place is specified therein for presentment, be presented to the drawee thereof for acceptance, if he can, after reasonable search, be found, by a person entitled to demand acceptance, within a reasonable time after it is drawn, and in business hours on a business day. In default of such presentment, no party thereto is liable thereon to the person making such default.

Presentment for acceptance.

If the drawee cannot, after reasonable search, be found, the bill is dishonoured.

If the bill is directed to the drawee at a particular place, it must be presented at that place; and if at the due date for presentment he cannot, after reasonable search, be found there, the bill is dishonoured.

62. A promissory note, payable at a certain period after sight, must be presented to the maker thereof for sight (if he can after reasonable search be found) by a person entitled to demand payment, within a reasonable time after it is made and in business hours on a business day. In default of such presentment, no party thereto is liable thereon to the person making such default.

Presentment of promissory note for sight.

63. The holder must, if so required by the drawee of a bill of exchange presented to him for acceptance, allow the drawee twenty-four hours (exclusive of public holidays) to consider whether he will accept it.

Drawee's time for deliberation.

64. Promissory notes, bills of exchange and cheques must be presented for payment to the maker, acceptor or drawee thereof respectively, by or on behalf of the holder as hereinafter provided. In default of such presentment, the other parties thereto are not liable thereon to such holder.

Presentment for payment.

Exception.—Where a promissory note is payable on demand and is not payable at a specified place, no presentment is necessary in order to charge the maker thereof.

65. Presentment for payment must be made during the usual hours of business, and, if at a banker's, within banking hours.

Hours for presentment.

66. A promissory note or bill of exchange, made payable at a specified period after date or sight thereof, must be presented for payment at maturity.

Presentment for payment of instrument payable after date or sight.

67. A promissory note payable by instalments must be presented for payment on the third day after the date fixed for payment of each instalment; and non-payment on such presentment has the same effect as non-payment of a note at maturity.

Presentment for payment of promissory note payable by instalments.

68. A promissory note, bill of exchange or cheque made, drawn or accepted payable at a specified place and not elsewhere must, in order to charge any party thereto, be presented for payment at that place.

Presentment for payment of instrument payable at specified place and not elsewhere.

69. A promissory note or bill of exchange made, drawn or accepted payable at a specified place must, in order to charge the maker or drawer thereof, be presented for payment at that place.

Instrument payable at specified place.

70. A promissory note or bill of exchange, not made payable as mentioned in sections sixty-eight and sixty-nine, must be presented for payment at the place of business (if any), or at the usual residence, of the maker, drawee or acceptor thereof, as the case may be.

Presentment where no exclusive place specified.

71. If the maker, drawee or acceptor of a negotiable instrument has no known place of business or fixed residence, and no place is specified in the instrument for presentment for acceptance or payment, such presentment may be made to him in person wherever he can be found.

Presentment when maker, &c., has no known place of business or residence.

72. A cheque must, in order to charge the drawer, be presented at the bank upon which it is drawn before the relation between the drawer and his banker has been altered to the prejudice of the drawer.

Presentment of cheque to charge drawer.

73. A cheque must, in order to charge any person except the drawer, be presented within a reasonable time after delivery thereof by such person.

Presentment of cheque to charge any other person.

74. Subject to the provisions of section thirty-one, a negotiable instrument payable on demand must be presented for payment within a reasonable time after it is received by the holder.

Presentment of instrument payable on demand.

75. Presentment for acceptance or payment may be made to the duly authorized agent of the drawee, maker or acceptor, as the case may be, or, where the drawee, maker or acceptor has died, to his legal representative, or, where he has been declared an insolvent, to his assignee.

Presentment by or to agent, representative of deceased, or assignee of insolvent.

76. No presentment for payment is necessary, and the instrument is dishonoured at the due date for presentment, in any of the following cases:—

When presentment unnecessary.

(*a*) if the maker, drawee or acceptor intentionally prevents the presentment of the instrument, or,

if the instrument being payable at his place of business, he closes such place on a business day during the usual business hours, or

if the instrument being payable at some other specified place, neither he nor any person authorized to pay it attends at such place during the usual business hours, or

if the instrument not being payable at any specified place, he cannot after due search be found;

(*b*) as against any party sought to be charged therewith, if he has engaged to pay notwithstanding non-presentment;

(*c*) as against any party if, after maturity, with knowledge that the instrument has not been presented—

he makes a part payment on account of the amount due on the instrument,

or promises to pay the amount due thereon in whole or in part,

or otherwise waives his right to take advantage of any default in presentment for payment;

(*d*) as against the drawer, if the drawer could not suffer damage from the want of such presentment.

77. When a bill of exchange, accepted payable at a specified bank, has been duly presented there for payment and dishonoured, if the banker so negligently or improperly keeps, deals with or delivers back such bill as to cause loss to the holder, he must compensate the holder for such loss.

Liability of banker for negligently dealing with bill presented for payment.

CHAPTER VI.

OF PAYMENT AND INTEREST.

78. Subject to the provisions of section eighty-two, clause (*c*), payment of the amount due on a promissory note, bill of exchange or cheque must, in order to discharge the maker or acceptor, be made to the holder of the instrument.

To whom payment should be made.

79. When interest at a specified rate is expressly made payable on a promissory note or bill of exchange, interest shall be calculated at the rate specified, on the amount of the principal money due thereon, from the date of the instrument, until tender or realization of such amount, or until

Interest when rate specified.

such date after the institution of a suit to recover such amount as the Court directs.

Interest when no rate specified.

80. When no rate of interest is specified in the instrument, interest on the amount due thereon shall, except in cases provided for by the Code of Civil Procedure, section 532, be calculated at the rate of six per centum per annum, from the date at which the same ought to have been paid by the party charged, until tender or realization of the amount due thereon, or until such date after the institution of a suit to recover such amount as the Court directs.

Explanation.—When the party charged is the indorser of an instrument dishonoured by non-payment, he is liable to pay interest only from the time that he receives notice of the dishonour.

Delivery of instrument on payment, or indemnity in case of loss.

81. Any person liable to pay, and called upon by the holder thereof to pay, the amount due on a promissory note, bill of exchange or cheque is before payment entitled to have it shown, and is on payment entitled to have it delivered up, to him, or, if the instrument is lost or cannot be produced, to be indemnified against any further claim thereon against him.

CHAPTER VII.

OF DISCHARGE FROM LIABILITY ON NOTES, BILLS AND CHEQUES.

Discharge from liability—

82. The maker, acceptor or indorser respectively of a negotiable instrument is discharged from liability thereon—

by cancellation;

(*a*) to a holder thereof who cancels such acceptor's or indorser's name with intent to discharge him, and to all parties claiming under such holder;

by release;

(*b*) to a holder thereof who otherwise discharges such maker, acceptor or indorser, and to all parties deriving title under such holder after notice of such discharge;

by payment.

(*c*) to all parties thereto, if the instrument is payable to bearer, or has been indorsed in blank, and such maker, acceptor or indorser makes payment in due course of the amount due thereon.

Discharge by allowing drawee more than twenty-four hours to accept.

83. If the holder of a bill of exchange allows the drawee more than twenty-four hours, exclusive of public holidays, to consider whether he will accept the same, all previous parties not consenting to such allowance are thereby discharged from liability to such holder.

When cheque not duly presented and drawer damaged thereby.

84. When the holder of a cheque fails to present it for payment within a reasonable time, and the drawer thereof sustains loss or damage from such failure, he is discharged from liability to the holder.

Cheque payable to order.

85. Where a cheque payable to order purports to be indorsed by or on behalf of the payee, the drawee is discharged by payment in due course.

Parties not consenting discharged by qualified or limited acceptance.

86. If the holder of a bill of exchange acquiesces in a qualified acceptance, or one limited to part of the sum mentioned in the bill, or which substitutes a different place or time for payment, or which, where the drawees are not partners, is not signed by all the drawees, all previous parties whose consent is not obtained to such acceptance are discharged as against the holder and those claiming under him, unless on notice given by the holder they assent to such acceptance.

Explanation.—An acceptance is qualified—

(*a*) where it is conditional, declaring the payment to be dependent on the happening of an event therein stated;

(*b*) where it undertakes the payment of part only of the sum ordered to be paid;

(*c*) where, no place of payment being specified on the order, it undertakes the payment at a specified place and not otherwise or elsewhere; or where, a place of payment being specified in the order, it undertakes the payment at some other place and not otherwise or elsewhere;

(*d*) where it undertakes the payment at a time other than that at which under the order it would be legally due.

Effect of material alteration.

87. Any material alteration of a negotiable instrument renders the same void as against any one who is a party thereto at the time of making such alteration and does not consent thereto, unless it was made in order to carry out the common intention of the original parties;

Alteration by indorsee.

and any such alteration, if made by an indorsee, discharges his indorser from all liability to him in respect of the consideration thereof.

The provisions of this section are subject to those of sections twenty, forty-nine, eighty-six and one hundred and twenty-five.

Acceptor or indorser bound notwithstanding previous alteration.

88. An acceptor or indorser of a negotiable instrument is bound by his acceptance or indorsement notwithstanding any previous alteration of the instrument.

Payment of instrument on which alteration is not apparent.

89. Where a promissory note, bill of exchange or cheque has been materially altered but does not appear to have been so altered,

or where a cheque is presented for payment which does not at the time of presentation appear to be crossed or to have had a crossing which has been obliterated,

payment thereof by a person or banker liable to pay, and paying the same according to the apparent tenor thereof at the time of payment and otherwise in due course, shall discharge such person or banker from all liability thereon, and such payment shall not be questioned by reason of the instrument having been altered, or the cheque crossed.

Extinguishment of rights of action on bill in acceptor's hands.

90. If a bill of exchange which has been negotiated is, at or after maturity, held by the acceptor in his own right, all rights of action thereon are extinguished.

CHAPTER VIII.

OF NOTICE OF DISHONOUR.

Dishonour by non-acceptance.

91. A bill of exchange is said to be dishonoured by non-acceptance when the drawee, or one of several drawees not being partners, makes default in acceptance upon being duly required to accept the bill, or where presentment is excused and the bill is not accepted.

Where the drawee is incompetent to contract, or the acceptance is qualified, the bill may be treated as dishonoured.

Dishonour by non-payment.

92. A promissory note, bill of exchange or cheque is said to be dishonoured by non-payment when the maker of the note, acceptor of the bill or drawee of the cheque makes default in payment upon being duly required to pay the same.

By and to whom notice should be given.

93. When a promissory note, bill of exchange or cheque is dishonoured by non-acceptance or non-payment, the holder thereof, or some party thereto who remains liable thereon, must give notice that the instrument has been so dishonoured to all other parties whom the holder seeks to make severally liable thereon, and to some one of several parties whom he seeks to make jointly liable thereon.

Nothing in this section renders it necessary to give notice to the maker of the dishonoured promissory note, or the drawee or acceptor of the dishonoured bill of exchange or cheque.

Mode in which notice may be given.

94. Notice of dishonour may be given to a duly authorized agent of the person to whom it is required to be given, or, where he has died, to his legal representative, or, where he has been declared an insolvent, to his assignee; may be oral or written; may, if written, be sent by post; and may be in any form; but it must inform the party to whom it is given, either in express terms or by reasonable intendment, that the instrument has been dishonoured, and in what way, and that he will be held liable thereon; and it must be given within a reasonable time after dishonour, at the place of business or (in case such party has no place of business) at the residence of the party for whom it is intended.

If the notice is duly directed and sent by post and miscarries, such miscarriage does not render the notice invalid.

Party receiving must transmit notice of dishonour.

95. Any party receiving notice of dishonour must, in order to render any prior party liable to himself, give notice of dishonour to such party within a reasonable time, unless such party otherwise receives due notice as provided by section ninety-three.

Agent for presentment.

96. When the instrument is deposited with an agent for presentment, the agent is entitled to the same time to give notice to his principal as if he were the holder giving notice of dishonour, and the principal is entitled to a further like period to give notice of dishonour.

When party to whom notice given is dead.

97. When the party to whom notice of dishonour is despatched is dead, but the party despatching the notice is ignorant of his death, the notice is sufficient.

When notice of dishonour is unnecessary.

98. No notice of dishonour is necessary—

(*a*) when it is dispensed with by the party entitled thereto;

(*b*) in order to charge the drawer, when he has countermanded payment;

(*c*) when the party charged could not suffer damage for want of notice;

(*d*) when the party entitled to notice cannot after due search be found; or the party bound to give notice is, for any other reason, unable without any fault of his own to give it;

(*e*) to charge the drawers, when the acceptor is also a drawer;

(*f*) in the case of a promissory note which is not negotiable;

(*g*) when the party entitled to notice, knowing the facts, promises unconditionally to pay the amount due on the instrument.

CHAPTER IX.

OF NOTING AND PROTEST.

Noting.

99. When a promissory note or bill of exchange has been dishonoured by non-acceptance or non-payment, the holder may cause such dishonour to be noted by a notary public upon the instrument, or upon a paper attached thereto, or partly upon each.

Such note must be made within a reasonable time after dishonour, and must specify the date of dishonour, the reason, if any, assigned for such dishonour, or, if the instrument has not been expressly dishonoured, the reason why the holder treats it as dishonoured, and the notary's charges.

Protest.

100. When a promissory note or bill of exchange has been dishonoured by non-acceptance or non-payment, the holder may, within a reasonable time, cause such dishonour to be noted and certified by a notary public. Such certificate is called a protest.

Protest for better security.

When the acceptor of a bill of exchange has become insolvent, or his credit has been publicly impeached, before the maturity of the bill, the holder may, within a reasonable time, cause a notary public to demand better security of the acceptor, and on its being refused may, within a reasonable time, cause such facts to be noted and certified as aforesaid. Such certificate is called a protest for better security.

Contents of protest.

101. A protest under section one hundred must contain—

(*a*) either the instrument itself, or a literal transcript of the instrument and of everything written or printed thereupon;

(*b*) the name of the person for whom and against whom the instrument has been protested;

(*c*) a statement that payment or acceptance, or better security, as the case may be, has been demanded of such person by the notary public; the terms of his answer, if any, or a statement that he gave no answer, or that he could not be found;

(*d*) when the note or bill has been dishonoured, the place and time of dishonour, and, when better security has been refused, the place and time of refusal;

(*e*) the subscription of the notary public making the protest;

(*f*) in the event of an acceptance for honour or of a payment for honour, the name of the person by whom, of the person for whom, and the manner in which, such acceptance or payment was offered and effected.

Notice of protest.

102. When a promissory note or bill of exchange is required by law to be protested, notice of such protest must be given instead of notice of dishonour, in the same manner and subject to the same conditions; but the notice may be given by the notary public who makes the protest.

Protest for non-payment after dishonour by non-acceptance.

103. All bills of exchange drawn payable at some other place than the place mentioned as the residence of the drawee, and which are dishonoured by non-acceptance, may, without further presentment to the drawee, be protested for non-payment, in the place specified for payment, unless paid before or at maturity.

Protest of foreign bills.

104. Foreign bills of exchange must be protested for dishonour when such protest is required by the law of the place where they are drawn.

CHAPTER X.

OF REASONABLE TIME.

Reasonable time.

105. In determining what is a reasonable time for presentment for acceptance or payment, for giving notice of dishonour and for noting, regard shall be had to the nature of the instrument and the usual course of dealing with respect to similar instruments; and, in calculating such time, public holidays shall be excluded.

Reasonable time of giving notice of dishonour.

106. If the holder and the party to whom notice of dishonour is given carry on business or live (as the case may be) in different places, such notice is given within a reasonable time if it is despatched by the next post or on the day next after the day of dishonour.

If the said parties carry on business or live in the same place, such notice is given within a reasonable time if it is despatched in time to reach its destination on the day next after the day of dishonour.

Reasonable time for transmitting such notice.

107. A party receiving notice of dishonour, who seeks to enforce his right against a prior party, transmits the notice within a reasonable time if he transmits it within the same time after its receipt as he would have had to give notice if he had been the holder.

CHAPTER XI.

OF ACCEPTANCE AND PAYMENT FOR HONOUR AND REFERENCE IN CASE OF NEED.

Acceptance for honour.

108. When a bill of exchange has been noted or protested for non-acceptance or for better security, any person not being a party already liable thereon may, with the consent of the holder, by writing on the bill, accept the same for the honour of any party thereto.

Unless the person who intends to accept *supra protest* first declares, in the presence of a notary, that he does it for honour, and has such declaration duly recorded in the notarial register at the time, his acceptance shall be a nullity.

How acceptance for honour must be made.

109. A person desiring to accept for honour must, in the presence of a notary public, subscribe the bill with his own hand, and declare that he accepts under protest the protested bill for the honour of the drawer or of a particular indorser whom he names, or generally for honour; and such declaration must be recorded by the notary in his register.

Acceptance not specifying for whose honour it is made.

110. Where the acceptance does not express for whose honour it is made, it shall be deemed to be made for the honour of the drawer.

Liability of acceptor for honour.

111. An acceptor for honour binds himself to all parties subsequent to the party for whose honour he accepts to pay the amount of the bill if the drawee do not; and such party and all prior parties are liable in their respective capacities to compensate the acceptor for honour for all loss or damage sustained by him in consequence of such acceptance.

But an acceptor for honour is not liable to the holder of the bill unless it is presented, or (in case the address given by such acceptor on the bill is a place other than the place where the bill is made payable) forwarded for presentment, not later than the day next after the day of its maturity.

When acceptor for honour may be charged.

112. An acceptor for honour cannot be charged unless the bill has at its maturity been presented to the drawee for payment, and has been dishonoured by him, and noted or protested for such dishonour.

Payment for honour.

113. When a bill of exchange has been noted or protested for non-payment, any person may pay the same for the honour of any party liable to pay the same, provided that the person so paying has previously declared before a notary public the party for whose honour he pays, and that such declaration has been recorded by such notary public.

Right of payer for honour.

114. Any person so paying is entitled to all the rights, in respect of the bill, of the holder at the time of such payment, and may recover from the party for whose honour he pays all sums so paid, with interest thereon and with all expenses properly incurred in making such payment.

Drawee in case of need.

115. Where a drawee in case of need is named in a bill of exchange, or in any indorsement thereon, the bill is not dishonoured until it has been dishonoured by such drawee.

Acceptance and payment without protest.

116. A drawee in case of need may accept and pay the bill of exchange without previous protest.

CHAPTER XII.

OF COMPENSATION.

Rules as to compensation.

117. The compensation payable in case of dishonour of a promissory note, bill of exchange or cheque, by any party liable to the holder or any indorsee, shall (except in cases provided for by the Code of Civil Procedure, section 532) be determined by the following rules:—

(*a*) the holder is entitled to the amount due upon the instrument, together with the expenses properly incurred in presenting, noting and protesting it;

(*b*) when the person charged resides at a place different from that at which the instrument was payable, the holder is entitled to receive such sum at the current rate of exchange between the two places;

(*c*) an indorser who, being liable, has paid the amount due on the same is entitled to the amount so paid with interest at six per centum per annum from the date of payment until tender or realization thereof, together with all expenses caused by the dishonour and payment;

(*d*) when the person charged and such indorser reside at different places, the indorser is entitled to receive such sum at the current rate of exchange between the two places;

(*e*) the party entitled to compensation may draw a bill upon the party liable to compensate him, payable at sight or on demand, for the amount due to him, together with all expenses properly incurred by him. Such bill must be accompanied by the instrument dishonoured and the protest thereof (if any). If such bill is dishonoured, the party dishonouring the same is liable to make compensation thereof in the same manner as in the case of the original bill.

CHAPTER XIII.

SPECIAL RULES OF EVIDENCE.

Presumptions as to negotiable instruments.

118. Until the contrary is proved, the following presumptions shall be made:—

as to consideration;

(*a*) that every negotiable instrument was made or drawn for consideration, and that every such instrument, when it has been accepted, indorsed, negotiated or transferred, was accepted, indorsed, negotiated or transferred for consideration;

as to date;

(*b*) that every negotiable instrument bearing a date was made or drawn on such date;

as to time of acceptance;

(*c*) that every accepted bill of exchange was accepted within a reasonable time after its date and before its maturity;

as to time of transfer;

(*d*) that every transfer of a negotiable instrument was made before its maturity;

as to order of indorsements;

(*e*) that the indorsements appearing upon a negotiable instrument were made in the order in which they appear thereon;

as to stamp;

(*f*) that a lost promissory note, bill of exchange or cheque was duly stamped;

that holder is a holder in due course.

(*g*) that the holder of a negotiable instrument is a holder in due course: provided that, where the instrument has been obtained from its lawful owner, or from any person in lawful custody thereof, by means of an offence or fraud, or has been obtained from the maker or acceptor thereof by means of an offence or fraud, or for unlawful consideration, the burthen of proving that the holder is a holder in due course lies upon him.

Presumption on proof of protest.

119. In a suit upon an instrument which has been dishonoured, the Court shall, on proof of the protest, presume the fact of dishonour, unless and until such fact is disproved.

Estoppel against denying original validity of instrument.

120. No maker of a promissory note, and no drawer of a bill of exchange or cheque, and no acceptor of a bill of exchange for the honour of the drawer shall, in a suit thereon by a holder in due course, be permitted to deny the validity of the instrument as originally made or drawn.

Estoppel against denying capacity of payee to indorse.

121. No maker of a promissory note and no acceptor of a bill of exchange payable to, or to the order of, a specified person shall, in a suit thereon by a holder in due course, be permitted to deny the payee's capacity, at the date of the note or bill, to indorse the same.

Estoppel against denying signature or capacity of prior party.

122. No indorser of a negotiable instrument shall, in a suit thereon by a subsequent holder, be permitted to deny the signature or capacity to contract of any prior party to the instrument.

CHAPTER XIV.

OF CROSSED CHEQUES.

Cheque crossed generally.

123. Where a cheque bears across its face an addition of the words "and company" or any abbreviation thereof, between two parallel transverse lines, or of two parallel transverse lines simply, either with or without the words "not negotiable," that addition shall be deemed a crossing, and the cheque shall be deemed to be crossed generally.

Cheque crossed specially.

124. Where a cheque bears across its face an addition of the name of a banker, either with or without the words "not negotiable," that addition shall be deemed a crossing, and the cheque shall be deemed to be crossed specially, and to be crossed to that banker.

Crossing after issue.

125. Where a cheque is uncrossed, the holder may cross it generally or specially.

Where a cheque is crossed generally, the holder may cross it specially.

Where a cheque is crossed generally or specially, the holder may add the words "not negotiable."

Where a cheque is crossed specially, the banker to whom it is crossed may again cross it specially to another banker, his agent, for collection.

Payment of cheque crossed generally.

126. Where a cheque is crossed generally, the banker on whom it is drawn shall not pay it otherwise than to a banker.

Payment of cheque crossed specially.

Where a cheque is crossed specially, the banker on whom it is drawn shall not pay it otherwise than to the banker to whom it is crossed, or his agent for collection.

Payment of cheque crossed specially more than once.

127. Where a cheque is crossed specially to more than one banker, except when crossed to an agent for the purpose of collection, the banker on whom it is drawn shall refuse payment thereof.

128. Where the banker on whom a crossed cheque is drawn has paid the same in due course, the banker paying the cheque, and (in case such cheque has come to the hands of the payee) the drawer thereof, shall respectively be entitled to the same rights, and be placed in the same position in all respects, as they would respectively be entitled to and placed in if the amount of the cheque had been paid to and received by the true owner thereof.

Payment in due course of crossed cheque.

129. Any banker paying a cheque crossed generally otherwise than to a banker, or a cheque crossed specially otherwise than to the banker to whom the same is crossed, or his agent for collection, being a banker, shall be liable to the true owner of the cheque for any loss he may sustain owing to the cheque having been so paid.

Payment of crossed cheque out of due course.

130. A person taking a cheque crossed generally or specially, bearing in either case the words "not negotiable," shall not have, and shall not be capable of giving, a better title to the cheque than that which the person from whom he took it had.

Cheque bearing "not negotiable."

131. A banker who has in good faith and without negligence received payment for a customer of a cheque crossed generally or specially to himself shall not, in case the title to the cheque proves defective, incur any liability to the true owner of the cheque by reason only of having received such payment.

Non-liability of banker receiving payment of cheque.

CHAPTER XV.
OF BILLS IN SETS.

132. Bills of exchange may be drawn in parts, each part being numbered and containing a provision that it shall continue payable only so long as the others remain unpaid. All the parts together make a set; but the whole set constitutes only one bill, and is extinguished when one of the parts, if a separate bill, would be extinguished.

Set of bills.

Exception.—When a person accepts or indorses different parts of the bill in favour of different persons, he and the subsequent indorsers of each part are liable on such part as if it were a separate bill.

133. As between holders in due course of different parts of the same set, he who first acquired title to his part is entitled to the other parts and the money represented by the bill.

Holder of first acquired part entitled to all.

CHAPTER XVI.
OF INTERNATIONAL LAW.

134. In the absence of a contract to the contrary, the liability of the maker or drawer of a foreign promissory note, bill of exchange or cheque is regulated in all essential matters by the law of the place where he made the instrument, and the respective liabilities of the acceptor and indorser by the law of the place where the instrument is made payable.

Law governing liability of maker, acceptor or indorser of foreign instrument.

Illustration.

A bill of exchange was drawn by A in California, where the rate of interest is 25 per cent., and accepted by B, payable in Washington, where the rate of interest is 6 per cent. The bill is endorsed in British India, and is dishoured. An action on the bill is brought against B in British India. He is liable to pay interest at the rate of 6 per cent. only; but if A is charged as drawer, A is liable to pay interest at the rate of 25 per cent.

135. Where a promissory note, bill of exchange or cheque is made payable in a different place from that in which it is made or indorsed, the law of the place where it is made payable determines what constitutes dishonour and what notice of dishonour is sufficient.

Law of place of payment governs dishonour.

Illustration.

A bill of exchange drawn and indorsed in British India, but accepted payable in France, is dishonoured. The indorsee causes it to be protested for such dishonour, and gives notice thereof in accordance with the law of France, though not in accordance with the rules herein contained in respect of bills which are not foreign. The notice is sufficient.

136. If a negotiable instrument is made, drawn, accepted or indorsed out of British India, but in accordance with the law of British India, the circumstance that any agreement evidenced by such instrument is invalid according to the law of the country wherein it was entered into does not invalidate any subsequent acceptance or indorsement made thereon in British India.

Instrument made, &c., out of British India, but in accordance with its law.

137. The law of any foreign country regarding promissory notes, bills of exchange and cheques shall be presumed to be the same as that of British India, unless and until the contrary is proved.

Presumption as to foreign law.

SCHEDULE.

(*a*)—STATUTES.

Year and chapter.	Title.	Extent of repeal.
9 Wm. III. c. 17	An Act for the better payment of Inland Bills of Exchange.	The whole.
3 & 4 Anne, c. 8.	An Act for giving like remedy upon promissory notes as is now used upon Bills of Exchange, and for the better payment of Inland Bills of Exchange.	The whole.

(*b*)—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

No. and year.	Title.	Extent of repeal.
VI of 1840 ...	An Act for the amendment of the law concerning the negotiation of Bills of Exchange.	The whole.
V of 1866 ...	An Act to amend in certain respects the Commercial Law of British India.	Sections 11, 12 and 13.
XV of 1874 ...	The Laws Local Extent Act, 1874.	The first schedule, so far as relates to Act VI of 1840 and Act V of 1866, sections 11, 12 and 13.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

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

PART IV.
Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 9th December, 1881, and is hereby promulgated for general information :—

ACT No. XXVI OF 1881.

THE NEGOTIABLE INSTRUMENTS ACT, 1881.

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SCHEDULE.

An Act to define and amend the law relating to Promissory Notes, Bills of Exchange and Cheques.

WHEREAS it is expedient to define and amend the law relating to promissory notes, bills of exchange and cheques; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Negotiable Instruments Act, 1881:"

Short title.

It extends to the whole of British India; but nothing herein contained affects the Indian Paper Currency Act, 1871, section twenty-one, or affects any local usage relating to any instrument in an oriental language: Provided that such usages may be excluded by any words in the body of the instrument, which indicate an intention that the legal relations of the parties thereto shall be governed by this Act; and it shall come into force on the first day of March, 1882.

Local extent.

Saving of usages relating to hundís, &c.

Commencement.

2. On and from that day the enactments specified in the schedule hereto annexed shall be repealed to the extent mentioned in the third column thereof.

Repeal of enactments.

3. In this Act—

Interpretation-clause.

"Banker": "Banker" includes also persons or a corporation or company acting as bankers; and

"Notary Public": "Notary Public" includes also any person appointed by the Governor General in Council to perform the functions of a Notary Public under this Act.

CHAPTER II.

OF NOTES, BILLS AND CHEQUES.

4. A "promissory note" is an instrument in writing (not being a banknote or a currency-note) containing an unconditional undertaking, signed by the maker, to pay a certain sum of money only to, or to the order of, a certain person, or to the bearer of the instrument.

"Promissory note."

Illustrations.

A signs instruments in the following terms:—

(a). "I promise to pay B or order Rs. 500."

(b). "I acknowledge myself to be indebted to B in Rs. 1,000, to be paid on demand, for value received."

(c). "Mr. B, I O U Rs. 1,000."

(d). "I promise to pay B Rs. 500 and all other sums which shall be due to him."

(e). "I promise to pay B Rs. 500, first deducting thereout any money which he may owe me."

(f). "I promise to pay B Rs. 500 seven days after my marriage with C."

(g). "I promise to pay B Rs. 500 on D's death, provided D leaves me enough to pay that sum."

(h). "I promise to pay B Rs. 500 and to deliver to him my black horse on 1st January next."

The instruments respectively marked (a) and (b) are promissory notes. The instruments respectively marked (c), (d), (e), (f), (g) and (h) are not promissory notes.

5. A "bill of exchange" is an instrument in writing containing an unconditional order, signed by the maker, directing a certain person to pay a certain sum of money only to, or to the order of, a certain person or to the bearer of the instrument.

"Bill of exchange."

A promise or order to pay is not "conditional," within the meaning of this section and section four, by reason of the time for payment of the amount or any instalment thereof being expressed to be on the lapse of a certain period after the occurrence of a specified event which, according to the ordinary expectation of mankind, is certain to happen, although the time of its happening may be uncertain.

The sum payable may be "certain," within the meaning of this section and section four, although it includes future interest or is payable at an indicated rate of exchange, or is according to the course of exchange, and although the instrument provides that, on default of payment of an instalment, the balance unpaid shall become due.

The person to whom it is clear that the direction is given or that payment is to be made may be a "certain person," within the meaning of this section and section four, although he is mis-named or designated by description only.

6. A "cheque" is a bill of exchange drawn on a specified banker and not expressed to be payable otherwise than on demand.

"Cheque."

7. The maker of a bill of exchange or cheque is called the "drawer;" the person thereby directed to pay is called the "drawee."

"Drawer." "Drawee."

When in the bill or in any indorsement thereon the name of any person is given in addition to the drawee to be resorted to in case of need, such person is called a "drawee in case of need."

"Drawee in case of need."

After the drawee of a bill has signed his assent upon the bill, or, if there are more parts thereof than one, upon one of such parts, and delivered the same, or given notice of such signing to the holder or to some person on his behalf, he is called the "acceptor."

"Acceptor."

When acceptance is refused and the bill is protested for non-acceptance, and any person accepts it *supra protest* for honour of the drawer or of any one of the indorsers, such person is called an "acceptor for honour."

"Acceptor for honour."

The person named in the instrument, to whom or to whose order the money is by the instrument directed to be paid, is called the "payee."

"Payee."

8. The "holder" of a promissory note, bill of exchange or cheque means any person entitled in his own name to the possession thereof and to receive or recover the amount due thereon from the parties thereto.

"Holder."

Where the note, bill or cheque is lost or destroyed, its holder is the person so entitled at the time of such loss or destruction.

9. "Holder in due course" means any person who for consideration became the possessor of a promissory note, bill of exchange or cheque if payable to bearer,

"Holder in due course."

or the payee or indorsee thereof, if payable to, or to the order of, a payee,

before the amount mentioned in it became payable, and without having sufficient cause to believe that any defect existed in the title of the person from whom he derived his title.

10. "Payment in due course" means payment in accordance with the apparent tenor of the instrument in good faith and without negligence to any person in possession thereof under circumstances which do not afford a reasonable ground for believing that he is not entitled to receive payment of the amount therein mentioned.

"Payment in due course."

11. A promissory note, bill of exchange or cheque drawn or made in British India, and made payable in, or drawn upon any person resident in, British India shall be deemed to be an inland instrument.

Inland instrument.

12. Any such instrument not so drawn, made or made payable shall be deemed to be a foreign instrument.

Foreign instrument.

13. A "negotiable instrument" means a promissory note, bill of exchange or cheque expressed to be payable to a specified person or his order, or to the order of a specified person, or to the bearer thereof, or to a specified person or the bearer thereof.

"Negotiable instrument."

14. When a promissory note, bill of exchange or cheque is transferred to any person, so as to constitute that person the holder thereof, the instrument is said to be negotiated.

Negotiation.

15. When the maker or holder of a negotiable instrument signs the same, otherwise than as such maker, for the purpose of negotiation, on the back or face thereof or on a slip of paper annexed thereto, or so signs for the same purpose a stamped paper intended to be completed as a negotiable instrument, he is said to indorse the same, and is called the "indorser."

Indorsement.

16. If the indorser signs his name only, the indorsement is said to be "in blank," and if he adds a direction to pay the amount mentioned in the instrument to, or to the order of, a specified person, the indorsement is said to be "in full;" and the person so specified is called the "indorsee" of the instrument.

Indorsement "in blank" and "in full." "Indorsee."

17. Where an instrument may be construed either as a promissory note or bill of exchange, the holder may at his election treat it as either, and the instrument shall be thenceforward treated accordingly.

Ambiguous instruments.

18. If the amount undertaken or ordered to be paid is stated differently in figures and in words, the amount stated in words shall be the amount undertaken or ordered to be paid.

Where amount is stated differently in figures and words.

19. A promissory note or bill of exchange, in which no time for payment is specified, and a cheque, are payable on demand.

Instruments payable on demand.

20. Where one person signs and delivers to another a paper stamped in accordance with the law relating to negotiable instruments then in force in British India, and either wholly blank or having written thereon an incomplete negotiable instrument, he thereby gives *primâ facie* authority to the holder thereof to make or complete, as the case may be, upon it a negotiable instrument, for any amount specified therein and not exceeding the amount covered by the stamp. The person so signing shall be liable upon such instrument, in the capacity in which he signed the same, to any holder in due course for such amount: provided that no person other than a holder in due course shall recover from the person delivering the instrument anything in excess of the amount intended by him to be paid thereunder.

Inchoate stamped instruments.

21. In a promissory note or bill of exchange the expressions "at sight" and "on presentment" mean on demand. The expression "after sight" means, in a promissory note, after presentment for sight, and, in a bill of exchange, after acceptance, or noting for non-acceptance, or protest for non-acceptance.

"At sight." "On presentment." "After sight."

22. The maturity of a promissory note or bill of exchange is the date at which it falls due.

"Maturity."

Every promissory note or bill of exchange which is not expressed to be payable on demand, at sight or on presentment is at maturity on the third day after the day on which it is expressed to be payable.

Days of grace.

23. In calculating the date at which a promissory note or bill of exchange, made payable a stated number of months after date or after sight, or after a certain event, is at maturity, the period stated shall be held to terminate on the day of the month which corresponds with the day on which the instrument is dated, or presented for acceptance or sight, or noted for non-acceptance, or protested for non-acceptance, or the event happens, or, where the instrument is a bill of exchange made payable a stated number of months after sight and has been accepted for honour, with the day on which it was so accepted. If the month in which the period would terminate has no corresponding day, the period shall be held to terminate on the last day of such month.

Calculating maturity of bill or note payable so many months after date or sight.

Illustrations.

(*a*). A negotiable instrument, dated 29th January, 1878, is made payable at one month after date. The instrument is at maturity on the third day after the 28th February, 1878.

(*b*). A negotiable instrument, dated 30th August, 1878, is made payable three months after date. The instrument is at maturity on the 3rd December, 1878.

(*c*). A promissory note or bill of exchange, dated 31st August, 1878, is made payable three months after date. The instrument is at maturity on the 3rd December, 1878.

24. In calculating the date at which a promissory note or bill of exchange made payable a certain number of days after date or after sight or after a certain event is at maturity, the day of the date, or of presentment for acceptance or sight, or of protest for non-acceptance, or on which the event happens, shall be excluded.

Calculating maturity of bill or note payable so many days after date or sight.

25. When the day on which a promissory note or bill of exchange is at maturity is a public holiday, the instrument shall be deemed to be due on the next preceding business day.

When day of maturity is a holiday.

Explanation.—The expression "public holiday" includes Sundays: New-Year's day, Christmas day: if either of such days falls on a Sunday, the next following Monday: Good-Friday; and any other day declared by the Local Government, by notification in the official Gazette, to be a public holiday.

CHAPTER III.

PARTIES TO NOTES, BILLS AND CHEQUES.

26. Every person capable of contracting, according to the law to which he is subject, may bind himself and be bound by the making, drawing, acceptance, indorsement, delivery and negotiation of a promissory note, bill of exchange or cheque.

Capacity to make, &c., promissory notes, &c.

A minor may draw, indorse, deliver and negotiate such instruments so as to bind all parties except himself.

Minor.

Nothing herein contained shall be deemed to empower a corporation to make, indorse or accept such instruments except in cases in which, under the law for the time being in force, they are so empowered.

27. Every person capable of binding himself or of being bound, as mentioned in section twenty-six, may so bind himself or be bound by a duly authorized agent acting in his name.

Agency.

A general authority to transact business and to receive and discharge debts does not confer upon an agent the power of accepting or indorsing bills of exchange so as to bind his principal.

An authority to draw bills of exchange does not of itself import an authority to indorse.

28. An agent who signs his name to a promissory note, bill of exchange or cheque without indicating thereon that he signs as agent, or that he does not intend thereby to incur personal responsibility, is liable personally on the instrument, except to those who induced him to sign upon the belief that the principal only would be held liable.

Liability of agent signing.

29. A legal representative of a deceased person who signs his name to a promissory note, bill of exchange or cheque is liable personally thereon unless he expressly limits his liability to the extent of the assets received by him as such.

Liability of legal representative signing.

30. The drawer of a bill of exchange or cheque is bound, in case of dishonour by the drawee or acceptor thereof, to compensate the holder, provided due notice of dishonour has been given to, or received by, the drawer as hereinafter provided.

Liability of drawer.

31. The drawee of a cheque having sufficient funds of the drawer in his hands properly applicable to the payment of such cheque must pay the cheque when duly required so to do, and, in default of such payment, must compensate the drawer for any loss or damage caused by such default.

Liability of drawee of cheque.

32. In the absence of a contract to the contrary, the maker of a promissory note and the acceptor before maturity of a bill of exchange are bound to pay the amount thereof at maturity according to the apparent tenor of the note or acceptance respectively, and the acceptor of a bill of exchange at or after maturity is bound to pay the amount thereof to the holder on demand.

Liability of maker of note and acceptor of bill.

In default of such payment as aforesaid, such maker or acceptor is bound to compensate any party to the note or bill for any loss or damage sustained by him and caused by such default.

33. No person except the drawee of a bill of exchange, or all or some of several drawees, or a person named therein as a drawee in case of need, or an acceptor for honour, can bind himself by an acceptance.

Only drawee can be acceptor except in need or for honour.

34. Where there are several drawees of a bill of exchange who are not partners, each of them can accept it for himself, but none of them can accept it for another without his authority.

Acceptance by several drawees not partners.

35. In the absence of a contract to the contrary, whoever indorses and delivers a negotiable instrument before maturity, without, in such indorsement, expressly excluding or making conditional his own liability, is bound thereby to every subsequent holder, in case of dishonour by the drawee, acceptor or maker, to compensate such holder for any loss or damage caused to him by such dishonour, provided due notice of dishonour has been given to, or received by, such indorser as hereinafter provided.

Liability of indorser.

Every indorser after dishonour is liable as upon an instrument payable on demand.

36. Every prior party to a negotiable instrument is liable thereon to a holder in due course until the instrument is duly satisfied.

Liability of prior parties to holder in due course.

37. The maker of a promissory note or cheque, the drawer of a bill of exchange until acceptance, and the acceptor are, in the absence of a contract to the contrary, respectively liable thereon as principal debtors, and the other parties thereto are liable thereon as sureties for the maker, drawer or acceptor, as the case may be.

Maker, drawer and acceptor principals.

38. As between the parties so liable as sureties, each prior party is, in the absence of a contract to the contrary, also liable thereon as a principal debtor in respect of each subsequent party.

Prior party a principal in respect of each subsequent party.

Illustration.

A draws a bill payable to his own order on B, who accepts. A afterwards indorses the bill to C, C to D, and D to E. As between E and B, B is the principal debtor, and A, C and D are his sureties. As between E and A, A is the principal debtor, and C and D are his sureties. As between E and C, C is the principal debtor and D is his surety.

39. When the holder of an accepted bill of exchange enters into any contract with the acceptor which, under section 134 or 135 of the Indian Contract Act, 1872, would discharge the other parties, the holder may expressly reserve his right to charge the other parties, and in such case they are not discharged.

Suretyship.

40. Where the holder of a negotiable instrument, without the consent of the indorser, destroys or impairs the indorser's remedy against a prior party, the indorser is discharged from liability to the holder to the same extent as if the instrument had been paid at maturity.

Discharge of indorser's liability.

Illustration.

A is the holder of a bill of exchange made payable to the order of B, which contains the following indorsements in blank:—

First indorsement, "B."
Second indorsement, "Peter Williams."
Third indorsement, "Wright & Co."
Fourth indorsement, "John Rozario."

This bill A puts in suit against John Rozario and strikes out, without John Rozario's consent, the indorsements by Peter Williams and Wright & Co. A is not entitled to recover anything from John Rozario.

41. An acceptor of a bill of exchange already indorsed is not relieved from liability by reason that such indorsement is forged, if he knew or had reason to believe the indorsement to be forged when he accepted the bill.

Acceptor bound, although indorsement forged.

42. An acceptor of a bill of exchange drawn in a fictitious name and payable to the drawer's order is not, by reason that such name is fictitious, relieved from liability to any holder in due course claiming under an indorsement by the same hand as the drawer's signature, and purporting to be made by the drawer.

Acceptance of bill drawn in fictitious name.

43. A negotiable instrument made, drawn, accepted, indorsed or transferred without consideration, or for a consideration which fails, creates no obligation of payment between the parties to the transaction. But if any such party has transferred the instrument with or without indorsement to a holder for consideration, such holder, and every subsequent holder deriving title from him, may recover the amount due on such instrument from the transferor for consideration or any prior party thereto.

Negotiable instrument made, &c., without consideration.

Exception I.—No party for whose accommodation a negotiable instrument has been made, drawn, accepted or indorsed can, if he have paid the amount thereof, recover thereon such amount from any person who became a party to such instrument for his accommodation.

Exception II.—No party to the instrument who has induced any other party to make, draw, accept, indorse or transfer the same to him for a consideration which he has failed to pay or perform in full shall recover thereon an amount exceeding the value of the consideration (if any) which he has actually paid or performed.

44. When the consideration for which a person signed a promissory note, bill of exchange or cheque consisted of money, and was originally absent in part or has subsequently failed in part, the sum which a holder standing in immediate relation with such signer is entitled to receive from him is proportionally reduced.

Partial absence or failure of money-consideration.

Explanation.—The drawer of a bill of exchange stands in immediate relation with the acceptor. The maker of a promissory note, bill of exchange or cheque stands in immediate relation with the payee, and the indorser with his indorsee. Other signers may by agreement stand in immediate relation with a holder.

Illustration.

A draws a bill on B for Rs. 500 payable to the order of A. B accepts the bill, but subsequently dishonours it by non-payment. A sues B on the bill. B proves that it was accepted for value as to Rs. 400, and as an accommodation to the plaintiff as to the residue. A can only recover Rs. 400.

45. Where a part of the consideration for which a person signed a promissory note, bill of exchange or cheque, though not consisting of money, is ascertainable in money without collateral enquiry, and there has been a failure of that part, the sum which a holder standing in immediate relation with such signer is entitled to receive from him is proportionally reduced.

Partial failure of consideration not consisting of money.

CHAPTER IV.

OF NEGOTIATION.

46. The making, acceptance or indorsement of a promissory note, bill of exchange or cheque is completed by delivery, actual or constructive.

Delivery.

As between parties standing in immediate relation, delivery to be effectual must be made by the party making, accepting or indorsing the instrument, or by a person authorized by him in that behalf.

As between such parties and any holder of the instrument other than a holder in due course, it may be shown that the instrument was delivered conditionally or for a special purpose only, and not for the purpose of transferring absolutely the property therein.

A promissory note, bill of exchange or cheque payable to bearer is negotiable by the delivery thereof.

A promissory note, bill of exchange or cheque payable to order is negotiable by the holder by indorsement and delivery thereof.

47. Subject to the provisions of section fifty-eight, a promissory note, bill of exchange or cheque payable to bearer is negotiable by delivery thereof.

Negotiation by delivery.

Exception.—A promissory note, bill of exchange or cheque delivered on condition that it is not to take effect except in a certain event is not negotiable (except in the hands of a holder for value without notice of the condition) unless such event happens.

Illustrations.

(*a*). A, the holder of a negotiable instrument payable to bearer, delivers it to B's agent to keep for B. The instrument has been negotiated.

(*b*). A, the holder of a negotiable instrument payable to bearer, which is in the hands of A's banker, who is at the time the banker of B, directs the banker to transfer the instrument to B's credit in the banker's account with B. The banker does so, and accordingly now possesses the instrument as B's agent. The instrument has been negotiated, and B has become the holder of it.

48. Subject to the provisions of section fifty-eight, a promissory note, bill of exchange or cheque payable to the order of a specified person, or to a specified person or order, is negotiable by the holder by indorsement and delivery thereof.

Negotiation by indorsement.

49. The holder of a negotiable instrument indorsed in blank may, without signing his own name, by writing above the indorser's signature a direction to pay to any other person as indorsee, convert the indorsement in blank into an indorsement in full; and the holder does not thereby incur the responsibility of an indorser.

Conversion of indorsement in blank into indorsement in full.

50. The indorsement of a negotiable instrument followed by delivery transfers to the indorsee the property therein with the right of further negotiation; but the indorsement may, by express words, restrict or exclude such right, or may merely constitute the indorsee an agent to indorse the instrument, or to receive its contents for the indorser, or for some other specified person.

Effect of indorsement.

Illustrations.

B signs the following indorsements on different negotiable instruments payable to bearer:—

(*a*) "Pay the contents to C only."

(*b*) "Pay C for my use."

(*c*) "Pay C or order for the account of B."

(*d*) "The within must be credited to C."

These indorsements exclude the right of further negotiation by C.

(*e*) "Pay C."

(*f*) "Pay C value in account with the Oriental Bank."

(*g*) "Pay the contents to C, being part of the consideration in a certain deed of assignment executed by C to the indorser and others."

These indorsements do not exclude the right of further negotiation by C.

51. Every sole maker, drawer, payee or indorsee, or all of several joint makers, drawers, payees or indorsees, of a negotiable instrument may, if the negotiability of such instrument has not been restricted or excluded as mentioned in section fifty, indorse and negotiate the same.

Who may negotiate.

Explanation.—Nothing in this section enables a maker or drawer to indorse or negotiate an instrument, unless he is in lawful possession or is holder thereof; or enables a payee or indorsee to indorse or negotiate an instrument, unless he is holder thereof.

Illustration.

A bill is drawn payable to A or order. A indorses it to B, the indorsement not containing the words "or order" or any equivalent words. B may negotiate the instrument.

52. The indorser of a negotiable instrument may, by express words in the indorsement, exclude his own liability thereon, or make such liability or the right of the indorsee to receive the amount due thereon depend upon the happening of a specified event, although such event may never happen.

Indorser who excludes his own liability or makes it conditional.

Where an indorser so excludes his liability and afterwards becomes the holder of the instrument, all intermediate indorsers are liable to him.

Illustrations.

(*a*). The indorser of a negotiable instrument signs his name, adding the words—

"Without recourse."

Upon this indorsement he incurs no liability.

(*b*). A is the payee and holder of a negotiable instrument. Excluding personal liability by an indorsement "without recourse," he transfers the instrument to B, and B indorses it to C, who indorses it to A. A is not only reinstated in his former rights, but has the rights of an indorsee against B and C.

53. A holder of a negotiable instrument who derives title from a holder in due course has the rights thereon of that holder in due course.

Holder deriving title from holder in due course.

54. Subject to the provisions hereinafter contained as to crossed cheques, a negotiable instrument indorsed in blank is payable to the bearer thereof even although originally payable to order.

Instrument indorsed in blank.

55. If a negotiable instrument, after having been indorsed in blank, is indorsed in full, the amount of it cannot be claimed from the indorser in full, except by the person to whom it has been indorsed in full, or by one who derives title through such person.

Conversion of indorsement in blank into indorsement in full.

56. No writing on a negotiable instrument is valid for the purpose of negotiation if such writing purports to transfer only a part of the amount appearing to be due on the instrument; but where such amount has been partly paid, a note to that effect may be indorsed on the instrument, which may then be negotiated for the balance.

Indorsement for part of sum due.

57. The legal representative of a deceased person cannot negotiate by delivery only a promissory note, bill of exchange or cheque payable to order and indorsed by the deceased but not delivered.

Legal representative cannot by delivery only negotiate instrument indorsed by deceased.

58. When a negotiable instrument has been lost, or has been obtained from any maker, acceptor or holder thereof by means of an offence or fraud, or for an unlawful consideration, no possessor or indorsee who claims through the person who found or so obtained the instrument is entitled to receive the amount due thereon from such maker, acceptor or holder, or from any party prior to such holder, unless such possessor or indorsee is, or some person through whom he claims was, a holder thereof in due course.

Instrument obtained by unlawful means or for unlawful consideration.

59. The holder of a negotiable instrument, who has acquired it after dishonour, whether by non-acceptance or non-payment, with notice thereof, or after maturity, has only, as against the other parties, the rights thereon of his transferor:

Instrument acquired after dishonour or when overdue.

Provided that any person who, in good faith and for consideration, becomes the holder, after maturity, of a promissory note or bill of exchange made, drawn or accepted without consideration, for the purpose of enabling some party thereto to raise money thereon, may recover the amount of the note or bill from any prior party.

Accommodation note or bill.

Illustration.

The acceptor of a bill of exchange, when he accepted it, deposited with the drawer certain goods as a collateral security for the payment of the bill, with power to the drawer to sell the goods and apply the proceeds in discharge of the bill if it were not paid at maturity. The bill not having been paid at maturity, the drawer sold the goods and retained the proceeds, but indorsed the bill to A. A's title is subject to the same objection as the drawer's title.

60. A negotiable instrument may be negotiated (except by the maker, drawee or acceptor after maturity) until payment or satisfaction thereof by the maker, drawee or acceptor at or after maturity, but not after such payment or satisfaction.

Instrument negotiable till payment or satisfaction.

CHAPTER V.

OF PRESENTMENT.

61. A bill of exchange payable after sight must, if no time or place is specified therein for presentment, be presented to the drawee thereof for acceptance, if he can, after reasonable search, be found, by a person entitled to demand acceptance, within a reasonable time after it is drawn, and in business hours on a business day. In default of such presentment, no party thereto is liable thereon to the person making such default.

Presentment for acceptance.

If the drawee cannot, after reasonable search, be found, the bill is dishonoured.

If the bill is directed to the drawee at a particular place, it must be presented at that place; and if at the due date for presentment he cannot, after reasonable search, be found there, the bill is dishonoured.

62. A promissory note, payable at a certain period after sight, must be presented to the maker thereof for sight (if he can after reasonable search be found) by a person entitled to demand payment, within a reasonable time after it is made and in business hours on a business day. In default of such presentment, no party thereto is liable thereon to the person making such default.

Presentment of promissory note for sight.

63. The holder must, if so required by the drawee of a bill of exchange presented to him for acceptance, allow the drawee twenty-four hours (exclusive of public holidays) to consider whether he will accept it.

Drawee's time for deliberation.

64. Promissory notes, bills of exchange and cheques must be presented for payment to the maker, acceptor or drawee thereof respectively, by or on behalf of the holder as hereinafter provided. In default of such presentment, the other parties thereto are not liable thereon to such holder.

Presentment for payment.

Exception.—Where a promissory note is payable on demand and is not payable at a specified place, no presentment is necessary in order to charge the maker thereof.

65. Presentment for payment must be made during the usual hours of business, and, if at a banker's, within banking hours.

Hours for presentment.

66. A promissory note or bill of exchange, made payable at a specified period after date or sight thereof, must be presented for payment at maturity.

Presentment for payment of instrument payable after date or sight.

67. A promissory note payable by instalments must be presented for payment on the third day after the date fixed for payment of each instalment; and non-payment on such presentment has the same effect as non-payment of a note at maturity.

Presentment for payment of promissory note payable by instalments.

68. A promissory note, bill of exchange or cheque made, drawn or accepted payable at a specified place and not elsewhere must, in order to charge any party thereto, be presented for payment at that place.

Presentment for payment of instrument payable at specified place and not elsewhere.

69. A promissory note or bill of exchange made, drawn or accepted payable at a specified place must, in order to charge the maker or drawer thereof, be presented for payment at that place.

Instrument payable at specified place.

70. A promissory note or bill of exchange, not made payable as mentioned in sections sixty-eight and sixty-nine, must be presented for payment at the place of business (if any), or at the usual residence, of the maker, drawee or acceptor thereof, as the case may be.

Presentment where no exclusive place specified.

71. If the maker, drawee or acceptor of a negotiable instrument has no known place of business or fixed residence, and no place is specified in the instrument for presentment for acceptance or payment, such presentment may be made to him in person wherever he can be found.

Presentment when maker, &c., has no known place of business or residence.

72. A cheque must, in order to charge the drawer, be presented at the bank upon which it is drawn before the relation between the drawer and his banker has been altered to the prejudice of the drawer.

Presentment of cheque to charge drawer.

73. A cheque must, in order to charge any person except the drawer, be presented within a reasonable time after delivery thereof by such person.

Presentment of cheque to charge any other person.

74. Subject to the provisions of section thirty-one, a negotiable instrument payable on demand must be presented for payment within a reasonable time after it is received by the holder.

Presentment of instrument payable on demand.

75. Presentment for acceptance or payment may be made to the duly authorized agent of the drawee, maker or acceptor, as the case may be, or, where the drawee, maker or acceptor has died, to his legal representative, or, where he has been declared an insolvent, to his assignee.

Presentment by or to agent, representative of deceased, or assignee of insolvent.

76. No presentment for payment is necessary, and the instrument is dishonoured at the due date for presentment, in any of the following cases:—

When presentment unnecessary.

(*a*) if the maker, drawee or acceptor intentionally prevents the presentment of the instrument, or,

if the instrument being payable at his place of business, he closes such place on a business day during the usual business hours, or

if the instrument being payable at some other specified place, neither he nor any person authorized to pay it attends at such place during the usual business hours, or

if the instrument not being payable at any specified place, he cannot after due search be found;

(*b*) as against any party sought to be charged therewith, if he has engaged to pay notwithstanding non-presentment;

(*c*) as against any party if, after maturity, with knowledge that the instrument has not been presented—

he makes a part payment on account of the amount due on the instrument,

or promises to pay the amount due thereon in whole or in part,

or otherwise waives his right to take advantage of any default in presentment for payment;

(*d*) as against the drawer, if the drawer could not suffer damage from the want of such presentment.

77. When a bill of exchange, accepted payable at a specified bank, has been duly presented there for payment and dishonoured, if the banker so negligently or improperly keeps, deals with or delivers back such bill as to cause loss to the holder, he must compensate the holder for such loss.

Liability of banker for negligently dealing with bill presented for payment.

CHAPTER VI.

OF PAYMENT AND INTEREST.

78. Subject to the provisions of section eighty-two, clause (*c*), payment of the amount due on a promissory note, bill of exchange or cheque must, in order to discharge the maker or acceptor, be made to the holder of the instrument.

To whom payment should be made.

79. When interest at a specified rate is expressly made payable on a promissory note or bill of exchange, interest shall be calculated at the rate specified, on the amount of the principal money due thereon, from the date of the instrument, until tender or realization of such amount, or until

Interest when rate specified.

such date after the institution of a suit to recover such amount as the Court directs.

Interest when no rate specified.

80. When no rate of interest is specified in the instrument, interest on the amount due thereon shall, except in cases provided for by the Code of Civil Procedure, section 532, be calculated at the rate of six per centum per annum, from the date at which the same ought to have been paid by the party charged, until tender or realization of the amount due thereon, or until such date after the institution of a suit to recover such amount as the Court directs.

Explanation.—When the party charged is the indorser of an instrument dishonoured by non-payment, he is liable to pay interest only from the time that he receives notice of the dishonour.

Delivery of instrument on payment, or indemnity in case of loss.

81. Any person liable to pay, and called upon by the holder thereof to pay, the amount due on a promissory note, bill of exchange or cheque is before payment entitled to have it shown, and is on payment entitled to have it delivered up, to him, or, if the instrument is lost or cannot be produced, to be indemnified against any further claim thereon against him.

CHAPTER VII.

OF DISCHARGE FROM LIABILITY ON NOTES, BILLS AND CHEQUES.

Discharge from liability—

82. The maker, acceptor or indorser respectively of a negotiable instrument is discharged from liability thereon—

by cancellation;

(*a*) to a holder thereof who cancels such acceptor's or indorser's name with intent to discharge him, and to all parties claiming under such holder;

by release;

(*b*) to a holder thereof who otherwise discharges such maker, acceptor or indorser, and to all parties deriving title under such holder after notice of such discharge;

by payment.

(*c*) to all parties thereto, if the instrument is payable to bearer, or has been indorsed in blank, and such maker, acceptor or indorser makes payment in due course of the amount due thereon.

Discharge by allowing drawee more than twenty-four hours to accept.

83. If the holder of a bill of exchange allows the drawee more than twenty-four hours, exclusive of public holidays, to consider whether he will accept the same, all previous parties not consenting to such allowance are thereby discharged from liability to such holder.

When cheque not duly presented and drawer damaged thereby.

84. When the holder of a cheque fails to present it for payment within a reasonable time, and the drawer thereof sustains loss or damage from such failure, he is discharged from liability to the holder.

Cheque payable to order.

85. Where a cheque payable to order purports to be indorsed by or on behalf of the payee, the drawee is discharged by payment in due course.

Parties not consenting discharged by qualified or limited acceptance.

86. If the holder of a bill of exchange acquiesces in a qualified acceptance, or one limited to part of the sum mentioned in the bill, or which substitutes a different place or time for payment, or which, where the drawees are not partners, is not signed by all the drawees, all previous parties whose consent is not obtained to such acceptance are discharged as against the holder and those claiming under him, unless on notice given by the holder they assent to such acceptance.

Explanation.—An acceptance is qualified—

(*a*) where it is conditional, declaring the payment to be dependent on the happening of an event therein stated;

(*b*) where it undertakes the payment of part only of the sum ordered to be paid;

(*c*) where, no place of payment being specified on the order, it undertakes the payment at a specified place and not otherwise or elsewhere; or where, a place of payment being specified in the order, it undertakes the payment at some other place and not otherwise or elsewhere;

(*d*) where it undertakes the payment at a time other than that at which under the order it would be legally due.

Effect of material alteration.

87. Any material alteration of a negotiable instrument renders the same void as against any one who is a party thereto at the time of making such alteration and does not consent thereto, unless it was made in order to carry out the common intention of the original parties;

Alteration by indorsee.

and any such alteration, if made by an indorsee, discharges his indorser from all liability to him in respect of the consideration thereof.

The provisions of this section are subject to those of sections twenty, forty-nine, eighty-six and one hundred and twenty-five.

Acceptor or indorser bound notwithstanding previous alteration.

88. An acceptor or indorser of a negotiable instrument is bound by his acceptance or indorsement notwithstanding any previous alteration of the instrument.

Payment of instrument on which alteration is not apparent.

89. Where a promissory note, bill of exchange or cheque has been materially altered but does not appear to have been so altered,

or where a cheque is presented for payment which does not at the time of presentation appear to be crossed or to have had a crossing which has been obliterated,

payment thereof by a person or banker liable to pay, and paying the same according to the apparent tenor thereof at the time of payment and otherwise in due course, shall discharge such person or banker from all liability thereon, and such payment shall not be questioned by reason of the instrument having been altered, or the cheque crossed.

Extinguishment of rights of action on bill in acceptor's hands.

90. If a bill of exchange which has been negotiated is, at or after maturity, held by the acceptor in his own right, all rights of action thereon are extinguished.

CHAPTER VIII.

OF NOTICE OF DISHONOUR.

Dishonour by non-acceptance.

91. A bill of exchange is said to be dishonoured by non-acceptance when the drawee, or one of several drawees not being partners, makes default in acceptance upon being duly required to accept the bill, or where presentment is excused and the bill is not accepted.

Where the drawee is incompetent to contract, or the acceptance is qualified, the bill may be treated as dishonoured.

Dishonour by non-payment.

92. A promissory note, bill of exchange or cheque is said to be dishonoured by non-payment when the maker of the note, acceptor of the bill or drawee of the cheque makes default in payment upon being duly required to pay the same.

By and to whom notice should be given.

93. When a promissory note, bill of exchange or cheque is dishonoured by non-acceptance or non-payment, the holder thereof, or some party thereto who remains liable thereon, must give notice that the instrument has been so dishonoured to all other parties whom the holder seeks to make severally liable thereon, and to some one of several parties whom he seeks to make jointly liable thereon.

Nothing in this section renders it necessary to give notice to the maker of the dishonoured promissory note, or the drawee or acceptor of the dishonoured bill of exchange or cheque.

Mode in which notice may be given.

94. Notice of dishonour may be given to a duly authorized agent of the person to whom it is required to be given, or, where he has died, to his legal representative, or, where he has been declared an insolvent, to his assignee; may be oral or written; may, if written, be sent by post; and may be in any form; but it must inform the party to whom it is given, either in express terms or by reasonable intendment, that the instrument has been dishonoured, and in what way, and that he will be held liable thereon; and it must be given within a reasonable time after dishonour, at the place of business or (in case such party has no place of business) at the residence of the party for whom it is intended.

If the notice is duly directed and sent by post and miscarries, such miscarriage does not render the notice invalid.

Party receiving must transmit notice of dishonour.

95. Any party receiving notice of dishonour must, in order to render any prior party liable to himself, give notice of dishonour to such party within a reasonable time, unless such party otherwise receives due notice as provided by section ninety-three.

Agent for presentment.

96. When the instrument is deposited with an agent for presentment, the agent is entitled to the same time to give notice to his principal as if he were the holder giving notice of dishonour, and the principal is entitled to a further like period to give notice of dishonour.

When party to whom notice given is dead.

97. When the party to whom notice of dishonour is despatched is dead, but the party despatching the notice is ignorant of his death, the notice is sufficient.

When notice of dishonour is unnecessary.

98. No notice of dishonour is necessary—

(*a*) when it is dispensed with by the party entitled thereto;

(*b*) in order to charge the drawer, when he has countermanded payment;

(*c*) when the party charged could not suffer damage for want of notice;

(*d*) when the party entitled to notice cannot after due search be found; or the party bound to give notice is, for any other reason, unable without any fault of his own to give it;

(*e*) to charge the drawers, when the acceptor is also a drawer;

(*f*) in the case of a promissory note which is not negotiable;

(*g*) when the party entitled to notice, knowing the facts, promises unconditionally to pay the amount due on the instrument.

CHAPTER IX.

OF NOTING AND PROTEST.

Noting.

99. When a promissory note or bill of exchange has been dishonoured by non-acceptance or non-payment, the holder may cause such dishonour to be noted by a notary public upon the instrument, or upon a paper attached thereto, or partly upon each.

Such note must be made within a reasonable time after dishonour, and must specify the date of dishonour, the reason, if any, assigned for such dishonour, or, if the instrument has not been expressly dishonoured, the reason why the holder treats it as dishonoured, and the notary's charges.

Protest.

100. When a promissory note or bill of exchange has been dishonoured by non-acceptance or non-payment, the holder may, within a reasonable time, cause such dishonour to be noted and certified by a notary public. Such certificate is called a protest.

Protest for better security.

When the acceptor of a bill of exchange has become insolvent, or his credit has been publicly impeached, before the maturity of the bill, the holder may, within a reasonable time, cause a notary public to demand better security of the acceptor, and on its being refused may, within a reasonable time, cause such facts to be noted and certified as aforesaid. Such certificate is called a protest for better security.

Contents of protest.

101. A protest under section one hundred must contain—

(*a*) either the instrument itself, or a literal transcript of the instrument and of everything written or printed thereupon;

(*b*) the name of the person for whom and against whom the instrument has been protested;

(*c*) a statement that payment or acceptance, or better security, as the case may be, has been demanded of such person by the notary public; the terms of his answer, if any, or a statement that he gave no answer, or that he could not be found;

(*d*) when the note or bill has been dishonoured, the place and time of dishonour, and, when better security has been refused, the place and time of refusal;

(*e*) the subscription of the notary public making the protest;

(*f*) in the event of an acceptance for honour or of a payment for honour, the name of the person by whom, of the person for whom, and the manner in which, such acceptance or payment was offered and effected.

Notice of protest.

102. When a promissory note or bill of exchange is required by law to be protested, notice of such protest must be given instead of notice of dishonour, in the same manner and subject to the same conditions; but the notice may be given by the notary public who makes the protest.

Protest for non-payment after dishonour by non-acceptance.

103. All bills of exchange drawn payable at some other place than the place mentioned as the residence of the drawee, and which are dishonoured by non-acceptance, may, without further presentment to the drawee, be protested for non-payment, in the place specified for payment, unless paid before or at maturity.

Protest of foreign bills.

104. Foreign bills of exchange must be protested for dishonour when such protest is required by the law of the place where they are drawn.

CHAPTER X.

OF REASONABLE TIME.

Reasonable time.

105. In determining what is a reasonable time for presentment for acceptance or payment, for giving notice of dishonour and for noting, regard shall be had to the nature of the instrument and the usual course of dealing with respect to similar instruments; and, in calculating such time, public holidays shall be excluded.

Reasonable time of giving notice of dishonour.

106. If the holder and the party to whom notice of dishonour is given carry on business or live (as the case may be) in different places, such notice is given within a reasonable time if it is despatched by the next post or on the day next after the day of dishonour.

If the said parties carry on business or live in the same place, such notice is given within a reasonable time if it is despatched in time to reach its destination on the day next after the day of dishonour.

Reasonable time for transmitting such notice.

107. A party receiving notice of dishonour, who seeks to enforce his right against a prior party, transmits the notice within a reasonable time if he transmits it within the same time after its receipt as he would have had to give notice if he had been the holder.

CHAPTER XI.

OF ACCEPTANCE AND PAYMENT FOR HONOUR AND REFERENCE IN CASE OF NEED.

Acceptance for honour.

108. When a bill of exchange has been noted or protested for non-acceptance or for better security, any person not being a party already liable thereon may, with the consent of the holder, by writing on the bill, accept the same for the honour of any party thereto.

Unless the person who intends to accept *supra protest* first declares, in the presence of a notary, that he does it for honour, and has such declaration duly recorded in the notarial register at the time, his acceptance shall be a nullity.

How acceptance for honour must be made.

109. A person desiring to accept for honour must, in the presence of a notary public, subscribe the bill with his own hand, and declare that he accepts under protest the protested bill for the honour of the drawer or of a particular indorser whom he names, or generally for honour; and such declaration must be recorded by the notary in his register.

Acceptance not specifying for whose honour it is made.

110. Where the acceptance does not express for whose honour it is made, it shall be deemed to be made for the honour of the drawer.

Liability of acceptor for honour.

111. An acceptor for honour binds himself to all parties subsequent to the party for whose honour he accepts to pay the amount of the bill if the drawee do not; and such party and all prior parties are liable in their respective capacities to compensate the acceptor for honour for all loss or damage sustained by him in consequence of such acceptance.

But an acceptor for honour is not liable to the holder of the bill unless it is presented, or (in case the address given by such acceptor on the bill is a place other than the place where the bill is made payable) forwarded for presentment, not later than the day next after the day of its maturity.

When acceptor for honour may be charged.

112. An acceptor for honour cannot be charged unless the bill has at its maturity been presented to the drawee for payment, and has been dishonoured by him, and noted or protested for such dishonour.

Payment for honour.

113. When a bill of exchange has been noted or protested for non-payment, any person may pay the same for the honour of any party liable to pay the same, provided that the person so paying has previously declared before a notary public the party for whose honour he pays, and that such declaration has been recorded by such notary public.

Right of payer for honour.

114. Any person so paying is entitled to all the rights, in respect of the bill, of the holder at the time of such payment, and may recover from the party for whose honour he pays all sums so paid, with interest thereon and with all expenses properly incurred in making such payment.

Drawee in case of need.

115. Where a drawee in case of need is named in a bill of exchange, or in any indorsement thereon, the bill is not dishonoured until it has been dishonoured by such drawee.

Acceptance and payment without protest.

116. A drawee in case of need may accept and pay the bill of exchange without previous protest.

CHAPTER XII.

OF COMPENSATION.

Rules as to compensation.

117. The compensation payable in case of dishonour of a promissory note, bill of exchange or cheque by any party liable to the holder or any indorser

shall (except in cases provided for by the Code of Civil Procedure, section 532) be determined by the following rules:—

(*a*) the holder is entitled to the amount due upon the instrument, together with the expenses properly incurred in presenting, noting and protesting it;

(*b*) when the person charged resides at a place different from that at which the instrument was payable, the holder is entitled to receive such sum at the current rate of exchange between the two places;

(*c*) an indorser who, being liable, has paid the amount due on the same is entitled to the amount so paid with interest at six per centum per annum from the date of payment until tender or realization thereof, together with all expenses caused by the dishonour and payment;

(*d*) when the person charged and such indorser reside at different places, the indorser is entitled to receive such sum at the current rate of exchange between the two places;

(*e*) the party entitled to compensation may draw a bill upon the party liable to compensate him, payable at sight or on demand, for the amount due to him, together with all expenses properly incurred by him. Such bill must be accompanied by the instrument dishonoured and the protest thereof (if any). If such bill is dishonoured, the party dishonouring the same is liable to make compensation thereof in the same manner as in the case of the original bill.

CHAPTER XIII.

SPECIAL RULES OF EVIDENCE.

Presumptions as to negotiable instruments.

118. Until the contrary is proved, the following presumptions shall be made:—

as to consideration;

(*a*) that every negotiable instrument was made or drawn for consideration, and that every such instrument, when it has been accepted, indorsed, negotiated or transferred, was accepted, indorsed, negotiated or transferred for consideration;

as to date;

(*b*) that every negotiable instrument bearing a date was made or drawn on such date;

as to time of acceptance;

(*c*) that every accepted bill of exchange was accepted within a reasonable time after its date and before its maturity;

as to time of transfer;

(*d*) that every transfer of a negotiable instrument was made before its maturity;

as to order of indorsements;

(*e*) that the indorsements appearing upon a negotiable instrument were made in the order in which they appear thereon;

as to stamp;

(*f*) that a lost promissory note, bill of exchange or cheque was duly stamped;

that holder is a holder in due course.

(*g*) that the holder of a negotiable instrument is a holder in due course: provided that, where the instrument has been obtained from its lawful owner, or from any person in lawful custody thereof, by means of an offence or fraud, or has been obtained from the maker or acceptor thereof by means of an offence or fraud, or for unlawful consideration, the burthen of proving that the holder is a holder in due course lies upon him.

Presumption on proof of protest.

119. In a suit upon an instrument which has been dishonoured, the Court shall, on proof of the protest, presume the fact of dishonour, unless and until such fact is disproved.

Estoppel against denying original validity of instrument.

120. No maker of a promissory note, and no drawer of a bill of exchange or cheque, and no acceptor of a bill of exchange for the honour of the drawer shall, in a suit thereon by a holder in due course, be permitted to deny the validity of the instrument as originally made or drawn.

Estoppel against denying capacity of payee to indorse.

121. No maker of a promissory note and no acceptor of a bill of exchange payable to, or to the order of, a specified person shall, in a suit thereon by a holder in due course, be permitted to deny the payee's capacity, at the date of the note or bill, to indorse the same.

Estoppel against denying signature or capacity of prior party.

122. No indorser of a negotiable instrument shall, in a suit thereon by a subsequent holder, be permitted to deny the signature or capacity to contract of any prior party to the instrument.

CHAPTER XIV.

OF CROSSED CHEQUES.

Cheque crossed generally.

123. Where a cheque bears across its face an addition of the words "and company" or any abbreviation thereof, between two parallel transverse lines, or of two parallel transverse lines simply, either with or without the words "not negotiable," that addition shall be deemed a crossing, and the cheque shall be deemed to be crossed generally.

Cheque crossed specially.

124. Where a cheque bears across its face an addition of the name of a banker, either with or without the words "not negotiable," that addition shall be deemed a crossing, and the cheque shall be deemed to be crossed specially, and to be crossed to that banker.

Crossing after issue.

125. Where a cheque is uncrossed, the holder may cross it generally or specially.

Where a cheque is crossed generally, the holder may cross it specially.

Where a cheque is crossed generally or specially, the holder may add the words "not negotiable."

Where a cheque is crossed specially, the banker to whom it is crossed may again cross it specially to another banker, his agent, for collection.

Payment of cheque crossed generally.

126. Where a cheque is crossed generally, the banker on whom it is drawn shall not pay it otherwise than to a banker.

Payment of cheque crossed specially.

Where a cheque is crossed specially, the banker on whom it is drawn shall not pay it otherwise than to the banker to whom it is crossed, or his agent for collection.

Payment of cheque crossed specially more than once.

127. Where a cheque is crossed specially to more than one banker, except when crossed to an agent for the purpose of collection, the banker on whom it is drawn shall refuse payment thereof.

128. Where the banker on whom a crossed cheque is drawn has paid the same in due course, the banker paying the cheque, and (in case such cheque has come to the hands of the payee) the drawer thereof, shall respectively be entitled to the same rights, and be placed in the same position in all respects, as they would respectively be entitled to and placed in if the amount of the cheque had been paid to and received by the true owner thereof.

Payment in due course of crossed cheque.

129. Any banker paying a cheque crossed generally otherwise than to a banker, or a cheque crossed specially otherwise than to the banker to whom the same is crossed, or his agent for collection, being a banker, shall be liable to the true owner of the cheque for any loss he may sustain owing to the cheque having been so paid.

Payment of crossed cheque out of due course.

130. A person taking a cheque crossed generally or specially, bearing in either case the words "not negotiable," shall not have, and shall not be capable of giving, a better title to the cheque than that which the person from whom he took it had.

Cheque bearing "not negotiable."

131. A banker who has in good faith and without negligence received payment for a customer of a cheque crossed generally or specially to himself shall not, in case the title to the cheque proves defective, incur any liability to the true owner of the cheque by reason only of having received such payment.

Non-liability of banker receiving payment of cheque.

CHAPTER XV.

OF BILLS IN SETS.

132. Bills of exchange may be drawn in parts, each part being numbered and containing a provision that it shall continue payable only so long as the others remain unpaid. All the parts together make a set; but the whole set constitutes only one bill, and is extinguished when one of the parts, if a separate bill, would be extinguished.

Set of bills.

Exception.—When a person accepts or indorses different parts of the bill in favour of different persons, he and the subsequent indorsers of each part are liable on such part as if it were a separate bill.

133. As between holders in due course of different parts of the same set, he who first acquired title to his part is entitled to the other parts and the money represented by the bill.

Holder of first acquired part entitled to all.

CHAPTER XVI.

OF INTERNATIONAL LAW.

134. In the absence of a contract to the contrary, the liability of the maker or drawer of a foreign promissory note, bill of exchange or cheque is regulated in all essential matters by the law of the place where he made the instrument, and the respective liabilities of the acceptor and indorser by the law of the place where the instrument is made payable.

Law governing liability of maker, acceptor or indorser of foreign instrument.

Illustration.

A bill of exchange was drawn by A in California, where the rate of interest is 25 per cent., and accepted by B, payable in Washington, where the rate of interest is 6 per cent. The bill is endorsed in British India, and is dishonoured. An action on the bill is brought against B in British India. He is liable to pay interest at the rate of 6 per cent. only; but if A is charged as drawer, A is liable to pay interest at the rate of 25 per cent.

135. Where a promissory note, bill of exchange or cheque is made payable in a different place from that in which it is made or indorsed, the law of the place where it is made payable determines what constitutes dishonour and what notice of dishonour is sufficient.

Law of place of payment governs dishonour.

Illustration.

A bill of exchange drawn and indorsed in British India, but accepted payable in France, is dishonoured. The indorsee causes it to be protested for such dishonour, and gives notice thereof in accordance with the law of France, though not in accordance with the rules herein contained in respect of bills which are not foreign. The notice is sufficient.

136. If a negotiable instrument is made, drawn, accepted or indorsed out of British India, but in accordance with the law of British India, the circumstance that any agreement evidenced by such instrument is invalid according to the law of the country wherein it was entered into does not invalidate any subsequent acceptance or indorsement made thereon in British India.

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Year and chapter.	Title.	Extent of repeal.
9 Wm. III, c. 17	An Act for the better payment of Inland Bills of Exchange.	The whole.
3 & 4 Anne, c. 8.	An Act for giving like remedy upon promissory notes as is now used upon Bills of Exchange, and for the better payment of Inland Bills of Exchange.	The whole.

(*b*)—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

No. and year.	Title.	Extent of repeal.
VI of 1840 ...	An Act for the amendment of the law concerning the negotiation of Bills of Exchange.	The whole.
V of 1866 ...	An Act to amend in certain respects the Commercial Law of British India.	Sections 11, 12 and 13.
XV of 1874 ...	The Laws Local Extent Act, 1874.	The first schedule, so far as relates to Act VI of 1840 and Act V of 1866, sections 11, 12 and 13.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

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CALCUTTA, SATURDAY, DECEMBER 24, 1881.

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

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 9th December, 1881, and is hereby promulgated for general information :—

ACT No. XXVI OF 1881.

THE NEGOTIABLE INSTRUMENTS ACT, 1881.

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SCHEDULE.

An Act to define and amend the law relating to Promissory Notes, Bills of Exchange and Cheques.

WHEREAS it is expedient to define and amend the law relating to promissory notes, bills of exchange and cheques; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Negotiable Instruments Act, 1881:" Short title.

It extends to the whole of British India; but nothing herein contained affects the Indian Paper Currency Act, 1871, section twenty-one, or affects any local usage relating to any instrument in an oriental language: Provided that such usages may be excluded by any words in the body of the instrument, which indicate an intention that the legal relations of the parties thereto shall be governed by this Act; and it shall come into force on the first day of March, 1882. Local extent. Saving of usages relating to hundís, &c. Commencement.

2. On and from that day the enactments specified in the schedule hereto annexed shall be repealed to the extent mentioned in the third column thereof. Repeal of enactments.

3. In this Act— Interpretation-clause.

"Banker" includes also persons or a corporation or company acting as bankers; and "Banker":

"Notary Public" includes also any person appointed by the Governor General in Council to perform the functions of a Notary Public under this Act. "Notary Public."

CHAPTER II.

OF NOTES, BILLS AND CHEQUES.

4. A "promissory note" is an instrument in writing (not being a banknote or a currency-note) containing an unconditional undertaking, signed by the maker, to pay a certain sum of money only to, or to the order of, a certain person, or to the bearer of the instrument. "Promissory note."

Illustrations.

A signs instruments in the following terms:—

(*a*). "I promise to pay B or order Rs. 500."

(*b*). "I acknowledge myself to be indebted to B in Rs. 1,000, to be paid on demand, for value received."

(*c*). "Mr. B, I O U Rs. 1,000."

(*d*). "I promise to pay B Rs. 500 and all other sums which shall be due to him."

(*e*). "I promise to pay B Rs. 500, first deducting thereout any money which he may owe me."

(*f*). "I promise to pay B Rs. 500 seven days after my marriage with C."

(*g*). "I promise to pay B Rs. 500 on D's death, provided D leaves me enough to pay that sum."

(*h*). "I promise to pay B Rs. 500 and to deliver to him my black horse on 1st January next."

The instruments respectively marked (*a*) and (*b*) are promissory notes. The instruments respectively marked (*c*), (*d*), (*e*), (*f*), (*g*) and (*h*) are not promissory notes.

5. A "bill of exchange" is an instrument in writing containing an unconditional order, signed by the maker, directing a certain person to pay a certain sum of money only to, or to the order of, a certain person or to the bearer of the instrument.

"Bill of exchange."

A promise or order to pay is not "conditional," within the meaning of this section and section four, by reason of the time for payment of the amount or any instalment thereof being expressed to be on the lapse of a certain period after the occurrence of a specified event which, according to the ordinary expectation of mankind, is certain to happen, although the time of its happening may be uncertain.

The sum payable may be "certain," within the meaning of this section and section four, although it includes future interest or is payable at an indicated rate of exchange, or is according to the course of exchange, and although the instrument provides that, on default of payment of an instalment, the balance unpaid shall become due.

The person to whom it is clear that the direction is given or that payment is to be made may be a "certain person," within the meaning of this section and section four, although he is mis-named or designated by description only.

6. A "cheque" is a bill of exchange drawn on a specified banker and not expressed to be payable otherwise than on demand.

"Cheque."

7. The maker of a bill of exchange or cheque is called the "drawer;" the person thereby directed to pay is called the "drawee."

"Drawer." "Drawee."

When in the bill or in any indorsement thereon the name of any person is given in addition to the drawee to be resorted to in case of need, such person is called a "drawee in case of need."

"Drawee in case of need."

After the drawee of a bill has signed his assent upon the bill, or, if there are more parts thereof than one, upon one of such parts, and delivered the same, or given notice of such signing to the holder or to some person on his behalf, he is called the "acceptor."

"Acceptor."

When acceptance is refused and the bill is protested for non-acceptance, and any person accepts it *supra protest* for honour of the drawer or of any one of the indorsers, such person is called an "acceptor for honour."

"Acceptor for honour."

The person named in the instrument, to whom or to whose order the money is by the instrument directed to be paid, is called the "payee."

"Payee."

8. The "holder" of a promissory note, bill of exchange or cheque means any person entitled in his own name to the possession thereof and to receive or recover the amount due thereon from the parties thereto.

"Holder."

Where the note, bill or cheque is lost or destroyed, its holder is the person so entitled at the time of such loss or destruction.

9. "Holder in due course" means any person who for consideration became the possessor of a promissory note, bill of exchange or cheque if payable to bearer,

"Holder in due course."

or the payee or indorsee thereof, if payable to, or to the order of, a payee,

before the amount mentioned in it became payable, and without having sufficient cause to believe that any defect existed in the title of the person from whom he derived his title.

10. "Payment in due course" means payment in accordance with the apparent tenor of the instrument in good faith and without negligence to any person in possession thereof under circumstances which do not afford a reasonable ground for believing that he is not entitled to receive payment of the amount therein mentioned.

"Payment in due course."

11. A promissory note, bill of exchange or cheque drawn or made in British India, and made payable in, or drawn upon any person resident in, British India shall be deemed to be an inland instrument.

Inland instrument.

12. Any such instrument not so drawn, made or made payable shall be deemed to be a foreign instrument.

Foreign instrument.

13. A "negotiable instrument" means a promissory note, bill of exchange or cheque expressed to be payable to a specified person or his order, or to the order of a specified person, or to the bearer thereof, or to a specified person or the bearer thereof.

"Negotiable instrument."

14. When a promissory note, bill of exchange or cheque is transferred to any person, so as to constitute that person the holder thereof, the instrument is said to be negotiated.

Negotiation.

15. When the maker or holder of a negotiable instrument signs the same, otherwise than as such maker, for the purpose of negotiation, on the back or face thereof or on a slip of paper annexed thereto, or so signs for the same purpose a stamped paper intended to be completed as a negotiable instrument, he is said to indorse the same, and is called the "indorser."

Indorsement.

16. If the indorser signs his name only, the indorsement is said to be "in blank," and if he adds a direction to pay the amount mentioned in the instrument to, or to the order of, a specified person, the indorsement is said to be "in full;" and the person so specified is called the "indorsee" of the instrument.

Indorsement "in blank" and "in full." "Indorsee."

17. Where an instrument may be construed either as a promissory note or bill of exchange, the holder may at his election treat it as either, and the instrument shall be thenceforward treated accordingly.

Ambiguous instruments.

18. If the amount undertaken or ordered to be paid is stated differently in figures and in words, the amount stated in words shall be the amount undertaken or ordered to be paid.

Where amount is stated differently in figures and words.

19. A promissory note or bill of exchange, in which no time for payment is specified, and a cheque, are payable on demand.

Instruments payable on demand.

20. Where one person signs and delivers to another a paper stamped in accordance with the law relating to negotiable instruments then in force in British India, and either wholly blank or having written thereon an incomplete negotiable instrument, he thereby gives *primâ facie* authority to the holder thereof to make or complete, as the case may be, upon it a negotiable instrument, for any amount specified therein and not exceeding the amount covered by the stamp. The person so signing shall be liable upon such instrument, in the capacity in which he signed the same, to any holder in due course for such amount: provided that no person other than a holder in due course shall recover from the person delivering the instrument anything in excess of the amount intended by him to be paid thereunder.

Inchoate stamped instruments.

21. In a promissory note or bill of exchange the expressions "at sight" and "on presentment" mean on demand. The expression "after sight" means, in a promissory note, after presentment for sight, and, in a bill of exchange, after acceptance, or noting for non-acceptance, or protest for non-acceptance.

"At sight." "On presentment." "After sight."

22. The maturity of a promissory note or bill of exchange is the date at which it falls due.

"Maturity."

Every promissory note or bill of exchange which is not expressed to be payable on demand, at sight or on presentment is at maturity on the third day after the day on which it is expressed to be payable.

Days of grace.

23. In calculating the date at which a promissory note or bill of exchange, made payable a stated number of months after date or after sight, or after a certain event, is at maturity, the period stated shall be held to terminate on the day of the month which corresponds with the day on which the instrument is dated, or presented for acceptance or sight, or noted for non-acceptance, or protested for non-acceptance, or the event happens, or, where the instrument is a bill of exchange made payable a stated number of months after sight and has been accepted for honour, with the day on which it was so accepted. If the month in which the period would terminate has no corresponding day, the period shall be held to terminate on the last day of such month.

Calculating maturity of bill or note payable so many months after date or sight.

Illustrations.

(a). A negotiable instrument, dated 29th January, 1878, is made payable at one month after date. The instrument is at maturity on the third day after the 28th February, 1878.

(b). A negotiable instrument, dated 30th August, 1878, is made payable three months after date. The instrument is at maturity on the 3rd December, 1878.

(c). A promissory note or bill of exchange, dated 31st August, 1878, is made payable three months after date. The instrument is at maturity on the 3rd December, 1878.

24. In calculating the date at which a promissory note or bill of exchange made payable a certain number of days after date or after sight or after a certain event is at maturity, the day of the date, or of presentment for acceptance or sight, or of protest for non-acceptance, or on which the event happens, shall be excluded.

Calculating maturity of bill or note payable so many days after date or sight.

25. When the day on which a promissory note or bill of exchange is at maturity is a public holiday, the instrument shall be deemed to be due on the next preceding business day.

When day of maturity is a holiday.

Explanation.—The expression "public holiday" includes Sundays: New-Year's day, Christmas day: if either of such days falls on a Sunday, the next following Monday: Good-Friday; and any other day declared by the Local Government, by notification in the official Gazette, to be a public holiday.

CHAPTER III.

PARTIES TO NOTES, BILLS AND CHEQUES.

26. Every person capable of contracting, according to the law to which he is subject, may bind himself and be bound by the making, drawing, acceptance, indorsement, delivery and negotiation of a promissory note, bill of exchange or cheque.

Capacity to make, &c., promissory notes, &c.

A minor may draw, indorse, deliver and negotiate such instruments so as to bind all parties except himself.

Minor.

Nothing herein contained shall be deemed to empower a corporation to make, indorse or accept such instruments except in cases in which, under the law for the time being in force, they are so empowered.

27. Every person capable of binding himself or of being bound, as mentioned in section twenty-six, may so bind himself or be bound by a duly authorized agent acting in his name.

Agency.

A general authority to transact business and to receive and discharge debts does not confer upon an agent the power of accepting or indorsing bills of exchange so as to bind his principal.

An authority to draw bills of exchange does not of itself import an authority to indorse.

28. An agent who signs his name to a promissory note, bill of exchange or cheque without indicating thereon that he signs as agent, or that he does not intend thereby to incur personal responsibility, is liable personally on the instrument, except to those who induced him to sign upon the belief that the principal only would be held liable.

Liability of agent signing.

29. A legal representative of a deceased person who signs his name to a promissory note, bill of exchange or cheque is liable personally thereon unless he expressly limits his liability to the extent of the assets received by him as such.

Liability of legal representative signing.

30. The drawer of a bill of exchange or cheque is bound, in case of dishonour by the drawee or acceptor thereof, to compensate the holder, provided due notice of dishonour has been given to, or received by, the drawer as hereinafter provided.

Liability of drawer.

31. The drawee of a cheque having sufficient funds of the drawer in his hands properly applicable to the payment of such cheque must pay the cheque when duly required so to do, and, in default of such payment, must compensate the drawer for any loss or damage caused by such default.

Liability of drawee of cheque.

32. In the absence of a contract to the contrary, the maker of a promissory note and the acceptor before maturity of a bill of exchange are bound to pay the amount thereof at maturity according to the apparent tenor of the note or acceptance respectively, and the acceptor of a bill of exchange at or after maturity is bound to pay the amount thereof to the holder on demand.

Liability of maker of note and acceptor of bill.

In default of such payment as aforesaid, such maker or acceptor is bound to compensate any party to the note or bill for any loss or damage sustained by him and caused by such default.

33. No person except the drawee of a bill of exchange, or all or some of several drawees, or a person named therein as a drawee in case of need, or an acceptor for honour, can bind himself by an acceptance.

Only drawee can be acceptor except in need or for honour.

34. Where there are several drawees of a bill of exchange who are not partners, each of them can accept it for himself, but none of them can accept it for another without his authority.

Acceptance by several drawees not partners.

35. In the absence of a contract to the contrary, whoever indorses and delivers a negotiable instrument before maturity, without, in such indorsement, expressly excluding or making conditional his own liability, is bound thereby to every subsequent holder, in case of dishonour by the drawee, acceptor or maker, to compensate such holder for any loss or damage caused to him by such dishonour, provided due notice of dishonour has been given to, or received by, such indorser as hereinafter provided.

Liability of indorser.

Every indorser after dishonour is liable as upon an instrument payable on demand.

36. Every prior party to a negotiable instrument is liable thereon to a holder in due course until the instrument is duly satisfied.

Liability of prior parties to holder in due course.

37. The maker of a promissory note or cheque, the drawer of a bill of exchange until acceptance, and the acceptor are, in the absence of a contract to the contrary, respectively liable thereon as principal debtors, and the other parties thereto are liable thereon as sureties for the maker, drawer or acceptor, as the case may be.

Maker, drawer and acceptor principals.

38. As between the parties so liable as sureties, each prior party is, in the absence of a contract to the contrary, also liable thereon as a principal debtor in respect of each subsequent party.

Prior party a principal in respect of each subsequent party.

Illustration.

A draws a bill payable to his own order on B, who accepts. A afterwards indorses the bill to C, C to D, and D to E. As between E and B, B is the principal debtor, and A, C and D are his sureties. As between E and A, A is the principal debtor, and C and D are his sureties. As between E and C, C is the principal debtor and D is his surety.

39. When the holder of an accepted bill of exchange enters into any contract with the acceptor which, under section 134 or 135 of the Indian Contract Act, 1872, would discharge the other parties, the holder may expressly reserve his right to charge the other parties, and in such case they are not discharged.

Suretyship.

40. Where the holder of a negotiable instrument, without the consent of the indorser, destroys or impairs the indorser's remedy against a prior party, the indorser is discharged from liability to the holder to the same extent as if the instrument had been paid at maturity.

Discharge of indorser's liability.

Illustration.

A is the holder of a bill of exchange made payable to the order of B, which contains the following indorsements in blank:—

First indorsement, "B."
Second indorsement, "Peter Williams."
Third indorsement, "Wright & Co."
Fourth indorsement, "John Rozario."

This bill A puts in suit against John Rozario and strikes out, without John Rozario's consent, the indorsements by Peter Williams and Wright & Co. A is not entitled to recover anything from John Rozario.

41. An acceptor of a bill of exchange already indorsed is not relieved from liability by reason that such indorsement is forged, if he knew or had reason to believe the indorsement to be forged when he accepted the bill.

Acceptor bound, although indorsement forged.

42. An acceptor of a bill of exchange drawn in a fictitious name and payable to the drawer's order is not, by reason that such name is fictitious, relieved from liability to any holder in due course claiming under an indorsement by the same hand as the drawer's signature, and purporting to be made by the drawer.

Acceptance of bill drawn in fictitious name.

43. A negotiable instrument made, drawn, accepted, indorsed or transferred without consideration, or for a consideration which fails, creates no obligation of payment between the parties to the transaction. But if any such party has transferred the instrument with or without indorsement to a holder for consideration, such holder, and every subsequent holder deriving title from him, may recover the amount due on such instrument from the transferor for consideration or any prior party thereto.

Negotiable instrument made, &c., without consideration.

Exception 1.—No party for whose accommodation a negotiable instrument has been made, drawn, accepted or indorsed can, if he have paid the amount thereof, recover thereon such amount from any person who became a party to such instrument for his accommodation.

Exception II.—No party to the instrument who has induced any other party to make, draw, accept, indorse or transfer the same to him for a consideration which he has failed to pay or perform in full shall recover thereon an amount exceeding the value of the consideration (if any) which he has actually paid or performed.

44. When the consideration for which a person signed a promissory note, bill of exchange or cheque consisted of money, and was originally absent in part or has subsequently failed in part, the sum which a holder standing in immediate relation with such signer is entitled to receive from him is proportionally reduced.

Partial absence or failure of money-consideration.

Explanation.—The drawer of a bill of exchange stands in immediate relation with the acceptor. The maker of a promissory note, bill of exchange or cheque stands in immediate relation with the payee, and the indorser with his indorsee. Other signers may by agreement stand in immediate relation with a holder.

Illustration.

A draws a bill on B for Rs. 500 payable to the order of A. B accepts the bill, but subsequently dishonours it by non-payment. A sues B on the bill. B proves that it was accepted for value as to Rs. 400, and as an accommodation to the plaintiff as to the residue. A can only recover Rs. 400.

45. Where a part of the consideration for which a person signed a promissory note, bill of exchange or cheque, though not consisting of money, is ascertainable in money without collateral enquiry, and there has been a failure of that part, the sum which a holder standing in immediate relation with such signer is entitled to receive from him is proportionally reduced.

Partial failure of consideration not consisting of money.

CHAPTER IV.

OF NEGOTIATION.

46. The making, acceptance or indorsement of a promissory note, bill of exchange or cheque is completed by delivery, actual or constructive.

Delivery.

As between parties standing in immediate relation, delivery to be effectual must be made by the party making, accepting or indorsing the instrument, or by a person authorized by him in that behalf.

As between such parties and any holder of the instrument other than a holder in due course, it may be shown that the instrument was delivered conditionally or for a special purpose only, and not for the purpose of transferring absolutely the property therein.

A promissory note, bill of exchange or cheque payable to bearer is negotiable by the delivery thereof.

A promissory note, bill of exchange or cheque payable to order is negotiable by the holder by indorsement and delivery thereof.

47. Subject to the provisions of section fifty-eight, a promissory note, bill of exchange or cheque payable to bearer is negotiable by delivery thereof.

Negotiation by delivery.

Exception.—A promissory note, bill of exchange or cheque delivered on condition that it is not to take effect except in a certain event is not negotiable (except in the hands of a holder for value without notice of the condition) unless such event happens.

Illustrations.

(*a*). A, the holder of a negotiable instrument payable to bearer, delivers it to B's agent to keep for B. The instrument has been negotiated.

(*b*). A, the holder of a negotiable instrument payable to bearer, which is in the hands of A's banker, who is at the time the banker of B, directs the banker to transfer the instrument to B's credit in the banker's account with B. The banker does so, and accordingly now possesses the instrument as B's agent. The instrument has been negotiated, and B has become the holder of it.

48. Subject to the provisions of section fifty-eight, a promissory note, bill of exchange or cheque payable to the order of a specified person, or to a specified person or order, is negotiable by the holder by indorsement and delivery thereof.

Negotiation by indorsement.

49. The holder of a negotiable instrument indorsed in blank may, without signing his own name, by writing above the indorser's signature a direction to pay to any other person as indorsee, convert the indorsement in blank into an indorsement in full; and the holder does not thereby incur the responsibility of an indorser.

Conversion of indorsement in blank into indorsement in full.

50. The indorsement of a negotiable instrument followed by delivery transfers to the indorsee the property therein with the right of further negotiation; but the indorsement may, by express words, restrict or exclude such right, or may merely constitute the indorsee an agent to indorse the instrument, or to receive its contents for the indorser, or for some other specified person.

Effect of indorsement.

Illustrations.

B signs the following indorsements on different negotiable instruments payable to bearer:—

(*a*) "Pay the contents to C only."

(*b*) "Pay C for my use."

(*c*) "Pay C or order for the account of B."

(*d*) "The within must be credited to C."

These indorsements exclude the right of further negotiation by C.

(*e*) "Pay C."

(*f*) "Pay C value in account with the Oriental Bank."

(*g*) "Pay the contents to C, being part of the consideration in a certain deed of assignment executed by C to the indorser and others."

These indorsements do not exclude the right of further negotiation by C.

51. Every sole maker, drawer, payee or indorsee, or all of several joint makers, drawers, payees or indorsees, of a negotiable instrument may, if the negotiability of such instrument has not been restricted or excluded as mentioned in section fifty, indorse and negotiate the same.

Who may negotiate.

Explanation.—Nothing in this section enables a maker or drawer to indorse or negotiate an instrument, unless he is in lawful possession or is holder thereof; or enables a payee or indorsee to indorse or negotiate an instrument, unless he is holder thereof.

Illustration.

A bill is drawn payable to A or order. A indorses it to B, the indorsement not containing the words "or order" or any equivalent words. B may negotiate the instrument.

52. The indorser of a negotiable instrument may, by express words in the indorsement, exclude his own liability thereon, or make such liability or the right of the indorsee to receive the amount due thereon depend upon the happening of a specified event, although such event may never happen.

Indorser who excludes his own liability or makes it conditional.

Where an indorser so excludes his liability and afterwards becomes the holder of the instrument, all intermediate indorsers are liable to him.

Illustrations.

(*a*). The indorser of a negotiable instrument signs his name, adding the words—

"Without recourse."

Upon this indorsement he incurs no liability.

(*b*). A is the payee and holder of a negotiable instrument. Excluding personal liability by an indorsement "without recourse," he transfers the instrument to B, and B indorses it to C, who indorses it to A. A is not only reinstated in his former rights, but has the rights of an indorsee against B and C.

53. A holder of a negotiable instrument who derives title from a holder in due course has the rights thereon of that holder in due course.

Holder deriving title from holder in due course.

54. Subject to the provisions hereinafter contained as to crossed cheques, a negotiable instrument indorsed in blank is payable to the bearer thereof even although originally payable to order.

Instrument indorsed in blank.

55. If a negotiable instrument, after having been indorsed in blank, is indorsed in full, the amount of it cannot be claimed from the indorser in full, except by the person to whom it has been indorsed in full, or by one who derives title through such person.

Conversion of indorsement in blank into indorsement in full.

56. No writing on a negotiable instrument is valid for the purpose of negotiation if such writing purports to transfer only a part of the amount appearing to be due on the instrument; but where such amount has been partly paid, a note to that effect may be indorsed on the instrument, which may then be negotiated for the balance.

Indorsement for part of sum due.

57. The legal representative of a deceased person cannot negotiate by delivery only a promissory note, bill of exchange or cheque payable to order and indorsed by the deceased but not delivered.

Legal representative cannot by delivery only negotiate instrument indorsed by deceased.

58. When a negotiable instrument has been lost, or has been obtained from any maker, acceptor or holder thereof by means of an offence or fraud, or for an unlawful consideration, no possessor or indorsee who claims through the person who found or so obtained the instrument is entitled to receive the amount due thereon from such maker, acceptor or holder, or from any party prior to such holder, unless such possessor or indorsee is, or some person through whom he claims was, a holder thereof in due course.

Instrument obtained by unlawful means or for unlawful consideration.

59. The holder of a negotiable instrument, who has acquired it after dishonour, whether by non-acceptance or non-payment, with notice thereof, or after maturity, has only, as against the other parties, the rights thereon of his transferor:

Instrument acquired after dishonour or when overdue.

Provided that any person who, in good faith and for consideration, becomes the holder, after maturity, of a promissory note or bill of exchange made, drawn or accepted without consideration, for the purpose of enabling some party thereto to raise money thereon, may recover the amount of the note or bill from any prior party.

Accommodation note or bill.

Illustration.

The acceptor of a bill of exchange, when he accepted it, deposited with the drawer certain goods as a collateral security for the payment of the bill, with power to the drawer to sell the goods and apply the proceeds in discharge of the bill if it were not paid at maturity. The bill not having been paid at maturity, the drawer sold the goods and retained the proceeds, but indorsed the bill to A. A's title is subject to the same objection as the drawer's title.

60. A negotiable instrument may be negotiated (except by the maker, drawee or acceptor after maturity) until payment or satisfaction thereof by the maker, drawee or acceptor at or after maturity, but not after such payment or satisfaction.

Instrument negotiable till payment or satisfaction.

CHAPTER V.

OF PRESENTMENT.

61. A bill of exchange payable after sight must, if no time or place is specified therein for presentment, be presented to the drawee thereof for acceptance, if he can, after reasonable search, be found, by a person entitled to demand acceptance, within a reasonable time after it is drawn, and in business hours on a business day. In default of such presentment, no party thereto is liable thereon to the person making such default.

Presentment for acceptance.

If the drawee cannot, after reasonable search, be found, the bill is dishonoured.

If the bill is directed to the drawee at a particular place, it must be presented at that place; and if at the due date for presentment he cannot, after reasonable search, be found there, the bill is dishonoured.

62. A promissory note, payable at a certain period after sight, must be presented to the maker thereof for sight (if he can after reasonable search be found) by a person entitled to demand payment, within a reasonable time after it is made and in business hours on a business day. In default of such presentment, no party thereto is liable thereon to the person making such default.

Presentment of promissory note for sight.

63. The holder must, if so required by the drawee of a bill of exchange presented to him for acceptance, allow the drawee twenty-four hours (exclusive of public holidays) to consider whether he will accept it.

Drawee's time for deliberation.

64. Promissory notes, bills of exchange and cheques must be presented for payment to the maker, acceptor or drawee thereof respectively, by or on behalf of the holder as hereinafter provided. In default of such presentment, the other parties thereto are not liable thereon to such holder.

Presentment for payment.

Exception.—Where a promissory note is payable on demand and is not payable at a specified place, no presentment is necessary in order to charge the maker thereof.

65. Presentment for payment must be made during the usual hours of business, and, if at a banker's, within banking hours.

Hours for presentment.

66. A promissory note or bill of exchange, made payable at a specified period after date or sight thereof, must be presented for payment at maturity.

Presentment for payment of instrument payable after date or sight.

67. A promissory note payable by instalments must be presented for payment on the third day after the date fixed for payment of each instalment; and non-payment on such presentment has the same effect as non-payment of a note at maturity.

Presentment for payment of promissory note payable by instalments.

68. A promissory note, bill of exchange or cheque made, drawn or accepted payable at a specified place and not elsewhere must, in order to charge any party thereto, be presented for payment at that place.

Presentment for payment of instrument payable at specified place and not elsewhere.

69. A promissory note or bill of exchange made, drawn or accepted payable at a specified place must, in order to charge the maker or drawer thereof, be presented for payment at that place.

Instrument payable at specified place.

70. A promissory note or bill of exchange, not made payable as mentioned in sections sixty-eight and sixty-nine, must be presented for payment at the place of business (if any), or at the usual residence, of the maker, drawee or acceptor thereof, as the case may be.

Presentment where no exclusive place specified.

71. If the maker, drawee or acceptor of a negotiable instrument has no known place of business or fixed residence, and no place is specified in the instrument for presentment for acceptance or payment, such presentment may be made to him in person wherever he can be found.

Presentment when maker, &c., has no known place of business or residence.

72. A cheque must, in order to charge the drawer, be presented at the bank upon which it is drawn before the relation between the drawer and his banker has been altered to the prejudice of the drawer.

Presentment of cheque to charge drawer.

73. A cheque must, in order to charge any person except the drawer, be presented within a reasonable time after delivery thereof by such person.

Presentment of cheque to charge any other person.

74. Subject to the provisions of section thirty-one, a negotiable instrument payable on demand must be presented for payment within a reasonable time after it is received by the holder.

Presentment of instrument payable on demand.

75. Presentment for acceptance or payment may be made to the duly authorized agent of the drawee, maker or acceptor, as the case may be, or, where the drawee, maker or acceptor has died, to his legal representative, or, where he has been declared an insolvent, to his assignee.

Presentment by or to agent, representative of deceased, or assignee of insolvent.

76. No presentment for payment is necessary, and the instrument is dishonoured at the due date for presentment, in any of the following cases:—

When presentment unnecessary.

(*a*) if the maker, drawee or acceptor intentionally prevents the presentment of the instrument, or,

if the instrument being payable at his place of business, he closes such place on a business day during the usual business hours, or

if the instrument being payable at some other specified place, neither he nor any person authorized to pay it attends at such place during the usual business hours, or

if the instrument not being payable at any specified place, he cannot after due search be found;

(*b*) as against any party sought to be charged therewith, if he has engaged to pay notwithstanding non-presentment;

(*c*) as against any party if, after maturity, with knowledge that the instrument has not been presented—

he makes a part payment on account of the amount due on the instrument,

or promises to pay the amount due thereon in whole or in part,

or otherwise waives his right to take advantage of any default in presentment for payment;

(*d*) as against the drawer, if the drawer could not suffer damage from the want of such presentment.

77. When a bill of exchange, accepted payable at a specified bank, has been duly presented there for payment and dishonoured, if the banker so negligently or improperly keeps, deals with or delivers back such bill as to cause loss to the holder, he must compensate the holder for such loss.

Liability of banker for negligently dealing with bill presented for payment.

CHAPTER VI.

OF PAYMENT AND INTEREST.

78. Subject to the provisions of section eighty-two, clause (*c*), payment of the amount due on a promissory note, bill of exchange or cheque must, in order to discharge the maker or acceptor, be made to the holder of the instrument.

To whom payment should be made.

79. When interest at a specified rate is expressly made payable on a promissory note or bill of exchange, interest shall be calculated at the rate specified, on the amount of the principal money due thereon, from the date of the instrument, until tender or realization of such amount, or until

Interest when rate specified.

such date after the institution of a suit to recover such amount as the Court directs.

Interest when no rate specified.

80. When no rate of interest is specified in the instrument, interest on the amount due thereon shall, except in cases provided for by the Code of Civil Procedure, section 532, be calculated at the rate of six per centum per annum, from the date at which the same ought to have been paid by the party charged, until tender or realization of the amount due thereon, or until such date after the institution of a suit to recover such amount as the Court directs.

Explanation.—When the party charged is the indorser of an instrument dishonoured by non-payment, he is liable to pay interest only from the time that he receives notice of the dishonour.

Delivery of instrument on payment, or indemnity in case of loss.

81. Any person liable to pay, and called upon by the holder thereof to pay, the amount due on a promissory note, bill of exchange or cheque is before payment entitled to have it shown, and is on payment entitled to have it delivered up, to him, or, if the instrument is lost or cannot be produced, to be indemnified against any further claim thereon against him.

CHAPTER VII.

OF DISCHARGE FROM LIABILITY ON NOTES, BILLS AND CHEQUES.

Discharge from liability—

82. The maker, acceptor or indorser respectively of a negotiable instrument is discharged from liability thereon—

by cancellation;

(*a*) to a holder thereof who cancels such acceptor's or indorser's name with intent to discharge him, and to all parties claiming under such holder;

by release;

(*b*) to a holder thereof who otherwise discharges such maker, acceptor or indorser, and to all parties deriving title under such holder after notice of such discharge;

by payment.

(*c*) to all parties thereto, if the instrument is payable to bearer, or has been indorsed in blank, and such maker, acceptor or indorser makes payment in due course of the amount due thereon.

Discharge by allowing drawee more than twenty-four hours to accept.

83. If the holder of a bill of exchange allows the drawee more than twenty-four hours, exclusive of public holidays, to consider whether he will accept the same, all previous parties not consenting to such allowance are thereby discharged from liability to such holder.

When cheque not duly presented and drawer damaged thereby.

84. When the holder of a cheque fails to present it for payment within a reasonable time, and the drawer thereof sustains loss or damage from such failure, he is discharged from liability to the holder.

Cheque payable to order.

85. Where a cheque payable to order purports to be indorsed by or on behalf of the payee, the drawee is discharged by payment in due course.

Parties not consenting discharged by qualified or limited acceptance.

86. If the holder of a bill of exchange acquiesces in a qualified acceptance, or one limited to part of the sum mentioned in the bill, or which substitutes a different place or time for payment, or which, where the drawees are not partners, is not signed by all the drawees, all previous parties whose consent is not obtained to such acceptance are discharged as against the holder and those claiming under him, unless on notice given by the holder they assent to such acceptance.

Explanation.—An acceptance is qualified—

(*a*) where it is conditional, declaring the payment to be dependent on the happening of an event therein stated;

(*b*) where it undertakes the payment of part only of the sum ordered to be paid;

(*c*) where, no place of payment being specified on the order, it undertakes the payment at a specified place and not otherwise or elsewhere; or where, a place of payment being specified in the order, it undertakes the payment at some other place and not otherwise or elsewhere;

(*d*) where it undertakes the payment at a time other than that at which under the order it would be legally due.

Effect of material alteration.

87. Any material alteration of a negotiable instrument renders the same void as against any one who is a party thereto at the time of making such alteration and does not consent thereto, unless it was made in order to carry out the common intention of the original parties;

Alteration by indorsee.

and any such alteration, if made by an indorsee, discharges his indorser from all liability to him in respect of the consideration thereof.

The provisions of this section are subject to those of sections twenty, forty-nine, eighty-six and one hundred and twenty-five.

Acceptor or indorser bound notwithstanding previous alteration.

88. An acceptor or indorser of a negotiable instrument is bound by his acceptance or indorsement notwithstanding any previous alteration of the instrument.

Payment of instrument on which alteration is not apparent.

89. Where a promissory note, bill of exchange or cheque has been materially altered but does not appear to have been so altered,

or where a cheque is presented for payment which does not at the time of presentation appear to be crossed or to have had a crossing which has been obliterated,

payment thereof by a person or banker liable to pay, and paying the same according to the apparent tenor thereof at the time of payment and otherwise in due course, shall discharge such person or banker from all liability thereon, and such payment shall not be questioned by reason of the instrument having been altered, or the cheque crossed.

Extinguishment of rights of action on bill in acceptor's hands.

90. If a bill of exchange which has been negotiated is, at or after maturity, held by the acceptor in his own right, all rights of action thereon are extinguished.

CHAPTER VIII.

OF NOTICE OF DISHONOUR.

Dishonour by non-acceptance.

91. A bill of exchange is said to be dishonoured by non-acceptance when the drawee, or one of several drawees not being partners, makes default in acceptance upon being duly required to accept the bill, or where presentment is excused and the bill is not accepted.

Where the drawee is incompetent to contract, or the acceptance is qualified, the bill may be treated as dishonoured.

Dishonour by non-payment.

92. A promissory note, bill of exchange or cheque is said to be dishonoured by non-payment when the maker of the note, acceptor of the bill or drawee of the cheque makes default in payment upon being duly required to pay the same.

By and to whom notice should be given.

93. When a promissory note, bill of exchange or cheque is dishonoured by non-acceptance or non-payment, the holder thereof, or some party thereto who remains liable thereon, must give notice that the instrument has been so dishonoured to all other parties whom the holder seeks to make severally liable thereon, and to some one of several parties whom he seeks to make jointly liable thereon.

Nothing in this section renders it necessary to give notice to the maker of the dishonoured promissory note, or the drawee or acceptor of the dishonoured bill of exchange or cheque.

Mode in which notice may be given.

94. Notice of dishonour may be given to a duly authorized agent of the person to whom it is required to be given, or, where he has died, to his legal representative, or, where he has been declared an insolvent, to his assignee; may be oral or written; may, if written, be sent by post; and may be in any form; but it must inform the party to whom it is given, either in express terms or by reasonable intendment, that the instrument has been dishonoured, and in what way, and that he will be held liable thereon; and it must be given within a reasonable time after dishonour, at the place of business or (in case such party has no place of business) at the residence of the party for whom it is intended.

If the notice is duly directed and sent by post and miscarries, such miscarriage does not render the notice invalid.

Party receiving must transmit notice of dishonour.

95. Any party receiving notice of dishonour must, in order to render any prior party liable to himself, give notice of dishonour to such party within a reasonable time, unless such party otherwise receives due notice as provided by section ninety-three.

Agent for presentment.

96. When the instrument is deposited with an agent for presentment, the agent is entitled to the same time to give notice to his principal as if he were the holder giving notice of dishonour, and the principal is entitled to a further like period to give notice of dishonour.

When party to whom notice given is dead.

97. When the party to whom notice of dishonour is despatched is dead, but the party despatching the notice is ignorant of his death, the notice is sufficient.

When notice of dishonour is unnecessary.

98. No notice of dishonour is necessary—

(*a*) when it is dispensed with by the party entitled thereto;

(*b*) in order to charge the drawer, when he has countermanded payment;

(*c*) when the party charged could not suffer damage for want of notice;

(*d*) when the party entitled to notice cannot after due search be found; or the party bound to give notice is, for any other reason, unable without any fault of his own to give it;

(*e*) to charge the drawers, when the acceptor is also a drawer;

(*f*) in the case of a promissory note which is not negotiable;

(*g*) when the party entitled to notice, knowing the facts, promises unconditionally to pay the amount due on the instrument.

CHAPTER IX.

OF NOTING AND PROTEST.

Noting.

99. When a promissory note or bill of exchange has been dishonoured by non-acceptance or non-payment, the holder may cause such dishonour to be noted by a notary public upon the instrument, or upon a paper attached thereto, or partly upon each.

Such note must be made within a reasonable time after dishonour, and must specify the date of dishonour, the reason, if any, assigned for such dishonour, or, if the instrument has not been expressly dishonoured, the reason why the holder treats it as dishonoured, and the notary's charges.

Protest.

100. When a promissory note or bill of exchange has been dishonoured by non-acceptance or non-payment, the holder may, within a reasonable time, cause such dishonour to be noted and certified by a notary public. Such certificate is called a protest.

Protest for better security.

When the acceptor of a bill of exchange has become insolvent, or his credit has been publicly impeached, before the maturity of the bill, the holder may, within a reasonable time, cause a notary public to demand better security of the acceptor, and on its being refused may, within a reasonable time, cause such facts to be noted and certified as aforesaid. Such certificate is called a protest for better security.

Contents of protest.

101. A protest under section one hundred must contain—

(*a*) either the instrument itself, or a literal transcript of the instrument and of everything written or printed thereupon;

(*b*) the name of the person for whom and against whom the instrument has been protested;

(*c*) a statement that payment or acceptance, or better security, as the case may be, has been demanded of such person by the notary public; the terms of his answer, if any, or a statement that he gave no answer, or that he could not be found;

(*d*) when the note or bill has been dishonoured, the place and time of dishonour, and, when better security has been refused, the place and time of refusal;

(*e*) the subscription of the notary public making the protest;

(*f*) in the event of an acceptance for honour or of a payment for honour, the name of the person by whom, of the person for whom, and the manner in which, such acceptance or payment was offered and effected.

Notice of protest.

102. When a promissory note or bill of exchange is required by law to be protested, notice of such protest must be given instead of notice of dishonour, in the same manner and subject to the same conditions; but the notice may be given by the notary public who makes the protest.

Protest for non-payment after dishonour by non-acceptance.

103. All bills of exchange drawn payable at some other place than the place mentioned as the residence of the drawee, and which are dishonoured by non-acceptance, may, without further presentment to the drawee, be protested for non-payment, in the place specified for payment, unless paid before or at maturity.

Protest of foreign bills.

104. Foreign bills of exchange must be protested for dishonour when such protest is required by the law of the place where they are drawn.

CHAPTER X.

OF REASONABLE TIME.

Reasonable time.

105. In determining what is a reasonable time for presentment for acceptance or payment, for giving notice of dishonour and for noting, regard shall be had to the nature of the instrument and the usual course of dealing with respect to similar instruments; and, in calculating such time, public holidays shall be excluded.

Reasonable time of giving notice of dishonour.

106. If the holder and the party to whom notice of dishonour is given carry on business or live (as the case may be) in different places, such notice is given within a reasonable time if it is despatched by the next post or on the day next after the day of dishonour.

If the said parties carry on business or live in the same place, such notice is given within a reasonable time if it is despatched in time to reach its destination on the day next after the day of dishonour.

Reasonable time for transmitting such notice.

107. A party receiving notice of dishonour, who seeks to enforce his right against a prior party, transmits the notice within a reasonable time if he transmits it within the same time after its receipt as he would have had to give notice if he had been the holder.

CHAPTER XI.

OF ACCEPTANCE AND PAYMENT FOR HONOUR AND REFERENCE IN CASE OF NEED.

Acceptance for honour.

108. When a bill of exchange has been noted or protested for non-acceptance or for better security, any person not being a party already liable thereon may, with the consent of the holder, by writing on the bill, accept the same for the honour of any party thereto.

Unless the person who intends to accept *supra protest* first declares, in the presence of a notary, that he does it for honour, and has such declaration duly recorded in the notarial register at the time, his acceptance shall be a nullity.

How acceptance for honour must be made.

109. A person desiring to accept for honour must, in the presence of a notary public, subscribe the bill with his own hand, and declare that he accepts under protest the protested bill for the honour of the drawer or of a particular indorser whom he names, or generally for honour; and such declaration must be recorded by the notary in his register.

Acceptance not specifying for whose honour it is made.

110. Where the acceptance does not express for whose honour it is made, it shall be deemed to be made for the honour of the drawer.

Liability of acceptor for honour.

111. An acceptor for honour binds himself to all parties subsequent to the party for whose honour he accepts to pay the amount of the bill if the drawee do not; and such party and all prior parties are liable in their respective capacities to compensate the acceptor for honour for all loss or damage sustained by him in consequence of such acceptance.

But an acceptor for honour is not liable to the holder of the bill unless it is presented, or (in case the address given by such acceptor on the bill is a place other than the place where the bill is made payable) forwarded for presentment, not later than the day next after the day of its maturity.

When acceptor for honour may be charged.

112. An acceptor for honour cannot be charged unless the bill has at its maturity been presented to the drawee for payment, and has been dishonoured by him, and noted or protested for such dishonour.

Payment for honour.

113. When a bill of exchange has been noted or protested for non-payment, any person may pay the same for the honour of any party liable to pay the same, provided that the person so paying has previously declared before a notary public the party for whose honour he pays, and that such declaration has been recorded by such notary public.

Right of payer for honour.

114. Any person so paying is entitled to all the rights, in respect of the bill, of the holder at the time of such payment, and may recover from the party for whose honour he pays all sums so paid, with interest thereon and with all expenses properly incurred in making such payment.

Drawee in case of need.

115. Where a drawee in case of need is named in a bill of exchange, or in any indorsement thereon, the bill is not dishonoured until it has been dishonoured by such drawee.

Acceptance and payment without protest.

116. A drawee in case of need may accept and pay the bill of exchange without previous protest.

CHAPTER XII.

OF COMPENSATION.

Rules as to compensation.

117. The compensation payable in case of dishonour of a promissory note, bill of exchange or cheque, by any party liable to the holder or any indorsee, shall (except in cases provided for by the Code of Civil Procedure, section 532) be determined by the following rules:—

(*a*) the holder is entitled to the amount due upon the instrument, together with the expenses properly incurred in presenting, noting and protesting it;

(*b*) when the person charged resides at a place different from that at which the instrument was payable, the holder is entitled to receive such sum at the current rate of exchange between the two places;

(*c*) an indorser who, being liable, has paid the amount due on the same is entitled to the amount so paid with interest at six per centum per annum from the date of payment until tender or realization thereof, together with all expenses caused by the dishonour and payment;

(*d*) when the person charged and such indorser reside at different places, the indorser is entitled to receive such sum at the current rate of exchange between the two places;

(*e*) the party entitled to compensation may draw a bill upon the party liable to compensate him, payable at sight or on demand, for the amount due to him, together with all expenses properly incurred by him. Such bill must be accompanied by the instrument dishonoured and the protest thereof (if any). If such bill is dishonoured, the party dishonouring the same is liable to make compensation thereof in the same manner as in the case of the original bill.

CHAPTER XIII.

SPECIAL RULES OF EVIDENCE.

Presumptions as to negotiable instruments.

118. Until the contrary is proved, the following presumptions shall be made:—

(*a*) that every negotiable instrument was made or drawn for consideration, and that every such instrument, when it has been accepted, indorsed, negotiated or transferred, was accepted, indorsed, negotiated or transferred for consideration;

(*b*) that every negotiable instrument bearing a date was made or drawn on such date;

(*c*) that every accepted bill of exchange was accepted within a reasonable time after its date and before its maturity;

(*d*) that every transfer of a negotiable instrument was made before its maturity;

(*e*) that the indorsements appearing upon a negotiable instrument were made in the order in which they appear thereon;

(*f*) that a lost promissory note, bill of exchange or cheque was duly stamped;

(*g*) that the holder of a negotiable instrument is a holder in due course: provided that, where the instrument has been obtained from its lawful owner, or from any person in lawful custody thereof, by means of an offence or fraud, or has been obtained from the maker or acceptor thereof by means of an offence or fraud, or for unlawful consideration, the burthen of proving that the holder is a holder in due course lies upon him.

as to consideration;

as to date;

as to time of acceptance;

as to time of transfer;

as to order of indorsements;

as to stamp;

that holder is a holder in due course.

Presumption on proof of protest.

119. In a suit upon an instrument which has been dishonoured, the Court shall, on proof of the protest, presume the fact of dishonour, unless and until such fact is disproved.

Estoppel against denying original validity of instrument.

120. No maker of a promissory note, and no drawer of a bill of exchange or cheque, and no acceptor of a bill of exchange for the honour of the drawer shall, in a suit thereon by a holder in due course, be permitted to deny the validity of the instrument as originally made or drawn.

Estoppel against denying capacity of payee to indorse.

121. No maker of a promissory note and no acceptor of a bill of exchange payable to, or to the order of, a specified person shall, in a suit thereon by a holder in due course, be permitted to deny the payee's capacity, at the date of the note or bill, to indorse the same.

Estoppel against denying signature or capacity of prior party.

122. No indorser of a negotiable instrument shall, in a suit thereon by a subsequent holder, be permitted to deny the signature or capacity to contract of any prior party to the instrument.

CHAPTER XIV.

OF CROSSED CHEQUES.

Cheque crossed generally.

123. Where a cheque bears across its face an addition of the words "and company" or any abbreviation thereof, between two parallel transverse lines, or of two parallel transverse lines simply, either with or without the words "not negotiable," that addition shall be deemed a crossing, and the cheque shall be deemed to be crossed generally.

Cheque crossed specially.

124. Where a cheque bears across its face an addition of the name of a banker, either with or without the words "not negotiable," that addition shall be deemed a crossing, and the cheque shall be deemed to be crossed specially, and to be crossed to that banker.

Crossing after issue.

125. Where a cheque is uncrossed, the holder may cross it generally or specially.

Where a cheque is crossed generally, the holder may cross it specially.

Where a cheque is crossed generally or specially, the holder may add the words "not negotiable."

Where a cheque is crossed specially, the banker to whom it is crossed may again cross it specially to another banker, his agent, for collection.

Payment of cheque crossed generally.

126. Where a cheque is crossed generally, the banker on whom it is drawn shall not pay it otherwise than to a banker.

Payment of cheque crossed specially.

Where a cheque is crossed specially, the banker on whom it is drawn shall not pay it otherwise than to the banker to whom it is crossed, or his agent for collection.

Payment of cheque crossed specially more than once.

127. Where a cheque is crossed specially to more than one banker, except when crossed to an agent for the purpose of collection, the banker on whom it is drawn shall refuse payment thereof.

128. Where the banker on whom a crossed cheque is drawn has paid the same in due course, the banker paying the cheque, and (in case such cheque has come to the hands of the payee) the drawer thereof, shall respectively be entitled to the same rights, and be placed in the same position in all respects, as they would respectively be entitled to and placed in if the amount of the cheque had been paid to and received by the true owner thereof.

Payment in due course of crossed cheque.

129. Any banker paying a cheque crossed generally otherwise than to a banker, or a cheque crossed specially otherwise than to the banker to whom the same is crossed, or his agent for collection, being a banker, shall be liable to the true owner of the cheque for any loss he may sustain owing to the cheque having been so paid.

Payment of crossed cheque out of due course.

130. A person taking a cheque crossed generally or specially, bearing in either case the words "not negotiable," shall not have, and shall not be capable of giving, a better title to the cheque than that which the person from whom he took it had.

Cheque bearing "not negotiable."

131. A banker who has in good faith and without negligence received payment for a customer of a cheque crossed generally or specially to himself shall not, in case the title to the cheque proves defective, incur any liability to the true owner of the cheque by reason only of having received such payment.

Non-liability of banker receiving payment of cheque.

CHAPTER XV.

OF BILLS IN SETS.

132. Bills of exchange may be drawn in parts, each part being numbered and containing a provision that it shall continue payable only so long as the others remain unpaid. All the parts together make a set; but the whole set constitutes only one bill, and is extinguished when one of the parts, if a separate bill, would be extinguished.

Set of bills.

Exception.—When a person accepts or indorses different parts of the bill in favour of different persons, he and the subsequent indorsers of each part are liable on such part as if it were a separate bill.

133. As between holders in due course of different parts of the same set, he who first acquired title to his part is entitled to the other parts and the money represented by the bill.

Holder of first acquired part entitled to all.

CHAPTER XVI.

OF INTERNATIONAL LAW.

134. In the absence of a contract to the contrary, the liability of the maker or drawer of a foreign promissory note, bill of exchange or cheque is regulated in all essential matters by the law of the place where he made the instrument, and the respective liabilities of the acceptor and indorser by the law of the place where the instrument is made payable.

Law governing liability of maker, acceptor or indorser of foreign instrument.

Illustration.

A bill of exchange was drawn by A in California, where the rate of interest is 25 per cent., and accepted by B, payable in Washington, where the rate of interest is 6 per cent. The bill is endorsed in British India and is dishoured. An action on the bill is brought against B in British India. He is liable to pay interest at the rate of 6 per cent. only; but if A is charged as drawer, A is liable to pay interest at the rate of 25 per cent.

135. Where a promissory note, bill of exchange or cheque is made payable in a different place from that in which it is made or indorsed, the law of the place where it is made payable determines what constitutes dishonour and what notice of dishonour is sufficient.

Law of place of payment governs dishonour.

Illustration.

A bill of exchange drawn and indorsed in British India, but accepted payable in France, is dishonoured. The indorsee causes it to be protested for such dishonour, and gives notice thereof in accordance with the law of France, though not in accordance with the rules herein contained in respect of bills which are not foreign. The notice is sufficient.

136. If a negotiable instrument is made, drawn, accepted or indorsed out of British India, but in accordance with the law of British India, the circumstance that any agreement evidenced by such instrument is invalid according to the law of the country wherein it was entered into does not invalidate any subsequent acceptance or indorsement made thereon in British India.

Instrument made, &c., out of British India, but in accordance with its law.

137. The law of any foreign country regarding promissory notes, bills of exchange and cheques shall be presumed to be the same as that of British India, unless and until the contrary is proved.

Presumption as to foreign law.

SCHEDULE.

(*a*)—STATUTES.

Year and chapter.	Title.	Extent of repeal.
9 Wm. III, c. 17	An Act for the better payment of Inland Bills of Exchange.	The whole.
3 & 4 Anne, c. 8.	An Act for giving like remedy upon promissory notes as is now used upon Bills of Exchange, and for the better payment of Inland Bills of Exchange.	The whole.

(*b*)—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

No. and year.	Title.	Extent of repeal.
VI of 1840 ...	An Act for the amendment of the law concerning the negotiation of Bills of Exchange.	The whole.
V of 1866 ...	An Act to amend in certain respects the Commercial Law of British India.	Sections 11, 12 and 13.
XV of 1874 ...	The Laws Local Extent Act, 1874.	The first schedule, so far as relates to Act VI of 1840 and Act V of 1866, sections 11, 12 and 13.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 16, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July, 1881:—

We, the undersigned Members of the Select Committee to which the Bill to define and amend the law relating to Private Trusts and Trustees was referred, have the honour to report that we have considered the Bill, the portions of the report of the Indian Law Commission relating to the Bill, and the papers noted in the schedule to the present report.

2. The Government of India has no desire to bring this Bill into operation in any part of India against the wishes of the Local Government. We have therefore made the Bill to extend in the first instance only to the territories respectively administered by the Governor of Madras in Council, the Lieutenant-Governors of the North-Western Provinces and the Panjáb, and the Chief Commissioners of Oudh, the Central Provinces and Assam; and we have given power to the other Local Governments to extend it by notification to any part of the territories respectively under their administration.

3. In section 13 (as to the duty of the trustee to protect the trust-property), before the words "amount or value," we have inserted the words "nature and," inasmuch as it is obviously necessary to have regard to the nature of the property, as well as to its amount or value, in order to determine what steps are reasonably requisite for its preservation.

4. Section 20, in accordance with a suggestion of the Bombay High Court, enumerates the securities on which trustees may properly invest trust-funds. The learned Chief Justice of Bombay has pointed out that the most ordinary and popular investment, among Native trustees (at least in the Bombay mufassal), is an investment of money with the firms of shroffs or merchants of good repute to run at interest. To proscribe this form of investment, as the Bill as introduced practically does, would, in Sir M. Westropp's opinion, cause much inconvenience. Similar kinds of investment may also occur in other parts of India. We have therefore in section 20, clause (*f*), provided that money held in trust may be invested on any security expressly authorized by any rule which the High Court may from time to time prescribe in this behalf. The rule in clause (*e*) forbidding trustees (in the absence of an express authority) to advance more than one-half of the value of property consisting of freehold houses has been objected to as over-stringent by the learned Advocate-General of Bengal. But, considering the sudden and rapid deterioration to which, in this country, house-property is liable, our only doubt is whether the rule in question is as stringent as it ought to be.

5. We have struck out section 22, which provided for the transfer of the trust-property to the beneficiary on the completion of the purpose of the trust, as we consider that the case is sufficiently provided for by section 55.

6. In section 23 we have set out the circumstances under which a trustee committing a breach of trust is liable to pay interest and the cases in which that interest is compound. The law on this point was left too much to be gathered from the illustrations.

7. In the second paragraph of section 27 (as to the liability of co-trustees committing a breach of trust) we have added after the words "or his legal representative" the words "to the extent of the assets he has received."

8. The provisions of section 54 which declares that "the beneficiary has a right to the rents and profits of the trust-property," appear to us to be too general. We have, therefore, limited them by making them expressly subject to the provisions of the instrument of trust.

9. We have omitted the proviso to section 55, as we consider it, in view of the provisions of the section, unnecessary; and we have amended the last clause of that section and the last clause of section 67 so as to bring them into conformity with the last clause of section 57.

10. The subject-matter of section 64 (as to the wrongful employment of trust-funds in trade) being sufficiently provided for by the additions we have made to section 23, we have struck out the former section.

11. The illustration to section 77 relates to the case of a trust *inter vivos* for the payment of debts; but as no provision was made for such a case in the section, we have added a clause, (*c*), containing the accepted law on the subject.

12. To section 81 (as to benámi transactions) we have added, at the suggestion of the learned Advocate General of Bengal, a clause saving the Code of Civil Procedure, section 317, and section 36 of Act XI of 1859.

13. We have amended the first illustration to section 82 so as to show that the section provides for the case where a trust is incapable of being executed in consequence of the beneficiary's renunciation of his interest.

14. Section 86 of the Bill as introduced provides for cases of transfer in fraud of the creditors of the transferor. This, we consider, is a matter which more properly belongs to the Transfer of Property Bill, and it is, in fact, provided for by section 53 of that Bill. We have, therefore, struck out the former section, and omitted from the schedule the statute (13 Eliz., cap. 5) dealing with such cases.

15. The Lieutenant-Governor of the Panjáb has suggested that the powers conferred by the Bill on a principal Civil Court of Original Jurisdiction should be exerciseable only by such officers as may be specially empowered in that behalf by the Local Government. We are however of opinion that the adoption of this proposal might lead to heart-burning in the case of judges not so empowered, and would certainly cause inconvenience to the public, as, without referring to the notifications in the Gazette, it would be impossible to know what Courts were, or were not, competent to exercise powers under the Act. Moreover, District Judges are now empowered, under the Indian Companies Act, 1866, to wind up companies and have also jurisdiction under the Divorce Act. As the Legislature has deemed them competent to perform these important functions, we cannot hold them incompetent to exercise the much less difficult and delicate jurisdiction conferred by the Trusts Bill. For these reasons we have not accepted His Honour's suggestion.

16. It will be seen that we have left the Bill in substance as it was settled by the Indian Law Commission. We recommend that it be passed as now amended, but it should first be republished in the *Gazette of India* with this report; and, in obedience to the orders of the Secretary of State, it must also be sent to him, published in the local Gazettes, and translated into the vernacular languages.

SIMLA:
The 6th July, 1881.

WHITLEY STOKES.
J. GIBBS.

SCHEDULE.

Endorsement of the Home Department, No. 188, dated 17th February, 1879, and enclosures [Papers No. 1].

Endorsement of the Government of the Panjáb, No. 630, dated 17th February, 1879, and enclosures [Papers No. 2.]

Endorsement of the Home Department, No. 214, dated 24th February, 1879, and enclosures [Papers No. 3].

Endorsement of the Home Department, No. 336, dated 18th March, 1879, and enclosures [Papers No. 4].

Endorsement of the Home Department, No. 448, dated 21st April, 1879, and enclosures [Papers No. 5].

From Resident at Haidarábád, to Home Department, No. 4, dated 17th April, 1879, [Paper No. 6].

From Government of Bengal, to Home Department, No. 2225, dated 6th May, 1879, and enclosures [Papers No. 7].

From Government of Bombay, to Home Department, No. 2523, dated 26th April, 1879, and enclosures [Papers No. 8.]

From Government of the North-Western Provinces and Oudh, to Home Department, No. 361, dated 9th May, 1879, and enclosures [Papers No. 9].

From Chief Commissioner, Central Provinces, to Home Department, No. 2115-100, dated 13th May 1879, and enclosures [Papers No. 10].

From Chief Commissioner, Mysore, to Home Department, No. 61, dated 25th April, 1879, and enclosures [Papers No. 11].

From Chief Commissioner, Mysore, to Home Department, No. 1490-J.6, dated 14th May, 1879, and enclosures [Papers No. 12].

From Government of the North-Western Provinces and Oudh, to Home Department, No. 420, dated 21st May, 1879, and enclosure [Papers No. 13].

From Government of the Panjáb, to Home Department, No. 169C., dated 9th June, 1879, and enclosures [Papers No. 14].

From Government of Bombay, to Home Department, No. 3084, dated 27th May, 1879, and enclosure [Papers No. 15].

From Government of Bombay, to Home Department, No. 3060, dated 26th May, 1879, and enclosure [Papers No. 16].

From Government of Madras, to Home Department, No. 1318, dated 6th June, 1880, and enclosures [Papers No. 17].

From Registrar, High Court, Calcutta, No. 1123, dated 27th June, 1880 [Paper No. 18].

Note by Pandit Lakshmí Náráyana, Pleader, High Court, North-Western Provinces, dated 12th July, 1879 [Paper No. 19].

From Government of the North-Western Provinces and Oudh, to Home, Revenue and Agricultural Department, No. 657, dated 28th July, 1879, and enclosure [Papers No. 20].

From Government of Madras, to Home, Revenue and Agricultural Department, No. 1755, dated 24th July, 1879, and enclosure [Papers No. 21].

From Chief Commissioner, Coorg, No. 1419-9, dated 3rd February, 1881, and enclosure [Papers No. 22].

From Resident at Haidarábád, No. 46, dated 4th February, 1881, and enclosure [Papers No. 23].

From Chief Commissioner, Ajmer-Merwára, No. 90, dated 5th February, 1881, and enclosure [Papers No. 24].

From Chief Commissioner, Central Provinces, No. $\frac{244}{10}$, dated 5th February, 1881, and enclosures [Papers No. 25].

From Government of Madras, No. 260, dated 3rd February, 1881, and enclosures [Papers No. 26].

From Chief Commissioner, Assam, No. 427, dated 17th February, 1881 [Paper No. 27].

From Government of Bengal, No. 876J., dated 23rd February, 1881, and enclosures [Papers No. 28].

From Chief Commissioner, Coorg, No. 1500-10, dated 22nd February, 1881, and enclosure [Papers No. 29].

From Chief Commissioner, British Burma, No. 1258-28, dated 23rd February, 1881, and enclosures [Papers No. 30].

From Government of Bombay, No. 1485, dated 5th March, 1881 [Paper No. 31].

From Government of the North-Western Provinces and Oudh, Nos. 262 and 302, dated respectively 4th and 16th April, 1881, and enclosures [Papers No. 32].

From Government of the Panjáb, No. 1539, dated 18th April, 1881, and enclosures [Papers No. 33].

From Government of Bombay, No. 3700, dated 13th June, 1881, and enclosure [Papers No. 34].

No. II.

THE INDIAN TRUSTS BILL, 1881.

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THE SCHEDULE.

No. II.

A Bill to define and amend the law relating to Private Trusts and Trustees.

WHEREAS it is expedient to define and amend the law relating to private trusts and trustees; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Indian Trusts Act, 1882": and it shall come into force on the first day of March, 1882. Short title. Commencement.

It extends in the first instance to the territories respectively administered by the Governor of Madras in Council, the Lieutenant-Governors of the North-West Provinces and the Panjáb, the Chief Commissioners of Oudh, the Central Provinces and Assam; and the Local Government may from time to time, by notification in the official Gazette, extend it to any other part of British India. But nothing herein contained affects the rules of Muhammadan law as to *waqf*, or the mutual relations of the members of an undivided family as determined by any customary or personal law, or applies to public or private religious or charitable endowments, or to trusts to distribute prizes taken in war among the captors; and nothing in the second chapter of this Act applies to trusts created before the said day. Local extent. Savings.

As to family religious trusts, 10 Beng. 19: Norton, II, 406. As to Pagoda trustees, see 1 Mad. 415: 7 Mad. 77: Act XX of 1863.

2. On and from that day the Statute and Acts mentioned in the Schedule hereto annexed shall be repealed to the extent therein mentioned. Repeal of enactments.

Property purchased in name of an idol, 15 Beng. 176.

3. A "trust" is an obligation annexed to the ownership of property, and arising out of a confidence reposed in and accepted by the owner, or declared and accepted by him, for the benefit of another, or of another and the owner: Interpretation-clause. "trust":

the person who reposes or declares the confidence is called the "author of the trust": the person who accepts the confidence is called the "trustee": the person for whose benefit the confidence is accepted is called the "beneficiary": the subject-matter of the trust is called "trust-property" or "trust-money": the "beneficial interest" or interest of the beneficiary is his right against the trustee as owner of the trust-property; and the instrument, if any, by which the trust is declared is called the "instrument of trust": "author of the trust": "trustee": "beneficiary": "trust-property": "instrument of trust":

a breach of any duty imposed on a trustee, as such, by any law for the time being in force is called a "breach of trust": "breach of trust":

and in this Act, unless there be something repugnant in the subject or context, "registered" means registered under the law for the registration of documents for the time being in force: a person is said to have "notice" of a fact either when he actually knows that fact or when, but for wilful abstention from inquiry or gross negligence, he would have known it, or when information of the fact is given to or obtained by his agent under the circumstances mentioned in the Indian Contract Act, 1872, section 229; and all expressions used herein and defined in the Indian Contract Act, 1872, shall be deemed to have the meanings respectively attributed to them by that Act. "registered": "notice." Expressions defined in Act IX of 1872.

CHAPTER II.

OF THE CREATION OF TRUSTS.

4. A trust may be created for any lawful purpose. The purpose of a trust is lawful unless it is (*a*) forbidden by law, or (*b*) is of such a nature that, if permitted, it would defeat the provisions of any law, or (*c*) is fraudulent, or (*d*) involves or implies injury to the person or property of another, or (*e*) the Court regards it as immoral or opposed to public policy. Lawful purpose.

Every trust of which the purpose is unlawful is void. And where a trust is created for two purposes, of which one is lawful and the other unlawful, and the two purposes cannot be separated, the whole trust is void.

Explanation.—In this section, the expression "law" includes, where the trust-property is immoveable and situate in a foreign country, the law of such country.

See *Nelson* v. *Bridport*, 8 Beav. 547.

Illustrations.

(*a*) A conveys property to B in trust to apply the profits to the nurture of female foundlings to be trained up as prostitutes. The trust is void.

(*b*) A bequeathes property to B in trust for C for his life, and after his death to D for his life, and after D's death to such of the sons of D as shall first attain the age of twenty-five. A, B, C and D are persons to whom the Indian Succession Act, 1865, applies. The trust after D's death is void. Act X of 1865, s. 101.

(*c*) A bequeathes property to B in trust to employ it in carrying on a smuggling business, and out of the profits thereof to support A's children. The trust is void.

(*d*) A, while in insolvent circumstances, transfers property to B in trust for A during his life, and after his death for B. A is declared an insolvent. The trust for A is invalid as against his creditors.

5. No trust in relation to immoveable property is valid unless declared by a non-testamentary instrument in writing signed by the author of the trust or the trustee and registered, or by the will of the author of the trust or of the trustee. Trust of immoveable property.

No trust in relation to moveable property is valid unless declared aforesaid, or unless the ownership of the property is transferred to the trustee. Trust of moveable property.

These rules do not apply where they would operate so as to effectuate a fraud.

6. Subject to the provisions of section five, a trust is created when the author of the trust indicates with reasonable certainty by any words or acts (*a*) an intention on his part to create thereby a trust, (*b*) the purpose of the trust, (*c*) the beneficiary, and (*d*) the trust-property, and (unless the trust is declared by will or the author of the trust is himself to be the trustee) transfers the trust-property to the trustee. Creation of trust.

Illustrations.

(*a*) A bequeathes certain property to B, "having the fullest confidence that he will dispose of it for the benefit of" C. This creates a trust so far as regards A and C.

(*b*) A bequeathes certain property to B, "hoping he will continue it in the family." This does not create a trust, as the beneficiary is not indicated with reasonable certainty.

(*c*) A bequeathes certain property to B, requesting him to distribute it amongst such members of C's family as B should think most deserving. This does not create a trust, for the beneficiaries are not indicated with reasonable certainty.

(*d*) A bequeathes certain property to B, desiring him to divide the bulk of it among C's children. This does not create a trust, for the trust-property is not indicated with sufficient certainty.

(*e*) A bequeathes a shop and stock-in-trade to B, on condition that he pays A's debts and a legacy to C. This is a condition, not a trust for A's creditors and C.

7. A trust may be created— Who may create trusts.

(*a*) by every person competent to contract, and

their subordinates their trustees. Perpetuity, 14 Beng. 175.

Cf. Act IX of 1872, ss. 11 & 12.

(*b*) with the permission of a principal Civil Court of original jurisdiction, by or on behalf a minor;

but subject in each case to the law for the time being in force as to the circumstances and extent in and to which the author of the trust may dispose of the trust-property.

8. The subject-matter of a trust must be property transferable to the beneficiary.

Subject of trust.

It must not be a merely beneficial interest under a subsisting trust.

9. Every person capable of holding property may be a beneficiary.

Who may be beneficiary.

A proposed beneficiary may renounce his interest under the trust by disclaimer addressed to the trustee, or by setting up, with notice of the trust, a claim inconsistent therewith.

Disclaimer by beneficiary.

Act IX of 1872, s. 11.

10. Every person capable of holding property may be a trustee; but where the trust involves the exercise of discretion, he cannot execute it unless he is competent to contract.

Who may be trustee.

No one is bound to accept a trust.

No one bound to accept trust.

A trust is accepted by any words or acts of the trustee indicating with reasonable certainty such acceptance.

Acceptance of trust.

Instead of accepting a trust, the intended trustee may, within a reasonable period, disclaim it, and such disclaimer shall prevent the trust-property from vesting in him.

Disclaimer of trust.

A disclaimer by one of two or more co-trustees vests the trust-property in the other or others and makes him or them sole trustee or trustees from the date of the creation of the trust.

Illustrations.

(*a*) A bequeathes certain property to B and C, his executors, as trustees for D. B and C prove A's will. This is in itself an acceptance of the trust, and B and C hold the property in trust for D.

(*b*) A transfers certain property to B in trust to sell it and to pay out of the proceeds A's debts. B accepts the trust and sells the property. So far as regards B, a trust of the proceeds is created for A's creditors.

(*c*) A bequeathes a lákh of rupees to B upon certain trusts and appoints him his executor. B severs the lákh from the general assets and appropriates it to the specific purpose. This is an acceptance of the trust.

CHAPTER III.

OF THE DUTIES AND LIABILITIES OF TRUSTEES.

11. The trustee is bound to fulfil the purpose of the trust, and to obey the directions of the author of the trust given at the time of its creation, except as modified by the consent of all the beneficiaries being competent to contract.

Trustee to execute trust.

Where the beneficiary is incompetent to contract, his consent may, for the purposes of this section, be given by a principal Civil Court of original jurisdiction.

Nothing in this section shall be deemed to require a trustee to obey any direction when to do so would be impracticable, illegal or manifestly injurious to the beneficiaries.

Explanation.—Unless a contrary intention be expressed, the purpose of a trust for the payment of debts shall be deemed to be (*a*) to pay only the debts of the author of the trust existing and recoverable at the date of the instrument of trust, or, when such instrument is a will, at the date of his death, and (*b*) in the case of debts not bearing interest, to make such payment without interest.

Illustrations.

(*a*) A, a trustee, is simply authorized to sell certain land by public auction. He cannot sell the land by private contract.

(*b*) A, a trustee of certain land for X, Y and Z, is authorized to sell the land to B for a specified sum. X, Y and Z, being competent to contract, consent that A may sell the land to C for a less sum. A may sell the land accordingly.

(*c*) A, a trustee for B and her children, is directed by the author of the trust to lend, on B's request, trust-property to B's husband, C, on the security of his bond. C becomes insolvent, and B requests A to make the loan. A may refuse to make it.

12. A trustee is bound to acquaint himself, as soon as possible, with the nature and circumstances of the trust-property; to obtain where necessary, a transfer of the trust-property to himself; and (subject to the provisions of the instrument of trust) to get in trust-moneys invested on insufficient or hazardous security.

Trustee to inform himself of state of trust-property.

Illustrations.

(*a*) The trust-property is a debt outstanding on personal security. The instrument of trust gives the trustee no discretionary power to leave the debt so outstanding. The trustee's duty is to recover the debt without unnecessary delay. 4 Moo. I. A. 452.

(*b*) The trust-property is money in the hands of one of two co-trustees. No discretionary power is given by the instrument of trust. The other co-trustee must not allow the former to retain the money for a longer period than the circumstances of the case require. *Bai Jadav* v. *Tribhuvandas*, 9 Bom. 383.

13. A trustee is bound to maintain and defend all such suits, and (subject to the provisions of the instrument of trust) to take such other steps as, regard being had to the nature and amount or value of the trust-property, may be reasonably requisite for the preservation of the trust-property and the assertion or protection of the title thereto.

Trustee to protect title to trust-property. Act I of 1877, s. 10, expl. 1.

Illustration.

The trust-property is immoveable property which has been given to the author of the trust by an unregistered instrument. Subject to the provisions of the Indian Registration Act, 1877, the trustee's duty is to cause the instrument to be registered.

14. The trustee must not for himself or another set-up or aid any title to the trust-property adverse to the interest of the beneficiary.

Trustee not to set-up title adverse to beneficiary.

15. A trustee is bound to deal with the trust-property as carefully as a man of ordinary prudence would deal with such property if it were his own; and, in the absence of a contract to the contrary, a trustee so dealing is not responsible for the loss, destruction or deterioration of the trust-property.

Care required from trustee. Act IX of 1872, ss. 151, 152.

Illustrations.

(*a*) A, living in Calcutta, is a trustee for B, living in Bombay. A remits trust-funds to B by bills drawn by a person of undoubted credit in favour of the trustee as such, and payable at Bombay. The bills are dishonoured. A is not bound to make good the loss.

(*b*) A, a trustee of leasehold property, directs the tenant to pay the rents on account of the trust to a banker, B, then in credit. The rents are accordingly paid to B, and A leaves the money with B only till wanted. Before the money is drawn out, B becomes insolvent. A, having had no reason to believe that B was in insolvent circumstances, is not bound to make good the loss.

(*c*) A, a trustee of two debts for B, releases one and compounds the other, in good faith, and reasonably believing that it is for B's interest to do so. A is not bound to make good any loss caused thereby to B.

(*d*) A, a trustee directed to sell the trust-property by auction, sells the same, but does not advertise the sale and otherwise fails in reasonable diligence in inviting competition. A is bound to make good the loss caused thereby to the beneficiary.

(*e*) A, a trustee for B, in execution of his trust, sells the trust-property, but from want of due diligence on his part fails to receive part of the purchase-money. A is bound to make good the loss thereby caused to B.

(*f*) A, a trustee for B of a policy of insurance, has funds in hand for payment of the premiums. A neglects to pay the premiums, and the policy is consequently forfeited. A is bound to make good the loss to B.

(*g*) A bequeathes certain monies to B and C as trustees and authorizes them to continue trust-moneys upon the personal security of a certain firm in which A had himself invested them. A dies, and a change takes place in the firm. B and C must not permit the monies to remain upon the personal security of the new firm.

(*h*) A, a trustee for B, allows the trust to be executed solely by his co-trustee, C. C misapplies the trust-property. A is personally answerable for the loss resulting to B.

16. Where the trust is created for the benefit of several persons in succession, and the trust-property is of a wasting nature or a future or reversionary interest, the trustee is bound, unless an intention to the contrary may be inferred from the instrument of trust, to convert the property into property of a permanent and immediately profitable character.

Conversion of perishable property.

Illustrations.

(*a*) A bequeathes to B all his property in trust for C during his life, and on his death for D, and on D's death for E. A's property consists of three leasehold houses, and there is nothing in A's will to show that he intended the houses to be enjoyed in specie. B should sell the houses, and invest the proceeds in accordance with section twenty.

(*b*) A bequeathes to B his three leasehold houses in Calcutta and all the furniture therein in trust for C during his life, and on his death for D, and on D's death for E. Here an intention that the houses and furniture should be enjoyed in specie appears clearly, and B should not sell them.

17. Where there are more beneficiaries than one, the trustee is bound to be impartial, and must not execute the trust for the advantage of one at the expense of another.

Trustee to be impartial.

Where the trustee has a discretionary power, nothing in this section shall be deemed to authorize the Court to control the exercise reasonably and in good faith of such discretion.

Illustration.

A, a trustee for B, C and D, is empowered to choose between several specified modes of investing the trust-property. A in good faith chooses one of these modes. The Court will not interfere, although the result of the choice may be to vary the relative rights of B, C and D.

18. Where the trust is created for the benefit of several persons in succession and one of them is in possession of the trust-property, if he commits, or threatens to commit, any act which is destructive or permanently injurious thereto, the trustee is bound to take measures to prevent such act.

Trustee to prevent waste.

19. A trustee is bound (*a*) to keep clear and accurate accounts of the trust-property, and (*b*), at all reasonable times, at the request of the beneficiary, to furnish him with full and accurate information as to the amount and state of the trust-property.

Accounts and information.

20. Where the trust-property consists of money and cannot be applied immediately or at an early date to the purposes of the trust, the trustee is bound (subject to any direction contained in the instrument of trust) to invest the money on the following securities, and on no others:—

Investment of trust-money. Act XXVIII of 1866, ss. 5 and 32.

As to the necessity of some such provisions, see *DeSouza* v. *DeSouza*, 12 Bom. 184.

(*a*) in promissory notes, debentures, stock or other securities of the Government of India, or of the United Kingdom of Great Britain and Ireland; Cf. 23 & 24 Vic., c. 145, s. 25.

(*b*) in bonds, debentures and annuities charged by the Imperial Parliament on the revenues of India;

(*c*) in stock or debentures of, or shares in, Railway or other Companies the interest whereon shall have been guaranteed by the Secretary of State for India in Council; Cf. 32 & 33 Vic., c. 132, s. 2.

(*d*) in debentures or other securities for money issued by, or on behalf of, any municipal body under the authority of any Act of a legislature established in British India; Cf. 34 & 35 Vic., c. 47, s. 13.

(*e*) on a first mortgage of immoveable property situate in British India: Provided that the property is not a leasehold for a term of years and that the value of the property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the mortgage money; or

(*f*) on any other security expressly authorized by the instrument of trust, or by rule which the High Court may from time to time prescribe in this behalf.

Provided that, where there is a person competent to contract and entitled in possession to receive the income of the trust-property for his life, or for any greater estate, no investment on any security mentioned or referred to in clauses (*d*), (*e*) and (*f*) shall be made without his consent in writing.

21. Nothing in section twenty shall apply to investments made before this Act comes into force, or shall be deemed to preclude an investment on a mortgage of immoveable property already pledged as security for an advance under the Land Improvements Act, 1871, or, in case the trust-money does not exceed three thousand rupees, a deposit thereof in a Government Savings Bank.

Mortgage of land pledged to Government under Act XXVI of 1871.

Deposit in Government Savings Bank.

22. Where a trustee directed to sell within a specified time extends such time, the burden of proving, as between himself and the beneficiary, that the latter is not prejudiced by the extension lies upon the trustee, unless the extension has been authorized by a principal Civil Court of original jurisdiction.

Sale by trustee directed to sell within specified time.

Illustration.

A bequeathes property to B, directing him with all convenient speed and within five years to sell it, and apply the proceeds for the benefit of C. In the exercise of reason-

able discretion, B postpones the sale for six years. The sale is not thereby rendered invalid, but C, alleging that he has been injured by the postponement, institutes a suit against B to obtain compensation. In such suit the burden of proving that C has not been injured lies on B.

23. Where the trustee commits a breach of trust, he is liable to make good the loss which the trust-property or the beneficiary has thereby sustained, unless the beneficiary has by fraud induced the trustee to commit the breach, or the beneficiary being competent to contract, has himself, without coercion or undue influence having been brought to bear on him, concurred in the breach, or subsequently acquiesced therein, with full knowledge of the facts of the case and of his rights as against the trustee.

Liability for breach of trust.

A trustee committing a breach of trust is not liable to pay interest except in the following cases:—

(*a*) where he has actually received interest:

(*b*) where the breach consists in unreasonable delay in paying trust-money to the beneficiary:

(*c*) where the trustee ought to have received interest, but has not done so:

(*d*) where he may be fairly presumed to have received interest.

He is liable in case (*a*) to account for the interest actually received, and, in cases (*b*), (*c*) and (*d*), to account for simple interest at the rate of six per cent. per annum, unless the Court otherwise directs.

(*e*) Where the breach consists in failure to invest trust-money and to accumulate the interest or dividends thereon, he is liable to account for compound interest (with half-yearly rests) at the same rate.

(*f*) Where the breach consists in the employment of trust-property or the proceeds thereof in trade or business, he is liable to account, at the option of the beneficiary, either for compound interest (with half-yearly rests) at the same rate, or for the net profits made by such employment.

Illustrations.

(*a*) A trustee improperly leaves trust-property outstanding, and it is consequently lost: he is liable to make good the property lost, but he is not liable to pay interest thereon.

(*b*) A bequeathes a house to B in trust to sell it and pay the proceeds to C. B neglects to sell the house for a great length of time, whereby the house is deteriorated and its market price falls. B is answerable to C for the loss.

(*c*) A trustee is guilty of unreasonable delay in investing trust-money in accordance with section twenty, or in paying it to the beneficiary. The trustee is liable to pay interest thereon for the period of the delay.

(*d*) The duty of the trustee is to invest trust-money in any of the securities mentioned in section twenty, clause (*a*), (*b*), (*c*) or (*d*). Instead of so doing, he retains the money in his hands, He is liable, at the option of the beneficiary, to be charged either with the amount of the principal money and interest, or with the amount of such securities which he might have purchased with the trust-money when the investment should have been made, and the intermediate dividends and interest thereon.

(*e*) The instrument of trust directs the trustee to invest trust-money either in any of such securities or on mortgage of immoveable property. The trustee does neither. He is liable for the principal money and interest.

(*f*) The instrument of trust directs the trustee to invest trust-money in any of such securities and to accumulate the dividends thereon. The trustee disregards the direction. He is liable, at the option of the beneficiary, to be charged either with the amount of the principal money and compound interest, or with the amount of such securities which he might have purchased with the trust-money when the investment should have been made, together with the amount of the accumulation which would have arisen from a proper investment of the intermediate dividends.

(*g*) Trust-property is invested in one of the securities mentioned in section twenty, clause (*a*) (*b*), (*c*) or (*d*). The trustee sells such security for some purpose not authorized by the terms of the instrument of trust. He is liable, at the option of the beneficiary, either to replace the security with the intermediate dividends and interest thereon, or to account for the proceeds of the sale with interest thereon.

(*h*) The trust-property consists of land. The trustee sells the land to a purchaser for a consideration without notice of the trust. The trustee is liable, at the option of the beneficiary, to purchase other land of equal value to be settled upon the like trust, or to be charged with the proceeds of the sale with interest.

24. A trustee who is liable for a loss occasioned by a breach of trust in respect of one portion of the trust-property cannot set-off against his liability a gain which has accrued to another portion of the trust-property through another and distinct breach of trust.

No set-off allowed to trustee.

25. Where a trustee succeeds another, he is not, as such, liable for the acts or defaults of his predecessor.

Non-liability for predecessor's default.

26. Subject to the provisions of sections thirteen and fifteen, one trustee is not, as such, liable for a breach of trust committed by his co-trustee:

Non-liability for co-trustee's default.

Provided that, in the absence of an express declaration to the contrary in the instrument of trust, a trustee is so liable—

(*a*) where he has delivered trust-property to his co-trustee without seeing to its proper application; Act I of 1877, s. 54, ill. (b).

(*b*) where he allows his co-trustee to receive trust-property and fails to make due enquiry as to the co-trustee's dealings therewith, or allows him to retain it longer than the circumstances of the case reasonably require:

(*c*) where he becomes aware of a breach of trust committed or intended by his co-trustee, and either actively conceals it or does not within a reasonable time take proper steps to protect the beneficiary's interest.

A co-trustee who joins in signing a receipt for trust-property and proves that he has not received the same is not answerable, by reason of such signature only, for loss or misapplication of the property by his co-trustee.

Joining in receipt for conformity.

Illustration.

A bequeathes certain property to B and C, and directs them to sell it and invest the proceeds for the benefit of D. B and C accordingly sell the property, and the purchase-money is received by B and retained in his hands. C pays no attention to the matter for two years and then calls on B to make the investment. B is unable to do so, becomes insolvent, and the purchase-money is lost. C may be compelled to make good the amount.

27. Where co-trustees jointly commit a breach of trust, or where one of them by his neglect enables the other to commit a breach of trust, each is liable to the beneficiary for the whole of the loss occasioned by such breach.

Several liability of co-trustees.

But as between the trustees themselves, if one be less guilty than another and has had to refund the loss, the former may compel the latter, or his legal representative to the extent of the assets he has received, to make good such loss; and if all be equally guilty, any one or more of the trustees who has had to refund the loss may compel the others to contribute.

Contribution as between co-trustees.

Nothing in this section shall be deemed to authorize a trustee who has been guilty of fraud to institute a suit to compel contribution.

28. When any beneficiary's interest becomes vested in another person, and the trustee, not having notice of the vesting, pays or delivers trust-property to the person who would have been entitled thereto in the absence of such vesting, the trustee is not liable for the property so paid or delivered.

Non-liability of trustee paying without notice of transfer by beneficiary.

29. When the beneficiary's interest is forfeited or awarded by legal adjudication to Government, the trustee is bound to hold the trust-property to the extent of such interest for the benefit of such person in such manner as the Government may direct in this behalf.

Liability of trustee where beneficiary's interest is forfeited to Government.

30. Subject to the provisions of the instrument of trust and of sections twenty-three and twenty-six, trustees shall be respectively chargeable only for such moneys, stocks, funds and securities as they respectively actually receive, and shall not be answerable the one for the other of them, nor for any banker, broker or other person in whose hands any trust-property may be placed, nor for the insufficiency or deficiency of any stocks, funds or securities, nor otherwise for involuntary losses.

Act XXVIII of 1866, s. 37, shortened. See sections 15 & 26 *supra*.

Indemnity of trustees.

CHAPTER IV.

OF THE RIGHTS AND POWERS OF TRUSTEES.

31. A trustee is entitled to have in his possession the instrument of trust and all the documents of title (if any) relating solely to the trust-property.

Right to title-deeds.

32. Every trustee may reimburse himself, or pay or discharge out of the trust-property, all expenses properly incurred in or about the execution of the trust, or the realization, preservation or benefit of the trust-property, or the protection or support of the beneficiary.

Right to reimbursement of expenses.

If he pays such expenses out of his own pocket he has a first charge upon the trust-property for such expenses and interest thereon; but such charge (unless the expenses have been incurred with the sanction of a principal Civil Court of original jurisdiction) shall be enforced only by prohibiting any disposition of the trust-property without previous payment of such expenses and interest.

If the trust-property fail, the trustee is entitled to recover from the beneficiary personally on whose behalf he acted, and at whose request, expressed or implied, he made the payment, the amount of such expenses.

Where a trustee has by mistake made an over-payment to the beneficiary, he may reimburse the trust-property out of the beneficiary's interest. If such interest fail, the trustee is entitled to recover from the beneficiary personally the amount of such over-payment.

Right to be recouped for erroneous overpayment.

33. A person other than a trustee who has gained an advantage from a breach of trust must indemnify the trustee to the extent of the amount actually received by such person under the breach; and where he is a beneficiary the trustee has a charge on his interest for such amount.

Right to indemnity from gainer by breach of trust.

Nothing in this section shall be deemed to entitle a trustee to be indemnified who has, in committing the breach of trust, been guilty of fraud.

34. Any trustee may, without instituting a suit, apply by petition to a principal Civil Court of original jurisdiction for its opinion, advice or direction on any present questions respecting the management or administration of the trust-property other than questions of detail, difficulty or importance, not proper for summary disposal.

Act XXVIII of 1866, s. 43.

Right to apply to Court for opinion in management of trust-property.

A copy of such petition shall be served upon, and the hearing thereof may be attended by, such of the persons interested in the application as the Court thinks fit.

The trustee stating in good faith the facts in such petition and acting upon the opinion, advice or direction given by the Court shall be deemed, so far as regards his own responsibility, to have discharged his duty as such trustee in the subject-matter of the application.

The costs of every application under this section shall be in the discretion of the Court to which it is made.

35. When the duties of a trustee, as such, are completed, he is entitled to have the accounts of his administration of the trust-property examined and settled; and where nothing is due to the beneficiary under the trust, to an acknowledgment in writing to that effect.

Right to settlement of accounts.

36. In addition to the powers expressly conferred by this Act and by the instrument of trust, and subject to the restrictions, if any, contained in such instrument, and to the provisions of section seventeen, a trustee may do all acts which are reasonable and proper for the realization, protection or benefit of the trust-property, and for the protection or support of a beneficiary who is not competent to contract.

General authority of trustee.

Every trustee in the actual possession or receipt of the rents and profits of land as defined in the Land Improvement Act, 1871, shall, for the purposes of that Act, be deemed to be a landlord in possession.

27 & 28 Vic. c. 114.

Except with the permission of a principal Civil Court of original jurisdiction, no trustee shall lease trust-property for a term exceeding twenty-one years from the date of executing the lease, nor without reserving the best yearly rent that can be reasonably gotten.

37. Where the trustee is empowered to sell any trust-property, he may sell the same either together or in lots, and either by public auction or private contract, and either at one time or at several times, unless the instrument of trust otherwise directs.

Act XXVIII of 1866, s. 2, extended to moveables.

Power to sell in lots, and either by public auction or private contract.

38. The trustee making any such sale may insert such reasonable stipulations either as to title or evidence of title, or otherwise, in any conditions of sale or contract for sale, as he thinks fit; and may also

Act XXVIII of 1866, s. 3.

Power to sell under special conditions.

buy-in the property or any part thereof at any sale by auction, and rescind or vary any contract for sale, and re-sell the property so bought in, or as to which the contract is so rescinded, without being responsible to the beneficiary for any loss occasioned thereby.

Power to buy-in and re-sell.

Where a trustee is directed to sell trust-property or to invest trust-money in the purchase of property, he may exercise a reasonable discretion as to the time of effecting the sale or purchase.

Time allowed for selling trust-property.

Illustrations.

(*a*) A bequeathes property to B, directing him to sell it with all convenient speed and pay the proceeds to C. This does not render an immediate sale imperative.

(*b*) A bequeathes property to B, directing him to sell it at such time and in such manner as he shall think fit and invest the proceeds for the benefit of C. This does not authorize B, as between him and C, to postpone the sale to an indefinite period.

Act XXVIII of 1866, s. 4.

39. For the purpose of completing any such sale, the trustee shall have power to convey or otherwise dispose of the property sold in such manner as may be necessary.

Power to convey.

Act XXVIII of 1866, s. 32.

40. A trustee may, at his discretion, call in any trust-property invested in any security and invest the same on any of the securities mentioned in section twenty, and from time to time vary any such investments for others of the same nature:

Power to vary investments.

Provided that, where there is a person competent to contract and entitled at the time to receive the income of the trust-property for his life, or for any greater estate, no such change of investment shall be made without his consent in writing.

Act XXVIII of 1866, s. 33.

41. Where any property is held by a trustee in trust for a minor, such trustee may, at his discretion, pay to the guardians (if any) of such minor, or otherwise apply for or towards his maintenance or education or advancement in life, or the reasonable expenses of his marriage or funeral, the whole or any part of the income to which he may be entitled in respect of such property; and such trustee shall accumulate all the residue of such income by way of compound interest, by investing the same and the resulting income thereof from time to time in any of the securities mentioned or referred to in section twenty, for the benefit of the person who shall ultimately become entitled to the property from which such accumulations have arisen: Provided that such trustee may, at any time, if he thinks fit, apply the whole or any part of such accumulations as if the same were part of the income arising in the then current year.

Power to apply property of minors, &c., for their maintenance, &c.

Where the income of the trust-property is insufficient for the minor's maintenance or education or advancement in life, or the reasonable expenses of his marriage or funeral, the trustee may, with the permission of a principal Civil Court of original jurisdiction, but not otherwise, apply the whole or any part of such property for or towards such maintenance, education, advancement or expenses.

See Acts XL of 1858, XX of 1864 and XIII of 1874.

Nothing in this section shall be deemed to affect the provisions of any local law for the time being in force relating to the persons and property of minors.

42. A trustee may give a receipt in writing for any money paid or property transferred to him by reason or in the exercise of any trust reposed in him, and, in the absence of fraud, such receipt shall discharge the person paying or transferring the same therefrom, and from seeing to the application thereof or being accountable for any loss or misapplication thereof.

Act XXVIII of 1866, s. 36, shortened.

Power to give receipts.

43. When an authority to deal with the trust-property is given to several trustees and one of them disclaims or dies, the authority may be exercised by the continuing trustees, unless from the terms of the instrument of trust it is apparent that the authority is to be exercised by a number in excess of the number of the remaining trustees.

Power to several trustees of whom one disclaims or dies.

44. Where a decree has been made in a suit for the execution of a trust, the trustee must not exercise any of his powers except in conformity with such decree, or with the sanction of the Court by which the decree has been made, or, where an appeal against the decree is pending, of the Appellate Court.

Suspension of trustee's powers by decree.

CHAPTER V.

OF THE DISABILITIES OF TRUSTEES.

45. A trustee who has accepted the trust cannot afterwards renounce it except (*a*) with the permission of a principal Civil Court of original jurisdiction, or (*b*), if the beneficiary is competent to contract, with his consent, or (*c*) by virtue of a special power in the instrument of trust.

Trustee cannot renounce after acceptance.

46. A trustee cannot delegate his office or any of his duties either to a co-trustee or to a stranger, unless (*a*) the instrument of trust so provides, or (*b*) the delegation is in the regular course of business, or (*c*) the delegation is necessary, or (*d*) the beneficiary, being competent to contract, consents to the delegation.

3 Calc. Rep.

Trustee cannot delegate.

Explanation.—The appointment of an attorney or proxy to do an act merely ministerial and involving no independent discretion is not a delegation within the meaning of this section.

Illustrations.

(*a*) A bequeathes certain property to B and C on certain trusts to be executed by them or the survivor of them or the assigns of such survivor. B dies. C may bequeath the trust-property to D and E upon the trusts of A's will.

(*b*) A is a trustee of certain property with power to sell the same. A may employ an auctioneer to effect the sale.

(*c*) A bequeathes to B fifty houses let at monthly rents in trust to collect the rents and pay them to C. B may employ a proper person to collect these rents.

47. When there are more trustees than one, all must join in the execution of the trust, except where the instrument of trust otherwise provides.

Co-trustees cannot act singly.

48. Where a discretionary power conferred on a trustee is not exercised reasonably and in good faith, such power may be controlled by a principal Civil Court of original jurisdiction.

Control of discretionary power.

6 Beng. 278.

49. In the absence of express directions to the contrary contained in the instrument of trust or of a contract to the contrary entered into with the beneficiary or the Court at the time of accepting the trust, a trustee has no right to remuneration for his trouble, skill and loss of time in executing the trust.

Trustee may not charge for services.

As to them, see Acts XVII of 1864, II of 1874, XX of 1858, and XX of 1864.

Nothing in this section applies to any Official Trustee, Administrator General, Public Curator, or person holding a certificate of administration.

50. A trustee may not use or deal with the trust-property for his own profit or for any other purpose unconnected with the trust.

Trustee may not use trust-property for his own profit.

51. No trustee whose duty it is to sell trust-property, and no agent employed by such trustee for the purpose of the sale, may, directly or indirectly, buy the same or any interest therein, on his own account or as agent for a third person.

Trustee for sale or his agent may not buy.

52. No trustee, and no person who has recently ceased to be a trustee, may, without the permission of a principal Civil Court of original jurisdiction, buy or become mortgagee or lessee of the trust-property or any part thereof; and such permission shall not be given unless the proposed purchase, mortgage or lease is manifestly for the advantage of the beneficiary.

Trustee may not buy beneficiary's interest without permission.

And no trustee whose duty it is to buy or to obtain a mortgage or lease of particular property for the beneficiary may buy it, or obtain a mortgage or lease of it, for himself.

Trustee for purchase.

53. A trustee or co-trustee whose duty it is to invest trust-money on mortgage or personal security must not invest it on a mortgage by, or on the personal security of, himself or one of his co-trustees.

Co-trustees may not lend to one of themselves.

CHAPTER VI.

OF THE RIGHTS AND LIABILITIES OF THE BENEFICIARY.

Lewin 576, 585.

54. The beneficiary has, subject to the provisions of the instrument of trust, a right to the rents and profits of the trust-property.

Rights to rents and profits.

Act I of 1877, s. 12, cl. (*a*).

55. The beneficiary is entitled to have the intention of the author of the trust specifically executed to the extent of the beneficiary's interest;

Right to specific execution.

and where there is only one beneficiary and he is competent to contract, or where there are several beneficiaries and they are competent to contract and all of one mind, he or they may require the trustee to transfer the trust-property to him or them, or to such person as he or they may direct.

3 Beng. A. C. J. 409: 3 Beng. C. J. 92.

Right to transfer of possession.

When property has been transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in the second clause of this section applies to such property during her marriage.

Illustrations.

(*a*) Certain Government securities are given to trustees upon trust to accumulate the interest until A attains the age of 24, and then to transfer the gross amount to him. A on attaining majority may, as the person exclusively interested in the trust-property, require the trustees to transfer it immediately to him.

(*b*) A bequeathes Rs. 10,000 to trustees upon trust to purchase an annuity for B, who has attained his majority and is otherwise competent to contract. B may claim the Rs. 10,000.

(*c*) A transfers certain property to B and directs him to sell or invest it for the benefit of C, who is competent to contract. C may elect to take the property in its original character.

56. The beneficiary has a right as against the trustee and all persons claiming under him with notice of the trust to inspect and take copies of the instrument of trust, the documents of title relating solely to the trust-property, the accounts of the trust-property and the vouchers (if any) by which they are supported, and the cases submitted and opinions taken by the trustee for his guidance in the discharge of his duty.

Right to inspect and take copies of instrument of trust, accounts, &c.

57. The beneficiary, if competent to contract, may transfer his interest, but subject to the law for the time being in force as to the circumstances and extent in and to which he may dispose of such interest:

Right to transfer beneficial interest.

Provided that when property is transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in this section shall authorize her to transfer such interest during her marriage.

58. Where no trustees are appointed or all the trustees die, disclaim or are discharged, or where for any other reason the execution of a trust by the trustees is or becomes impracticable, the beneficiary may institute a suit for the execution of the trust, and the trust shall, so far as may be possible, be executed by the Court until the appointment of a trustee or new trustee.

Right to sue for execution of trust.

59. The beneficiary has a right (subject to the provisions of the instrument of trust) that the trust-property shall be properly protected and held and administered by proper persons and by a proper number of such persons.

Right to proper trustees.

Explanation I.—The following are not proper persons within the meaning of this section:—

A person domiciled abroad: an alien enemy: a person having an interest inconsistent with that of the beneficiary: a person in insolvent circumstances; and, unless the personal law of the beneficiary allows otherwise, a married woman and a minor.

Explanation II.—When the administration of the trust involves the receipt and custody of money, the number of trustees should be two at least.

Illustrations.

(*a*) A, one of several beneficiaries, proves that B, the trustee, has improperly disposed of part of the trust-property, or that the property is in danger from B's being in insolvent circumstances, or that he is incapacitated from acting as trustee. A may obtain a receiver of the trust-property.

(*b*) A bequeathes certain jewels to B in trust for C. B dies during A's lifetime; then A dies. C is entitled to have the property conveyed to a trustee for him.

(*c*) A conveys certain property to four trustees in trust for B. Three of the trustees die. B may institute a suit to have three new trustees appointed in the place of the deceased trustees.

(*d*) A conveys certain property to three trustees in trust for B. All the trustees disclaim. B may institute a suit to have three trustees appointed in place of the trustees so disclaiming.

(*e*) A, a trustee for B, refuses to act, or goes to reside permanently out of British India, or is declared an insolvent or compounds with his creditors, or suffers a co-trustee to commit a breach of trust. B may institute a suit to have A removed and a new trustee appointed in his room.

60. The beneficiary has a right that his trustee shall be compelled to perform any particular act of his duty as such, and restrained from committing any contemplated or probable breach of trust.

Right to compel to any act of duty.

Illustrations.

(*a*) A contracts with B to pay him monthly Rs. 100 for the benefit of C. B writes and signs a letter declaring that he will hold in trust for C the money so to be paid. A fails to pay the money in accordance with his contract. C may compel B on a proper indemnity to allow C to sue on the contract in B's name.

(*b*) A is trustee of certain land, with a power to sell the same and pay the proceeds to B and C equally. A is about to make an improvident sale of the land. B may sue on behalf of himself and C for an injunction to restrain A from making the sale.

61. Where a trustee has wrongfully bought trust-property, the beneficiary has a right to have the property declared subject to the trust or retransferred by the trustee, if it remains in his hands unsold, or, if it has been bought from him by any person with notice of the trust, by such person. But in such case the beneficiary must repay the purchase-money paid by the trustee, with interest, and such other expenses (if any) as he has properly incurred in the preservation of the property; and the trustee or purchaser must (*a*) account for the net profits of the property, (*b*) be charged with an occupation-rent, if he has been in actual possession of the property, and (*c*) allow the beneficiary to deduct a proportionate part of the purchase-money if the property has been deteriorated by the acts or omissions of the trustee or purchaser.

Wrongful purchase by trustee.

Nothing in this section—

(*a*) impairs the rights of lessees and others who, before the institution of a suit to have the property declared subject to the trust or retransferred, have contracted in good faith with the trustee or purchaser; or

(*b*) entitles the beneficiary to have the property declared subject to the trust or retransferred where he, being competent to contract, has himself, without coercion or undue influence having been brought to bear on him, ratified the sale to the trustee with full knowledge of the facts of the case and of his rights as against the trustee.

62. Where trust property comes into the hands of a third person inconsistently with the trust, the beneficiary may require him to admit formally, or may institute a suit for a declaration, that the property is comprised in the trust.

Following trust-property—into the hands of third persons;

Where the trustee has disposed of trust-property and the money or other property which he has received therefor can be traced in his hands, or the hands of his legal representative or legatee, the beneficiary has, in respect thereof, rights as nearly as may be the same as his rights in respect of the original trust-property.

into the hands of persons into which it has been converted.

Illustrations.

(*a*) A, a trustee for B of Rs. 10,000, wrongfully invests the Rs. 10,000 in the purchase of certain land. B is entitled to the land.

(*b*) A, a trustee, wrongfully purchases land in his own name, partly with his own money, partly with money subject to a trust for B. B is entitled to a charge on the land for the amount of the trust-money so misemployed.

63. Nothing in section sixty-two entitles the beneficiary to any right in respect of property in the hands of—

Saving of rights of certain transferees.

As to movables, see Act IX of 1872, s. 108.

(*a*) a transferee in good faith for consideration without having notice of the trust, either when the purchase-money was paid, or when the conveyance was executed, or—

5 W. R. 120; W. R. 1864, p. 225.

(*b*) a transferee for consideration from such a transferee.

A judgment-creditor of the trustee attaching and purchasing trust-property is not a transferee for consideration within the meaning of this section.

Nothing in section sixty-two applies to money, currency notes and negotiable instruments in the hands of a *bonâ fide* holder to whom they have passed in circulation, or shall be deemed to affect the Indian Contract Act, 1872, section 108, or the liability of a person to whom a debt or charge is transferred.

64. Where a trustee wrongfully sells or otherwise transfers trust-property and afterwards himself becomes the owner of the property, the property again becomes subject to the trust, notwithstanding any want of notice on the part of intervening transferees in good faith for consideration.

Acquisition by trustee of trust-property wrongfully converted.

65. Where the trustee wrongfully mingles the trust-property with his own, the beneficiary is entitled to a charge on the whole fund for the amount due to him.

Right in case of blended property.

Cf. Contract Act, s. 157.

66. If a partner, being a trustee, wrongfully employs trust-property in the business or on the account of the partnership, no other partner is liable therefor in his personal capacity to the beneficiaries, unless he had notice of the breach of trust.

Wrongful employment by partner-trustee of trust-property for partnership purposes.

The partners having such notice are jointly and severally liable for the breach of trust.

Illustrations.

(*a*) A and B are partners. A dies, having bequeathed all his property to B in trust for Z, and appointed B his sole executor. B, instead of winding-up the affairs of the partnership, retains all the assets in the business. Z may compel him, as partner, to account for so much of the profits as are derived from A's share of the capital. B is also answerable to Z for the improper employment of A's assets.

(*b*) A, a trader, bequeaths his property to B in trust for C, appoints B his sole executor, and dies. B enters into partnership with X and Y in the same trade, and employs A's assets in the partnership-business. B gives an indemnity to X and Y against the claims of C. Here X and Y are jointly liable with B to C as having knowingly become parties to the breach of trust committed by B.

67. Where one of several beneficiaries—

Liability of beneficiary joining in breach of trust.

(*a*) joins in committing breach of trust, or

(*b*) knowingly obtains any advantage therefrom, without the consent of the other beneficiaries, or

(*c*) becomes aware of a breach of trust committed or intended to be committed, and either actually conceals it, or does not within a reasonable time take proper steps to protect the interests of the other beneficiaries, or

(*d*) has deceived the trustee and thereby induced him to commit a breach of trust,

the other beneficiaries are entitled to have all his beneficial interest impounded as against him and all who claim under him (otherwise than as transferees for consideration without notice of the breach) until the loss caused by the breach has been compensated.

When property has been transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in this section applies to such property during her marriage.

68. Every person to whom a beneficiary transfers his interest has the rights, and is subject to the liabilities, of the beneficiary in respect of such interest at the date of the transfer.

Rights and liabilities of beneficiary's transferee.

CHAPTER VII.

OF VACATING THE OFFICE OF TRUSTEE.

69. The office of a trustee is vacated by his death or by his discharge from his office.

Office how vacated.

Spence 630.

70. A trustee may be discharged from his office only as follows:—

Discharge of trustee.

(*a*) by the extinction of the trust;

(*b*) by the completion of his duties under the trust;

(*c*) by such means as may be prescribed by the instrument of trust;

Under express authority conferred by.

(*d*) by appointment under this Act of a new trustee in his place;

(*e*) by consent of himself and the beneficiary, or, where there are more beneficiaries than one, all the beneficiaries being competent to contract, or

(*f*) by the Court to which a petition for his discharge is presented under this Act.

71. Notwithstanding the provisions of section eleven, every trustee may apply by petition to a principal Civil Court of original jurisdiction to be discharged from his office; and, if the Court finds that there is sufficient reason for such discharge, it may discharge him accordingly, and direct his costs to be paid out of the trust-property. But where there is no such reason, the Court shall not discharge him, unless a proper person can be found to take his place.

Petition to be discharged from trust.

XXVIII 1866, s. 4.

24 Vic. 135, s. 27.

72. Whenever any person appointed a trustee disclaims, or any trustee dies, or is for a continuous period of six months absent from British India, or leaves British India for the purpose of residing abroad, or is declared an insolvent, or desires to be discharged from the trust, or refuses or becomes, in the opinion of a principal Civil Court of original jurisdiction, unfit or personally incapable to act in the trust, or accepts an inconsistent trust, a new trustee may be appointed in his place by—

Appointment of new trustees on death, &c.

(*a*) the person nominated for that purpose by the instrument of trust (if any), or

(*b*) if there be no such person, or no such person able and willing to act, the author of the trust if he be alive and competent to contract, or the surviving or continuing trustees or trustee for the time being, or legal representative of the last surviving and continuing trustee, or the retiring trustees, if they all retire simultaneously, or the last retiring trustee.

5 Beng. 184.

Every such appointment shall be by writing under the hand of the person making it.

The Official Trustee may, with his consent and by the order of the Court, be appointed under this section, in any case in which only one trustee is to be appointed and such trustee is to be the sole trustee.

For the purposes of this section, any refusing or retiring trustee shall, if willing to act in the execution of the power, be considered a continuing trustee.

73. Whenever any such vacancy or disqualification occurs and it is found impracticable to appoint a new trustee under section seventy-two, the beneficiary may, without instituting a suit, apply by petition to a principal Civil Court of original jurisdiction for the appointment of a trustee or a new trustee, and the Court may appoint a trustee or a new trustee accordingly.

Appointment by Court.

In appointing new trustees, the Court shall have regard (*a*) to the wishes of the author of the trust as expressed in or to be inferred from the instrument of trust; (*b*) to the wishes of the person, if any, empowered to appoint new trustees; (*c*) to the question whether the appointment will promote or impede the execution of the trust, and (*d*) where there are more beneficiaries than one, to the interests of all such beneficiaries.

Rule for selecting new trustees.

74. Whenever any new trustee is appointed under section seventy-two or section seventy-three, all the trust-property for the time being vested in the surviving or continuing trustees or trustee or in the legal representative of any trustee, shall become vested in such new trustee, either alone or jointly with the surviving or continuing trustee, or the legal representative of the last trustee (as the case may require).

Vesting of trust-property in new trustees.

Every new trustee so appointed, and every trustee appointed by a Court either before or after the passing of this Act, shall have the same powers, authorities and discretions, and shall in all respects act, as if he had been originally nominated a trustee by the author of the trust.

Powers of new trustees.

75. On the death or discharge of one of several co-trustees, the trust survives, and the trust property passes to the others, unless the instrument of trust expressly declares otherwise.

Survival of trust.

CHAPTER VIII.

OF THE EXTINCTION OF TRUSTS.

Trust how extinguished.

76. A trust is extinguished—

(*a*) when its purpose is completely fulfilled; or

(*b*) when its purpose becomes unlawful; or

(*c*) when the fulfilment of its purpose becomes impossible by destruction of the trust-property or otherwise; or

(*d*) when the trust, being revocable, is expressly revoked.

Revocation of trust.

77. A trust created by will may be revoked at the pleasure of the testator.

A trust otherwise created can be revoked only—

Jijibhai v. Sonabhai, 2 Bom. 139. N. W. P., 1870, p. 420.

(*a*) where all the beneficiaries are competent to contract—by their consent;

(*b*) where the trust has been declared by a non-testamentary instrument or by word of mouth—in exercise of a power of revocation expressly reserved to the author of the trust; or

(*c*) where the trust is for the payment of the debts of the author of the trust, and has not been communicated to the creditors—at the pleasure of the author of the trust.

Illustration.

A conveys property to B in trust to sell the same and pay out of the proceeds the claims of A's creditors. A reserves no power of revocation. If no communication has been made to the creditors, A may revoke the trust. But if the creditors are parties to the arrangement, the trust cannot be revoked without their consent.

Revocation not to defeat what trustees have duly done.

78. No trust can be revoked by the author of the trust so as to defeat or prejudice what the trustees may have duly done in execution of the trust.

CHAPTER IX.

OF CERTAIN OBLIGATIONS IN THE NATURE OF TRUSTS.

Where obligation in nature of trust is created.

79. An obligation in the nature of a trust is created in the following cases.

Where it does not appear that transferor intended to dispose of beneficial interest.

80. Where the owner of property transfers or bequeathes it and it cannot be inferred consistently with the attendant circumstances that he intended to dispose of the beneficial interest therein, the transferee or legatee must hold such property for the benefit of the owner or his legal representative.

Illustrations.

(*a*) A conveys land to B without consideration and declares no trust of any part. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in the land. B holds the land for the benefit of A.

(*b*) A conveys to B two fields, Y and Z, and declares a trust of Y, but says nothing about Z. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in Z. B holds Z for the benefit of A.

(*c*) A transfers certain stock into the joint names of himself and B. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in the stock during his life. B must hold the stock for the benefit of A during his life.

(*d*) A makes a gift of certain land to his wife B. She takes the beneficial interest in the land free from any trust in favour of A, for it may be inferred from the circumstances that the gift was for B's benefit.

Transfer to one for consideration paid by another.

81. Where property is transferred to one person for a consideration paid or provided by another person, and it appears that such other person did not intend to pay or provide such consideration for the benefit of the transferee, the transferee must hold the property for the benefit of the person paying or providing the consideration.

Nothing in this section shall be deemed to affect the Code of Civil Procedure, section 317, or Act No. XI of 1859 (*to improve the law relating to sales of land for arrears of revenue in the Lower Provinces under the Bengal Presidency*), section 36.

Trust incapable of execution or executed without exhausting trust-property.

I. L. R. 2 Bom. 410.

82. Where a trust is incapable of being executed, or where the trust is completely executed without exhausting the trust-property, the trustee, in the absence of a direction to the contrary, must hold the trust-property, or so much thereof as is unexhausted, for the benefit of the author of the trust or his legal representative.

Illustrations.

(*a*) A conveys certain land to B—
"upon trust," and no trust is declared, or
"upon trust to be thereafter declared," and no such declaration is ever made; or
upon trusts that are too vague to be executed;
upon trusts that become incapable of taking effect; or
"in trust for C," and C renounces his interest under the trust.

In each of these cases B holds the land for the benefit of A.

(*b*) A transfers Rs. 10,000 in the four per cents. to B, in trust to pay the interest annually accruing due to C for her life. A dies. Then C dies. B holds the fund for the benefit of A's legal representative.

(*c*) A conveys land to B upon trust to sell it and apply one moiety of the proceeds for certain charitable purposes and the other for the maintenance of the worship of an idol. B sells the land, but the charitable purposes wholly fail, and the maintenance of the worship does not exhaust the second moiety of the proceeds. B holds the first moiety and the part unapplied of the second moiety for the benefit of A or his legal representative.

(*d*) A bequeathes Rs. 10,000 to B, to be laid out in buying land to be conveyed for purposes which either wholly or partially fail to take effect. B holds for the benefit of A's legal representative the undisposed of interest in the money or land if purchased.

Transfer for illegal purpose.

83. Where the owner of property transfers it to another for an illegal purpose and such purpose is not carried into execution, or the transferor is not as guilty as the transferee, or the effect of permitting the transferee to retain the property might be to defeat the provisions of any law, the transferee must hold the property for the benefit of the transferor.

Bequest for illegal purpose.

84. Where a testator bequeathes certain property upon trust and the purpose of the trust appears on the face of the will to be unlawful, or during the testator's lifetime the legatee agrees with him to apply the property for an unlawful purpose, the legatee must hold the property for the benefit of the testator's legal representative.

Bequest of which revocation is prevented by coercion.

Where property is bequeathed and the revocation of the bequest is prevented by coercion, the legatee must hold the property for the benefit of the testator's legal representative.

See Act I of 1877, s. 35.

85. Where property is transferred in pursuance of a contract which is liable to rescission or induced by fraud or mistake, the transferee must, on receiving notice to that effect, hold the property for the benefit of the transferor, subject to repayment by the latter of the consideration actually paid.

Transfer pursuant to rescindible contract.

86. Where a debtor becomes the executor or other legal representative of his creditor, he must hold the debt for the benefit of the persons interested therein.

Debtor becoming creditor's representative.

Act I of 1877, s. 3, ills. (b), (c), (e), (f); L. R. 2 Ind. App. 18.

87. Where a trustee, executor, partner, agent, director of a company, legal adviser, or other person bound in a fiduciary character to protect the interests of another person, by availing himself of his character, gains for himself any pecuniary advantage, or where any person so bound enters into any dealings under circumstances in which his own interests are, or may be, adverse to those of such other person and thereby gains for himself a pecuniary advantage, he must hold for the benefit of such other person the advantage so gained.

Advantage gained by fiduciary.

Illustrations.

(*a*) A, an executor, buys at an undervalue from B, a legatee, his claim under the will. B is ignorant of the value of the bequest. A must hold for the benefit of B the difference between the price and value.

(*b*) A, a trustee, uses the trust-property for the purpose of his own business. A holds for the benefit of his beneficiary the profits arising from such user.

(*c*) A, a trustee, retires from his trust in consideration of his successor paying him a sum of money. A holds such money for the benefit of his beneficiary.

(*d*) A, a partner, buys land in his own name with funds belonging to the partnership. A holds such land for the benefit of the partnership.

(*e*) A, a partner, employed on behalf of himself and his co-partners in negotiating the terms of a lease, clandestinely stipulates with the lessor for payment to himself of a lákh of rupees. A holds the lákh for the benefit of the partnership.

(*f*) A and B are partners. A dies. B, instead of winding up the affairs of the partnership, retains all the assets in the business. B must account to A's legal representative for the profits arising from A's share of the capital.

(*g*) A, an agent employed to obtain a lease for B, obtains the lease for himself. A holds the lease for the benefit of B.

(*h*) A, a guardian, buys up for himself incumbrances on his ward B's estate at an undervalue. A holds for the benefit of B the incumbrances so bought, and can only charge him with what he has actually paid.

88. Where by the exercise of undue influence any advantage is gained in derogation of the interests of another, the person gaining such advantage without consideration or with notice that such influence has been exercised must hold the advantage for the benefit of the person whose interests have been so prejudiced.

Advantage gained by exercise of undue influence.

89. Where a tenant for life, co-owner, mortgagee or other qualified owner of any property, by availing himself of his position as such, gains an advantage in derogation of the rights of the other persons interested in the property, or where any such owner, as representing all persons interested in such property, gains any advantage, he must hold, for the benefit of all persons so interested, the advantage so gained, but subject to repayment by such persons of their due share of the expenses properly incurred, and to an indemnity by the same persons against liabilities properly contracted, in gaining such advantage.

Advantage gained by qualified owner.

Illustrations.

(*a*) A, the tenant for life of leasehold property, renews the lease in his own name and for his own benefit. A holds the renewed lease for the benefit of all those interested in the old lease.

(*b*) A village belongs to a Hindú family. A, one of its members, pays nazrána to Government and thereby procures his name to be entered as the inámdár of the village. A holds the village for the benefit of himself and the other members.

(*c*) A mortgages land to B, who enters into possession. B allows the Government revenue to fall into arrear with a view to the land being put up for sale and his becoming himself the purchaser of it. The land is accordingly sold to B. Subject to the repayment of the amount due on the mortgage and of his expenses properly incurred as mortgagee, B holds the land for the benefit of A. 10 Moo. I. A. 322: 14 Moo. I. A. 305.

90. Where a person acquires property with notice that another person has entered into an existing contract affecting that property, of which specific performance could be enforced, the former must hold the property for the benefit of the latter to the extent necessary to give effect to the contract. Act I of 1877, s. 3, ills. (*g*), (*h*).

Property acquired with notice of existing contract.

91. Where a person contracts to buy property to be held on trust for certain beneficiaries and buys the property accordingly, he must hold the property for their benefit to the extent necessary to give effect to the contract.

Purchase by person contracting to buy property to be held on trust.

92. Where creditors compound the debts due to them, and one of such creditors, by a secret arrangement with the debtor, gains an undue advantage over his co-creditors, he must hold for the benefit of such creditors the advantage so gained.

Advantage secretly gained by one of several compounding creditors.

93. In any case not coming within the scope of any of the preceding sections, where there is no trust, but the person having possession of property has not the whole beneficial interest therein, he must hold the property for the benefit of the persons having such interest, or the residue thereof (as the case may be), to the extent necessary to satisfy their just demands.

Constructive trusts in cases not expressly provided for.

Illustrations.

(*a*) A, an executor, distributes the assets of his testator B to the legatees without having paid the whole of B's debts. The legatees hold for the benefit of B's creditors, to the extent necessary to satisfy their just demands, the assets so distributed.

(*b*) A by mistake assumes the character of a trustee for B, and under colour of the trust receives certain moneys. B may compel him to account for such moneys.

(*c*) A makes a gift of a lákh of rupees to B, reserving to himself, with B's assent, power to revoke at pleasure the gift as to Rs. 10,000. The gift is void as to Rs. 10,000, and B holds that sum for the benefit of A.

94. The person holding property in accordance with any of the preceding sections of this chapter must, so far as may be, perform the same duties, and is subject, so far as may be, to the same liabilities and disabilities, as if he were a trustee of the property for the person for whose benefit he holds it:

Obligor's duties, liabilities and disabilities.

Provided that (*a*) where he rightfully cultivates the property or employs it in trade or business, he is entitled to reasonable remuneration for

his trouble, skill and loss of time in such cultivation or employment; and (*b*) where he holds the property by virtue of a contract with the person for whose benefit he holds it, or with any one through whom such person claims, he may, without the permission of the Court, buy or become lessee or mortgagee of the property or any part thereof.

Saving of rights of *bonâ fide* purchasers.

95. Nothing contained in this chapter shall impair the rights of transferees in good faith for consideration, or create an obligation in evasion of any law for the time being in force.

THE SCHEDULE.

STATUTE.

Year and chapter.	Short title.	Extent of repeal.
29 Car. II, c. 3 ...	The Statute of Frauds.	Sections 7, 8, 9, 10 and 11.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Short title.	Extent of repeal.
XXVIII of 1866 ...	The Trustees' and Mortgagees' Powers Act, 1866.	Sections 2, 3, 4, 5, 32, 33, 34, 35, 36 and 37. In sections 39 and 43, the word "trustee" wherever it occurs; and in section 43 the words "management or" and "the trust-property or."
I of 1877 ...	The Specific Relief Act, 1877.	In section 12, the first illustration.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July, 1881:—

WE, the undersigned Members of the Select Committee to which the Bill to define and amend the law relating to Easements and Licenses was referred, have the honour to report that we have considered the Bill, the portions of the report of the Indian Law Commission relating to the Bill, and the papers noted in the schedule annexed to this report.

2. As the Government of India does not wish to put the Bill in force in any territory against the wishes of the Local Government, we have made it apply, in the first instance, only to the Presidency of Madras, Coorg and the Central Provinces, and, as regards the rest of British India, made it extendible to such areas as the respective Local Governments think fit.

3. We have left out the section (5) relating to affirmative and negative easements, as its provisions were only required to explain the use of those terms in section 15, and it does not appear necessary to use them in that section.

4. In section 15, paragraph 2, which provides for the period within which a right to support can be acquired by prescription, we have inserted the words "as of right." We consider that this easement should not be acquired except in cases where the owner of the land from which the support is enjoyed has an opportunity of resisting its acquisition. No doubt, the natural secrecy of the enjoyment often makes it difficult to shew that the servient owner has been aware of the user. But where the dominant house is so constructed, or the manner of imposing the pressure is so manifest, that the servient owner may reasonably be held to have notice of the support, there seems no reason why this easement should not be acquired in the same manner as any other.

5. Paragraph 5 of section 15 of the Bill as introduced follows the existing law, as contained in section 26 of Act No. XV of 1877 (the Indian Limitation Act). It provides that the period of twenty years, the period fixed by the section for the acquisition of easements by prescription, shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested. The effect is that, in a suit in which the right to an easement is contested, the party claiming the easement must not only prove a twenty years' enjoyment, but must also prove that the enjoyment has continued till within two years next before the institution of the suit. This provision was necessary when the Indian Limitation Act was passed, because there was no law to regulate the extinction of easements by non-enjoyment; but now that section 49 of the Bill (section 47 of the Bill as amended) defines the law on this subject, the rule contained in paragraph 5 of section 15 appears to be no longer required, and we have therefore omitted it. This omission has the further advantage of rendering it unnecessary to apply the doctrine contained in the recent decision of the Privy Council in the case of *Raj Roop Koer* v. *Abdool Hossein*.

6. For explanation IV to section 15, we have substituted an illustration suggested by the case of *Angus* v. *Dalton*.

7. The provisions of clause (*b*), section 17, of the Bill as introduced contain a doctrine which is based on the theory of presumed grants—a theory not recognised by the Bill. We have therefore omitted this clause, and modified the explanation accordingly.

8. Section 35 of the Bill as introduced provides (in accordance with the decision in the case of *the St. Helen's Smelting Company*) that the fact that air or water is already polluted by a person who enjoys an easement of which the air or water is the subject does not give others the right to add to the pollution; and section 36 of the Bill as introduced declares that the continued disturbance of an easement, after compensation has been recovered for an original disturbance, gives a right to recover compensation for the continuance. We have omitted these sections, as the former does not seem likely to be of practical utility, and the latter contains an elementary rule which will more fitly find a place in a code of the law of torts.

9. We have redrawn section 45 (now 43) as to the extinction of an easement by changes in the dominant heritage, so as to express more clearly what we take to be the existing law on the subject.

10. We have also made a few verbal amendments, but the Bill in substance remains the same as settled by the Indian Law Commission. We do not see how it can be further shortened or simplified. We therefore recommend that it be passed as now amended, but that, in obedience to the orders of the Secretary of State for India, it be republished in the *Gazette of India* with this report; it must also be sent to the Secretary of State, published in the local Gazettes, and translated into the vernacular languages.

SIMLA;
The 6th July 1881.

WHITLEY STOKES.
J. GIBBS.

SCHEDULE.

Endorsement by the Home Department, No. 788, dated 25th June, 1878, and enclosures [Papers No. 1].

Endorsement by the Home Department, No. 789, dated 25th June, 1878, and enclosures [Papers No. 2].

Office Memorandum from the Home Department, No. 919, dated 18th July, 1878, and enclosures [Papers No. 3].

Endorsement by the Home Department, No. 951, dated 25th July, 1878, and enclosures [Papers Nos. 4 and 5].

Endorsement by the Home Department, No. 993, dated 5th August, 1878, and enclosures [Papers No. 6].

Endorsement by the Home Department, No. 1016, dated 8th August, 1878, and enclosures [Papers No. 7].

Endorsement by the Home Department, No. 1035, dated 12th August, 1878, and enclosures [Papers No. 8].

Endorsement by the Home Department, No. 1004, dated 7th August, 1878, and enclosures [Papers No. 9].

Endorsement by the Home Department, No. 1131, dated 24th August, 1878, and enclosures [Papers No. 10].

Endorsement by the Home Department, No. 1433, dated 17th October, 1878, and enclosures [Papers No. 11].

Endorsement by the Home Department, No. 1554, dated 26th November, 1878, and enclosures [Papers No. 12].

Endorsement by the Home Department, No. 239, dated 1st March, 1879, and enclosures [Papers No. 13].

From Resident at Haidarábád, to the Secretary to Government of India, Home Department, No. 1, dated 12th April, 1879 [Paper No. 14].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2123, dated 22nd April, 1879, and enclosures [Papers No. 15].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2522, dated 26th April, 1879, and enclosures [Papers No. 16].

From Resident at Haidarábád, to Officiating Secretary to Government of India, Home Department, No. 8, dated 23rd April, 1879, and enclosure [Papers No. 17].

From Chief Commissioner, Coorg, to Officiating Secretary to Government of India, Home Department, No. 60, dated 25th April, 1879 [Paper No. 18].

From Government of Bengal, to Secretary to Government of India, Home Department, No. 2222, dated 6th May, 1879, and enclosures [Papers No. 19].

From Chief Commissioner, Assam, to the Officiating Secretary to Government of India, Home Department, No. 732, dated 1st May, 1879 [Papers No. 20].

From Lakshmí Náráyana Pandit, Pleader, High Court, North-Western Provinces, dated 3rd May, 1879 [Paper No. 21].

From Chief Commissioner, Central Provinces, to Secretary to Government of India, Home Department, No. 1962-99, dated 30th April, 1879 [Paper No. 22].

From Chief Commissioner, Coorg, to Officiating Secretary to Government of India, Home Department, No. 115-5, dated 7th May, 1879, and enclosures [Papers No. 23].

From Government of the North-Western Provinces and Oudh, to Secretary to Government of India, Home Department, and enclosures [Papers No. 24].

From Chief Commissioner, British Burma, to Secretary to Government of India, Home Department, and enclosures [Papers No. 25].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2879, dated 17th May, 1879, and enclosure [Paper No. 26].

From Registrar, High Court, Calcutta, to the Secretary to Government of India, Home Department, No. 1121, dated 27th June, 1879, and enclosures [Papers No. 27].

From Chief Commissioner, British Burma, to Officiating Secretary to Government of India, Home Department, No. 657-247, dated 27th May, 1879, and enclosures [Papers No. 28].

From Government of the Panjáb, to the Officiating Secretary to Government of India, Home Department, No. 179C., dated 11th June, 1879, and enclosures [Papers No. 29].

From Government of the Panjáb, to the Secretary to Government of India, Home, Revenue and Agricultural Department, No. 436C., dated 18th July, 1879 [Paper No. 30].

Notes by Hon'ble T. H. Thornton, Judge, Chief Court, Panjáb, dated 25th May, 1878 [Papers No. 31].

From Chief Commissioner, Coorg, No. 1419-9, dated 3rd February, 1881, and enclosure [Papers No. 32].

From Resident at Haidarábád, No. 47, dated 4th February, 1881 [Paper No. 33].

From Chief Commissioner, Ajmer-Merwára, No. 91, dated 8th February, 1881, and enclosures [Papers No. 34].

From Government of Madras, No. 285, dated 7th February, 1881, and enclosures [Papers No. 35].

From Chief Commissioner, Central Provinces, No. 513A.-3, dated 15th February, 1881, and enclosures [Papers No. 36].

From Government of Bengal, No. 823J., dated 19th February, 1881, and enclosures [Papers No. 37].

From Chief Commissioner, Assam, No. 49T., dated 21st February, 1881, and enclosures [Papers No. 38].

From Government of Bombay, No. 1095, dated 19th February, 1881, and enclosures [Papers No. 39].

From Chief Commissioner, British Burma, No. 1263-1L., dated 23rd February, 1881, and enclosures [Papers No. 40].

From Registrar, High Court, Calcutta, No. 565, dated 11th March, 1881, and enclosures [Papers No. 41].

From Resident at Haidarábád, No. 92, dated 10th March, 1881, and enclosures [Papers No. 42].

From Government of the North-Western Provinces and Oudh, No. 462, dated 30th March, 1881, and enclosures [Papers No. 43].

From Government of the Panjáb, No. 1313, dated 3rd April, 1881, and enclosures [Papers No. 44].

From Government of Bombay, No. 3103, dated 17th May, 1881, and enclosures [Papers No. 45].

No. II.

THE INDIAN EASEMENTS BILL, 1881.

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No. II.

A Bill to define and amend the law relating to Easements and Licenses.

WHEREAS it is expedient to define and amend the law relating to Easements and Licenses; It is hereby enacted as follows:

Preamble.

PRELIMINARY.

Short title.

1. This Act may be called "The Indian Easements Act, 1882":

Local extent.

It extends in the first instance to the territories respectively administered by the Governor of Madras in Council and the Chief Commissioners of the Central Provinces and Coorg, and the Local Government may from time to time, by notification in the official Gazette, extend it to any other part of British India;

Commencement.

and it shall come into force on the first day of March 1882.

Savings.

2. Nothing herein contained shall be deemed to affect any law not hereby expressly repealed; or to derogate from—

(*a*) any right of the Government to regulate the collection, retention and distribution of the water of rivers and streams flowing in natural channels, and of natural lakes and ponds, or of the water flowing, collected, retained or distributed in or by any channel or other work constructed at the public expense for irrigation;

(*b*) any customary or other right (not being a license) in or over immoveable property which the Government, the public or any person may possess irrespective of other immoveable property; or

(*c*) any right acquired, or arising out of a relation created, before this Act comes into force.

Repeal of Act XV of 1877, sections 26 and 27.

3. Sections 26 and 27 of the Indian Limitation Act, 1877, and the definition of "easement" contained in that Act, are hereby repealed. All references to the said sections, or to sections 27 and 28 of Act No. IX of 1871, shall be read as made to sections fifteen and sixteen of this Act.

CHAPTER I.—OF EASEMENTS GENERALLY.

"Easement" defined.

4. An easement is a right which the owner or occupier of certain land possesses, as such, for the beneficial enjoyment of that land, to do and continue to do something, or to prevent and continue to prevent something being done, in or upon, or in respect of, certain other land not his own.

Dominant and servient heritages and owners.

The land for the beneficial enjoyment of which the right exists is called the dominant heritage, and the owner or occupier thereof the dominant owner; the land on which the liability is imposed is called the servient heritage, and the owner or occupier thereof the servient owner.

Explanation.—In the first and second clauses of this section, the expression "land" includes also things permanently attached to the earth: the expression "beneficial enjoyment" includes also possible convenience, remote advantage, and even a mere amenity; and the expression "to do something" includes removal and appropriation by the dominant owner, for the beneficial enjoyment of the dominant heritage, of any part of the soil of the servient heritage or anything growing or subsisting thereon.

Illustrations.

(*a*) A, as the owner of a certain house, has a right of way thither over his neighbour B's land for purposes connected with the beneficial enjoyment of the house. This is an easement.

(*b*) A, as the owner of a certain house, has the right to go on his neighbour B's land, and to take water for the purposes of his household out of a spring therein. This is an easement.

(*c*) A, as the owner of a certain house, has the right to conduct water from B's stream to supply the fountains in the garden attached to the house. This is an easement.

(*d*) A, as the owner of a certain house and farm, has the right to graze a certain number of his own cattle on B's field, or to take, for the purpose of being used in the house, by himself, his family, guests, lodgers and servants, water or fish out of C's tank, or timber out of D's wood, or to use, for the purpose of manuring his land, the leaves which have fallen from the trees on E's land. These are easements.

(*e*) A dedicates to the public the right to occupy the surface of certain land for the purpose of passing and repassing. This right is not an easement.

(*f*) A is bound to cleanse a watercourse running through his land and keep it free from obstruction for the benefit of B, a lower riparian owner. This is not an easement.

Continuous and discontinuous, apparent and non-apparent, easements.

5. Easements are either continuous or discontinuous, apparent or non-apparent.

A continuous easement is one whose exercise is or may be continual without the act of man.

A discontinuous easement is one that needs the act of man for its exercise.

Pyer v. *Carter*, 1 H. & N. 922.

An apparent easement is one that has some permanent sign of its existence, which, upon careful inspection by a competent person, would be visible to him.

A non-apparent easement is one that has no such sign.

Illustrations.

(*a*) A right annexed to B's house to receive light by the windows without obstruction by his neighbour A. This is a continuous easement.

(*b*) A right of way annexed to A's house over B's land. This is a discontinuous easement.

(*c*) Rights annexed to A's land to lead water thither across B's land by an aqueduct and to draw off water thence by a drain. The drain would be discovered upon careful inspection by a person conversant with such matters. These are apparent easements.

(*d*) A right annexed to A's house to prevent B from building on his own land. This is a non-apparent easement.

Easement for limited time or on condition.

6. An easement may be permanent, or for a term of years or other limited period, or subject to periodical interruption, or exercisable only at a certain place, or at certain times, or between certain hours, or for a particular purpose, or on condition that it shall commence or become void or voidable on the happening of a specified event or the performance or non-performance of a specified act.

Easements restrictive of certain rights.

7. Easements are restrictions of one or other of the following rights (namely):—

Exclusive right to enjoy.

(*a*) The exclusive right of every owner of immoveable property (subject to any law for the time being in force) to enjoy and dispose of the same and all products thereof and accessions thereto.

Rights to advantages arising from situation.

(*b*) The right of every owner of immoveable property (subject to any law for the time being in force) to enjoy without disturbance by another the natural advantages arising from its situation.

Illustrations of the rights above referred to.

(*a*) The exclusive right of every owner of land in a town to build thereon, subject to any municipal law for the time being in force.

(*b*) The right of every owner of land that the air passing thereto shall not be unreasonably polluted by other persons.

(*c*) The right of every owner of a house that his physical comfort shall not be interfered with materially and unreasonably by noise or vibration caused by any other person.

(*d*) The right of every owner of land to so much light and air as pass vertically thereto.

(*e*) The right of every owner of land that such land, in its natural condition, shall have the support naturally rendered by the subjacent soil of another person.

Explanation.—Land is in its natural condition when it is not excavated and not subjected to artificial pressure; and the "subjacent and adjacent soil" mentioned in this illustration means such soil only as in its natural condition would support the dominant heritage in its natural condition.

(*f*) The right of every owner of land that, within his own limits, the water which naturally passes or percolates by, over or through his land shall not, before so passing or percolating, be unreasonably polluted by other persons.

(*g*) The right of every owner of land to collect and dispose within his own limits of all water under the land and all water on its surface which does not pass in a defined channel. Marshall 506.

(*h*) The right of every owner of land that the water of every natural stream which passes by, through or over his land in a defined natural channel shall be allowed by other persons to flow within such owner's limits without interruption and without material alteration in quantity, direction, force or temperature; the right of every owner of land abutting on a natural lake or pond into or out of which a natural stream flows, that the water of such lake or pond shall be allowed by other persons to remain within such owner's limits without material alteration in quantity or temperature. L. R. 6 Ind. App. 33: 3 W. R. 218: 13 W. R. 48: 8 W. R. 535.

(*i*) The right of every owner of upper land that water naturally rising in, or falling on, such land, and not passing in defined channels, shall be allowed by the owner of adjacent lower land to run naturally thereto. 20 W. R. 287.

(*j*) The right of every owner of land abutting on a natural stream, lake or pond to use and consume its water for drinking, household purposes and watering his cattle and sheep; and the right of every such owner to use and consume the water for irrigating such land, and for the purposes of any manufactory situate thereon, provided that he does not thereby cause material injury to other like owners. 11 W. R. 254.

Explanation.—A natural stream is a stream, whether permanent or intermittent, tidal or tideless, on the surface of land or underground, which flows by the operation of nature only and in a natural and known course.

CHAPTER II.—THE IMPOSITION, ACQUISITION AND TRANSFER OF EASEMENTS.

Who may impose easements.

8. An easement may be imposed by any one in the circumstances, and to the extent in and to which he may transfer his interest in the heritage on which the liability is to be imposed.

Illustrations.

(*a*) A is tenant of B's land under a lease for an unexpired term of twenty years, and has power to transfer his interest under the lease. A may impose an easement on the land to continue during the time that the lease exists or for any shorter period.

(*b*) A is tenant for his life of certain land with remainder to B absolutely. A cannot, unless with B's consent, impose an easement thereon which will continue after the determination of his life-interest.

(*c*) A, B and C are co-owners of certain land. A cannot, without the consent of B and C impose an easement on the land or on any part thereof.

(*d*) A and B are lessees of the same lessor, A of a field X for a term of five years, and B of a field Y for a term of ten years. A's interest under his lease is transferable; B's is not. A may impose on X, in favour of B, a right of way terminable with A's lease.

(*e*) A is the trustee of certain land for the benefit of B. A cannot, without the consent of B, impose an easement on the trust property.

Servient owners.

9. Subject to the provisions of section eight, a servient owner may impose on the servient heritage any easement that does not lessen the utility of the existing easement. But he cannot, without the consent of the dominant owner, impose an easement on the servient heritage which would lessen such utility.

Illustrations.

(*a*) A has, in respect of his mill, a right to the uninterrupted flow thereto, from sunrise to noon, of the water of B's stream. B may grant to C the right to divert the water of the stream from noon to sunset: provided that A's supply is not thereby diminished.

(*b*) A has, in respect of his house, a right of way over B's land. B may grant to C, as the owner of a neighbouring farm, the right to feed his cattle on the grass growing on the way: provided that A's right of way is not thereby obstructed.

Lessor and mortgagor.

10. Subject to the provisions of section eight, a lessor may impose, on the property leased, any easement that does not derogate from the rights of the lessee as such, and a mortgagor may impose, on the property mortgaged, any easement that does not render the security insufficient. But a lessor or mortgagor cannot, without the consent of the lessee or mortgagee, impose any other easement on such property, unless it be to take effect on the termination of the lease or the redemption of the mortgage.

Explanation.—A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the amount for the time being due on the mortgage.

Lessee.

11. No lessee or other person having a derivative interest may impose on the property held by him as such an easement to take effect after the expiration of his own interest or in derogation of the right of the lessor or the superior proprietor.

Who may acquire easements.

12. An easement may be acquired by the owner of the immoveable property for the beneficial enjoyment of which the right is created, or on his behalf, by any person in possession of the same.

One of two or more co-owners of immoveable property may, as such, with or without the consent of the other or others, acquire an easement for the beneficial enjoyment of such property.

7 Mad. 64.

No lessee of immoveable property can acquire for the beneficial enjoyment of other immoveable property of his own an easement in or over the property comprised in his lease.

Easements of necessity and *quasi*-easements.

13. Where one person transfers or bequeathes immoveable property to another,—

Mayor of London v. *Fogg*, 49 L. J. Chan. Div. 297.

(*a*) if an easement in other immoveable property of the transferor or testator is absolutely necessary for enjoying the subject of the transfer or bequest, the transferee or legatee shall be entitled to such easement; or

Morgan v. *Kirby*, I. L. R. 2 Mad. 46.

(*b*) if such an easement is apparent and continuous and necessary for enjoying the said subject as it was enjoyed when the transfer or bequest took effect, the transferee or legatee shall, unless a different intention is expressed or necessarily implied, be entitled to such easement;

(*c*) if an easement in the subject of the transfer or bequest is absolutely necessary for enjoying other immoveable property of the transferor or testator, the transferor or the legal representative of the testator shall be entitled to such easement; or

(*d*) if such an easement is apparent and continuous and necessary for enjoying the said property as it was enjoyed when the transfer or bequest took effect, the transferor, or the legal representative of the testator, shall, unless a different intention is expressed or necessarily implied, be entitled to such easement.

Bom. 181.

Where a partition is made of the joint property of several persons,—

(*e*) if an easement over the share of one of them is absolutely necessary for enjoying the share of another of them, the latter shall be entitled to such easement, or

(*f*) if such an easement is apparent and continuous and necessary for enjoying the share of the latter as it was enjoyed when the partition took effect, he shall, unless a different intention is expressed or necessarily implied, be entitled to such easement.

The easements mentioned in this section, clauses (*a*), (*c*) and (*e*), are called easements of necessity.

Where immoveable property passes by operation of law, the persons from and to whom it so passes are, for the purpose of this section, to be deemed, respectively, the transferor and transferee.

Illustrations.

(*a*) A sells B a field then used for agricultural purposes only. It is inaccessible except by passing over A's adjoining land, or by trespassing on the land of a stranger. B is entitled to a right of way, for agricultural purposes only, over A's adjoining land to the field sold.

(*b*) A, the owner of two fields, sells one to B, and retains the other. The field retained was at the date of the sale used for agricultural purposes only and is inaccessible except by passing over the field sold to B. A is entitled to a right of way, for agricultural purposes only, over B's field to the field retained.

(*c*) A sells B a house with windows overlooking A's land, which A retains. The light which passes over A's land to the windows is necessary for enjoying the house as it was enjoyed when the grant took effect. B is entitled to the light, and A cannot afterwards obstruct it by building on his land.

(*d*) A sells B a house with windows overlooking A's land. The light passing over A's land to the windows is necessary for enjoying the house as it was enjoyed when the grant took effect. Afterwards A sells the land to C. Here C cannot obstruct the light by building on the land, for he takes it subject to the burdens to which it was subject in A's hand.

(*e*) A is the owner of a house and adjoining land. The house has windows overlooking the land. A simultaneously sells the house to B and the land to C. The light passing over the land is necessary for enjoying the house as it was enjoyed when the sale was made. Here A impliedly grants B a right to the light, and C takes the land subject to the restriction that he may not build so as to obstruct such light.

Contra England, *Allen* v. *Tagg*, 16, L. R. Ch. p. 353.

(*f*) A is the owner of a house and adjoining land. The house has windows overlooking the land. A, retaining the house, sells the land to B, without expressly reserving any easement. The light passing over the land is necessary for enjoying the house as it was enjoyed when the sale took effect. A is entitled to the light, and B cannot build on the land so as to obstruct such light.

(*g*) A sells B a factory. B is entitled, as against A, to pollute the air, when necessary, with smoke and vapours from the factory.

(*h*) A, the owner of two adjoining houses, Y and Z, sells Y to B, and retains Z. B is entitled to the benefit of all the gutters and drains common to the two houses and necessary for enjoying Y as it was enjoyed when the sale was made, and A is entitled to the benefit of all the gutters and drains common to the two houses and necessary for enjoying Z as it was enjoyed when the sale was made.

(*i*) A, the owner of two adjoining buildings, sells one to B, retaining the other. B is entitled to a right to lateral support from A's building, and A is entitled to a right to lateral support from B's building.

(*j*) A, the owner of two adjoining buildings, sells one to B, and the other to C. C is entitled to lateral support from B's building, and B is entitled to lateral support from C's building.

(*k*) A grants land to B for the purpose of building a house thereon. B is entitled to such amount of lateral and subjacent support from A's land as is necessary for the safety of the house.

(*l*) Under the Land Acquisition Act, 1870, a Railway Company compulsorily acquires a portion of B's land for the purpose of making a siding. The Company is entitled to such amount of lateral support from B's adjoining land as is essential for the safety of the siding.

(*m*) Owing to the partition of joint property, A becomes the owner of an upper room in a building and B becomes the owner of the portion of the building immediately beneath it. A is entitled to such amount of vertical support from B's portion as is essential for the safety of the upper room.

(*n*) A lets a house and grounds to B for a particular business. B has no access to them other than by crossing A's land. B is entitled to a right of way over that land suitable to the business to be carried on by B in the house and grounds.

Bolton v. *Bolton*, 11 Chan. Div. 968.

Direction of way of necessity.

14. When right to a way of necessity is created under section thirteen, the transferor, the legal representative of the testator, or the owner of the share over which the right is exercised, as the case may be, is entitled to set out the way; but it must be reasonably convenient for the dominant owner.

When the person so entitled to set out the way refuses or neglects to do so, the dominant owner may set it out.

Act XV of 1877, s. 26.

Acquisition by prescription.

15. Where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, and as of right without interruption, and for twenty years,

Angus v. *Dalton*.

and where support from one person's land, or things affixed thereto, has been peaceably received by another person's land subjected to artificial pressure, or by things affixed thereto, as an easement, and as of right without interruption, and for twenty years,

Limitation 37 & 38 Vic., Cap. 57.

and where a right of way or any other easement has been peaceably and openly enjoyed by any person claiming title thereto, as an easement and as of right, without interruption, and for twenty years,

the right to such access and use of light or air, support, or other easement shall be absolute.

Explanation I.—Nothing is an enjoyment within the meaning of this section when it has been had in pursuance of an agreement with the owner or occupier of the property over which the right is claimed, and it is apparent from the agreement that such right has not been granted as an easement, or, if granted as an easement, that it has been granted for a limited period, or subject to a condition on the fulfilment of which it is to cease.

I. L. R. 1 Calc. 480.

Explanation II.—Nothing is an interruption within the meaning of this section unless where there is an actual cessation of the enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Explanation III.—Suspension of enjoyment in pursuance of a contract between the dominant and servient owners is not an interruption within the meaning of this section.

Explanation IV.—In the case of an easement to pollute water, the said period of twenty years begins when the pollution first prejudices perceptibly the servient heritage.

Illustrations.

(*a*) A suit is brought in 1883 for obstructing a right of way. The defendant admits the obstruction, but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption, from 1st January, 1862, to 1st January, 1882. The plaintiff is entitled to judgment.

(*b*) In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that for a year of that time the plaintiff was entitled to possession of the servient heritage as lessee thereof and enjoyed the right as such lessee. The suit shall be dismissed, for the right of way has not been enjoyed "as an easement" for twenty years.

(*c*) In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff on one occasion during the twenty years had admitted that the user was not of right and asked his leave to enjoy the right. The suit shall be dismissed, for the right of way has not been enjoyed "as of right" for twenty years.

(*d*) A builds on his land adjoining to B's land two houses. One of these is of ordinary stability and of reasonable construction. The other, owing to some defect or peculiarity in its construction, requires a greater amount of support from B's land than B can reasonably be expected to be aware of and provide for. B excavates his land so that both houses fall down. A sues him for compensation for their destruction, and proves that he has enjoyed the support of B's land for both houses as an easement peaceably and without interruption for twenty years. As regards the former house he also proves that the enjoyment has been 'as of right.' As to this house A is entitled to judgment, for his right to support for it has become absolute. As to the latter house the suit must be dismissed; for under the circumstances A cannot prove that the enjoyment has been "as of right."

Act XV of 1877, s. 27.

Exclusion in favour of reversioner or servient heritage.

16. Provided that, when any land or water upon, over or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term shall be excluded in the computation of the said last-mentioned period of twenty years, in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Illustration.

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C had a life-interest in the land; that on C's death B became entitled to the land; and that within two years after C's death's he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

Rights which cannot be acquired by prescription.

17. Easements acquired under section fifteen are said to be acquired by prescription, and are called prescriptive rights.

None of the following rights can be so acquired:—

(*a*) a right which would tend to the total destruction of the servient heritage or the subject of the right;

Potts v. *Smith*, L. R. 6 Eq. Ca. 311.

(*b*) a right to the free passage of light or air to an open space of ground;

(*c*) a right to surface-water not flowing in a stream and not permanently collected in a pool, tank or otherwise;

(*d*) a right to underground water not passing in a defined channel.

Explanation.—In this section the expression "servient heritage" means the property which, in case the acquisition referred to were made, would

be the property on which liability would be imposed.

Customary easements.

18. An easement may be acquired in virtue of a local custom. Such easements are called customary easements.

Illustrations.

(*a*) By the custom of a certain village every cultivator of village land is entitled, as such, to graze his cattle on the common pasture. A having become the tenant of a plot of uncultivated land in the village breaks up and cultivates that plot. He thereby acquires an easement to graze his cattle in accordance with the custom.

(*b*) By the custom of a certain town no owner or occupier of a house can open a new window therein so as substantially to invade his neighbour's privacy. A builds a house in the town near B's house. A thereupon acquires an easement that B shall not open new windows in his house so as to command a view of the portions of A's house which are ordinarily excluded from observation, and B acquires a like easement with respect to A's house.

Transfer of dominant heritage passes easement.

19. Where the dominant heritage is transferred or devolves, by act of parties or by operation of law, the transfer or devolution shall, unless a contrary intention appears, be deemed to pass the easement to the person in whose favour the transfer or devolution takes place.

Illustration.

A has certain land to which a right of way is annexed. A lets the land to B for twenty years. The right of way vests in B and his legal representative so long as the lease continues.

CHAPTER III.—THE INCIDENTS OF EASEMENTS.

Rules controlled by contract or title.

20. The rules contained in this chapter are controlled by any contract between the dominant and servient owners relating to the servient heritage, and by the provisions of the instrument or decree, if any, by which the easement referred to was imposed.

Incidents of customary easements.

And when any incident of any customary easement is inconsistent with such rules, nothing in this chapter shall affect such incident.

Bar to use unconnected with enjoyment.

21. An easement must not be used for any purpose not connected with the enjoyment of the dominant heritage.

Illustrations.

(*a*) A, as owner of a farm Y, has a right of way over B's land to Y. Lying beyond Y, A has another farm Z, the beneficial enjoyment of which is not necessary for the beneficial enjoyment of Y. He must not use the easement for the purpose of passing to and from Z.

(*b*) A, as owner of a certain house, has a right of way to and from it. For the purpose of passing to and from the house, the right may be used, not only by A, but by the members of his family, his guests, lodgers, servants, workmen, visitors and customers; for this is a purpose connected with the enjoyment of the dominant heritage. So, if A lets the house, he may use the right of way for the purpose of collecting the rent and seeing that the house is kept in repair.

Exercise of easement.

22. The dominant owner must exercise his right in the mode which is least onerous to the servient owner; and, when the exercise of an easement can without detriment to the dominant owner be confined to a determinate part of the servient heritage, such exercise shall, at the request of the servient owner, be so confined.

Confinement of exercise of easement.

Illustrations.

(*a*) A has a right of way over B's field. A must enter the way at either end, and not at any intermediate point.

(*b*) A has a right annexed to his house to cut thatching-grass in B's swamp. A, when exercising his easement, must cut the grass so that the plants may not be destroyed.

Right to alter mode of enjoyment.

23. Subject to the provisions of section twenty-two, the dominant owner may, from time to time, alter the mode and place of enjoying the easement, provided that he does not thereby impose any additional burden on the servient heritage.

Exception.—The dominant owner of a right of way cannot vary his line of passage at pleasure, even though he does not thereby impose any additional burden on the servient heritage.

Illustrations.

(*a*) A, the owner of a saw-mill, has a right to a flow of water sufficient to work the mill. He may convert the saw-mill into a corn-mill, provided that it can be worked by the same amount of water.

(*b*) A has a right to discharge on B's land the rain-water from the eaves of A's house. This does not entitle A to advance his eaves if, by so doing, he imposes a greater burden on B's land.

(*c*) A, as the owner of a paper-mill, acquires a right to pollute a stream by pouring in the refuse-liquor produced by making in the mill paper from rags. He may pollute the stream by pouring in similar liquor produced by making in the mill paper by a new process from bamboos, provided that he does not substantially increase the amount or injuriously change the nature, of the pollution.

(*d*) A, a riparian owner, acquires, as against the lower riparian owners, a prescriptive right to pollute a stream by throwing sawdust into it. This does not entitle A to pollute the stream by discharging into it poisonous liquor.

Right to do acts to secure enjoyment.

24. The dominant owner is entitled, as against the servient owner, to do all acts necessary to secure the full enjoyment of the easement; but such acts must be done at such time and in such manner as, without detriment to the dominant owner, to cause the servient owner as little inconvenience as possible; and the dominant owner must repair, as far as practicable, the damage (if any) caused by the act to the servient heritage.

Accessory rights.

Right to do acts necessary to secure the full enjoyment of an easement are called accessory rights.

Illustrations.

(*a*) A has an easement to lay pipes in B's land to convey water to A's cistern. A may enter and dig the land in order to mend the pipes, but he must restore the surface to its original state.

(*b*) A has an easement of a drain through B's land. The sewer with which the drain communicates is altered. A may enter upon B's land and alter the drain, to adapt it to the new sewer, provided that he does not thereby impose any additional burden on B's land.

(*c*) A, as owner of a certain house, has a right of way over B's land. The way is out of repair, or a tree is blown down and falls across it. A may enter on B's land and repair the way or remove the tree from it.

(*d*) A, as owner of a certain field, has a right of way over B's land. B renders the way impassable. A may deviate from the way and pass over the adjoining land of B, provided that the deviation is reasonable.

(*e*) A, as owner of a certain house, has a right of way over B's field. A may remove rocks to make the way.

(*f*) A has an easement of support from B's wall. The wall gives way. A may enter upon B's land and repair the wall.

(*g*) A has an easement to have his land flooded by means of a dam in B's stream. The dam is half swept away by an inundation. A may enter upon B's land and repair the dam.

Liability for expenses necessary for preservation of easement.

25. The expenses incurred in constructing works, or making repairs, or doing any other act necessary for the use or preservation of an easement, must be defrayed by the dominant owner.

Liability for damage from want of repair.

26. Where an easement is enjoyed by means of an artificial work, the dominant owner is liable to make compensation for any damage to the servient heritage arising from the want of repair of such work.

Servient owner not bound to do anything.

27. The servient owner is not bound to do anything for the benefit of the dominant heritage, and he is entitled, as against the dominant owner, to use the servient heritage in any way consistent with the enjoyment of the easement: but he must not do any act tending to restrict the easement or to render its exercise less convenient.

N. W. P. (1867), p. 191.

Illustrations.

(*a*) A, as owner of a house, has a right to lead water and send sewage through B's land. B is not bound as servient owner to clear the watercourse or scour the sewer.

(*b*) A grants a right of way through his land to B as owner of a field. A may feed his cattle on grass growing on the way, provided that B's right of way is not thereby obstructed; but he must not build a wall at the end of his land so as to prevent B from going beyond it, nor must he narrow the way so as to render the exercise of the right less easy than it was at the date of the grant.

(*c*) A, in respect of his house, is entitled to an easement of support from B's wall. B is not bound as servient owner to keep the wall standing and in repair. But he must not pull down or weaken the wall so as to make it incapable of rendering the necessary support.

(*d*) A, in respect of his mill, is entitled to a watercourse through B's land. B must not drive stakes so as to obstruct the watercourse.

(*e*) A, in respect of his house, is entitled to a certain quantity of light passing over B's land. B must not plant trees so as to obstruct the passage to A's windows of that quantity of light.

Extent of easements.

28. With respect to the extent of easements and the mode of their enjoyment, the following provision shall take effect:—

Mayor of London v. Riggs, 1 L. J. Chanc. 297.

Easement of necessity.

An easement of necessity is co-extensive with the necessity as it existed when the easement was imposed.

Other easements.

The extent of any other easement and the mode of its enjoyment must be fixed with reference to the probable intention of the parties, and the purpose for which the right was imposed or acquired.

In the absence of evidence as to such intention and purpose—

Right of way.

(*a*) a right of way of any one kind does not include a right of way of any other kind:

Right to light or air acquired by grant.

(*b*) the extent of a right to the passage of light or air to a certain window, door or other opening, imposed by assurance or will, is the quantity of light or air that entered the opening at the time the assurance was made or the testator died:

Prescriptive right to light or air.

(*c*) the extent of a prescriptive right to the passage of light or air to a certain window, door or other opening is that quantity of light or air which has been accustomed to enter that opening during the whole of the prescriptive period irrespectively of the purposes for which it has been used:

Prescriptive right to pollute air and water.

(*d*) the extent of a prescriptive right to pollute air or water is the extent of the pollution at the commencement of the period of user on completion of which the right arose: and

Other prescriptive rights.

(*e*) the extent of every other prescriptive right and the mode of its enjoyment must be determined by the accustomed user of the right.

Increase of easement.

29. The dominant owner cannot, by merely altering or adding to the dominant heritage, substantially increase an easement.

Where an easement has been granted or bequeathed so that its extent shall be proportionate to the extent of the dominant heritage, if the dominant heritage is increased by alluvion, the easement is proportionately increased, and if the dominant heritage is diminished by diluvion, the easement is proportionately diminished.

Save as aforesaid, no easement is affected by any change in the extent of the dominant or the servient heritage.

Illustrations.

(*a*) A, the owner of a mill, has acquired a prescriptive right to divert to his mill part of the water of a stream. A alters the machinery of his mill. He cannot thereby increase his right to divert water.

(*b*) A has acquired an easement to pollute a stream by carrying on a manufacture on its banks by which a certain quantity of foul matter is discharged into it. A extends his works and thereby increases the quantity discharged. He is responsible to the lower riparian owners for injury done by such increase.

(*c*) A, as the owner of a farm, has a right to take, for the purpose of manuring his farm, leaves which have fallen from the trees on B's land. A buys a field and unites it to his farm. A is not thereby entitled to take leaves to manure this field.

Partition of dominant heritage.

30. Where a dominant heritage is divided between two or more persons, the easement becomes annexed to each of the shares, but not so as to increase substantially the burden on the servient heritage: provided that such annexation is consistent with the terms of the instrument, decree or revenue proceeding (if any) under which the division was made, and in the case of prescriptive rights, with the user during the prescriptive period.

Illustrations.

(*a*) A house to which a right of way by a particular path is annexed is divided into two parts, one of which is granted to A, the other to B. Each is entitled, in respect of his part, to a right of way by the same path.

(*b*) A house to which is annexed the right of drawing water from a well to the extent of fifty buckets a day is divided into two distinct heritages, one of which is granted to A, the other to B. A and B are each entitled, in respect of his heritage, to draw from the well fifty buckets a day: but the amount drawn by both must not exceed fifty buckets a day.

(*c*) A, having in respect of his house an easement of light, divides the house into three distinct heritages. Each of these continues to have the right to have its windows unobstructed.

31. In the case of excessive user of an easement the servient owner may, without prejudice to any other remedies to which he may be entitled, obstruct the user, but only on the servient heritage: provided that such user cannot be obstructed when the obstruction would interfere with the lawful enjoyment of the easement.

Obstruction in case of excessive user.

Illustration.

A, having a right to the free passage over B's land of light to four windows six feet by four, increases their size and number. It is impossible to obstruct the passage of light to the new windows without also obstructing the passage of light to the ancient windows. B cannot obstruct the excessive user.

CHAPTER IV.—THE DISTURBANCE OF EASEMENTS.

32. The owner or occupier of the dominant heritage is entitled to enjoy the easement without disturbance by any other person.

Right to enjoyment without disturbance.

Illustration.

A, as owner of a house, has a right of way over B's land. C unlawfully enters on B's land, and obstructs A in his right of way. A may sue C for compensation, not for the entry, but for the obstruction.

33. The owner of any interest in the dominant heritage, or the occupier of such heritage, may institute a suit for compensation for the disturbance of the easement or of any right accessory thereto; provided that the disturbance has actually caused substantial damage to the plaintiff.

Suit for disturbance of easement.

Explanation I.—The doing of any act likely to injure the plaintiff by affecting the evidence of the easement, or by materially diminishing the value of the dominant heritage, is substantial damage within the meaning of this section and section thirty-four.

Explanation II.—Where the easement disturbed is a right to the free passage of light passing to the openings in a house, no damage is substantial within the meaning of this section unless it falls within the first Explanation, or interferes materially with the physical comfort of the plaintiff, or prevents him from carrying on his accustomed business in the dominant heritage as beneficially as he had done previous to instituting the suit.

15 Ben. 68. *Explanation III.*—Where the easement disturbed is a right to the free passage of air to the openings in a house, damage is substantial within the meaning of this section if it interferes materially with the physical comfort of the plaintiff, though it is not injurious to his health.

Illustration.

(*a*) A places a permanent obstruction in a path over which B, as tenant of C's house, has a right of way. This is substantial damage to C, for it may affect the evidence of his reversionary right to the easement.

1 Calc. 425. (*b*) A, as owner of a house, has a right to walk along the side of B's house. B builds a verandah overhanging the way about ten feet from the ground, and so as not to occasion any inconvenience to foot-passengers using the way. This is not substantial damage to A.

Act XV of 1877, s. 24. **34.** The removal of the means of support to which a dominant owner is entitled does not give rise to a right to recover compensation unless and until substantial damage is actually sustained.

When cause of action arises for removal of support.

35. Subject to the provisions of the Specific Relief Act, 1877, sections 52 to 57 (both inclusive), an injunction may be granted to restrain the disturbance of an easement—

Injunction to restrain disturbance.

(*a*) if the easement is actually disturbed,—when compensation for such disturbance might be recovered under this chapter:

(*b*) if the disturbance is only threatened or intended,—when the act threatened or intended must necessarily, if performed, disturb the easement.

36. Notwithstanding the provisions of section twenty-four, the dominant owner cannot himself abate a wrongful obstruction of an easement.

7 Mad. H. C. Ruling, XXXV.

Abatement of obstruction of easement.

CHAPTER V.—THE EXTINCTION, SUSPENSION AND REVIVAL OF EASEMENTS.

37. When, from a cause which preceded the imposition of an easement, the person by whom it was imposed ceases to have any right in the servient heritage, the easement is extinguished.

Extinction by dissolution of right of servient owner.

Exception.—Nothing in this section applies to an easement lawfully imposed by a mortgagor in accordance with section ten.

Illustrations.

(*a*) A transfers Sultánpur to B on condition that he does not marry C. B imposes an easement on Sultánpur. Then B marries C. B's interest in Sultánpur ends, and with it the easement is extinguished.

(*b*) A, in 1860, lets Sultánpur to B for thirty years from the date of the lease. B, in 1861, imposes an easement on the land in favour of C, who enjoys the easement peaceably and openly as an easement without interruption for twenty-nine years. B's interest in Sultánpur then ends, and with it C's easement.

(*c*) A and B, tenants of C, have permanent transferable interests in their respective holdings. A imposes on his holding an easement to draw water from a tank for the purpose of irrigating B's land. B enjoys the easement for twenty years. Then A's rent falls into arrear and his interest is sold. B's easement is extinguished.

(*d*) A mortgages Sultánpur to B, and lawfully imposes an easement on the land in favour of C in accordance with the provisions of section ten. The land is sold to D in satisfaction of the mortgage-debt. The easement is not thereby extinguished.

38. An easement is extinguished when the dominant owner releases it, expressly or impliedly, to the servient owner.

Extinction by release.

Such release can be made only in the circumstances and to the extent in and to which the dominant owner can alienate the dominant heritage.

An easement may be released as to part only of the servient heritage.

Explanation I.—An easement is impliedly released—

(*a*) where the dominant owner expressly authorizes an act of a permanent nature to be done on the servient heritage, the necessary consequence of which is to prevent his future enjoyment of the easement, and such act is done in pursuance of such authority;

(*b*) where any permanent alteration is made in the dominant heritage of such a nature as to show that the dominant owner intended to cease to enjoy the easement in future.

Explanation II.—Mere non-user of an easement is not an implied release within the meaning of this section.

Illustrations.

(*a*) A, B and C are co-owners of a house to which an easement is annexed. A, without the consent of B and C, releases the easement. This release is effectual only as against A and his legal representative.

(*b*) A grants B an easement over A's land for the beneficial enjoyment of his house. B assigns the house to C. B then purports to release the easement. The release is ineffectual.

(*c*) A, having the right to discharge his eavesdroppings into B's yard, expressly authorizes B to build over this yard to a height which will interfere with the discharge. B builds accordingly. A's easement is extinguished to the extent of the interference.

(*d*) A, having an easement of light to a window, builds up that window with bricks and mortar so as to manifest an intention to abandon the easement permanently. The easement is impliedly released.

(*e*) A, having a projecting roof by means of which he enjoys an easement to discharge eavesdroppings on B's land permanently alters the roof, so as to direct the rain-water into a different channel and discharge it on C's land. The easement is impliedly released.

39. An easement is extinguished when the servient owner, in exercise of a power reserved in this behalf, revokes the easement.

Extinction by revocation.

40. An easement is extinguished where it has been imposed for a limited period, or acquired on condition that it shall become void on the performance or non-performance of a specified act, and the period expires or the condition is fulfilled.

Extinction on expiration of limited period or happening of dissolving condition.

41. An easement of necessity is extinguished when the necessity comes to an end.

Extinction on termination of necessity.

Illustration.

A grants B a field inaccessible except by passing over A's adjoining land. B afterwards purchases a part of that land over which he can pass to his field. The right of way over A's land which B had acquired is extinguished.

42. An easement is extinguished when it becomes incapable of being at any time and under any circumstances beneficial to the dominant owner.

Extinction of useless easement.

43. Where by any permanent change in the dominant heritage the burden on the servient heritage is materially increased and cannot be reduced by the servient owner without interfering with the lawful enjoyment of the easement, the easement is extinguished, unless—

Extinction by permanent change in dominant heritage.

(*a*) it was intended for the beneficial enjoyment of the dominant heritage, to whatever extent the easement should be used; or

(*b*) the injury caused to the servient owner by the change is so slight that no reasonable person would complain of it; or

(*c*) the easement is an easement of necessity.

44. An easement is extinguished where the servient heritage is by superior force so permanently altered that the dominant owner can no longer exercise his right:

Extinction on permanent alteration of servient heritage by superior force.

Provided that, where a way of necessity is destroyed by superior force, the dominant owner has a right to another way over the servient heritage; and the provisions of section fourteen apply to such way.

Illustrations.

(*a*) A grants to B, as the owner of a certain house, a right to fish in a river running through A's land. The river changes its course permanently and runs through C's land. B's easement is extinguished.

(*b*) Access to a path over which A has a right of way is permanently cut off by an earthquake. A's right is extinguished.

45. An easement is extinguished when either the dominant or the servient heritage is completely destroyed.

Extinction by destruction of either heritage.

Illustration.

A has a right of way over a road running along the foot of a sea-cliff. The road is washed away by a permanent encroachment of the sea. A's easement is extinguished.

46. An easement is extinguished when the same person becomes entitled to the absolute ownership of the whole of the dominant and servient heritages. Ben. 365.

Extinction by unity of ownership.

Illustrations.

(*a*) A, as the owner of a house, has a right of way over B's field. A mortgages his house, and B mortgages his field to C. Then C forecloses both mortgages and becomes thereby absolute owner of both house and field. The right of way is extinguished.

(*b*) The dominant owner acquires only part of the servient heritage: the easement is not extinguished, except in the case illustrated in section forty-one.

(*c*) The servient owner acquires the dominant heritage in connection with a third person: the easement is not extinguished.

(*d*) The separate owners of two separate dominant heritages jointly acquire the heritage which is servient to the two separate heritages: the easements are not extinguished.

(*e*) The joint owners of the dominant heritage acquire the servient heritage: the easement is extinguished.

(*f*) A single right of way exists over two servient heritages for the beneficial enjoyment of a single dominant heritage. The dominant owner acquires one only of the servient heritages. The easement is not extinguished.

(*g*) A has a right of way over B's road. B dedicates the road to the public. A's right of way is not extinguished.

47. A continuous easement is extinguished when it totally ceases to be enjoyed as such for an unbroken period of twenty years.

Extinction by non-enjoyment.

A discontinuous easement is extinguished when, for a like period, it has not been enjoyed, or the dominant owner has not registered, under the Indian Registration Act, 1877, a declaration of his intention to retain the easement.

Such period shall be reckoned, in the case of a continuous easement, from the day on which its enjoyment was obstructed by the servient owner, or rendered impossible by the dominant owner; and, in the case of a discontinuous easement, from the day on which it was last enjoyed by any person as dominant owner, or the day on which the dominant owner registered the said declaration.

Where an easement can be enjoyed only at a certain place, or at certain times, or between certain hours, or for a particular purpose, its enjoyment during the said period at another place, or at other times, or between other hours, or for another purpose, does not prevent its extinction under this section.

The circumstance that, during the said period, no one was in possession of the servient heritage,

or that the easement could not be enjoyed, or that a right accessory thereto was enjoyed, or that the dominant owner was not aware of its existence, or that he enjoyed it in ignorance of his right to do so, does not prevent its extinction under this section.

An easement is not extinguished under this section—

(*a*) where the cessation is in pursuance of a contract between the dominant and servient owners;

(*b*) where the dominant heritage is held in co-ownership, and one of the co-owners enjoys the easement within the said period, or

(*c*) where the easement is a necessary easement.

Where several heritages are respectively subject to rights of way for the benefit of a single heritage, and the ways are continuous, such rights shall, for the purposes of this section, be deemed to be a single easement.

Illustration.

A has, as annexed to his house, rights of way from the high road thither over the heritages X and Z and the intervening heritage Y. Before the twenty years expire, A exercises his right of way over X. His rights of way over Y and Z are not extinguished.

Extinction of accessory rights.

48. When an easement is extinguished, the rights (if any) accessory thereto are also extinguished.

Illustration.

A has an easement to draw water from B's well. As accessory thereto, he has a right of way over B's land to and from the well. The easement to draw water is extinguished under section forty-seven. The right of way is also extinguished.

Suspension of easement.

49. An easement is suspended when the dominant owner becomes entitled to possession of the servient heritage for a limited interest therein, or when the servient owner becomes entitled to possession of the dominant heritage for a limited interest therein.

Servient owner not entitled to require continuance.

50. The servient owner has no right to require that an easement be continued; and, notwithstanding the provisions of section twenty-six, he is not entitled to compensation for damage caused to the servient heritage in consequence of the extinguishment or suspension of the easement, if the dominant owner has given to the servient owner such notice as will enable him, without unreasonable expense, to protect the servient heritage from such damage.

Compensation for damage caused by extinguishment.

Where such notice has not been given, the servient owner is entitled to compensation for damage caused to the servient heritage in consequence of such extinguishment or suspension.

Illustration.

A, in exercise of an easement, diverts to his canal the water of B's stream. The diversion continues for many years, and during that time the bed of the stream partly fills up. A then abandons his easement, and restores the stream to its ancient course. B's land is consequently flooded. B sues A for compensation for the damage caused by the flooding. It is proved that A gave B a month's notice of his intention to abandon the easement, and that such notice was sufficient to enable B, without unreasonable expense, to have prevented the damage. The suit must be dismissed.

Revival of easements.

51. An easement extinguished under section forty-five revives (*a*) when the destroyed heritage is, before twenty years have expired, restored by the deposit of alluvion; (*b*) when the destroyed heritage is a servient building and before twenty years have expired such building is rebuilt upon the same site; and (*c*) when the destroyed heritage is a dominant building and before twenty years have expired such building is rebuilt upon the same site and in such a manner as not to impose a greater burden on the servient heritage. N.-W. P. 1866), p. 19

An easement extinguished under section forty-six revives when the grant or bequest by which the unity of ownership was produced is set aside by the decree of a competent Court. A necessary easement extinguished under the same section revives when the unity of ownership ceases from any other cause.

A suspended easement revives if the cause of suspension is removed before the right is extinguished under section forty-seven.

Illustration.

A, as the absolute owner of field Y, has a right of way thither over B's field Z. A obtains from B a lease of Z for twenty years. The easement is suspended so long as A remains lessee of Z. But when A assigns the lease to C, or surrenders it to B, the right of way revives.

CHAPTER VI.—LICENSES.

"License" defined.

52. Where one person grants to another, or to a definite number of other persons, a right to do, or continue to do, in or upon the immoveable property of the grantor, something which would, in the absence of such right, be unlawful, and such right does not amount to an easement or an interest in the property, the right is called a license.

Who may grant license.

53. A license may be granted by any one in the circumstances and to the extent in and to which he may transfer his interests in the property affected by the license.

Grant may be express or implied.

54. The grant of a license may be express or implied from the conduct of the grantor, and an agreement purporting to create an easement, which is ineffectual for that purpose, may operate to create a license.

Accessory licenses annexed by law.

55. All licenses necessary for the enjoyment of any interest, or the exercise of any right, are implied in the constitution of such interest or right. Such licenses are called accessory licenses.

Illustration.

A sells the trees growing on his land to B. B is entitled to go on the land and take away the trees.

License when transferable.

56. Unless a different intention is expressed or necessarily implied, a license to attend a place of public entertainment may be transferred by the licensee; but, save as aforesaid, a license cannot be transferred by the licensee or exercised by his servants or agents. "It is fo ed on pe confidence Kent 88

Illustrations.

(*a*) A grants B a right to walk over A's field whenever he pleases. The right is not annexed to any immoveable property of B. The right cannot be transferred.

(*b*) The Government grant B a license to erect and use temporary grain-sheds on Government land. In the absence of express provision to the contrary, B's servants may enter on the land for the purpose of erecting sheds, erect the same, deposit grain therein and remove grain therefrom.

Grantor's duty to disclose defects.

57. The grantor of a license is bound to disclose to the licensee any defect in the property affected by the license, likely to be dangerous to the person or property of the licensee, of which the grantor is, and the licensee is not, aware.

Grantor's duty not to render property unsafe.

58. The grantor of a license is bound not to do anything likely to render the property affected by the license dangerous to the person or property of the licensee.

17 Q. B. 574.

Grantor's transferee not bound by license.

59. When the grantor of the license transfers the property affected thereby, the transferee is not as such bound by the license.

Gale 69.

License when revocable.

60. A license may be revoked by the grantor, unless—

Gale 65.

(*a*) it is coupled with a transfer of property and such transfer is in force:

(*b*) the licensee, acting upon the license, has executed a work of a permanent character and incurred expenses in the execution.

Revocation express or implied.

61. The revocation of a license may be express or implied.

Illustrations.

(*a*) A, the owner of a field, grants a license to B to use a path across it. A, with intent to revoke the license, locks a gate across the path. The license is revoked.

(*b*) A, the owner of a field, grants a license to B to stack hay on the field. A lets or sells the field to C. The license is revoked.

2 Kent 562.

License when deemed revoked.

62. A license is deemed to be revoked—

(*a*) when, from a cause preceding the grant of it, the grantor ceases to have any interest in the property affected by the license:

(*b*) when the licensee releases it, expressly or impliedly, to the grantor or his representative:

(*c*) where it has been granted for a limited period, or acquired on condition that it shall become void on the performance or non-performance of a specified act, and the period expires, or the condition is fulfilled:

(*d*) where the property affected by the license is destroyed or by superior force so permanently altered that the licensee can no longer exercise his right:

(*e*) where the licensee becomes entitled to the absolute ownership of the property affected by the license:

(*f*) where the license is granted for a specified purpose and the purpose is attained, or abandoned, or becomes impracticable:

(*g*) where the license is granted to the licensee as holding a particular office, employment or character, and such office, employment or character ceases to exist:

(*h*) where the license totally ceases to be used as such for an unbroken period of twenty years, and such cessation is not in pursuance of a contract between the grantor and the licensee:

(*i*) in the case of an accessory license, when the interest or right to which it is accessory ceases to exist.

L. R. 5 C. P. 334: L. R. 9 Q. B. 400.

Licensee's rights on revocation.

63. Where a license is revoked, the licensee is entitled to a reasonable time to leave the property affected thereby and to remove any goods which he has been allowed to place on such property.

Licensee's rights on eviction.

64. Where a license has been granted for a consideration, and the licensee, without any fault of his own, is evicted by the grantor before he has fully enjoyed, under the license, the right for which he contracted, he is entitled to recover compensation from the grantor.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 23, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July, 1881:—

We, the undersigned Members of the Select Committee to which the Bill to define and amend the law relating to Private Trusts and Trustees was referred, have the honour to report that we have considered the Bill, the portions of the report of the Indian Law Commission relating to the Bill, and the papers noted in the schedule to the present report.

2. The Government of India has no desire to bring this Bill into operation in any part of India against the wishes of the Local Government. We have therefore made the Bill to extend in the first instance only to the territories respectively administered by the Governor of Madras in Council, the Lieutenant-Governors of the North-Western Provinces and the Panjáb, and the Chief Commissioners of Oudh, the Central Provinces and Assam; and we have given power to the other Local Governments to extend it by notification to any part of the territories respectively under their administration.

3. In section 13 (as to the duty of the trustee to protect the trust-property), before the words "amount or value," we have inserted the words "nature and," inasmuch as it is obviously necessary to have regard to the nature of the property, as well as to its amount or value, in order to determine what steps are reasonably requisite for its preservation.

4. Section 20, in accordance with a suggestion of the Bombay High Court, enumerates the securities on which trustees may properly invest trust-funds. The learned Chief Justice of Bombay has pointed out that the most ordinary and popular investment, among Native trustees (at least in the Bombay mufassal), is an investment of money with the firms of shroffs or merchants of good repute to run at interest. To proscribe this form of investment, as the Bill as introduced practically does, would, in Sir M. Westropp's opinion, cause much inconvenience. Similar kinds of investment may also occur in other parts of India. We have therefore in section 20, clause (*f*), provided that money held in trust may be invested on any security expressly authorized by any rule which the High Court may from time to time prescribe in this behalf. The rule in clause (*e*) forbidding trustees (in the absence of an express authority) to advance more than one-half of the value of property consisting of freehold houses has been objected to as over-stringent by the learned Advocate General of Bengal. But, considering the sudden and rapid deterioration to which, in this country, house-property is liable, our only doubt is whether the rule in question is as stringent as it ought to be.

5. We have struck out section 22, which provided for the transfer of the trust-property to the beneficiary on the completion of the purpose of the trust, as we consider that the case is sufficiently provided for by section 55.

6. In section 23 we have set out the circumstances under which a trustee committing a breach of trust is liable to pay interest and the cases in which that interest is compound. The law on this point was left too much to be gathered from the illustrations.

7. In the second paragraph of section 27 (as to the liability of co-trustees committing a breach of trust) we have added after the words "or his legal representative" the words "to the extent of the assets he has received."

8. The provisions of section 54 which declares that "the beneficiary has a right to the rents and profits of the trust-property," appear to us to be too general. We have, therefore, limited them by making them expressly subject to the provisions of the instrument of trust.

9. We have omitted the proviso to section 55, as we consider it, in view of the provisions of the section, unnecessary; and we have amended the last clause of that section and the last clause of section 67 so as to bring them into conformity with the last clause of section 57.

10. The subject-matter of section 64 (as to the wrongful employment of trust-funds in trade) being sufficiently provided for by the additions we have made to section 23, we have struck out the former section.

11. The illustration to section 77 relates to the case of a trust *inter vivos* for the payment of debts; but as no provision was made for such a case in the section, we have added a clause, (*c*), containing the accepted law on the subject.

12. To section 81 (as to benámi transactions) we have added, at the suggestion of the learned Advocate General of Bengal, a clause saving the Code of Civil Procedure, section 317, and section 36 of Act XI of 1859.

13. We have amended the first illustration to section 82 so as to show that the section provides for the case where a trust is incapable of being executed in consequence of the beneficiary's renunciation of his interest.

14. Section 86 of the Bill as introduced provides for cases of transfer in fraud of the creditors of the transferor. This, we consider, is a matter which more properly belongs to the Transfer of Property Bill, and it is, in fact, provided for by section 53 of that Bill. We have, therefore, struck out the former section, and omitted from the schedule the statute (13 Eliz., cap. 5) dealing with such cases.

15. **The Lieutenant-Governor of the Panjáb has suggested that the powers conferred by the Bill on a principal Civil Court of Original Jurisdiction should be exerciseable only by such officers as may be specially empowered in that behalf by the Local Government. We are however of opinion that the adoption of this proposal might lead to heart-burning in the** case of judges not so empowered, and would certainly cause inconvenience to the public, as, without referring to the notifications in the Gazette, it would be impossible to know what Courts were, or were not, competent to exercise powers under the Act. Moreover, District Judges are now empowered, under the Indian Companies Act, 1866, to wind up companies and have also jurisdiction under the Divorce Act. As the Legislature has deemed them competent to perform these important functions, we cannot hold them incompetent to exercise the much less difficult and delicate jurisdiction conferred by the Trusts Bill. For these reasons we have not accepted His Honour's suggestion.

16. It will be seen that we have left the Bill in substance as it was settled by the Indian Law Commission. We recommend that it be passed as now amended, but it should first be republished in the *Gazette of India* with this report; and, in obedience to the orders of the Secretary of State, it must also be sent to him, published in the local Gazettes, and translated into the vernacular languages.

SIMLA:
The 6th July, 1881.

WHITLEY STOKES.
J. GIBBS.

SCHEDULE.

Endorsement of the Home Department, No. 188, dated 17th February, 1879, and enclosures [Papers No. 1].

Endorsement of the Government of the Panjáb, No. 630, dated 17th February, 1879, and enclosures [Papers No. 2.]

Endorsement of the Home Department, No. 214, dated 24th February, 1879, and enclosures [Papers No. 3].

Endorsement of the Home Department, No. 336, dated 18th March, 1879, and enclosures [Papers No. 4].

Endorsement of the Home Department, No. 448, dated 21st April, 1879, and enclosures [Papers No. 5].

From Resident at Haidarábád, to Home Department, No. 4, dated 17th April, 1879, [Paper No. 6].

From Government of Bengal, to Home Department, No. 2225, dated 6th May, 1879, and enclosures [Papers No. 7].

From Government of Bombay, to Home Department, No. 2523, dated 26th April, 1879, and enclosures [Papers No. 8.]

From Government of the North-Western Provinces and Oudh, to Home Department, No. 361, dated 9th May, 1879, and enclosures [Papers No. 9].

From Chief Commissioner, Central Provinces, to Home Department, No. 2115-100, dated 13th May 1879, and enclosures [Papers No. 10].

From Chief Commissioner, Mysore, to Home Department, No. 61, dated 25th April, 1879, and enclosures [Papers No. 11].

From Chief Commissioner, Mysore, to Home Department, No. 1490-J.6, dated 14th May, 1879, and enclosures [Papers No. 12].

From Government of the North-Western Provinces and Oudh, to Home Department, No. 420, dated 21st May, 1879, and enclosure [Papers No. 13].

From Government of the Panjáb, to Home Department, No. 169C., dated 9th June, 1879, and enclosures [Papers No. 14].

From Government of Bombay, to Home Department, No. 3084, dated 27th May, 1879, and enclosure [Papers No. 15].

From Government of Bombay, to Home Department, No. 3060, dated 26th May, 1879, and enclosure [Papers No. 16].

From Government of Madras, to Home Department, No. 1318, dated 6th June, 1880, and enclosures [Papers No. 17].

From Registrar, High Court, Calcutta, No. 1123, dated 27th June, 1880 [Paper No. 18].

Note by Pandit Lakshmí Náráyana, Pleader, High Court, North-Western Provinces, dated 12th July, 1879 [Paper No. 19].

From Government of the North-Western Provinces and Oudh, to Home, Revenue and Agricultural Department, No. 657, dated 28th July, 1879, and enclosure [Papers No. 20].

From Government of Madras, to Home, Revenue and Agricultural Department, No. 1755, dated 24th July, 1879, and enclosure [Papers No. 21].

From Chief Commissioner, Coorg, No. 1419-9, dated 3rd February, 1881, and enclosure [Papers No. 22].

From Resident at Haidarábád, No. 46, dated 4th February, 1881, and enclosure [Papers No. 23].

From Chief Commissioner, Ajmer-Merwára, No. 90, dated 8th February, 1881, and enclosure [Papers No. 24].

From Chief Commissioner, Central Provinces, No. $\frac{2144}{16}$, dated 5th February, 1881, and enclosures [Papers No. 25].

From Government of Madras, No. 260, dated 3rd February, 1881, and enclosures [Papers No. 26].

From Chief Commissioner, Assam, No. 427, dated 17th February, 1881 [Paper No. 27].

From Government of Bengal, No. 876J., dated 23rd February, 1881, and enclosures [Papers No. 28].

From Chief Commissioner, Coorg, No. 1500-10, dated 22nd February, 1881, and enclosure [Papers No. 29].

From Chief Commissioner, British Burma, No. 1258-28, dated 23rd February, 1881, and enclosures [Papers No. 30].

From Government of Bombay, No. 1485, dated 5th March, 1881 [Paper No. 31].

From Government of the North-Western Provinces and Oudh, Nos. 262 and 302, dated respectively 4th and 16th April, 1881, and enclosures [Papers No. 32].

From Government of the Panjáb, No. 1539, dated 18th April, 1881, and enclosures [Papers No. 33].

From Government of Bombay, No. 3700, dated 13th June, 1881, and enclosure [Papers No. 34].

No. II.

THE INDIAN TRUSTS BILL, 1881.

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THE SCHEDULE.

No. II.

A Bill to define and amend the law relating to Private Trusts and Trustees.

Trusts in India of various kinds, 18 W. R. (P.C.) 359. Trusts for benefit of creditors, 1 Bom. 233: 9 Bom. 249: 10 Bom. 327. Trustee misapplying trust-funds, Suth. F. B. 60.

WHEREAS it is expedient to define and amend the law relating to private trusts and trustees; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Indian Trusts Act, 1882": and it shall come into force on the first day of March, 1882. Short title. Commencement.

It extends in the first instance to the territories respectively administered by the Governor of Madras in Council, the Lieutenant-Governors of the North-West Provinces and the Panjáb, the Chief Commissioners of Oudh, the Central Provinces and Assam; and the Local Government may from time to time, by notification in the official Gazette, extend it to any other part of British India. But nothing herein contained affects the rules of Muhammadan law as to *waqf*, or the mutual relations of the members of an undivided family as determined by any customary or personal law, or applies to public or private religious or charitable endowments, or to trusts to distribute prizes taken in war among the captors; and nothing in the second chapter of this Act applies to trusts created before the said day. Local extent. Savings.

As to family religious trusts, 10 Beng. 19: Norton, II, 406. As to Pagoda trustees, see 1 Mad. 415: 7 Mad. 77: Act XX of 1863.

2. On and from that day the Statute and Acts mentioned in the Schedule hereto annexed shall be repealed to the extent therein mentioned. Repeal of enactments.

Property purchased in name of an idol, 15 Beng. 176.

3. A "trust" is an obligation annexed to the ownership of property, and arising out of a confidence reposed in and accepted by the owner, or declared and accepted by him, for the benefit of another, or of another and the owner: Interpretation-clause. "trust":

the person who reposes or declares the confidence is called the "author of the trust": the person who accepts the confidence is called the "trustee": the person for whose benefit the confidence is accepted is called the "beneficiary": the subject-matter of the trust is called "trust-property" or "trust-money": the "beneficial interest" or "interest" of the beneficiary is his right against the trustee as owner of the trust-property, and the instrument, if any, by which the trust is declared is called the "instrument of trust": "author of the trust": "trustee": "beneficiary": "trust-property": "instrument of trust":

a breach of any duty imposed on a trustee, as such, by any law for the time being in force is called a "breach of trust": "breach of trust":

and in this Act, unless there be something repugnant in the subject or context, "registered" means registered under the law for the registration of documents for the time being in force: a person is said to have "notice" of a fact either when he actually knows that fact or when, but for wilful abstention from inquiry or gross negligence, he would have known it, or when information of the fact is given to or obtained by his agent under the circumstances mentioned in the Indian Contract Act, 1872, section 229; and all expressions used herein and defined in the Indian Contract Act, 1872, shall be deemed to have the meanings respectively attributed to them by that Act. "registered": "notice." Expressions defined in Act IX of 1872.

E.g., 'fraud,' s. 27, *infra*.

CHAPTER II.

OF THE CREATION OF TRUSTS.

9 Beng. 377: Act IX of 1872, s. 23. Reg. II of 1798, s. 19, forbids Collectors to make

4. A trust may be created for any lawful purpose. The purpose of a trust is lawful unless it is (*a*) forbidden by law, or (*b*) is of such a nature that, if permitted, it would defeat the provisions of any law, or (*c*) is fraudulent, or (*d*) involves or implies injury to the person or property of another, or (*e*) the Court regards it as immoral or opposed to public policy. Lawful purpose.

their subordinates their trustees. Perpetuity, 14 Beng. 175.

Every trust of which the purpose is unlawful is void. And where a trust is created for two purposes, of which one is lawful and the other unlawful, and the two purposes cannot be separated, the whole trust is void.

Explanation.—In this section, the expression "law" includes, where the trust-property is immoveable and situate in a foreign country, the law of such country.

See *Nelson* v. *Bridport*, 8 Beav. 547.

Illustrations.

(*a*) A conveys property to B in trust to apply the profits to the nurture of female foundlings to be trained up as prostitutes. The trust is void.

(*b*) A bequeathes property to B in trust for C for his life, and after his death to D for his life, and after D's death to such of the sons of D as shall first attain the age of twenty-five. A, B, C and D are persons to whom the Indian Succession Act, 1865, applies. The trust after D's death is void. Act X of 1865, s. 101.

(*c*) A bequeathes property to B in trust to employ it in carrying on a smuggling business, and out of the profits thereof to support A's children. The trust is void.

(*d*) A, while in insolvent circumstances, transfers property to B in trust for A during his life, and after his death for B. A is declared an insolvent. The trust for A is invalid as against his creditors.

5. No trust in relation to immoveable property is valid unless declared by a non-testamentary instrument in writing signed by the author of the trust or the trustee and registered, or by the will of the author of the trust or of the trustee. Trust of immoveable property.

No trust in relation to moveable property is valid unless declared as aforesaid, or unless the ownership of the property is transferred to the trustee. Trust of moveable property.

These rules do not apply where they would operate so as to effectuate a fraud.

6. Subject to the provisions of section five, a trust is created when the author of the trust indicates with reasonable certainty by any words or acts (*a*) an intention on his part to create thereby a trust, (*b*) the purpose of the trust, (*c*) the beneficiary, and (*d*) the trust-property, and (unless the trust is declared by will or the author of the trust is himself to be the trustee) transfers the trust-property to the trustee. Creation of trust.

Whether voluntary declaration of trust is binding against Hindú declarant, 4 Mad. 462. Transmutation of possession unnecessary, 2 Bom. 143 (a Parsi case).

Illustrations.

(*a*) A bequeathes certain property to B, "having the fullest confidence that he will dispose of it for the benefit of" C. This creates a trust so far as regards A and C. See 7 Bom. A. C. J. 149.

(*b*) A bequeathes certain property to B, "hoping he will continue it in the family." This does not create a trust, as the beneficiary is not indicated with reasonable certainty.

(*c*) A bequeathes certain property to B, requesting him to distribute it amongst such members of C's family as B should think most deserving. This does not create a trust, for the beneficiaries are not indicated with reasonable certainty.

(*d*) A bequeathes certain property to B, desiring him to divide the bulk of it among C's children. This does not create a trust, for the trust-property is not indicated with sufficient certainty.

(*e*) A bequeathes a shop and stock-in-trade to B, on condition that he pays A's debts and a legacy to C. This is a condition, not a trust for A's creditors and C.

Who may create trusts. 7. A trust may be created— Cf. Act IX of 1872, ss. 11 & 12.

(*a*) by every person competent to contract, and

(*b*) with the permission of a principal Civil Court of original jurisdiction, by or on behalf a minor;

but subject in each case to the law for the time being in force as to the circumstances and extent in and to which the author of the trust may dispose of the trust-property.

8. The subject-matter of a trust must be property transferable to the beneficiary.

Subject of trust.

It must not be a merely beneficial interest under a subsisting trust.

9. Every person capable of holding property may be a beneficiary.

Who may be beneficiary.

A proposed beneficiary may renounce his interest under the trust by disclaimer addressed to the trustee, or by setting up, with notice of the trust, a claim inconsistent therewith.

Disclaimer by beneficiary.

Act IX of 1872, s. 11.

10. Every person capable of holding property may be a trustee; but where the trust involves the exercise of discretion, he cannot execute it unless he is competent to contract.

Who may be trustee.

No one is bound to accept a trust.

No one bound to accept trust.

A trust is accepted by any words or acts of the trustee indicating with reasonable certainty such acceptance.

Acceptance of trust.

Instead of accepting a trust, the intended trustee may, within a reasonable period, disclaim it, and such disclaimer shall prevent the trust-property from vesting in him.

Disclaimer of trust.

A disclaimer by one of two or more co-trustees vests the trust-property in the other or others and makes him or them sole trustee or trustees from the date of the creation of the trust.

Illustrations.

(*a*) A bequeathes certain property to B and C, his executors, as trustees for D. B and C prove A's will. This is in itself an acceptance of the trust, and B and C hold the property in trust for D.

(*b*) A transfers certain property to B in trust to sell it and to pay out of the proceeds A's debts. B accepts the trust and sells the property. So far as regards B, a trust of the proceeds is created for A's creditors.

(*c*) A bequeathes a lákh of rupees to B upon certain trusts and appoints him his executor. B severs the lákh from the general assets and appropriates it to the specific purpose. This is an acceptance of the trust.

CHAPTER III.

OF THE DUTIES AND LIABILITIES OF TRUSTEES.

11. The trustee is bound to fulfil the purpose of the trust, and to obey the directions of the author of the trust given at the time of its creation, except as modified by the consent of all the beneficiaries being competent to contract.

Trustee to execute trust.

Where the beneficiary is incompetent to contract, his consent may, for the purposes of this section, be given by a principal Civil Court of original jurisdiction.

Nothing in this section shall be deemed to require a trustee to obey any direction when to do so would be impracticable, illegal or manifestly injurious to the beneficiaries.

Explanation.—Unless a contrary intention be expressed, the purpose of a trust for the payment of debts shall be deemed to be (*a*) to pay only the debts of the author of the trust existing and recoverable at the date of the instrument of trust, or, when such instrument is a will, at the date of his death, and (*b*) in the case of debts not bearing interest, to make such payment without interest.

Illustrations.

(*a*) A, a trustee, is simply authorized to sell certain land by public auction. He cannot sell the land by private contract.

(*b*) A, a trustee of certain land for X, Y and Z, is authorized to sell the land to B for a specified sum. X, Y and Z, being competent to contract, consent that A may sell the land to C for a less sum. A may sell the land accordingly.

(*c*) A, a trustee for B and her children, is directed by the author of the trust to lend, on B's request, trust-property to B's husband, C, on the security of his bond. C becomes insolvent, and B requests A to make the loan. A may refuse to make it.

12. A trustee is bound to acquaint himself, as soon as possible, with the nature and circumstances of the trust-property; to obtain where necessary, a transfer of the trust-property to himself; and (subject to the provisions of the instrument of trust) to get in trust-moneys invested on insufficient or hazardous security.

Trustee to inform himself of state of trust-property.

Illustrations.

(*a*) The trust-property is a debt outstanding on personal security. The instrument of trust gives the trustee no discretionary power to leave the debt so outstanding. The trustee's duty is to recover the debt without unnecessary delay. 4 Moo. I. A. 452.

(*b*) The trust-property is money in the hands of one of two co-trustees. No discretionary power is given by the instrument of trust. The other co-trustee must not allow the former to retain the money for a longer period than the circumstances of the case require. *Bai Jadav* v. *Tribhuvandas*, 9 Bom. 333.

13. A trustee is bound to maintain and defend all such suits, and (subject to the provisions of the instrument of trust) to take such other steps as, regard being had to the nature and amount or value of the trust-property, may be reasonably requisite for the preservation of the trust-property and the assertion or protection of the title thereto.

Trustee to protect title to trust-property.

Act I of 1877, s. 10, expl. 1.

Illustration.

The trust-property is immoveable property which has been given to the author of the trust by an unregistered instrument. Subject to the provisions of the Indian Registration Act, 1877, the trustee's duty is to cause the instrument to be registered.

14. The trustee must not for himself or another set-up or aid any title to the trust-property adverse to the interest of the beneficiary.

Trustee not to set-up title adverse to beneficiary.

15. A trustee is bound to deal with the trust-property as carefully as a man of ordinary prudence would deal with such property if it were his own; and, in the absence of a contract to the contrary, a trustee so dealing is not responsible for the loss, destruction or deterioration of the trust-property.

Care required from trustee.

Act IX of 1872, ss. 151, 152.

Illustrations.

(*a*) A, living in Calcutta, is a trustee for B, living in Bombay. A remits trust-funds to B by bills drawn by a person of undoubted credit in favour of the trustee as such, and payable at Bombay. The bills are dishonoured. A is not bound to make good the loss.

(*b*) A, a trustee of leasehold property, directs the tenant to pay the rents on account of the trust to a banker, B, then in credit. The rents are accordingly paid to B, and A leaves the money with B only till wanted. Before the money is drawn out, B becomes insolvent. A, having had no reason to believe that B was in insolvent circumstances, is not bound to make good the loss.

(*c*) A, a trustee of two debts for B, releases one and compounds the other, in good faith, and reasonably believing that it is for B's interest to do so. A is not bound to make good any loss caused thereby to B.

(*d*) A, a trustee directed to sell the trust-property by auction, sells the same, but does not advertise the sale and otherwise fails in reasonable diligence in inviting competition. A is bound to make good the loss caused thereby to the beneficiary.

(*e*) A, a trustee for B, in execution of his trust, sells the trust-property, but from want of due diligence on his part fails to receive part of the purchase-money. A is bound to make good the loss thereby caused to B.

(*f*) A, a trustee for B of a policy of insurance, has funds in hand for payment of the premiums. A neglects to pay the premiums, and the policy is consequently forfeited. A is bound to make good the loss to B.

(*g*) A bequeathes certain monies to B and C as trustees and authorizes them to continue trust-moneys upon the personal security of a certain firm in which A had himself invested them. A dies, and a change takes place in the firm. B and C must not permit the monies to remain upon the personal security of the new firm.

(*h*) A, a trustee for B, allows the trust to be executed solely by his co-trustee, C. C misapplies the trust-property. A is personally answerable for the loss resulting to B.

16. Where the trust is created for the benefit of several persons in succession, and the trust-property is of a wasting nature or a future or reversionary interest, the trustee is bound, unless an intention to the contrary may be inferred from the instrument of trust, to convert the property into property of a permanent and immediately profitable character.

Conversion of perishable property.

Illustrations.

(*a*) A bequeathes to B all his property in trust for C during his life, and on his death for D, and on D's death for E. A's property consists of three leasehold houses, and there is nothing in A's will to show that he intended the houses to be enjoyed in specie. B should sell the houses, and invest the proceeds in accordance with section twenty.

(*b*) A bequeathes to B his three leasehold houses in Calcutta and all the furniture therein in trust for C during his life, and on his death for D, and on D's death for E. Here an intention that the houses and furniture should be enjoyed in specie appears clearly, and B should not sell them.

17. Where there are more beneficiaries than one, the trustee is bound to be impartial, and must not execute the trust for the advantage of one at the expense of another.

Trustee to be impartial.

Where the trustee has a discretionary power, nothing in this section shall be deemed to authorise the Court to control the exercise reasonably and in good faith of such discretion.

Illustration.

A, a trustee for B, C and D, is empowered to choose between several specified modes of investing the trust-property. A in good faith chooses one of these modes. The Court will not interfere, although the result of the choice may be to vary the relative rights of B, C and D.

18. Where the trust is created for the benefit of several persons in succession and one of them is in possession of the trust-property, if he commits, or threatens to commit, any act which is destructive or permanently injurious thereto, the trustee is bound to take measures to prevent such act.

Trustee to prevent waste.

19. A trustee is bound (*a*) to keep clear and accurate accounts of the trust-property, and (*b*), at all reasonable times, at the request of the beneficiary, to furnish him with full and accurate information as to the amount and state of the trust-property.

Accounts and information.

20. Where the trust-property consists of money and cannot be applied immediately or at an early date to the purposes of the trust, the trustee is bound (subject to any direction contained in the instrument of trust) to invest the money on the following securities, and on no others:—

Investment of trust-money.

Act XXVIII of 1866, ss. 5 and 32.

As to the necessity of some such provisions, see *DeSouza* v. *DeSouza*, 12 Bom. 184.

(*a*) in promissory notes, debentures, stock or other securities of the Government of India, or of the United Kingdom of Great Britain and Ireland;

Cf. 23 & 24 Vic., c. 145, s. 25.

(*b*) in bonds, debentures and annuities charged by the Imperial Parliament on the revenues of India;

(*c*) in stock or debentures of, or shares in, Railway or other Companies the interest whereon shall have been guaranteed by the Secretary of State for India in Council;

Cf. 32 & 33 Vic., c. 132, s. 2.

(*d*) in debentures or other securities for money issued by, or on behalf of, any municipal body under the authority of any Act of a legislature established in British India;

Cf. 34 & 35 Vic., c. 47, s. 13.

(*e*) on a first mortgage of immoveable property situate in British India: Provided that the property is not a leasehold for a term of years and that the value of the property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the mortgage-money; or

(*f*) on any other security expressly authorized by the instrument of trust, or by any rule which the High Court may from time to time prescribe in this behalf.

Provided that, where there is a person competent to contract and entitled in possession to receive the income of the trust-property for his life, or for any greater estate, no investment on any security mentioned or referred to in clauses (*d*), (*e*) and (*f*) shall be made without his consent in writing.

The Statute excepts investment on Consols.

21. Nothing in section twenty shall apply to investments made before this Act comes into force, or shall be deemed to preclude an investment on a mortgage of immoveable property already pledged as security for an advance under the Land Improvements Act, 1871, or, in case the trust-money does not exceed three thousand rupees, a deposit thereof in a Government Savings Bank.

27 & 28 Vic., c. 114, s. 61.

Mortgage of land pledged to Government under Act XXVI of 1871.

Deposit in Government Savings Bank.

22. Where a trustee directed to sell within a specified time extends such time, the burden of proving, as between himself and the beneficiary, that the latter is not prejudiced by the extension lies upon the trustee, unless the extension has been authorized by a principal Civil Court of original jurisdiction.

Sale by trustee directed to sell within specified time.

Illustration.

A bequeathes property to B, directing him with all convenient speed and within five years to sell it, and apply the proceeds for the benefit of C. In the exercise of reason-

able discretion, B postpones the sale for six years. The sale is not thereby rendered invalid, but C, alleging that he has been injured by the postponement, institutes a suit against B to obtain compensation. In such suit the burden of proving that C has not been injured lies on B.

23. Where the trustee commits a breach of trust, he is liable to make good the loss which the trust-property or the beneficiary has thereby sustained, unless the beneficiary has by fraud induced the trustee to commit the breach, or the beneficiary being competent to contract, has himself, without coercion or undue influence having been brought to bear on him, concurred in the breach, or subsequently acquiesced therein, with full knowledge of the facts of the case and of his rights as against the trustee.

Liability for breach of trust.

A trustee committing a breach of trust is not liable to pay interest except in the following cases:—

(*a*) where he has actually received interest:

(*b*) where the breach consists in unreasonable delay in paying trust-money to the beneficiary:

(*c*) where the trustee ought to have received interest, but has not done so:

(*d*) where he may be fairly presumed to have received interest.

He is liable in case (*a*) to account for the interest actually received, and, in cases (*b*), (*c*) and (*d*), to account for simple interest at the rate of six per cent. per annum, unless the Court otherwise directs.

(*e*) Where the breach consists in failure to invest trust-money and to accumulate the interest or dividends thereon, he is liable to account for compound interest (with half-yearly rests) at the same rate.

(*f*) Where the breach consists in the employment of trust-property or the proceeds thereof in trade or business, he is liable to account, at the option of the beneficiary, either for compound interest (with half-yearly rests) at the same rate, or for the net profits made by such employment.

Illustrations.

(*a*) A trustee improperly leaves trust-property outstanding, and it is consequently lost: he is liable to make good the property lost, but he is not liable to pay interest thereon.

(*b*) A bequeathes a house to B in trust to sell it and pay the proceeds to C. B neglects to sell the house for a great length of time, whereby the house is deteriorated and its market price falls. B is answerable to C for the loss.

(*c*) A trustee is guilty of unreasonable delay in investing trust-money in accordance with section twenty, or in paying it to the beneficiary. The trustee is liable to pay interest thereon for the period of the delay.

(*d*) The duty of the trustee is to invest trust-money in any of the securities mentioned in section twenty, clause (*a*), (*b*), (*c*) or (*d*). Instead of so doing, he retains the money in his hands, He is liable, at the option of the beneficiary, to be charged either with the amount of the principal money and interest, or with the amount of such securities which he might have purchased with the trust-money when the investment should have been made, and the intermediate dividends and interest thereon.

(*e*) The instrument of trust directs the trustee to invest trust-money either in any of such securities or on mortgage of immoveable property. The trustee does neither. He is liable for the principal money and interest.

(*f*) The instrument of trust directs the trustee to invest trust-money in any of such securities and to accumulate the dividends thereon. The trustee disregards the direction. He is liable, at the option of the beneficiary, to be charged either with the amount of the principal money and compound interest, or with the amount of such securities which he might have purchased with the trust-money when the investment should have been made, together with the amount of the accumulation which would have arisen from a proper investment of the intermediate dividends.

(*g*) Trust-property is invested in one of the securities mentioned in section twenty, clause (*a*) (*b*), (*c*) or (*d*). The trustee sells such security for some purpose not authorized by the terms of the instrument of trust. He is liable, at the option of the beneficiary, either to replace the security with the intermediate dividends and interest thereon, or to account for the proceeds of the sale with interest thereon.

(*h*) The trust-property consists of land. The trustee sells the land to a purchaser for a consideration without notice of the trust. The trustee is liable, at the option of the beneficiary, to purchase other land of equal value to be settled upon the like trust, or to be charged with the proceeds of the sale with interest.

24. A trustee who is liable for a loss occasioned by a breach of trust in respect of one portion of the trust-property cannot set-off against his liability a gain which has accrued to another portion of the trust-property through another and distinct breach of trust.

No set-off allowed to trustee.

25. Where a trustee succeeds another, he is not, as such, liable for the acts or defaults of his predecessor.

Non-liability for predecessor's default.

26. Subject to the provisions of sections thirteen and fifteen, one trustee is not, as such, liable for a breach of trust committed by his co-trustee:

Non-liability for co-trustee's default.

Provided that, in the absence of an express declaration to the contrary in the instrument of trust, a trustee is so liable—

(*a*) where he has delivered trust-property to his co-trustee without seeing to its proper application: Act I of 1877, s. 54, ill. (b).

(*b*) where he allows his co-trustee to receive trust-property and fails to make due enquiry as to the co-trustee's dealings therewith, or allows him to retain it longer than the circumstances of the case reasonably require:

(*c*) where he becomes aware of a breach of trust committed or intended by his co-trustee, and either actively conceals it or does not within a reasonable time take proper steps to protect the beneficiary's interest.

A co-trustee who joins in signing a receipt for trust-property and proves that he has not received the same is not answerable, by reason of such signature only, for loss or misapplication of the property by his co-trustee.

Joining in receipt for conformity.

Illustration.

A bequeathes certain property to B and C, and directs them to sell it and invest the proceeds for the benefit of D. B and C accordingly sell the property, and the purchase-money is received by B and retained in his hands. C pays no attention to the matter for two years and then calls on B to make the investment. B is unable to do so, becomes insolvent, and the purchase-money is lost. C may be compelled to make good the amount.

27. Where co-trustees jointly commit a breach of trust, or where one of them by his neglect enables the other to commit a breach of trust, each is liable to the beneficiary for the whole of the loss occasioned by such breach.

Several liability of co-trustees.

But as between the trustees themselves, if one be less guilty than another and has had to refund the loss, the former may compel the latter, or his legal representative to the extent of the assets he has received, to make good such loss; and if all be equally guilty, any one or more of the trustees who has had to refund the loss may compel the others to contribute.

Contribution as between co-trustees.

Nothing in this section shall be deemed to authorize a trustee who has been guilty of fraud to institute a suit to compel contribution.

28. When any beneficiary's interest becomes vested in another person, and the trustee, not having notice of the vesting, pays or delivers trust-property to the person who would have been entitled thereto in the absence of such vesting, the trustee is not liable for the property so paid or delivered.

Non-liability of trustee paying without notice of transfer by beneficiary.

29. When the beneficiary's interest is forfeited or awarded by legal adjudication to Government, the trustee is bound to hold the trust-property to the extent of such interest for the benefit of such person in such manner as the Government may direct in this behalf.

Liability of trustee where beneficiary's interest is forfeited to Government.

30. Subject to the provisions of the instrument of trust and of sections twenty-three and twenty-six, trustees shall be respectively chargeable only for such moneys, stocks, funds and securities as they respectively actually receive, and shall not be answerable the one for the other of them, nor for any banker, broker or other person in whose hands any trust-property may be placed, nor for the insufficiency or deficiency of any stocks, funds or securities, nor otherwise for involuntary losses.

Act XXVIII of 1866, s. 37, shortened. See sections 15 & 26 *supra*.

Indemnity of trustees.

CHAPTER IV.

OF THE RIGHTS AND POWERS OF TRUSTEES.

31. A trustee is entitled to have in his possession the instrument of trust and all the documents of title (if any) relating solely to the trust-property.

Right to title-deeds.

32. Every trustee may reimburse himself, or pay or discharge out of the trust-property, all expenses properly incurred in or about the execution of the trust, or the realization, preservation or benefit of the trust-property, or the protection or support of the beneficiary.

Right to reimbursement of expenses.

If he pays such expenses out of his own pocket he has a first charge upon the trust-property for such expenses and interest thereon; but such charge (unless the expenses have been incurred with the sanction of a principal Civil Court of original jurisdiction) shall be enforced only by prohibiting any disposition of the trust-property without previous payment of such expenses and interest.

If the trust-property fail, the trustee is entitled to recover from the beneficiary personally on whose behalf he acted, and at whose request, expressed or implied, he made the payment, the amount of such expenses.

Where a trustee has by mistake made an over-payment to the beneficiary, he may reimburse the trust-property out of the beneficiary's interest. If such interest fail, the trustee is entitled to recover from the beneficiary personally the amount of such over-payment.

Right to be recouped for erroneous overpayment.

33. A person other than a trustee who has gained an advantage from a breach of trust must indemnify the trustee to the extent of the amount actually received by such person under the breach; and where he is a beneficiary the trustee has a charge on his interest for such amount.

Right to indemnity from gainer by breach of trust.

Nothing in this section shall be deemed to entitle a trustee to be indemnified who has, in committing the breach of trust, been guilty of fraud.

34. Any trustee may, without instituting a suit, apply by petition to a principal Civil Court of original jurisdiction for its opinion, advice or direction on any present questions respecting the management or administration of the trust-property other than questions of detail, difficulty or importance, not proper for summary disposal. Act XXVIII of 1866, s. 43.

Right to apply to Court for opinion in management of trust-property.

A copy of such petition shall be served upon, and the hearing thereof may be attended by, such of the persons interested in the application as the Court thinks fit.

The trustee stating in good faith the facts in such petition and acting upon the opinion, advice or direction given by the Court shall be deemed, so far as regards his own responsibility, to have discharged his duty as such trustee in the subject-matter of the application.

The costs of every application under this section shall be in the discretion of the Court to which it is made.

35. When the duties of a trustee, as such, are completed, he is entitled to have the accounts of his administration of the trust-property examined and settled; and where nothing is due to the beneficiary under the trust, to an acknowledgment in writing to that effect.

Right to settlement of accounts.

36. In addition to the powers expressly conferred by this Act and by the instrument of trust, and subject to the restrictions, if any, contained in such instrument, and to the provisions of section seventeen, a trustee may do all acts which are reasonable and proper for the realization, protection or benefit of the trust-property, and for the protection or support of a beneficiary who is not competent to contract.

General authority of trustee.

Every trustee in the actual possession or receipt of the rents and profits of land as defined in the Land Improvement Act, 1871, shall, for the purposes of that Act, be deemed to be a landlord in possession. 27 & 28 Vic., c. 114.

Except with the permission of a principal Civil Court of original jurisdiction, no trustee shall lease trust-property for a term exceeding twenty-one years from the date of executing the lease, nor without reserving the best yearly rent that can be reasonably gotten.

37. Where the trustee is empowered to sell any trust-property, he may sell the same either together or in lots, and either by public auction or private contract, and either at one time or at several times, unless the instrument of trust otherwise directs. Act XXVIII of 1866, s. 2, extended to moveables.

Power to sell in lots, and either by public auction or private contract.

38. The trustee making any such sale may insert such reasonable stipulations either as to title or evidence of title, or otherwise, in any conditions of sale or contract for sale, as he thinks fit; and may also Act XXVIII of 1866, s. 3.

Power to sell under special conditions.

buy-in the property or any part thereof at any sale by auction, and rescind or vary any contract for sale, and re-sell the property so bought in, or as to which the contract is so rescinded, without being responsible to the beneficiary for any loss occasioned thereby.

Power to buy-in and re-sell.

Where a trustee is directed to sell trust-property or to invest trust-money in the purchase of property, he may exercise a reasonable discretion as to the time of effecting the sale or purchase.

Time allowed for selling trust-property.

Illustrations.

(*a*) A bequeathes property to B, directing him to sell it with all convenient speed and pay the proceeds to C. This does not render an immediate sale imperative.

(*b*) A bequeathes property to B, directing him to sell it at such time and in such manner as he shall think fit and invest the proceeds for the benefit of C. This does not authorize B, as between him and C, to postpone the sale to an indefinite period.

Act XXVIII of 1866, s. 4.

39. For the purpose of completing any such sale, the trustee shall have power to convey or otherwise dispose of the property sold in such manner as may be necessary.

Power to convey.

Act XXVIII of 1866, s. 32.

40. A trustee may, at his discretion, call in any trust-property invested in any security and invest the same on any of the securities mentioned in section twenty, and from time to time vary any such investments for others of the same nature:

Power to vary investments.

Provided that, where there is a person competent to contract and entitled at the time to receive the income of the trust-property for his life, or for any greater estate, no such change of investment shall be made without his consent in writing.

Act XXVIII of 1866, s. 33.

41. Where any property is held by a trustee in trust for a minor, such trustee may, at his discretion, pay to the guardians (if any) of such minor, or otherwise apply for or towards his maintenance or education or advancement in life, or the reasonable expenses of his marriage or funeral, the whole or any part of the income to which he may be entitled in respect of such property; and such trustee shall accumulate all the residue of such income by way of compound interest, by investing the same and the resulting income thereof from time to time in any of the securities mentioned or referred to in section twenty, for the benefit of the person who shall ultimately become entitled to the property from which such accumulations have arisen: Provided that such trustee may, at any time, if he thinks fit, apply the whole or any part of such accumulations as if the same were part of the income arising in the then current year.

Power to apply property of minors, &c., for their maintenance, &c.

Where the income of the trust-property is insufficient for the minor's maintenance or education or advancement in life, or the reasonable expenses of his marriage or funeral, the trustee may, with the permission of a principal Civil Court of original jurisdiction, but not otherwise, apply the whole or any part of such property for or towards such maintenance, education, advancement or expenses.

See Acts XL of 1858, XX of 1864 and XIII of 1874.

Nothing in this section shall be deemed to affect the provisions of any local law for the time being in force relating to the persons and property of minors.

Act XXVIII of 1866, s. 36, shortened.

42. A trustee may give a receipt in writing for any money paid or property transferred to him by reason or in the exercise of any trust reposed in him, and, in the absence of fraud, such receipt shall discharge the person paying or transferring the same therefrom, and from seeing to the application thereof or being accountable for any loss or misapplication thereof.

Power to give receipts.

43. When an authority to deal with the trust-property is given to several trustees and one of them disclaims or dies, the authority may be exercised by the continuing trustees, unless from the terms of the instrument of trust it is apparent that the authority is to be exercised by a number in excess of the number of the remaining trustees.

Power to several trustees of whom one disclaims or dies.

44. Where a decree has been made in a suit for the execution of a trust, the trustee must not exercise any of his powers except in conformity with such decree, or with the sanction of the Court by which the decree has been made, or, where an appeal against the decree is pending, of the Appellate Court.

Suspension of trustee's powers by decree.

CHAPTER V.

OF THE DISABILITIES OF TRUSTEES.

45. A trustee who has accepted the trust cannot afterwards renounce it except (*a*) with the permission of a principal Civil Court of original jurisdiction, or (*b*), if the beneficiary is competent to contract, with his consent, or (*c*) by virtue of a special power in the instrument of trust.

Trustee cannot renounce after acceptance.

3 Calc. Rep.

46. A trustee cannot delegate his office or any of his duties either to a co-trustee or to a stranger, unless (*a*) the instrument of trust so provides, or (*b*) the delegation is in the regular course of business, or (*c*) the delegation is necessary, or (*d*) the beneficiary, being competent to contract, consents to the delegation.

Trustee cannot delegate.

Explanation.—The appointment of an attorney or proxy to do an act merely ministerial and involving no independent discretion is not a delegation within the meaning of this section.

Illustrations.

(*a*) A bequeathes certain property to B and C on certain trusts to be executed by them or the survivor of them or the assigns of such survivor. B dies. C may bequeath the trust-property to D and E upon the trusts of A's will.

(*b*) A is a trustee of certain property with power to sell the same. A may employ an auctioneer to effect the sale.

(*c*) A bequeathes to B fifty houses let at monthly rents in trust to collect the rents and pay them to C. B may employ a proper person to collect these rents.

47. When there are more trustees than one, all must join in the execution of the trust, except where the instrument of trust otherwise provides.

Co-trustees cannot act singly.

48. Where a discretionary power conferred on a trustee is not exercised reasonably and in good faith, such power may be controlled by a principal Civil Court of original jurisdiction.

Control of discretionary power.

6 Beng. 278.

49. In the absence of express directions to the contrary contained in the instrument of trust or of a contract to the contrary entered into with the beneficiary or the Court at the time of accepting the trust, a trustee has no right to remuneration for his trouble, skill and loss of time in executing the trust.

Trustee may not charge for services.

As to them, see Acts XVII of 1864, II of 1874, XX of 1858, and XX of 1864.

Nothing in this section applies to any Official Trustee, Administrator General, Public Curator, or person holding a certificate of administration.

50. A trustee may not use or deal with the trust-property for his own profit or for any other purpose unconnected with the trust.

Trustee may not use trust-property for his own profit.

51. No trustee whose duty it is to sell trust-property, and no agent employed by such trustee for the purpose of the sale, may, directly or indirectly, buy the same or any interest therein, on his own account or as agent for a third person.

Trustee for sale or his agent may not buy.

52. No trustee, and no person who has recently ceased to be a trustee, may, without the permission of a principal Civil Court of original jurisdiction, buy or become mortgagee or lessee of the trust-property or any part thereof; and such permission shall not be given unless the proposed purchase, mortgage or lease is manifestly for the advantage of the beneficiary.

Trustee may not buy beneficiary's interest without permission.

And no trustee whose duty it is to buy or to obtain a mortgage or lease of particular property for the beneficiary may buy it, or any part thereof, or obtain a mortgage or lease of it, or any part thereof, for himself.

Trustee for purchase.

53. A trustee or co-trustee whose duty it is to invest trust-money on mortgage or personal security must not invest it on a mortgage by, or on the personal security of, himself or one of his co-trustees.

Co-trustees may not lend to one of themselves.

CHAPTER VI.

OF THE RIGHTS AND LIABILITIES OF THE BENEFICIARY.

Lewin 576, 585.

54. The beneficiary has, subject to the provisions of the instrument of trust, a right to the rents and profits of the trust-property.

Rights to rents and profits.

Act I of 1871, s. 12, cl. (*a*).

55. The beneficiary is entitled to have the intention of the author of the trust specifically executed to the extent of the beneficiary's interest;

Right to specific execution.

and where there is only one beneficiary and he is competent to contract, or where there are several beneficiaries and they are competent to contract and all of one mind, he or they may require the trustee to transfer the trust-property to him or them, or to such person as he or they may direct.

3 Beng. A. C. J. 409: 3 Beng. O. C. J. 93.

Right to transfer of possession.

When property has been transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in the second clause of this section applies to such property during her marriage.

Illustrations.

(*a*) Certain Government securities are given to trustees upon trust to accumulate the interest until A attains the age of 24, and then to transfer the gross amount to him. A on attaining majority may, as the person exclusively interested in the trust-property, require the trustees to transfer it immediately to him.

(*b*) A bequeathes Rs. 10,000 to trustees upon trust to purchase an annuity for B, who has attained his majority and is otherwise competent to contract. B may claim the Rs. 10,000.

(*c*) A transfers certain property to B and directs him to sell or invest it for the benefit of C, who is competent to contract. C may elect to take the property in its original character.

56. The beneficiary has a right as against the trustee and all persons claiming under him with notice of the trust to inspect and take copies of the instrument of trust, the documents of title relating solely to the trust-property, the accounts of the trust-property and the vouchers (if any) by which they are supported, and the cases submitted and opinions taken by the trustee for his guidance in the discharge of his duty.

Right to inspect and take copies of instrument of trust, accounts, &c.

57. The beneficiary, if competent to contract, may transfer his interest, but subject to the law for the time being in force as to the circumstances and extent in and to which he may dispose of such interest:

Right to transfer beneficial interest.

Provided that when property is transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in this section shall authorize her to transfer such interest during her marriage.

58. Where no trustees are appointed or all the trustees die, disclaim or are discharged, or where for any other reason the execution of a trust by the trustee is or becomes impracticable, the beneficiary may institute a suit for the execution of the trust, and the trust shall, so far as may be possible, be executed by the Court until the appointment of a trustee or new trustee.

Right to sue for execution of trust.

59. The beneficiary has a right (subject to the provisions of the instrument of trust) that the trust-property shall be properly protected and held and administered by proper persons and by a proper number of such persons.

Right to proper trustees.

Explanation I.—The following are not proper persons within the meaning of this section:—

A person domiciled abroad: an alien enemy; a person having an interest inconsistent with that of the beneficiary: a person in insolvent circumstances; and, unless the personal law of the beneficiary allows otherwise, a married woman and a minor.

Explanation II.—When the administration of the trust involves the receipt and custody of money, the number of trustees should be two at least.

Illustrations.

(*a*) A, one of several beneficiaries, proves that B, the trustee, has improperly disposed of part of the trust-property, or that the property is in danger from B's being in insolvent circumstances, or that he is incapacitated from acting as trustee. A may obtain a receiver of the trust-property.

(*b*) A bequeathes certain jewels to B in trust for C. B dies during A's lifetime; then A dies. C is entitled to have the property conveyed to a trustee for him.

(*c*) A conveys certain property to four trustees in trust for B. Three of the trustees die. B may institute a suit to have three new trustees appointed in the place of the deceased trustees.

(*d*) A conveys certain property to three trustees in trust for B. All the trustees disclaim. B may institute a suit to have three trustees appointed in place of the trustees so disclaiming.

(*e*) A, a trustee for B, refuses to act, or goes to reside permanently out of British India, or is declared an insolvent or compounds with his creditors, or suffers a co-trustee to commit a breach of trust. B may institute a suit to have A removed and a new trustee appointed in his room.

Act I of 1877, s. 54.

60. The beneficiary has a right that his trustee shall be compelled to perform any particular act of his duty as such, and restrained from committing any contemplated or probable breach of trust.

Right to compel to any act of duty.

Illustrations.

(*a*) A contracts with B to pay him monthly Rs. 100 for the benefit of C. B writes and signs a letter declaring that he will hold in trust for C the money so to be paid. A fails to pay the money in accordance with his contract. C may compel B on a proper indemnity to allow C to sue on the contract in B's name.

Act I of 1877, s. 64, ill. (*f*).

(*b*) A is trustee of certain land, with a power to sell the same and pay the proceeds to B and C equally. A is about to make an improvident sale of the land. B may sue on behalf of himself and C for an injunction to restrain A from making the sale.

61. Where a trustee has wrongfully bought trust-property, the beneficiary has a right to have the property declared subject to the trust or retransferred by the trustee, if it remains in his hands unsold, or, if it has been bought from him by any person with notice of the trust, by such person. But in such case the beneficiary must repay the purchase-money paid by the trustee, with interest, and such other expenses (if any) as he has properly incurred in the preservation of the property; and the trustee or purchaser must (*a*) account for the net profits of the property, (*b*) be charged with an occupation-rent, if he has been in actual possession of the property, and (*c*) allow the beneficiary to deduct a proportionate part of the purchase-money if the property has been deteriorated by the acts or omissions of the trustee or purchaser.

Wrongful purchase by trustee.

Nothing in this section—

(*a*) impairs the rights of lessees and others who, before the institution of a suit to have the property declared subject to the trust or retransferred, have contracted in good faith with the trustee or purchaser; or

(*b*) entitles the beneficiary to have the property declared subject to the trust or retransferred where he, being competent to contract, has himself, without coercion or undue influence having been brought to bear on him, ratified the sale to the trustee with full knowledge of the facts of the case and of his rights as against the trustee.

[illegible] Hom. O. C. [illegible] Sc. I. L. R. 1 Hom. 207.

62. Where trust property comes into the hands of a third person inconsistently with the trust, the beneficiary may require him to admit formally, or may institute a suit for a declaration, that the property is comprised in the trust.

Following trust-property— into the hands of third persons;

Where the trustee has disposed of trust-property and the money or other property which he has received therefor can be traced in his hands, or the hands of his legal representative or legatee, the beneficiary has, in respect thereof, rights as nearly as may be the same as his rights in respect of the original trust-property.

into that into which it has been converted.

Illustrations.

(*a*) A, a trustee for B of Rs. 10,000, wrongfully invests the Rs. 10,000 in the purchase of certain land. B is entitled to the land.

(*b*) A, a trustee, wrongfully purchases land in his own name, partly with his own money, partly with money subject to a trust for B. B is entitled to a charge on the land for the amount of the trust-money so misemployed.

63. Nothing in section sixty-two entitles the beneficiary to any right in respect of property in the hands of—

Saving of rights of certain transferees.

As to moveables, see Act IX of 1872, s. 108.

(*a*) a transferee in good faith for consideration without having notice of the trust, either when the purchase-money was paid, or when the conveyance was executed, or—

5 W. R. 120: W. R. 1864, p. 225.

(*b*) a transferee for consideration from such a transferee.

A judgment-creditor of the trustee attaching and purchasing trust-property is not a transferee for consideration within the meaning of this section.

Nothing in section sixty-two applies to money, currency notes and negotiable instruments in the hands of a *bonâ fide* holder to whom they have passed in circulation, or shall be deemed to affect the Indian Contract Act, 1872, section 108, or the liability of a person to whom a debt or charge is transferred.

64. Where a trustee wrongfully sells or otherwise transfers trust-property and afterwards himself becomes the owner of the property, the property again becomes subject to the trust, notwithstanding any want of notice on the part of intervening transferees in good faith for consideration.

Acquisition by trustee of trust-property wrongfully converted.

65. Where the trustee wrongfully mingles the trust-property with his own, the beneficiary is entitled to a charge on the whole fund for the amount due to him.

Cf. Contract Act, s. 157.

Right in case of blended property.

66. If a partner, being a trustee, wrongfully employs trust-property in the business or on the account of the partnership, no other partner is liable therefor in his personal capacity to the beneficiaries, unless he had notice of the breach of trust.

Wrongful employment by partner-trustee of trust-property for partnership purposes.

The partners having such notice are jointly and severally liable for the breach of trust.

Illustrations.

(*a*) A and B are partners. A dies, having bequeathed all his property to B in trust for Z, and appointed B his sole executor. B, instead of winding-up the affairs of the partnership, retains all the assets in the business. Z may compel him, as partner, to account for so much of the profits as are derived from A's share of the capital. B is also answerable to Z for the improper employment of A's assets.

(*b*) A, a trader, bequeaths his property to B in trust for C, appoints B his sole executor, and dies. B enters into partnership with X and Y in the same trade, and employs A's assets in the partnership-business. B gives an indemnity to X and Y against the claims of C. Here X and Y are jointly liable with B to C as having knowingly become parties to the breach of trust committed by B.

67. Where one of several beneficiaries—

Liability of beneficiary joining in breach of trust.

(*a*) joins in committing breach of trust, or

(*b*) knowingly obtains any advantage therefrom, without the consent of the other beneficiaries, or

(*c*) becomes aware of a breach of trust committed or intended to be committed, and either actually conceals it, or does not within a reasonable time take proper steps to protect the interests of the other beneficiaries, or

(*d*) has deceived the trustee and thereby induced him to commit a breach of trust,

the other beneficiaries are entitled to have all his beneficial interest impounded as against him and all who claim under him (otherwise than as transferees for consideration without notice of the breach) until the loss caused by the breach has been compensated.

When property has been transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in this section applies to such property during her marriage.

68. Every person to whom a beneficiary transfers his interest has the rights, and is subject to the liabilities, of the beneficiary in respect of such interest at the date of the transfer.

Rights and liabilities of beneficiary's transferee.

CHAPTER VII.

OF VACATING THE OFFICE OF TRUSTEE.

69. The office of a trustee is vacated by his death or by his discharge from his office.

Office how vacated.

2 Spence 920.

70. A trustee may be discharged from his office only as follows:—

Discharge of trustee.

(*a*) by the extinction of the trust;

(*b*) by the completion of his duties under the trust;

under express authority conferred by.

(*c*) by such means as may be prescribed by the instrument of trust;

(*d*) by appointment under this Act of a new trustee in his place;

(*e*) by consent of himself and the beneficiary, or, where there are more beneficiaries than one, all the beneficiaries being competent to contract, or

(*f*) by the Court to which a petition for his discharge is presented under this Act.

71. Notwithstanding the provisions of section eleven, every trustee may apply by petition to a principal Civil Court of original jurisdiction to be discharged from his office; and, if the Court finds that there is sufficient reason for such discharge, it may discharge him accordingly, and direct his costs to be paid out of the trust-property. But where there is no such reason, the Court shall not discharge him, unless a proper person can be found to take his place.

Petition to be discharged from trust.

Act XXVIII of 1866, s. 34. 23 & 24 Vic., c. 145, s. 27.

72. Whenever any person appointed a trustee disclaims, or any trustee dies, or is for a continuous period of six months absent from British India, or leaves British India for the purpose of residing abroad, or is declared an insolvent, or desires to be discharged from the trust, or refuses or becomes, in the opinion of a principal Civil Court of original jurisdiction, unfit or personally incapable to act in the trust, or accepts an inconsistent trust, a new trustee may be appointed in his place by—

Appointment of new trustees on death, &c.

(*a*) the person nominated for that purpose by the instrument of trust (if any), or

(*b*) if there be no such person, or no such person able and willing to act, the author of the trust if he be alive and competent to contract, or the surviving or continuing trustees or trustee for the time being, or legal representative of the last surviving and continuing trustee, or the retiring trustees, if they all retire simultaneously, or the last retiring trustee.

5 Beng. 184.

Every such appointment shall be by writing under the hand of the person making it.

The Official Trustee may, with his consent and by the order of the Court, be appointed under this section, in any case in which only one trustee is to be appointed and such trustee is to be the sole trustee.

For the purposes of this section, any refusing or retiring trustee shall, if willing to act in the execution of the power, be considered a continuing trustee.

73. Whenever any such vacancy or disqualification occurs and it is found impracticable to appoint a new trustee under section seventy-two, the beneficiary may, without instituting a suit, apply by petition to a principal Civil Court of original jurisdiction for the appointment of a trustee or a new trustee, and the Court may appoint a trustee or a new trustee accordingly.

Appointment by Court.

In appointing new trustees, the Court shall have regard (*a*) to the wishes of the author of the trust as expressed in or to be inferred from the instrument of trust; (*b*) to the wishes of the person, if any, empowered to appoint new trustees; (*c*) to the question whether the appointment will promote or impede the execution of the trust, and (*d*) where there are more beneficiaries than one, to the interests of all such beneficiaries.

Rule for selecting new trustees.

74. Whenever any new trustee is appointed under section seventy-two or section seventy-three, all the trust-property for the time being vested in the surviving or continuing trustees or trustee, or in the legal representative of any trustee, shall become vested in such new trustee, either solely or jointly with the surviving or continuing trustees or trustee as the case may require.

Vesting of trust-property in new trustees.

Every new trustee so appointed, and every trustee appointed by a Court either before or after the passing of this Act, shall have the same powers, authorities and discretions, and shall in all respects act, as if he had been originally nominated a trustee by the author of the trust.

Powers of new trustees.

75. On the death or discharge of one of several co-trustees, the trust survives, and the trust property passes to the others, unless the instrument of trust expressly declares otherwise.

Survival of trust.

CHAPTER VIII.

OF THE EXTINCTION OF TRUSTS.

Trust how extinguished.

76. A trust is extinguished—

(*a*) when its purpose is completely fulfilled; or

(*b*) when its purpose becomes unlawful; or

(*c*) when the fulfilment of its purpose becomes impossible by destruction of the trust-property or otherwise; or

(*d*) when the trust, being revocable, is expressly revoked.

Revocation of trust.

77. A trust created by will may be revoked at the pleasure of the testator.

A trust otherwise created can be revoked only—

Jijibhai v. *Sonabhai*, 2 Bom. 139. N. W. P., 1870, p. 420.

(*a*) where all the beneficiaries are competent to contract—by their consent;

(*b*) where the trust has been declared by a non-testamentary instrument or by word of mouth—in exercise of a power of revocation expressly reserved to the author of the trust; or

(*c*) where the trust is for the payment of the debts of the author of the trust, and has not been communicated to the creditors—at the pleasure of the author of the trust.

Illustration.

A conveys property to B in trust to sell the same and pay out of the proceeds the claims of A's creditors. A reserves no power of revocation. If no communication has been made to the creditors, A may revoke the trust. But if the creditors are parties to the arrangement, the trust cannot be revoked without their consent.

Revocation not to defeat what trustees have duly done.

78. No trust can be revoked by the author of the trust so as to defeat or prejudice what the trustees may have duly done in execution of the trust.

CHAPTER IX.

OF CERTAIN OBLIGATIONS IN THE NATURE OF TRUSTS.

Where obligation in nature of trust is created.

79. An obligation in the nature of a trust is created in the following cases.

Where it does not appear that transferor intended to dispose of beneficial interest.

80. Where the owner of property transfers or bequeathes it and it cannot be inferred consistently with the attendant circumstances that he intended to dispose of the beneficial interest therein, the transferee or legatee must hold such property for the benefit of the owner or his legal representative.

Illustrations.

(*a*) A conveys land to B without consideration and declares no trust of any part. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in the land. B holds the land for the benefit of A.

(*b*) A conveys to B two fields, Y and Z, and declares a trust of Y, but says nothing about Z. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in Z. B holds Z for the benefit of A.

(*c*) A transfers certain stock into the joint names of himself and B. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in the stock during his life. A and B hold the stock for the benefit of A during his life.

(*d*) A makes a gift of certain land to his wife B. She takes the beneficial interest in the land free from any trust in favour of A, for it may be inferred from the circumstances that the gift was for B's benefit.

Transfer to one for consideration paid by another.

81. Where property is transferred to one person for a consideration paid or provided by another person, and it appears that such other person did not intend to pay or provide such consideration for the benefit of the transferee, the transferee must hold the property for the benefit of the person paying or providing the consideration.

Nothing in this section shall be deemed to affect the Code of Civil Procedure, section 317, or Act No. XI of 1859 (*to improve the law relating to sales of land for arrears of revenue in the Lower Provinces under the Bengal Presidency*), section 38.

Trust incapable of execution or executed without exhausting trust-property.

82. Where a trust is incapable of being executed, or where the trust is completely executed without exhausting the trust-property, the trustee, in the absence of a direction to the contrary, must hold the trust-property, or so much thereof as is unexhausted, for the benefit of the author of the trust or his legal representative, I. L. R. 2 Bom. 410.

Illustrations.

(*a*) A conveys certain land to B—
"upon trust," and no trust is declared, or
"upon trust to be thereafter declared," and no such declaration is ever made; or
upon trusts that are too vague to be executed;
upon trusts that become incapable of taking effect; or
"in trust for C," and C renounces his interest under the trust.

In each of these cases B holds the land for the benefit of A.

(*b*) A transfers Rs. 10,000 in the four per cents. to B, in trust to pay the interest annually accruing due to C for her life. A dies. Then C dies. B holds the fund for the benefit of A's legal representative.

(*c*) A conveys land to B upon trust to sell it and apply one moiety of the proceeds for certain charitable purposes and the other for the maintenance of the worship of an idol. B sells the land, but the charitable purposes wholly fail, and the maintenance of the worship does not exhaust the second moiety of the proceeds. B holds the first moiety and the part unapplied of the second moiety for the benefit of A or his legal representative.

(*d*) A bequeathes Rs. 10,000 to B, to be laid out in buying land to be conveyed for purposes which either wholly or partially fail to take effect. B holds for the benefit of A's legal representative the undisposed of interest in the money or land if purchased.

Transfer for illegal purpose.

83. Where the owner of property transfers it to another for an illegal purpose and such purpose is not carried into execution, or the transferor is not as guilty as the transferee, or the effect of permitting the transferee to retain the property might be to defeat the provisions of any law, the transferee must hold the property for the benefit of the transferor.

Bequest for illegal purpose.

84. Where a testator bequeathes certain property upon trust and the purpose of the trust appears on the face of the will to be unlawful, or during the testator's lifetime the legatee agrees with him to apply the property for an unlawful purpose, the legatee must hold the property for the benefit of the testator's legal representative.

Bequest of which revocation is prevented by coercion.

Where property is bequeathed and the revocation of the bequest is prevented by coercion, the legatee must hold the property for the benefit of the testator's legal representative.

See Act I of 1877, s. 35.

Transfer pursuant to rescindible contract.

85. Where property is transferred in pursuance of a contract which is liable to rescission or induced by fraud or mistake, the transferee must, on receiving notice to that effect, hold the property for the benefit of the transferor, subject to repayment by the latter of the consideration actually paid.

Debtor becoming creditor's representative.

86. Where a debtor becomes the executor or other legal representative of his creditor, he must hold the debt for the benefit of the persons interested therein.

Act I of 1877, s. 3, ills. (*b*), (*c*), (*e*), (*f*); I. L. R. 2 Ind. App. 18.

Advantage gained by fiduciary.

87. Where a trustee, executor, partner, agent, director of a company, legal adviser, or other person bound in a fiduciary character to protect the interests of another person, by availing himself of his character, gains for himself any pecuniary advantage, or where any person so bound enters into any dealings under circumstances in which his own interests are, or may be, adverse to those of such other person and thereby gains for himself a pecuniary advantage, he must hold for the benefit of such other person the advantage so gained.

Illustrations.

(*a*) A, an executor, buys at an undervalue from B, a legatee, his claim under the will. B is ignorant of the value of the bequest. A must hold for the benefit of B the difference between the price and value.

(*b*) A, a trustee, uses the trust-property for the purpose of his own business. A holds for the benefit of his beneficiary the profits arising from such user.

(*c*) A, a trustee, retires from his trust in consideration of his successor paying him a sum of money. A holds such money for the benefit of his beneficiary.

(*d*) A, a partner, buys land in his own name with funds belonging to the partnership. A holds such land for the benefit of the partnership.

(*e*) A, a partner, employed on behalf of himself and his co-partners in negotiating the terms of a lease, clandestinely stipulates with the lessor for payment to himself of a lákh of rupees. A holds the lákh for the benefit of the partnership.

(*f*) A and B are partners. A dies. B, instead of winding up the affairs of the partnership, retains all the assets in the business. B must account to A's legal representative for the profits arising from A's share of the capital.

(*g*) A, an agent employed to obtain a lease for B, obtains the lease for himself. A holds the lease for the benefit of B.

(*h*) A, a guardian, buys up for himself incumbrances on his ward B's estate at an undervalue. A holds for the benefit of B the incumbrances so bought, and can only charge him with what he has actually paid.

Advantage gained by exercise of undue influence.

88. Where by the exercise of undue influence any advantage is gained in derogation of the interests of another, the person gaining such advantage without consideration or with notice that such influence has been exercised must hold the advantage for the benefit of the person whose interests have been so prejudiced.

Act I of 1877, s. 3, ill. (*g*). Mortgagee paying equity of redemption.

Advantage gained by qualified owner.

89. Where a tenant for life, co-owner, mortgagee or other qualified owner of any property, by availing himself of his position as such, gains an advantage in derogation of the rights of the other persons interested in the property, or where any such owner, as representing all persons interested in such property, gains any advantage, he must hold, for the benefit of all persons so interested, the advantage so gained, but subject to repayment by such persons of their due share of the expenses properly incurred, and to an indemnity by the same persons against liabilities properly contracted, in gaining such advantage.

Illustrations.

(*a*) A, the tenant for life of leasehold property, renews the lease in his own name and for his own benefit. A holds the renewed lease for the benefit of all those interested in the old lease.

(*b*) A village belongs to a Hindú family. A, one of its members, pays nazrána to Government and thereby procures his name to be entered as the inámdár of the village. A holds the village for the benefit of himself and the other members.

(*c*) A mortgages land to B, who enters into possession. B allows the Government revenue to fall into arrear with a view to the land being put up for sale and his becoming himself the purchaser of it. The land is accordingly sold to B. Subject to the repayment of the amount due on the mortgage and of his expenses properly incurred as mortgagee, B holds the land for the benefit of A. 10 Moo. I. A. 322: 14 Moo. I. A. 305.

Act I of 1877, s. 3, ills. (*g*), (*h*).

Property acquired with notice of existing contract.

90. Where a person acquires property with notice that another person has entered into an existing contract affecting that property, of which specific performance could be enforced, the former must hold the property for the benefit of the latter to the extent necessary to give effect to the contract.

Purchase by person contracting to buy property to be held on trust.

91. Where a person contracts to buy property to be held on trust for certain beneficiaries and buys the property accordingly, he must hold the property for their benefit to the extent necessary to give effect to the contract.

Advantage secretly gained by one of several compounding creditors.

92. Where creditors compound the debts due to them, and one of such creditors, by a secret arrangement with the debtor, gains an undue advantage over his co-creditors, he must hold for the benefit of such creditors the advantage so gained.

Constructive trusts in cases not expressly provided for.

93. In any case not coming within the scope of any of the preceding sections, where there is no trust, but the person having possession of property has not the whole beneficial interest therein, he must hold the property for the benefit of the persons having such interest, or the residue thereof (as the case may be), to the extent necessary to satisfy their just demands.

Illustrations.

(*a*) A, an executor, distributes the assets of his testator B to the legatees without having paid the whole of B's debts. The legatees hold for the benefit of B's creditors, to the extent necessary to satisfy their just demands, the assets so distributed.

(*b*) A by mistake assumes the character of a trustee for B, and under colour of the trust receives certain moneys. B may compel him to account for such moneys.

(*c*) A makes a gift of a lákh of rupees to B, reserving to himself, with B's assent, power to revoke at pleasure the gift as to Rs. 10,000. The gift is void as to Rs. 10,000, and B holds that sum for the benefit of A.

Obligor's duties, liabilities and disabilities.

94. The person holding property in accordance with any of the preceding sections of this chapter must, so far as may be, perform the same duties, and is subject, so far as may be, to the same liabilities and disabilities, as if he were a trustee of the property for the person for whose benefit he holds it:

Provided that (*a*) where he rightfully cultivates the property or employs it in trade or business, he is entitled to reasonable remuneration for

his trouble, skill and loss of time in such cultivation or employment; and (*b*) where he holds the property by virtue of a contract with the person for whose benefit he holds it, or with any one through whom such person claims, he may, without the permission of the Court, buy or become lessee or mortgagee of the property or any part thereof.

Saving of rights of *bond fide* purchasers.

95. Nothing contained in this chapter shall impair the rights of transferees in good faith for consideration, or create an obligation in evasion of any law for the time being in force.

THE SCHEDULE.

STATUTE.

Year and chapter.	Short title.	Extent of repeal.
29 Car. II, c. 3 ...	The Statute of Frauds.	Sections 7, 8, 9, 10 and 11.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Short title.	Extent of repeal.
XXVIII of 1866 ...	The Trustees' and Mortgagees' Powers Act, 1866.	Sections 2, 3, 4, 5, 32, 33, 34, 35, 36 and 37. In sections 39 and 43, the word "trustee" wherever it occurs; and in section 43 the words "management or" and "the trust-property or."
I of 1877 ...	The Specific Relief Act, 1877.	In section 12, the first illustration.

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July, 1881:—

WE, the undersigned Members of the Select Committee to which the Bill to define and amend the law relating to Easements and Licenses was referred, have the honour to report that we have considered the Bill, the portions of the report of the Indian Law Commission relating to the Bill, and the papers noted in the schedule annexed to this report.

2. As the Government of India does not wish to put the Bill in force in any territory against the wishes of the Local Government, we have made it apply, in the first instance, only to the Presidency of Madras, Coorg and the Central Provinces, and, as regards the rest of British India, made it extendible to such areas as the respective Local Governments think fit.

3. We have left out the section (5) relating to affirmative and negative easements, as its provisions were only required to explain the use of those terms in section 15, and it does not appear necessary to use them in that section.

4. In section 15, paragraph 2, which provides for the period within which a right to support can be acquired by prescription, we have inserted the words "as of right." We consider that this easement should not be acquired except in cases where the owner of the land from which the support is enjoyed has an opportunity of resisting its acquisition. No doubt, the natural secrecy of the enjoyment often makes it difficult to shew that the servient owner has been aware of the user. But where the dominant house is so constructed, or the manner of imposing the pressure is so manifest, that the servient owner may reasonably be held to have notice of the support, there seems no reason why this easement should not be acquired in the same manner as any other.

5. Paragraph 5 of section 15 of the Bill as introduced follows the existing law, as contained in section 26 of Act No. XV of 1877 (the Indian Limitation Act). It provides that the period of twenty years, the period fixed by the section for the acquisition of easements by prescription, shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested. The effect is that, in a suit in which the right to an easement is contested, the party claiming the easement must not only prove a twenty years' enjoyment, but must also prove that the enjoyment has continued till within two years next before the institution of the suit. This provision was necessary when the Indian Limitation Act was passed, because there was no law to regulate the extinction of easements by non-enjoyment; but now that section 49 of the Bill (section 47 of the Bill as amended) defines the law on this subject, the rule contained in paragraph 5 of section 15 appears to be no longer required, and we have therefore omitted it. This omission has the further advantage of rendering it unnecessary to apply the doctrine contained in the recent decision of the Privy Council in the case of *Raj Roop Koer* v. *Abdool Hoossein*.

6. For explanation IV to section 15, we have substituted an illustration suggested by the case of *Angus* v. *Dalton*.

7. The provisions of clause (*b*), section 17, of the Bill as introduced contain a doctrine which is based on the theory of presumed grants—a theory not recognised by the Bill. We have therefore omitted this clause, and modified the explanation accordingly.

8. Section 35 of the Bill as introduced provides (in accordance with the decision in the case of *the St. Helen's Smelting Company*) that the fact that air or water is already polluted by a person who enjoys an easement of which the air or water is the subject does not give others the right to add to the pollution; and section 36 of the Bill as introduced declares that the continued disturbance of an easement, after compensation has been recovered for an original disturbance, gives a right to recover compensation for the continuance. We have omitted these sections, as the former does not seem likely to be of practical utility, and the latter contains an elementary rule which will more fitly find a place in a code of the law of torts.

9. We have redrawn section 45 (now 43) as to the extinction of an easement by changes in the dominant heritage, so as to express more clearly what we take to be the existing law on the subject.

10. We have also made a few verbal amendments, but the Bill in substance remains the same as settled by the Indian Law Commission. We do not see how it can be further shortened or simplified. We therefore recommend that it be passed as now amended, but that, in obedience to the orders of the Secretary of State for India, it be republished in the *Gazette of India* with this report; it must also be sent to the Secretary of State, published in the local Gazettes, and translated into the vernacular languages.

SIMLA;
The 6th July 1881.

WHITLEY STOKES.
J. GIBBS.

SCHEDULE.

Endorsement by the Home Department, No. 788, dated 25th June, 1878, and enclosures [Papers No. 1].

Endorsement by the Home Department, No. 789, dated 25th June, 1878, and enclosures [Papers No. 2].

Office Memorandum from the Home Department, No. 919, dated 18th July, 1878, and enclosures [Papers No. 3].

Endorsement by the Home Department, No. 951, dated 25th July, 1878, and enclosures [Papers Nos. 4 and 5].

Endorsement by the Home Department, No. 993, dated 5th August, 1878, and enclosures [Papers No. 6].

Endorsement by the Home Department, No. 1016, dated 8th August, 1878, and enclosures [Papers No. 7].

Endorsement by the Home Department, No. 1035, dated 12th August, 1878, and enclosures [Papers No. 8].

Endorsement by the Home Department, No. 1004, dated 7th August, 1878, and enclosures [Papers No. 9].

Endorsement by the Home Department, No. 1131, dated 24th August, 1878, and enclosures [Papers No. 10].

Endorsement by the Home Department, No. 1433, dated 17th October, 1878, and enclosures [Papers No. 11].

Endorsement by the Home Department, No. 1554, dated 26th November, 1878, and enclosures [Papers No. 12].

Endorsement by the Home Department, No. 239, dated 1st March, 1879, and enclosures [Papers No. 13].

From Resident at Haidarábád, to the Secretary to Government of India, Home Department, No. 1, dated 12th April, 1879 [Paper No. 14].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2125, dated 22nd April, 1879, and enclosures [Papers No. 15].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2522, dated 26th April, 1879, and enclosures [Papers No. 16].

From Resident at Haidarábád, to Officiating Secretary to Government of India, Home Department, No. 8, dated 23rd April, 1879, and enclosure [Papers No. 17].

From Chief Commissioner, Coorg, to Officiating Secretary to Government of India, Home Department, No. 60, dated 25th April, 1879 [Paper No. 18].

From Government of Bengal, to Secretary to Government of India, Home Department, No. 2222, dated 6th May, 1879, and enclosures [Papers No. 19].

From Chief Commissioner, Assam, to the Officiating Secretary to Government of India, Home Department, No. 732, dated 1st May, 1879 [Papers No. 20].

From Lakshmí Nárayana Pandit, Pleader, High Court, North-Western Provinces, dated 3rd May, 1879 [Paper No. 21].

From Chief Commissioner, Central Provinces, to Secretary to Government of India, Home Department, No. 1962-99, dated 30th April, 1879 [Paper No. 22].

From Chief Commissioner, Coorg, to Officiating Secretary to Government of India, Home Department, No. 115-5, dated 7th May, 1879, and enclosures [Papers No. 23].

From Government of the North-Western Provinces and Oudh, to Secretary to Government of India, Home Department, and enclosures [Papers No. 24].

From Chief Commissioner, British Burma, to Secretary to Government of India, Home Department, and enclosures [Papers No. 25].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2879, dated 17th May, 1879, and enclosure [Paper No. 26].

From Registrar, High Court, Calcutta, to the Secretary to Government of India, Home Department, No. 1121, dated 27th June, 1879, and enclosures [Papers No. 27].

From Chief Commissioner, British Burma, to Officiating Secretary to Government of India, Home Department, No. 657-247, dated 27th May, 1879, and enclosures [Papers No. 28].

From Government of the Panjáb, to the Officiating Secretary to Government of India, Home Department, No. 179C., dated 11th June, 1879, and enclosures [Papers No. 29].

From Government of the Panjáb, to the Secretary to Government of India, Home, Revenue and Agricultural Department, No. 466C., dated 18th July, 1879 [Paper No. 30].

Notes by Hon'ble T. H. Thornton, Judge, Chief Court, Panjáb, dated 25th May, 1878 [Papers No. 31].

From Chief Commissioner, Coorg, No. 1419-9, dated 3rd February, 1881, and enclosure [Papers No. 32].

From Resident at Haidarábád, No. 47, dated 4th February, 1881 [Paper No. 33].

From Chief Commissioner, Ajmer-Merwára, No. 91, dated 8th February, 1881, and enclosures [Papers No. 34].

From Government of Madras, No. 285, dated 7th February, 1881, and enclosures [Papers No. 35].

From Chief Commissioner, Central Provinces, No. 513A.-3, dated 15th February, 1881, and enclosures [Papers No. 36].

From Government of Bengal, No. 823J., dated 19th February, 1881, and enclosures [Papers No. 37].

From Chief Commissioner, Assam, No. 49T., dated 21st February, 1881, and enclosures [Papers No. 38].

From Government of Bombay, No. 1095, dated 19th February, 1881, and enclosures [Papers No. 39].

From Chief Commissioner, British Burma, No. 1263-1L., dated 23rd February, 1881, and enclosures [Papers No. 40].

From Registrar, High Court, Calcutta, No. 565, dated 11th March, 1881, and enclosures [Papers No. 41].

From Resident at Haidarábád, No. 92, dated 10th March, 1881, and enclosures [Papers No. 42].

From Government of the North-Western Provinces and Oudh, No. 462, dated 30th March, 1881, and enclosures [Papers No. 43].

From Government of the Panjáb, No. 1313, dated 3rd April, 1881, and enclosures [Papers No. 44].

From Government of Bombay, No. 3103, dated 17th May, 1881, and enclosures [Papers No. 45].

No. II.

THE INDIAN EASEMENTS BILL, 1881.

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No. II.

A Bill to define and amend the law relating to Easements and Licenses.

WHEREAS it is expedient to define and amend the law relating to Easements and Licenses; It is hereby enacted as follows: (Preamble.)

PRELIMINARY.

1. This Act may be called "The Indian Easements Act, 1882": (Short title.)

It extends in the first instance to the territories respectively administered by the Governor of Madras in Council and the Chief Commissioners of the Central Provinces and Coorg, and the Local Government may from time to time, by notification in the official Gazette, extend it to any other part of British India; (Local extent.)

and it shall come into force on the first day of March 1882. (Commencement.)

2. Nothing herein contained shall be deemed to affect any law not hereby expressly repealed; or to derogate from— (Savings.)

(*a*) any right of the Government to regulate the collection, retention and distribution of the water of rivers and streams flowing in natural channels, and of natural lakes and ponds, or of the water flowing, collected, retained or distributed in or by any channel or other work constructed at the public expense for irrigation;

(*b*) any customary or other right (not being a license) in or over immoveable property which the Government, the public or any person may possess irrespective of other immoveable property; or

(*c*) any right acquired, or arising out of a relation created, before this Act comes into force.

3. Sections 26 and 27 of the Indian Limitation Act, 1877, and the definition of "easement" contained in that Act, are hereby repealed. All references to the said sections, or to sections 27 and 28 of Act No. IX of 1871, shall be read as made to sections fifteen and sixteen of this Act. (Repeal of Act XV of 1877, sections 26 and 27.)

CHAPTER I.—OF EASEMENTS GENERALLY.

4. An easement is a right which the owner or occupier of certain land possesses, as such, for the beneficial enjoyment of that land, to do and continue to do something, or to prevent and continue to prevent something being done, in or upon, or in respect of, certain other land not his own. ("Easement" defined.)

The land for the beneficial enjoyment of which the right exists is called the dominant heritage, and the owner or occupier thereof the dominant owner; the land on which the liability is imposed is called the servient heritage, and the owner or occupier thereof the servient owner. (Dominant and servient heritages and owners.)

Explanation.—In the first and second clauses of this section, the expression "land" includes also things permanently attached to the earth: the expression "beneficial enjoyment" includes also possible convenience, remote advantage, and even a mere amenity; and the expression "to do something" includes removal and appropriation by the dominant owner, for the beneficial enjoyment of the dominant heritage, of any part of the soil of the servient heritage or anything growing or subsisting thereon.

Illustrations.

(*a*) A, as the owner of a certain house, has a right of way thither over his neighbour B's land for purposes connected with the beneficial enjoyment of the house. This is an easement.

(*b*) A, as the owner of a certain house, has the right to go on his neighbour B's land, and to take water for the purposes of his household out of a spring therein. This is an easement.

(*c*) A, as the owner of a certain house, has the right to conduct water from B's stream to supply the fountains in the garden attached to the house. This is an easement.

(*d*) A, as the owner of a certain house and farm, has the right to graze a certain number of his own cattle on B's field, or to take, for the purpose of being used in the house, by himself, his family, guests, lodgers and servants, water or fish out of C's tank, or timber out of D's wood, or to use, for the purpose of manuring his land, the leaves which have fallen from the trees on E's land. These are easements.

(*e*) A dedicates to the public the right to spend the surface of certain land for the purpose of passing and repassing. This right is not an easement.

(*f*) A is bound to cleanse a watercourse running through his land and keep it free from obstruction for the benefit of B, a lower riparian owner. This is not an easement.

5. Easements are either continuous or discontinuous, apparent or non-apparent. (Continuous and discontinuous, apparent and non-apparent, easements.)

A continuous easement is one whose exercise is or may be continual without the act of man.

A discontinuous easement is one that needs the act of man for its exercise.

Pyer v. *Carter*, 1 H. & N. 922. An apparent easement is one that has some permanent sign of its existence, which, upon careful inspection by a competent person, would be visible to him.

A non-apparent easement is one that has no such sign.

Illustrations.

(*a*) A right annexed to B's house to receive light by the windows without obstruction by his neighbour A. This is a continuous easement.

(*b*) A right of way annexed to A's house over B's land. This is a discontinuous easement.

(*c*) Rights annexed to A's land to lead water thither across B's land by an aqueduct and to draw off water thence by a drain. The drain would be discovered upon careful inspection by a person conversant with such matters. These are apparent easements.

(*d*) A right annexed to A's house to prevent B from building on his own land. This is a non-apparent easement.

6. An easement may be permanent, or for a term of years or other limited period, or subject to periodical interruption, or exercisable only at a certain place, or at certain times, or between certain hours, or for a particular purpose, or on condition that it shall commence or become void or voidable on the happening of a specified event or the performance or non-performance of a specified act. (Easement for limited time or on condition.)

7. Easements are restrictions of one or other of the following rights (namely):— (Easements restrictive of certain rights.)

(*a*) The exclusive right of every owner of immoveable property (subject to any law for the time being in force) to enjoy and dispose of the same and all products thereof and accessions thereto. (Exclusive right to enjoy.)

(*b*) The right of every owner of immoveable property (subject to any law for the time being in force) to enjoy without disturbance by another the natural advantages arising from its situation. (Rights to advantages arising from situation.)

Illustrations of the rights above referred to.

N. W. P. (*a*) The exclusive right of every owner of land in a town to build thereon, subject to any municipal law for the time being in force.

(*b*) The right of every owner of land that the air passing thereto shall not be unreasonably polluted by other persons.

(*c*) The right of every owner of a house that his physical comfort shall not be interfered with materially and unreasonably by noise or vibration caused by any other person.

(*d*) The right of every owner of land to so much light and air as pass vertically thereto.

(*e*) The right of every owner of land that such land, in its natural condition, shall have the support naturally furnished by the subjacent soil of another person.

Explanation.—Land is in its natural condition when it is not excavated and not subjected to artificial pressure; and the "subjacent and adjacent soil" mentioned in this illustration means such soil only as in its natural condition would support the dominant heritage in its natural condition.

(*f*) The right of every owner of land that, within his own limits, the water which naturally passes or percolates by, over or through his land shall not, before so passing or percolating, be unreasonably polluted by other persons.

(*g*) The right of every owner of land to collect and dispose within his own limits of all water under the land and all water on its surface which does not pass in a defined channel. Marshall 506.

(*h*) The right of every owner of land that the water of every natural stream which passes by, through or over his land in a defined natural channel shall be allowed by other persons to flow within such owner's limits without interruption and without material alteration in quantity, direction, force or temperature; the right of every owner of land abutting on a natural lake or pond into or out of which a natural stream flows, that the water of such lake or pond shall be allowed by other persons to remain within such owner's limits without material alteration in quantity or temperature. L. R. 6 Ind. App. 33: 3 W. R. 218: 13 W. R. 48: 8 W. R. 525.

(*i*) The right of every owner of upper land that water naturally rising in, or falling on, such land, and not passing in defined channels, shall be allowed by the owner of adjacent lower land to run naturally thereto. 20 W. R. 287.

(*j*) The right of every owner of land abutting on a natural stream, lake or pond to use and consume its water for drinking, household purposes and watering his cattle and sheep; and the right of every such owner to use and consume the water for irrigating such land, and for the purposes of any manufactory situate thereon, provided that he does not thereby cause material injury to other like owners. 11 W. R. 254.

Explanation.—A natural stream is a stream, whether permanent or intermittent, tidal or tideless, on the surface of land or underground, which flows by the operation of nature only and in a natural and known course.

CHAPTER II.—THE IMPOSITION, ACQUISITION AND TRANSFER OF EASEMENTS.

8. An easement may be imposed by any one in the circumstances, and to the extent in and to which, he may transfer his interest in the property which the liability is to be imposed. (Who may impose easements.)

Illustrations.

(*a*) A is tenant of B's land under a lease for an unexpired term of twenty years, and has power to transfer his interest under the lease. A may impose an easement on the land to continue during the time that the lease exists or for any shorter period.

(*b*) A is tenant for his life of certain land with remainder to B absolutely. A cannot, unless with B's consent, impose an easement thereon which will continue after the determination of his life-interest.

(*c*) A, B and C are co-owners of certain land. A cannot, without the consent of B and C impose an easement on the land or on any part thereof.

(*d*) A and B are lessees of the same lessor, A of a field X for a term of five years, and B of a field Y for a term of ten years. A's interest under his lease is transferable; B's is not. A may impose on X, in favour of B, a right of way terminable with A's lease.

(*e*) A is the trustee of certain land for the benefit of B. A cannot, without the consent of B, impose an easement on the trust property.

9. Subject to the provisions of section eight, a servient owner may impose on the servient heritage any easement that does not lessen the utility of the existing easement. But he cannot, without the consent of the dominant owner, impose an easement on the servient heritage which would lessen such utility. (Servient owners.)

Illustrations.

(*a*) A has, in respect of his mill, a right to the uninterrupted flow thereto, from sunrise to noon, of the water of B's stream. B may grant to C the right to divert the water of the stream from noon to sunset: provided that A's supply is not thereby diminished.

(*b*) A has, in respect of his house, a right of way over B's land. B may grant to C, as the owner of a neighbouring farm, the right to feed his cattle on the grass growing on the way: provided that A's right of way is not thereby obstructed.

10. Subject to the provisions of section eight, a lessor may impose, on the property leased, any easement that does not derogate from the rights of the lessee as such, and a mortgagor may impose, on the property mortgaged, any easement that does not render the security insufficient. But a lessor or mortgagor cannot, without the consent of the lessee or mortgagee, impose any other easement on such property, unless it be to take effect on the termination of the lease or the redemption of the mortgage.

Lessor and mortgagor.

Explanation.—A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the amount for the time being due on the mortgage.

11. No lessee or other person having a derivative interest may impose on the property held by him as such an easement to take effect after the expiration of his own interest or in derogation of the right of the lessor or the superior proprietor.

Lessee.

12. An easement may be acquired by the owner of the immoveable property for the beneficial enjoyment of which the right is created, or on his behalf, by any person in possession of the same.

Who may acquire easements.

One of two or more co-owners of immoveable property may, as such, with or without the consent of the other or others, acquire an easement for the beneficial enjoyment of such property.

7 Mad. 64.

No lessee of immoveable property can acquire for the beneficial enjoyment of other immoveable property of his own an easement in or over the property comprised in his lease.

13. Where one person transfers or bequeathes immoveable property to another,—

Easements of necessity and *quasi*-easements.

Mayor of Lowestoft v. Fishmongers' Co., 49 L. J. Chan. Div. 297.

(*a*) if an easement in other immoveable property of the transferor or testator is absolutely necessary for enjoying the subject of the transfer or bequest, the transferee or legatee shall be entitled to such easement; or

Morgan v. Kirby, I. L. R. 2 Mad. 46.

(*b*) if such an easement is apparent and continuous and necessary for enjoying the said subject as it was enjoyed when the transfer or bequest took effect, the transferee or legatee shall, unless a different intention is expressed or necessarily implied, be entitled to such easement;

(*c*) if an easement in the subject of the transfer or bequest is absolutely necessary for enjoying other immoveable property of the transferor or testator, the transferor or the legal representative of the testator shall be entitled to such easement; or

(*d*) if such an easement is apparent and continuous and necessary for enjoying the said property as it was enjoyed when the transfer or bequest took effect, the transferor, or the legal representative of the testator, shall, unless a different intention is expressed or necessarily implied, be entitled to such easement.

Bom. 181.

Where a partition is made of the joint property of several persons,—

(*e*) if an easement over the share of one of them is absolutely necessary for enjoying the share of another of them, the latter shall be entitled to such easement, or

(*f*) if such an easement is apparent and continuous and necessary for enjoying the share of the latter as it was enjoyed when the partition took effect, he shall, unless a different intention is expressed or necessarily implied, be entitled to such easement.

The easements mentioned in this section, clauses (*a*), (*c*) and (*e*), are called easements of necessity.

Where immoveable property passes by operation of law, the persons from and to whom it so passes are, for the purpose of this section, to be deemed, respectively, the transferor and transferee.

Illustrations.

(*a*) A sells B a field then used for agricultural purposes only. It is inaccessible except by passing over A's adjoining land, or by trespassing on the land of a stranger. B is entitled to a right of way, for agricultural purposes only, over A's adjoining land to the field sold.

(*b*) A, the owner of two fields, sells one to B, and retains the other. The field retained was at the date of the sale used for agricultural purposes only and is inaccessible except by passing over the field sold to B. A is entitled to a right of way, for agricultural purposes only, over B's field to the field retained.

(*c*) A sells B a house with windows overlooking A's land, which A retains. The light which passes over A's land to the windows is necessary for enjoying the house as it was enjoyed when the grant took effect. B is entitled to the light, and A cannot afterwards obstruct it by building on his land.

(*d*) A sells B a house with windows overlooking A's land. The light passing over A's land to the windows is necessary for enjoying the house as it was enjoyed when the grant took effect. Afterwards A sells the land to C. Here C cannot obstruct the light by building on the land, for he takes it subject to the burdens to which it was subject in A's hand.

(*e*) A is the owner of a house and adjoining land. The house has windows overlooking the land. A simultaneously sells the house to B and the land to C. The light passing over the land is necessary for enjoying the house as it was enjoyed when the sale was made. Here A impliedly grants B a right to the light, and C takes the land subject to the restriction that he may not build so as to obstruct such light.

Contra in England, *Allen v. Taylor* 16, L. R. Chanc. p. 353.

(*f*) A is the owner of a house and adjoining land. The house has windows overlooking the land. A, retaining the house, sells the land to B, without expressly reserving any easement. The light passing over the land is necessary for enjoying the house as it was enjoyed when the sale took effect. A is entitled to the light, and B cannot build on the land so as to obstruct such light.

(*g*) A sells B a factory. B is entitled, as against A, to pollute the air, when necessary, with smoke and vapours from the factory.

(*h*) A, the owner of two adjoining houses, Y and Z, sells Y to B, and retains Z. B is entitled to the benefit of all the gutters and drains common to the two houses and necessary for enjoying Y as it was enjoyed when the sale was made, and A is entitled to the benefit of all the gutters and drains common to the two houses and necessary for enjoying Z as it was enjoyed when the sale was made.

(*i*) A, the owner of two adjoining buildings, sells one to B, retaining the other. B is entitled to a right to lateral support from A's building, and A is entitled to a right to lateral support from B's building.

(*j*) A, the owner of two adjoining buildings, sells one to B, and the other to C. C is entitled to lateral support from B's building, and B is entitled to lateral support from C's building.

(*k*) A grants land to B for the purpose of building a house thereon. B is entitled to such amount of lateral and subjacent support from A's land as is necessary for the safety of the house.

(*l*) Under the Land Acquisition Act, 1870, a Railway Company compulsorily acquires a portion of B's land for the purpose of making a siding. The Company is entitled to such amount of lateral support from B's adjoining land as is essential for the safety of the siding.

(*m*) Owing to the partition of joint property, A becomes the owner of an upper room in a building and B becomes the owner of the portion of the building immediately beneath it. A is entitled to such amount of vertical support from B's portion as is essential for the safety of the upper room.

(*n*) A lets a house and grounds to B for a particular business. B has no access to them other than by crossing A's land. B is entitled to a right of way over that land suitable to the business to be carried on by B in the house and grounds.

Bolton v. Bolton, 11 Chan. Div. 968.

14. When right to a way of necessity is created under section thirteen, the transferor, the legal representative of the testator, or the owner of the share over which the right is exercised, as the case may be, is entitled to set out the way; but it must be reasonably convenient for the dominant owner.

Direction of way of necessity.

When the person so entitled to set out the way refuses or neglects to do so, the dominant owner may set it out.

Act XV of 1877, s. 26.

Angus v. Dalton.

15. Where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, and as of right without interruption, and for twenty years,

Acquisition by prescription.

and where support from one person's land, or things affixed thereto, has been peaceably received by another person's land subjected to artificial pressure, or by things affixed thereto, as an easement, and as of right without interruption, and for twenty years,

Limitation 37 & 38 Vic., Cap. 57.

and where a right of way or any other easement has been peaceably and openly enjoyed by any person claiming title thereto, as an easement and as of right, without interruption, and for twenty years,

the right to such access and use of light or air, support, or other easement shall be absolute.

Explanation I.—Nothing is an enjoyment within the meaning of this section when it has been had in pursuance of an agreement with the owner or occupier of the property over which the right is claimed, and it is apparent from the agreement that such right has not been granted as an easement, or, if granted as an easement, that it has been granted for a limited period, or subject to a condition on the fulfilment of which it is to cease.

I. L. R. 1 Calc. 480.

Explanation II.—Nothing is an interruption within the meaning of this section unless where there is an actual cessation of the enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Explanation III.—Suspension of enjoyment in pursuance of a contract between the dominant and servient owners is not an interruption within the meaning of this section.

Explanation IV.—In the case of an easement to pollute water, the said period of twenty years begins when the pollution first prejudices perceptibly the servient heritage.

Illustrations.

(*a*) A suit is brought in 1883 for obstructing a right of way. The defendant admits the obstruction, but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption, from 1st January, 1862, to 1st January, 1882. The plaintiff is entitled to judgment.

(*b*) In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that for a year of that time the plaintiff was entitled to possession of the servient heritage as lessee thereof and enjoyed the right as such lessee. The suit shall be dismissed, for the right of way has not been enjoyed "as an easement" for twenty years.

(*c*) In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff on one occasion during the twenty years had admitted that the user was not of right and asked his leave to enjoy the right. The suit shall be dismissed, for the right of way has not been enjoyed "as of right" for twenty years.

(*d*) A builds on his land adjoining to B's land two houses. One of these is of ordinary stability and of reasonable construction. The other, owing to some defect or peculiarity in its construction, requires a greater amount of support from B's land than B can reasonably be expected to be aware of and provide for. B excavates his land so that both houses fall down. A sues him for compensation for their destruction, and proves that he has enjoyed the support of B's land for both houses as an easement peaceably and without interruption for twenty years. As regards the former house he also proves that the enjoyment has been 'as of right.' As to this house A is entitled to judgment, for his right to support for it has become absolute. As to the latter house the suit must be dismissed; for under the circumstances A cannot prove that the enjoyment has been "as of right."

Act XV of 1877, s. 27.

16. Provided that, when any land or water upon, over or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term shall be excluded in the computation of the said last-mentioned period of twenty years, in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Exclusion in favour of reversioner or servient heritage.

Illustration.

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C had a life-interest in the land; that on C's death B became entitled to the land; and that within two years after C's death's he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

17. Easements acquired under section fifteen are said to be acquired by prescription, and are called prescriptive rights.

Rights which cannot be acquired by prescription.

None of the following rights can be so acquired:—

Potts v. Smith, L. R. 6 Eq. Ca. 311.

(*a*) a right which would tend to the total destruction of the subject of the right, or the property on which, if the acquisition were made, liability would be imposed;

(*b*) a right to the free passage of light or air to an open space of ground;

(*c*) a right to surface-water not flowing in a stream and not permanently collected in a pool, tank or otherwise;

(*d*) a right to underground water not passing in a defined channel.

18. An easement may be acquired in virtue of a local custom. Such easements are called customary easements.

Customary easements.

Illustrations.

(*a*) By the custom of a certain village every cultivator of village land is entitled, as such, to graze his cattle on the common pasture. A having become the tenant of a plot of uncultivated land in the village breaks up and cultivates that plot. He thereby acquires an easement to graze his cattle in accordance with the custom.

(*b*) By the custom of a certain town no owner or occupier of a house can open a new window therein so as substantially to invade his neighbour's privacy. A builds a house in the town near B's house. A thereupon acquires an easement that B shall not open new windows in his house so as to command a view of the portions of A's house which are ordinarily excluded from observation, and B acquires a like easement with respect to A's house.

19. Where the dominant heritage is transferred or devolves, by act of parties or by operation of law, the transfer or devolution shall, unless a contrary intention appears, be deemed to pass the easement to the person in whose favour the transfer or devolution takes place.

Transfer of dominant heritage passes easement.

Illustration.

A has certain land to which a right of way is annexed. A lets the land to B for twenty years. The right of way vests in B and his legal representative so long as the lease continues.

CHAPTER III.—THE INCIDENTS OF EASEMENTS.

20. The rules contained in this chapter are controlled by any contract between the dominant and servient owners relating to the servient heritage, and by the provisions of the instrument or decree, if any, by which the easement referred to was imposed.

Rules controlled by contract or title.

And when any incident of any customary easement is inconsistent with such rules, nothing in this chapter shall affect such incident.

Incidents of customary easements.

21. An easement must not be used for any purpose not connected with the enjoyment of the dominant heritage.

Use to be unconnected with enjoyment.

Illustrations.

(*a*) A, as owner of a farm Y, has a right of way over B's land to Y. Lying beyond Y, A has another farm Z, the beneficial enjoyment of which is not necessary for the beneficial enjoyment of Y. He must not use the easement for the purpose of passing to and from Z.

(*b*) A, as owner of a certain house, has a right of way to and from it. For the purpose of passing to and from the house, the right may be used, not only by A, but by the members of his family, his guests, lodgers, servants, workmen, visitors and customers; for this is a purpose connected with the enjoyment of the dominant heritage. So, if A lets the house, he may use the right of way for the purpose of collecting the rent and seeing that the house is kept in repair.

22. The dominant owner must exercise his right in the mode which is least onerous to the servient owner; and when the exercise of an easement can without detriment to the dominant owner be confined to a determinate part of the servient heritage, such exercise shall, at the request of the servient owner, be so confined.

Exercise of easement.

Confinement of exercise of easement.

Illustrations.

(*a*) A has a right of way over B's field. A must enter the way at either end, and not at any intermediate point.

(*b*) A has a right annexed to his house to cut thatching-grass in B's swamp. A, when exercising his easement, must cut the grass so that the plants may not be destroyed.

23. Subject to the provisions of section twenty-two, the dominant owner may, from time to time, alter the mode and place of enjoying the easement, provided that he does not thereby impose any additional burden on the servient heritage.

Right to alter mode of enjoyment.

Exception.—The dominant owner of a right of way cannot vary his line of passage at pleasure, even though he does not thereby impose any additional burden on the servient heritage. Panjáb Record, 1867, p. 156.

Illustrations.

(*a*) A, the owner of a saw-mill, has a right to a flow of water sufficient to work the mill. He may convert the saw-mill into a corn-mill, provided that it can be worked by the same amount of water.

(*b*) A has a right to discharge on B's land the rain-water from the eaves of A's house. This does not entitle A to advance his eaves if, by so doing, he imposes a greater burden on B's land.

(*c*) A, as the owner of a paper-mill, acquires a right to pollute a stream by pouring in the refuse-liquor produced by making in the mill paper from rags. He may pollute the stream by pouring in similar liquor produced by making in the mill paper by a new process from bamboos provided that he does not substantially increase the amount, or injuriously change the nature, of the pollution.

(*d*) A, a riparian owner, acquires, as against the lower riparian owners, a prescriptive right to pollute a stream by throwing sawdust into it. This does not entitle A to pollute the stream by discharging into it poisonous liquor.

24. The dominant owner is entitled, as against the servient owner, to do all acts necessary to secure the full enjoyment of the easement; but such acts must be done at such time and in such manner as, without detriment to the dominant owner, to cause the servient owner as little inconvenience as possible; and the dominant owner must repair, as far as practicable, the damage (if any) caused by the act to the servient heritage.

Right to do acts necessary to secure enjoyment.

Right to do acts necessary to secure the full enjoyment of an easement are called accessory rights.

Accessory rights.

Illustrations.

(*a*) A has an easement to lay pipes in B's land to convey water to A's cistern. A may enter and dig the land in order to mend the pipes, but he must restore the surface to its original state.

(*b*) A has an easement of a drain through B's land. The sewer with which the drain communicates is altered. A may enter upon B's land and alter the drain, to adapt it to the new sewer, provided that he does not thereby impose any additional burden on B's land.

(*c*) A, as owner of a certain house, has a right of way over B's land. The way is out of repair, or a tree is blown down and falls across it. A may enter on B's land and repair the way or remove the tree from it.

(*d*) A, as owner of a certain field, has a right of way over B's land. B renders the way impassable. A may deviate from the way and pass over the adjoining land of B, provided that the deviation is reasonable.

(*e*) A, as owner of a certain house, has a right of way over B's field. A may remove rocks to make the way.

(*f*) A has an easement of support from B's wall. The wall gives way. A may enter upon B's land and repair the wall.

(*g*) A has an easement to have his land flooded by means of a dam in B's stream. The dam is half swept away by an inundation. A may enter upon B's land and repair the dam.

25. The expenses incurred in constructing works, or making repairs, or doing any other act necessary for the use or preservation of an easement, must be defrayed by the dominant owner.

Liability for expenses necessary for preservation of easement.

26. Where an easement is enjoyed by means of an artificial work, the dominant owner is liable to make compensation for any damage to the servient heritage arising from the want of repair of such work.

Liability for damage from want of repair.

27. The servient owner is not bound to do anything for the benefit of the dominant heritage, and he is entitled, as against the dominant owner, to use the servient heritage in any way consistent with the enjoyment of the easement: but he must not do any act tending to restrict the easement or to render its exercise less convenient. N. W. P. (1867), p. 191.

Servient owner not bound to do anything.

Illustrations.

(*a*) A, as owner of a house, has a right to lead water and send sewage through B's land. B is not bound as servient owner to clear the watercourse or scour the sewer.

(*b*) A grants a right of way through his land to B as owner of a field. A may feed his cattle on grass growing on the way, provided that B's right of way is not thereby obstructed; but he must not build a wall at the end of his land so as to prevent B from going beyond it, nor must he narrow the way so as to render the exercise of the right less easy than it was at the date of the grant.

(*c*) A, in respect of his house, is entitled to an easement of support from B's wall. B is not bound as servient owner to keep the wall standing and in repair. But he must not pull down or weaken the wall so as to make it incapable of rendering the necessary support.

(*d*) A, in respect of his mill, is entitled to a watercourse through B's land. B must not drive stakes so as to obstruct the watercourse.

(*e*) A, in respect of his house, is entitled to a certain quantity of light passing over B's land. B must not plant trees so as to obstruct the passage to A's windows of that quantity of light.

28. With respect to the extent of easements and the mode of their enjoyment, the following provisions shall take effect:—

Extent of easements.

An easement of necessity is co-extensive with the necessity as it existed when the easement was imposed. *Mayor of London* v. *Rigge*, 49, L. J. Chanc. 297.

Easement of necessity.

The extent of any other easement and the mode of its enjoyment must be fixed with reference to the probable intention of the parties, and the purpose for which the right was imposed or acquired.

Other easements.

In the absence of evidence as to such intention and purpose—

(*a*) a right of way of any one kind does not include a right of way of any other kind:

Right of way.

(*b*) the extent of a right to the passage of light or air to a certain window, door or other opening, imposed by assurance or will, is the quantity of light or air that entered the opening at the time the assurance was made or the testator died:

Right to light or air acquired by grant.

(*c*) the extent of a prescriptive right to the passage of light or air to a certain window, door or other opening is that quantity of light or air which has been accustomed to enter that opening during the whole of the prescriptive period irrespectively of the purposes for which it has been used:

Prescriptive right to light or air.

(*d*) the extent of a prescriptive right to pollute air or water is the extent of the pollution at the commencement of the period of user on completion of which the right arose: and

Prescriptive right to pollute air and water.

(*e*) the extent of every other prescriptive right and the mode of its enjoyment must be determined by the accustomed user of the right.

Other prescriptive rights.

29. The dominant owner cannot, by merely altering or adding to the dominant heritage, substantially increase an easement.

Increase of easement.

Where an easement has been granted or bequeathed so that its extent shall be proportionate to the extent of the dominant heritage, if the dominant heritage is increased by alluvion, the easement is proportionately increased, and if the dominant heritage is diminished by diluvion, the easement is proportionately diminished.

Save as aforesaid, no easement is affected by any change in the extent of the dominant or the servient heritage.

Illustrations.

(*a*) A, the owner of a mill, has acquired a prescriptive right to divert to his mill part of the water of a stream. A alters the machinery of his mill. He cannot thereby increase his right to divert water.

(*b*) A has acquired an easement to pollute a stream by carrying on a manufacture on its banks by which a certain quantity of foul matter is discharged into it. A extends his works and thereby increases the quantity discharged. He is responsible to the lower riparian owners for injury done by such increase.

(*c*) A, as the owner of a farm, has a right to take, for the purpose of manuring his farm, leaves which have fallen from the trees on B's land. A buys a field and unites it to his farm. A is not thereby entitled to take leaves to manure this field.

30. Where a dominant heritage is divided between two or more persons, the easement becomes annexed to each of the shares, but not so as to increase substantially the burden on the servient heritage: provided that such annexation is consistent with the terms of the instrument, decree or revenue proceeding (if any) under which the division was made, and in the case of prescriptive rights, with the user during the prescriptive period.

Partition of dominant heritage.

Illustrations.

(*a*) A house to which a right of way by a particular path is annexed is divided into two parts, one of which is granted to A, the other to B. Each is entitled, in respect of his part, to a right of way by the same path.

(*b*) A house to which is annexed the right of drawing water from a well to the extent of fifty buckets a day is divided into two distinct heritages, one of which is granted to A, the other to B. A and B are each entitled, in respect of his heritage, to draw from the well fifty buckets a day; but the amount drawn by both must not exceed fifty buckets a day.

(*c*) A, having in respect of his house an easement of light, divides the house into three distinct heritages. Each of these continues to have the right to have its windows unobstructed.

31. In the case of excessive user of an easement the servient owner may, without prejudice to any other remedies to which he may be entitled, obstruct the user, but only on the servient heritage: provided that such user cannot be obstructed when the obstruction would interfere with the lawful enjoyment of the easement.

Obstruction in case of excessive user.

Illustration.

A, having a right to the free passage over B's land of light to four windows six feet by four, increases their size and number. It is impossible to obstruct the passage of light to the new windows without also obstructing the passage of light to the ancient windows. B cannot obstruct the excessive user.

CHAPTER IV.—THE DISTURBANCE OF EASEMENTS.

32. The owner or occupier of the dominant heritage is entitled to enjoy the easement without disturbance by any other person.

Right to enjoyment without disturbance.

Illustration.

A, as owner of a house, has a right of way over B's land. C unlawfully enters on B's land, and obstructs A in his right of way. A may sue C for compensation, not for the entry, but for the obstruction.

33. The owner of any interest in the dominant heritage, or the occupier of such heritage, may institute a suit for compensation for the disturbance of the easement or of any right accessory thereto; provided that the disturbance has actually caused substantial damage to the plaintiff.

Suit for disturbance of easement.

Explanation I.—The doing of any act likely to injure the plaintiff by affecting the evidence of the easement, or by materially diminishing the value of the dominant heritage, is substantial damage within the meaning of this section and section thirty-four.

Explanation II.—Where the easement disturbed is a right to the free passage of light passing to the openings in a house, no damage is substantial within the meaning of this section unless it falls within the first Explanation, or interferes materially with the physical comfort of the plaintiff, or prevents him from carrying on his accustomed business in the dominant heritage as beneficially as he had done previous to instituting the suit.

15 Bom. 68. *Explanation III.*—Where the easement disturbed is a right to the free passage of air to the openings in a house, damage is substantial within the meaning of this section if it interferes materially with the physical comfort of the plaintiff, though it is not injurious to his health.

Illustration.

(*a*) A places a permanent obstruction in a path over which B, as tenant of C's house, has a right of way. This is substantial damage to C, for it may affect the evidence of his reversionary right to the easement.

1 Calc. 425. (*b*) A, as owner of a house, has a right to walk along one side of B's house. B builds a verandah overhanging the way about ten feet from the ground, and so as not to occasion any inconvenience to foot-passengers using the way. This is not substantial damage to A.

Act XV of 1877, s. 34. **34.** The removal of the means of support to which a dominant owner is entitled does not give rise to a right to recover compensation unless and until substantial damage is actually sustained.

When cause of action arises for removal of support.

35. Subject to the provisions of the Specific Relief Act, 1877, sections 52 to 57 (both inclusive), an injunction may be granted to restrain the disturbance of an easement—

Injunction to restrain disturbance.

(*a*) if the easement is actually disturbed,—when compensation for such disturbance might be recovered under this chapter:

(*b*) if the disturbance is only threatened or intended,—when the act threatened or intended must necessarily, if performed, disturb the easement.

36. Notwithstanding the provisions of section twenty-four, the dominant owner cannot himself abate a wrongful obstruction of an easement.

7 Mad. H. C. Ruling, XXXV.

Abatement of obstruction of easement.

CHAPTER V.—THE EXTINCTION, SUSPENSION AND REVIVAL OF EASEMENTS.

37. When, from a cause which preceded the imposition of an easement, the person by whom it was imposed ceases to have any right in the servient heritage, the easement is extinguished.

Extinction by dissolution of right of servient owner.

Exception.—Nothing in this section applies to an easement lawfully imposed by a mortgagor in accordance with section ten.

Illustrations.

(*a*) A transfers Sultánpur to B on condition that he does not marry C. B imposes an easement on Sultánpur. Then B marries C. B's interest in Sultánpur ends, and with it the easement is extinguished.

(*b*) A, in 1860, lets Sultánpur to B for thirty years from the date of the lease. B, in 1861, imposes an easement on the land in favour of C, who enjoys the easement peaceably and openly as an easement without interruption for twenty-nine years. B's interest in Sultánpur then ends, and with it C's easement.

(*c*) A and B, tenants of C, have permanent transferable interests in their respective holdings. A imposes on his holding an easement to draw water from a tank for the purpose of irrigating B's land. B enjoys the easement for twenty years. Then A's rent falls into arrear and his interest is sold. B's easement is extinguished.

(*d*) A mortgages Sultánpur to B, and lawfully imposes an easement on the land in favour of C in accordance with the provisions of section ten. The land is sold to D in satisfaction of the mortgage-debt. The easement is not thereby extinguished.

38. An easement is extinguished when the dominant owner releases it, expressly or impliedly, to the servient owner.

Extinction by release.

Such release can be made only in the circumstances and to the extent in and to which the dominant owner can alienate the dominant heritage.

An easement may be released as to part only of the servient heritage.

Explanation I.—An easement is impliedly released—

(*a*) where the dominant owner expressly authorizes an act of a permanent nature to be done on the servient heritage, the necessary consequence of which is to prevent his future enjoyment of the easement, and such act is done in pursuance of such authority;

(*b*) where any permanent alteration is made in the dominant heritage of such a nature as to show that the dominant owner intended to cease to enjoy the easement in future.

Explanation II.—Mere non-user of an easement is not an implied release within the meaning of this section.

Illustrations.

(*a*) A, B and C are co-owners of a house to which an easement is annexed. A, without the consent of B and C, releases the easement. This release is effectual only as against A and his legal representative.

(*b*) A grants B an easement over A's land for the beneficial enjoyment of his house. B assigns the house to C. B then purports to release the easement. The release is ineffectual.

(*c*) A, having the right to discharge his cavesdroppings into B's yard, expressly authorizes B to build over this yard to a height which will interfere with the discharge. B builds accordingly. A's easement is extinguished to the extent of the interference.

(*d*) A, having an easement of light to a window, builds up that window with bricks and mortar so as to manifest an intention to abandon the easement permanently. The easement is impliedly released.

(*e*) A, having a projecting roof by means of which he enjoys an easement to discharge cavesdroppings on B's land permanently alters the roof, so as to direct the rain-water into a different channel and discharge it on C's land. The easement is impliedly released.

39. An easement is extinguished when the servient owner, in exercise of a power reserved in this behalf, revokes the easement.

Extinction by revocation.

40. An easement is extinguished where it has been imposed for a limited period, or acquired on condition that it shall become void on the performance or non-performance of a specified act, and the period expires or the condition is fulfilled.

Extinction on expiration of limited period or happening of dissolving condition.

41. An easement of necessity is extinguished when the necessity comes to an end.

Extinction on termination of necessity.

Illustration.

A grants B a field inaccessible except by passing over A's adjoining land. B afterwards purchases a part of that land over which he can pass to his field. The right of way over A's land which B had acquired is extinguished.

42. An easement is extinguished when it becomes incapable of being at any time and under any circumstances beneficial to the dominant owner.

Extinction of useless easement.

43. Where by any permanent change in the dominant heritage the burden on the servient heritage is materially increased and cannot be reduced by the servient owner without interfering with the lawful enjoyment of the easement, the easement is extinguished, unless—

Extinction by permanent change in dominant heritage.

(*a*) it was intended for the beneficial enjoyment of the dominant heritage, to whatever extent the easement should be used; or

(*b*) the injury caused to the servient owner by the change is so slight that no reasonable person would complain of it; or

(*c*) the easement is an easement of necessity.

44. An easement is extinguished where the servient heritage is by superior force so permanently altered that the dominant owner can no longer exercise his right:

Extinction on permanent alteration of servient heritage by superior force.

Provided that, where a way of necessity is destroyed by superior force, the dominant owner has a right to another way over the servient heritage; and the provisions of section fourteen apply to such way.

Illustrations.

(*a*) A grants to B, as the owner of a certain house, a right to fish in a river running through A's land. The river changes its course permanently and runs through C's land. B's easement is extinguished.

(*b*) Access to a path over which A has a right of way is permanently cut off by an earthquake. A's right is extinguished.

45. An easement is extinguished when either the dominant or the servient heritage is completely destroyed.

Extinction by destruction of either heritage.

Illustration.

A has a right of way over a road running along the foot of a sea-cliff. The road is washed away by a permanent encroachment of the sea. A's easement is extinguished.

46. An easement is extinguished when the same person becomes entitled to the absolute ownership of the whole of the dominant and servient heritages. Bom. 365.

Extinction by unity of ownership.

Illustrations.

(*a*) A, as the owner of a house, has a right of way over B's field. A mortgages his house, and B mortgages his field to C. Then C forecloses both mortgages and becomes thereby absolute owner of both house and field. The right of way is extinguished.

(*b*) The dominant owner acquires only part of the servient heritage: the easement is not extinguished, except in the case illustrated in section forty-one.

(*c*) The servient owner acquires the dominant heritage in connection with a third person: the easement is not extinguished.

(*d*) The separate owners of two separate dominant heritages jointly acquire the heritage which is servient to the two separate heritages: the easements are not extinguished.

(*e*) The joint owners of the dominant heritage jointly acquire the servient heritage: the easement is extinguished.

(*f*) A single right of way exists over two servient heritages for the beneficial enjoyment of a single dominant heritage. The dominant owner acquires one only of the servient heritages. The easement is not extinguished.

(*g*) A has a right of way over B's road. B dedicates the road to the public. A's right of way is not extinguished.

47. A continuous easement is extinguished when it totally ceases to be enjoyed as such for an unbroken period of twenty years.

Extinction by non-enjoyment.

A discontinuous easement is extinguished when, for a like period, it has not been enjoyed, or the dominant owner has not registered, under the Indian Registration Act, 1877, a declaration of his intention to retain the easement.

Such period shall be reckoned, in the case of a continuous easement, from the day on which its enjoyment was obstructed by the servient owner, or rendered impossible by the dominant owner; and, in the case of a discontinuous easement, from the day on which it was last enjoyed by any person as dominant owner, or the day on which the dominant owner registered the said declaration.

Where an easement can be enjoyed only at a certain place, or at certain times, or between certain hours, or for a particular purpose, its enjoyment during the said period at another place, or at other times, or between other hours, or for another purpose, does not prevent its extinction under this section.

The circumstance that, during the said period, no one was in possession of the servient heritage,

or that the easement could not be enjoyed, or that a right accessory thereto was enjoyed, or that the dominant owner was not aware of its existence, or that he enjoyed it in ignorance of his right to do so, does not prevent its extinction under this section.

An easement is not extinguished under this section—

(*a*) where the cessation is in pursuance of a contract between the dominant and servient owners;

(*b*) where the dominant heritage is held in co-ownership, and one of the co-owners enjoys the easement within the said period, or

(*c*) where the easement is a necessary easement.

Where several heritages are respectively subject to rights of way for the benefit of a single heritage, and the ways are continuous, such rights shall, for the purposes of this section, be deemed to be a single easement.

Illustration.

A has, as annexed to his house, rights of way from the high road thither over the heritages X and Z and the intervening heritage Y. Before the twenty years expire, A exercises his right of way over X. His rights of way over Y and Z are not extinguished.

48. When an easement is extinguished, the rights (if any) accessory thereto are also extinguished.

Extinction of accessory rights.

Illustration.

A has an easement to draw water from B's well. As accessory thereto, he has a right of way over B's land to and from the well. The easement to draw water is extinguished under section forty-seven. The right of way is also extinguished.

49. An easement is suspended when the dominant owner becomes entitled to possession of the servient heritage for a limited interest therein, or when the servient owner becomes entitled to possession of the dominant heritage for a limited interest therein.

Suspension of easement.

50. The servient owner has no right to require that an easement be continued; and, notwithstanding the provisions of section twenty-six, he is not entitled to compensation for damage caused to the servient heritage in consequence of the extinguishment or suspension of the easement, if the dominant owner has given to the servient owner such notice as will enable him, without unreasonable expense, to protect the servient heritage from such damage.

Servient owner not entitled to require continuance.

Where such notice has not been given, the servient owner is entitled to compensation for damage caused to the servient heritage in consequence of such extinguishment or suspension.

Compensation for damage caused by extinguishment.

Illustration.

A, in exercise of an easement, diverts to his canal the water of B's stream. The diversion continues for many years, and during that time the bed of the stream partly fills up. A then abandons his easement, and restores the stream to its ancient course. B's land is consequently flooded. B sues A for compensation for the damage caused by the flooding. It is proved that A gave B a month's notice of his intention to abandon the easement, and that such notice was sufficient to enable B, without unreasonable expense, to have prevented the damage. The suit must be dismissed.

51. An easement extinguished under section forty-five revives (*a*) when the destroyed heritage is, before twenty years have expired, restored by the deposit of alluvion; (*b*) when the destroyed heritage is a servient building and before twenty years have expired such building is rebuilt upon the same site; and (*c*) when the destroyed heritage is a dominant building and before twenty years have expired such building is rebuilt upon the same site and in such a manner as not to impose a greater burden on the servient heritage.

Revival of easements.

N.-W. P. 1866), p. 197.

An easement extinguished under section forty-six revives when the grant or bequest by which the unity of ownership was produced is set aside by the decree of a competent Court. A necessary easement extinguished under the same section revives when the unity of ownership ceases from any other cause.

A suspended easement revives if the cause of suspension is removed before the right is extinguished under section forty-seven.

Illustration.

A, as the absolute owner of field Y, has a right of way thither over B's field Z. A obtains from B a lease of Z for twenty years. The easement is suspended so long as A remains lessee of Z. But when A assigns the lease to C, or surrenders it to B, the right of way revives.

CHAPTER VI.—LICENSES.

52. Where one person grants to another, or to a definite number of other persons, a right to do, or continue to do, in or upon the immoveable property of the grantor, something which would, in the absence of such right, be unlawful, and such right does not amount to an easement or an interest in the property, the right is called a license.

"License" defined.

53. A license may be granted by any one in the circumstances and to the extent in and to which he may transfer his interests in the property affected by the license.

Who may grant license.

54. The grant of a license may be express or implied from the conduct of the grantor, and an agreement purporting to create an easement, which is ineffectual for that purpose, may operate to create a license.

Grant may be express or implied.

55. All licenses necessary for the enjoyment of any interest, or the exercise of any right, are implied in the constitution of such interest or right. Such licenses are called accessory licenses.

Accessory licenses annexed by law.

Illustration.

A sells the trees growing on his land to B. B is entitled to go on the land and take away the trees.

56. Unless a different intention is expressed or necessarily implied, a license to attend a place of public entertainment may be transferred by the licensee; but, save as aforesaid, a license cannot be transferred by the licensee or exercised by his servants or agents.

License when transferable.

"It is fo... ed on pers... confidence," Kent 563.

Illustrations.

(*a*) A grants B a right to walk over A's field whenever he pleases. The right is not annexed to any immoveable property of B. The right cannot be transferred.

(*b*) The Government grant B a license to erect and use temporary grain-sheds on Government land. In the absence of express provision to the contrary, B's servants may enter on the land for the purpose of erecting sheds, erect the same, deposit grain therein and remove grain therefrom.

57. The grantor of a license is bound to disclose to the licensee any defect in the property affected by the license, likely to be dangerous to the person or property of the licensee, of which the grantor is, and the licensee is not, aware.

Grantor's duty to disclose defects.

58. The grantor of a license is bound not to do anything likely to render the property affected by the license dangerous to the person or property of the licensee.

Grantor's duty not to render property unsafe.

17 Q. B. 574.

59. When the grantor of the license transfers the property affected thereby, the transferee is not as such bound by the license.

Grantor's transferee not bound by license.

Gale 69.

60. A license may be revoked by the grantor, unless—

License when revocable.

Gale 65.

(*a*) it is coupled with a transfer of property and such transfer is in force:

(*b*) the licensee, acting upon the license, has executed a work of a permanent character and incurred expenses in the execution.

61. The revocation of a license may be express or implied.

Revocation express or implied.

Illustrations.

(*a*) A, the owner of a field, grants a license to B to use a path across it. A, with intent to revoke the license, locks a gate across the path. The license is revoked.

(*b*) A, the owner of a field, grants a license to B to stack hay on the field. A lets or sells the field to C. The license is revoked.

3 Kent 563.

62. A license is deemed to be revoked—

License when deemed revoked.

(*a*) when, from a cause preceding the grant of it, the grantor ceases to have any interest in the property affected by the license:

(*b*) when the licensee releases it, expressly or impliedly, to the grantor or his representative:

(*c*) where it has been granted for a limited period, or acquired on condition that it shall become void on the performance or non-performance of a specified act, and the period expires, or the condition is fulfilled:

(*d*) where the property affected by the license is destroyed or by superior force so permanently altered that the licensee can no longer exercise his right:

(*e*) where the licensee becomes entitled to the absolute ownership of the property affected by the license:

(*f*) where the license is granted for a specified purpose and the purpose is attained, or abandoned, or becomes impracticable:

(*g*) where the license is granted to the licensee as holding a particular office, employment or character, and such office, employment or character ceases to exist:

(*h*) where the license totally ceases to be used as such for an unbroken period of twenty years, and such cessation is not in pursuance of a contract between the grantor and the licensee:

(*i*) in the case of an accessory license, when the interest or right to which it is accessory ceases to exist.

63. Where a license is revoked, the licensee is entitled to a reasonable time to leave the property affected thereby and to remove any goods which he has been allowed to place on such property.

Licensee's rights on revocation.

L. R. 5 C. P. 334: L. R. 9 Q. B. 400.

64. Where a license has been granted for a consideration, and the licensee, without any fault of his own, is evicted by the grantor before he has fully enjoyed, under the license, the right for which he contracted, he is entitled to recover compensation from the grantor.

Licensee's rights on eviction.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

5 i

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 20th July, 1881, and was referred to a Select Committee:—

No. 15 OF 1881.

THE INDIAN EMIGRATION BILL, 1881.

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SCHEDULE I.—PLACES TO WHICH EMIGRATION IS LAWFUL.
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A Bill to amend the law relating to the Emigration of Natives of India.

WHEREAS it is expedient to amend the law relating to the emigration of natives of India; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Indian Emigration Act, 1881"; and shall come into force at once. Act VII of 1871, s. 1.
Short title.
Commencement.

It extends to the whole of British India; Local extent.

But nothing in this Act or in any rule made hereunder shall apply to any vessel belonging to or hired by Her Majesty or the Secretary of State for India in Council. Act VII of 1871, s. 86
Exemption of certain vessels.

2. The Indian Emigration Act, 1871, and Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) are hereby repealed. Act VII of 1871, s. 2.
Repeal of Acts.

All notifications issued, contracts entered into, rules and appointments made and licenses granted under the former Act and now in force shall (so far as they are consistent herewith) be deemed to have been respectively issued, entered into, made and granted under this Act.
Notifications, &c., under Act VII of 1871.

3. In this Act, unless there is something repugnant in the subject or context,— Act VII of 1871, s. 3.
Interpretation-clause.

"Emigrate" denotes the departure by sea out of British India of a native of India under a contract to labour for hire otherwise than as a menial servant in some country beyond the limits of India, other than the island of Ceylon or the Straits Settlements, and it also denotes the departure by sea out of British India of dependents of persons so departing.
"Emigrate:"

"Emigrant" means any native of India emigrating, or intending to emigrate, or who has emigrated, within the meaning of the above definition: and
"Emigrant";

"Emigration" means the act of emigrating within the meaning of the above definition:
"Emigration";

"Magistrate" means a Magistrate of a district, a Magistrate of a division of a district, or any other person appointed by the Local Government to perform the functions of a Magistrate under this Act: Act V of 1877, s. 2.
"Magistrate";

"Vessel" includes anything made for the conveyance by water of human beings or property: Act VII of 1871, s. 3.
"Vessel";

"Master" means any person (except a Pilot or Harbour Master) having for the time being the charge or control of a vessel. New.
"Master."

And all words defined in the Indian Contract Act, 1872, and used in this Act shall have the meanings respectively assigned to them by that Act.
Words to be understood as defined in Contract Act.

CHAPTER II.

PORTS FROM WHICH, AND PLACES TO WHICH, EMIGRATION IS LAWFUL.

New.

4. No person shall emigrate except from such ports and to such places as under this Act and the notifications issued hereunder are for the time being ports from which and places to which emigration is lawful.

Emigration unlawful except from and to certain ports and places.

Act VII of 1871, s. 26, amended with Act V of 1877, s. 3.

5. Emigration shall be lawful from the ports of Calcutta, Madras and Bombay, and from such other ports as the Governor General in Council may, from time to time, by a notification in the *Gazette of India*, declare to be ports from which emigration under this Act shall be lawful.

From what ports emigration lawful.

The Governor General in Council may at any time, by a like notification, revoke any notification issued under this section.

The Local Government may, from time to time, by notification in the official Gazette, fix for the purposes of this Act the limits of any port from which emigration is lawful.

Act VII of 1871, s. 23.

Act VII of 1871, s. 24.

6. Emigration shall be lawful to the places specified in the first schedule hereto annexed and to such other places as the Governor General in Council may from time to time, by a notification in the *Gazette of India*, declare to be places to which emigration under this Act shall be lawful:

To what places emigration lawful.

Provided that every such notification shall contain a declaration that the Governor General in Council has been duly certified that the Government of the place to which the notification refers has made such laws and other provisions as the Governor General in Council thinks sufficient for the protection of emigrants to such place during their residence therein.

Act VII of 1871, ss. 57, 58 & 61, redrawn and amalgamated.

7. Whenever the Governor General in Council has reason to believe that any of the grounds, hereinafter mentioned, for prohibiting emigration to any place to which emigration is lawful exists, he may, by a notification published in the *Gazette of India*, declare that emigration to such place shall cease to be lawful from a day specified in such notification; and from such day emigration to such place shall accordingly cease to be lawful.

Power to prohibit emigration to place to which it is lawful.

The said grounds are—

(*a*) that the plague or any other epidemic disease dangerous to human life has broken out in such place;

New.

(*b*) that the mortality among emigrants in such place is excessive;

(*c*) that proper measures have not been taken for the protection of emigrants immediately upon their arrival in such place, or during their residence therein;

(*d*) that the contracts made with emigrants, as such, before their departure from India are not duly enforced by the Government of such place; and

New.

(*e*) that the Governor General in Council, having, either directly or through the Secretary of State for India in Council, addressed the Government of such place with a view to obtain information regarding the condition or treatment of emigrants in such place, has not within a reasonable time received such information.

A new section taken from s. 61 of Act VII of 1871.

8. Whenever the Local Government has reason to believe that, in any place to which emigration is lawful, the plague or other epidemic disease dangerous to human life has broken out, and that emigrants, if allowed to emigrate to such place, would be exposed to serious risk of life on arrival there, it may, by notification published in the official Gazette, declare that emigration to such place from any port in the territories administered by such Local Government shall cease to be lawful pending a reference to the Governor General in Council.

Power to suspend emigration pending reference to Governor General in Council.

The Local Government shall at once report the publication of such notification, with the reasons for the same, to the Governor General in Council, who shall thereupon publish a notification in the *Gazette of India* confirming or cancelling the notification so published by the Local Government.

Act VII of 1871, s. 60, redrawn.

9. Whenever the Governor General in Council is satisfied that the ground on which a notification has been published by him under section seven, prohibiting emigration to any place, or under section eight, confirming such a prohibition, has ceased to exist, he may, by a notification published in the *Gazette of India*, declare that emigration to such place shall again be lawful from a day to be specified in such notification.

Revocation of prohibition.

Act VII of 1871, s. 58.

10. The publication of a notification under section seven, section eight or section nine shall not affect any act done, offence committed or proceedings commenced before such publication.

Notifications under sections 7, 8 and 9 not to affect prior acts, &c.

CHAPTER III.

EMIGRATION AGENTS.

Act VII of 1871, s. 4.

11. The Government of every place to which emigration is lawful may, from time to time, appoint a person to be Emigration Agent in any port from which emigration is lawful, and may suspend or remove any person so appointed.

Appointment of Emigration Agents.

No such appointment shall take effect until it has received the approval of the Local Government, to be declared by a notification in the official Gazette;

and the Local Government may, at any time, if it thinks fit, by a like notification revoke its approval of the appointment of any person under this section; and from the date of such notification such person shall cease to be an Emigration Agent.

New.

Act VII of 1871, s. 5.

12. The remuneration to be given to Emigration Agents shall not depend upon, or be regulated by, the number of emigrants sent by such Agents, but shall be in the nature of a fixed annual salary.

Remuneration of Agents.

CHAPTER IV.

PROTECTORS OF EMIGRANTS AND MEDICAL INSPECTORS.

Act VII of 1871, s. 6, Act V of 1877, s. 5.

13. The Local Government shall from time to time appoint Protectors of Emigrants for such local areas whether within the territories administered by such Government, or by any other Local Government, as it thinks fit:

Appointment of Protectors of Emigrants.

New.

Provided that the Local Government shall not, except with the previous sanction of the Governor General in Council, appoint a Protector of Emigrants for any local area within the territories administered by any other Local Government.

Every Protector of Emigrants may be suspended or removed by the Local Government which appointed him.

Act VII of 1871, s. 8, and Act III of 1876, s. 6.

14. Every Protector of Emigrants, in addition to the special duties hereinafter assigned to him, shall—

General duties of Protector.

(*a*) protect and aid with his advice all emigrants;

(*b*) cause, so far as he can, all provisions of this Act to be complied with;

(*c*) inspect, on arrival, all vessels bringing return-emigrants to the port at which he is Protector;

(*d*) enquire into the treatment received by such return-emigrants both during the period of their service in the place to which they emigrated, and also during the return voyage, and report thereon to the Local Government;

(*e*) aid and advise such return-emigrants so far as he reasonably can.

Act VII of 1871, s. 9, and Act III of 1876, s. 4, para. 2.

15. The Local Government shall from time to time appoint a Medical Inspector of Emigrants at each port from which emigration is lawful, and may suspend or remove him.

Appointment of Medical Inspector.

Act VII of 1871, s. 15, revised.

16. Every Emigration Agent, and all persons in charge of, or employed in, any depôt established under this Act, or any vessel the Master of which is licensed to carry emigrants as hereinafter provided, shall give the Protector of Emigrants and the Medical Inspector of Emigrants every facility for making such inspections, examinations and surveys as are required by this Act, or as such officers may deem necessary or proper, and shall afford them all such information as they may reasonably require.

Protector and Medical Inspector to have facilities for inspection.

CHAPTER V.

EMIGRATION DEPÔTS.

Act VII of 1871, s. 10.

17. Every Emigration Agent shall establish at the port for which he is appointed a suitable depôt for the reception and lodging of emigrants previous to embarkation for the place for which he is Emigration Agent, and shall provide all necessary food and clothing for all emigrants during their stay at such depôt.

Depôts to be established at ports of embarkation.

Act VII of 1871, s. 11.

18. No such depôt shall be used for the reception and lodging of emigrants until it has been inspected and approved of by the Protector of Emigrants and the Medical Inspector of Emigrants, and a license for the use thereof has been granted by such Protector.

Licensing of depôts.

No depôt shall be licensed unless sufficient provision has, in the opinion of such Protector and Medical Inspector, been made therein for treating the sick.

For every such license there shall be paid to the Protector by the Emigration Agent a fee of fifteen rupees.

No such license shall be granted for a longer period than one year from the date thereof;

and any such license may at any time be cancelled by the Protector of Emigrants, if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or if the Emigration Agent fails to comply with any of the requirements of this Act or of the rules made hereunder.

Act VII of 1871, s. 12.

19. The Protector of Emigrants and the Medical Inspector shall, from time to time, and at least once in every week during which any emigrants may be kept in any depôt at the port for which they are Protector and Medical Inspector respectively, inspect the emigrants in such depôt, and examine the state of the depôt and the manner in which the emigrants therein are lodged, fed, clothed and otherwise provided for and attended to.

Inspection by Protector and Medical Inspector.

Act VII of 1871, s. 13.

20. The Medical Inspector shall report to the Protector of Emigrants any circumstance that may come to his knowledge showing that any depôt is not suitable for its purpose, or that the emigrants lodged therein are treated with any oppression or neglect.

Report by Medical Inspector.

See Act III of 1876, s 25.

21. The Medical Inspector may, if he thinks fit, direct any emigrant suffering from any disease likely to be dangerous to his neighbours to be isolated or excluded from the depôt.

Treatment of emigrant suffering from disease.

Any person so suffering may, if the Medical Inspector thinks fit, be removed to a proper hospital for treatment at the expense of the Emigration Agent; and the expenses of his removal and treatment in such hospital shall be recoverable from the Emigration Agent by the Protector of Emigrants together with interest thereon at the rate of six per cent. per annum from the date of payment.

CHAPTER VI.

RECRUITERS AND SUB-AGENTS OF EMIGRATION.

Act VII of 1871, s. 16, revised.

22. The Protector of Emigrants at each of the ports from which emigration is lawful shall, on the application of the Emigration Agent for any place to which emigration is lawful, grant licenses to so many fit persons as to such Protector seems necessary, to be recruiters of emigrants for such place as he thinks fit, within the whole or any specified part of the local area for which such Protector has been appointed;

Protector of Emigrants to license recruiters.

and, except as hereinafter provided, no person not possessing such a license shall enter into or attempt to enter into any agreement with any person purporting to bind him to emigrate, or shall induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or shall act or be employed in any other respect as a recruiter of emigrants.

See Act III of 1876, s. 10.

23. Every license granted to a recruiter under section twenty-two shall specify the particular place for which, and the local area within which, the holder is licensed to recruit, and may be in the form set forth in the second schedule hereto annexed.

Form of license.

Act VII of 1871, s. 19.

For every such license there shall be paid to the Protector of Emigrants a fee of fifteen rupees.

Fee for license.

Act VII of 1871, s. 18, revised.

24. No such license shall be in force for a longer period than one year from the date thereof; and, in case of misconduct on the part of the licensee, the Protector of Emigrants granting any such license may, before the expiration of the period for which it was granted, cancel the same.

Period for which license to remain in force.

New.

25. Every recruiter shall be furnished by the Emigration Agent on whose application he was licensed, with a written or printed statement, under the hand of such Agent, of the terms of contract which he is authorized to offer on behalf of such Agent to intending emigrants.

Recruiter to be furnished with statement of terms of contract he is authorized to offer.

Such statement shall be both in English and in the vernacular language or languages of the local area to which the recruiter's license extends.

The recruiter shall be bound to produce such statement for the information of any person whom he may invite to emigrate, or when called upon by any Magistrate before whom any such person may be brought for registration as hereinafter provided.

Act VII of 1871, s. 21, revised.

26. No recruiter shall, in any local area beyond the limits of a port from which emigration is lawful, enter, or attempt to enter, into any agreement with any person purporting to bind him to emigrate, or shall induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or shall act or be employed in any other respect as a recruiter of emigrants, unless his license bears the countersignature of a Magistrate having jurisdiction throughout such local area.

Countersignature of recruiter's license.

Act III of 1876, s. 12, and Act V of 1877, s. 13.

No such Magistrate shall countersign a recruiter's license unless and until he has satisfied himself, by such enquiry as he thinks fit, that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act, and that sufficient and proper accommodation has been provided in a suitable place and is available for such intending emigrants as may be collected by such recruiter pending their removal to the depôt at the port of embarkation.

New.

27. Every Magistrate shall have, for the supervision, management and regulation of the premises where such accommodation is provided, the same powers as are by this Act conferred on a Protector of Emigrants in respect of depôts at the port of embarkation.

Magistrate to supervise accommodation.

The premises where such accommodation is provided shall have a board fixed in some conspicuous position, specifying the purpose for which the premises are used.

Any Magistrate may authorize any Magistrate subordinate to him or any officer of Police above the rank of Sub-Inspector to visit and inspect such places at any time; and all recruiters or other persons in charge of such places shall afford such subordinate Magistrates and officers of Police every facility for making such visits and inspections.

28. If any Magistrate who has countersigned a recruiter's license afterwards finds reason to think that the licensee is, by character or from any other cause, unfitted to be a recruiter under this Act, or that the accommodation provided for the emigrants as aforesaid has become unsuitable or has ceased to be available, he may require the licensee to produce his license, and may cancel the countersignature thereon:

Act III of 1876, s. 12, and Act V of 1877, s. 13.

Magistrate may cancel countersignature in certain cases.

or the Magistrate may impound the license and send it for cancellation to the Protector of Emigrants who granted the same.

29. Every Magistrate refusing to countersign a recruiter's license or cancelling the countersignature thereon shall at once report such refusal or cancellation, and the grounds of it, to the Protector of Emigrants who granted such license.

Adapted Act III of 1876, s. 12, and Act V of 1877, s. 13.

Notice to Protector of Emigrants of refusal to countersign or cancelling of countersignature.

New.

30. Whenever any Emigration Agent desires that any authority for the collection of emigrants, the payment or supervision of recruiters, or the conduct of any other proceeding connected with recruiting or the despatch of emigrants to the port of embarkation at which he is Agent, should be conferred on any person within any local area beyond the limits of such port, he may nominate the person on whom he desires that such authority should be conferred, and specify the authority which he proposes should be conferred on such nominee and the local area within which it is to be exercised.

Emigration Agent may nominate person to be Sub-Agent.

New.

31. The Protector of Emigrants shall, on receiving notice from the Emigration Agent of any such nomination, report the same, with his opinion as to the character and fitness of the nominee, to the Local Government of the place where the authority proposed to be conferred upon such nominee is to be exercised; and such Local Government shall, if satisfied as to the character and fitness of the nominee, grant him a license to exercise such authority within the local area so specified.

Power to license person so nominated.

Every person so licensed is hereinafter called a Sub-Agent.

For every such license a fee of thirty rupees shall be paid to the Protector of Emigrants.

No such license shall be in force for a longer period than one year from the date thereof; and, in case of misconduct on the part of a Sub-Agent, the Local Government granting his license may cancel the same before the expiration of the period for which it was granted.

New.

32. The remuneration to be given to Sub-Agents shall not depend upon, or be regulated by, the number of emigrants collected or despatched by them, but shall be in the nature of a fixed annual salary.

Remuneration of Sub-Agent.

CHAPTER VII.

AGREEMENTS WITH EMIGRANTS.

33. Every agreement to emigrate entered into by an emigrant shall—

Execution of contracts.

(*a*) be in writing;

(*b*) be executed in triplicate on substantial paper; and

(*c*) if made within the limits of any port from which emigration is lawful, be made with the Emigration Agent at such port and executed in the presence of the Protector;

if made elsewhere, be made with a recruiter and executed in the presence of a Magistrate.

Act VII of 1871, s. 22. No such agreement shall be of any effect until it has been attested in manner hereinafter provided.

Persons of sixteen years of age may contract to emigrate.

34. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter in manner herein provided into an agreement to emigrate to any place to which emigration is lawful.

Power to contract in behalf of child or ward.

35. Any person entering into an agreement to emigrate and being the parent or guardian of a child under the age of sixteen years and above the age of six years may, in the name of and in behalf of such child, enter into an agreement in manner herein provided binding such child to emigrate with him.

Such agreement shall bind, and be enforceable on behalf of, such child in the same way as it would have been if, being of full age, he had executed it himself, but may be rescinded by such child at any time within the thirty days next following the completion of his age of eighteen years.

Essentials of contract.

36. No agreement to emigrate shall be enforceable against the emigrant entering into it unless it—

See Act III of 1876, s. 13, and Act V of 1877, s. 14.

(*a*) is executed by the recruiter or Emigration Agent on behalf of some specified employer in the place to which the emigrant agrees to emigrate or on behalf of some employer to be specified by the Government of such place on the emigrant's arrival there;

(*b*) states the name, name of the father, caste, occupation and age of such emigrant, and the name of the village or place of which such emigrant is a resident;

(*c*) states the port of embarkation, the period of service, the nature of the labour to be performed by such emigrant, the number of days on which he shall be required to labour in each week, and the hours in each day during which he shall be bound to labour without extra remuneration;

(*d*) specifies the monthly or daily wages in money to be paid to such emigrant for such labour as aforesaid;

(*e*) states the dependents, if any, accompanying such emigrant;

(*f*) where the Government of the place to which the emigrant agrees to emigrate is bound to provide him and his dependents (if any) with a free return-passage, provides for such passage and expresses the conditions (if any) on which, and the term of service or residence, or both, after which, he will be entitled to such passage, and the terms on which he may relinquish his right to the same.

The number of days on which an emigrant shall be bound to labour in each week shall not exceed six, and the hours during which he shall be bound, without extra remuneration, to labour in each day shall not exceed nine and a half.

CHAPTER VIII.

ATTESTATION OF AGREEMENTS AND REGISTRATION OF EMIGRANTS.

Persons contracting to emigrate to appear before Magistrate.

37. Every recruiter or Emigration Agent who desires to engage any person to emigrate shall appear before a Magistrate or the Protector of Emigrants (as the case may be) with such person and with any persons about to emigrate as dependents of such person and shall produce the agreement prescribed by sections thirty-three and thirty-six. Act VII of 1871, s. 27 (first clause).

Attestation, examination and registration.

38. The Magistrate or Protector shall thereupon examine such person apart from the recruiter or Emigration Agent with reference to his agreement; Act VII of 1871, s. 27 (second clause), revised.

and if it appears that he is competent to enter into such agreement and understands the nature of the same, that he has not been induced to accede to the same by any coercion, undue influence, fraud, misrepresentation or mistake, that the terms thereof are in conformity with law and, when the agreement is with a recruiter, are such as, according to the statement furnished to the recruiter under section twenty-five, he was authorized to offer, shall call upon the recruiter or Emigration Agent and the emigrant to execute such agreement in his presence, and, if they execute it, shall attest such execution with his signature,

and shall register in a book to be kept for the purpose, in such form as the Local Government prescribes, the name of the recruiter or Agent, the names of the emigrant and his father, the caste, occupation, age and residence of the emigrant, the names of the persons (if any) about to emigrate as dependents of the emigrant, the depôt to which he is to proceed, and such other particulars as the Local Government may, from time to time, prescribe.

The agreement shall thereupon be deemed to be a contract.

One copy of every agreement, the execution of which is attested under this section, shall be delivered to the Emigration Agent or to the recruiter for transmission to the Emigration Agent, another shall be delivered to the emigrant, and the third shall be retained by the Protector or sent by the Magistrate to him. Act VII of 1877, ss. 28, 30.

The Magistrate or Protector shall also, at the time he attests the execution of any agreement under this section, call upon the intending emigrant to state who, to the best of his knowledge, are the persons who, were he to die at once, would be entitled to succeed to his property, and shall record in the register any statement made by such emigrant on this point.

Grounds for refusing to attest agreement.

39. Notwithstanding anything contained in section thirty-eight, the Magistrate or Protector shall refuse to attest the execution of any agreement if he finds— See Act VII of 1871, s. 27 (third clause).

(*a*) that the emigrant entering into such agreement is a resident of a place beyond the limits of the jurisdiction of the Magistrate or of the local area to which the Protector has been appointed, and that no satisfactory explanation is offered of the reason why such agreement was not presented for attestation at such place; New.

(*b*) that any emigrant comprised in such agreement, being such a person as, under New.

the Code of Criminal Procedure, might be ordered to maintain his wife or child, proposes to leave his wife or child behind him in India and has not made such provision as such Magistrate or Protector thinks suitable for the maintenance of such wife or child;

New. (*c*) that any emigrant comprised in such agreement is a married woman, and that her husband does not consent to her emigrating.

Act V of 1877, s. 19. **40.** When any person appears before a Magistrate or Protector under section thirty-seven as a dependent of an emigrant, the Magistrate or Protector shall, if such person is able to give intelligent answers to questions, examine him apart from the recruiter or Emigration Agent as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

Examination of dependent.

Where the Magistrate or Protector sees reason to doubt the existence of such dependence or willingness, he may, if he thinks fit, refuse to attest the agreement unless the name of such dependent is omitted therefrom.

See Act V of 1877, s. 18, last clause. **41.** Whenever the Magistrate or Protector refuses to attest under section thirty-eight the execution of any agreement he shall record his reasons for such refusal; and in order to satisfy himself whether he should or should not so refuse, he may, from time to time, adjourn the examination under section thirty-eight or section forty.

Reasons for refusing to attest agreement to be recorded.

See Act V of 1877, s. 17. **42.** The Local Government may, from time to time, by notification in the official Gazette, direct that, in the case of any specified local area beyond the limits of the port of embarkation, no emigrant shall be brought before the Magistrate for the purpose of being registered under section thirty-eight until he has been examined by a competent medical officer appointed by the Local Government in this behalf, and such officer has certified that such emigrant is in a fit state of health and able in point of physical condition to proceed to the port of embarkation.

Power to direct medical examination of emigrant before leaving district.

Where any such direction is made, no Magistrate shall attest the execution of any agreement under this Act until, in respect of every emigrant comprised therein, such certificate from such medical officer as aforesaid has been produced and shewn to him.

For the examination of every such emigrant the medical officer making it shall be entitled to receive from the recruiter such fee as the Local Government may, from time to time, prescribe.

43. The Protector shall not attest the execution of any agreement under section thirty-eight until the Medical Inspector has certified that every emigrant comprised in such agreement is in a fit state of health to undertake the journey to the place to which he is to emigrate.

Protector when to attest agreement.

44. No recruiter shall remove or attempt to remove any emigrant to a depôt, or induce or attempt to induce him to go to a depôt or leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned, or aid him in going to any depôt, or leaving any such local limits, until such emigrant has been registered under section thirty-eight.

Recruiter when to remove intending emigrant to depôt.

45. For the attestation of every agreement under section thirty-eight the recruiter or Emigration Agent shall pay the fee specified below, that is to say:—

See Act V of 1877, s. 31.

Fee for attestation of agreement.

	Rs.	A.
For every emigrant of the age of sixteen years and upwards contracting to labour	1	8
For every emigrant between the ages of six and sixteen years contracting to labour ...	1	0

See Act VII of 1871, s. 31 (first clause), revised. *N.B.*—The second clause of section 31, Act VII of 1871, providing for refund of registration-fee on desertion, has been omitted.

CHAPTER IX.

CONVEYANCE OF EMIGRANTS TO DEPÔTS.

Act VII of 1871, s. 32. **46.** Every emigrant shall, after he has been registered as hereinbefore provided, be conveyed with all convenient despatch to the depôt established at the port of embarkation by the Emigration Agent of the Government of the place to which such emigrant has contracted to emigrate.

Conveyance of emigrant to depôt.

When any such emigrants have been registered at a place beyond the limits of such port, they shall, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself or by a competent person appointed by him with the approval of the Magistrate by whom they have been registered.

Certain emigrants to be accompanied by recruiter or other person approved of by Magistrate.

The Magistrate shall give to the person so appointed a certificate under his signature stating that he has been appointed for the journey to the depôt; and the recruiter or the person so appointed shall throughout the journey provide the emigrants with proper and sufficient food and lodging.

47. When, in the case of any emigrant, the provisions of section forty-six are not complied with, the Magistrate by whom such emigrant has been registered may order the Emigration Agent or the recruiter by whom the emigrant was recruited at once to pay such emigrant such reasonable sum as is necessary to enable him to return to the place where he resided, and may take any steps he may think necessary for sending the emigrant back to such place.

Power to order payment of expenses of emigrant when he is not conveyed to depôt.

48. If the Magistrate has passed an order under section forty-seven with regard to any emigrant, any emigrant registered as a dependent of such emigrant, or any emigrant, not a dependent, who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may claim to be sent back at the expense of the Emigration Agent or recruiter with such emigrant to the place where he resided; and the Magistrate may include such expense in an order made under section forty-seven with regard to such emigrant.

Expenses of dependents and certain other persons.

49. On failure of such Emigration Agent or recruiter for twenty-four hours to comply with an order of the Magistrate for the payment of any sum ordered to be paid under section forty-seven or forty-eight, the

Failure of Emigration Agent, &c., to pay such expenses.

Magistrate may pay the same to or on behalf of the emigrant.

Every sum so paid shall be recoverable from such Emigration Agent or recruiter with interest thereon at the rate of six per cent. per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Magistrate gave such Emigration Agent or recruiter an order to pay such sum, and that the Emigration Agent or recruiter for twenty-four hours failed to comply with such order.

CHAPTER X.

PROCEDURE ON ARRIVAL AT THE DEPÔT OF EMIGRANTS FROM UP-COUNTRY.

Act VII of 1871, s. 33. **50.** The arrival at a depôt of each emigrant registered at any place beyond the limits of the port shall immediately be reported by the person in charge of such depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

Arrival at depôt to be reported.

Act VII of 1871, s. 34. **51.** The copy of the contract received by the recruiter from the Magistrate shall, as soon as conveniently may be after the arrival of the emigrant at the depôt, be shown to the Medical Inspector of Emigrants; and each emigrant comprised in such contract shall be examined by the Medical Inspector to ascertain whether he is fit, having regard to his age and state of health, to undertake the journey to the place to which he has contracted to emigrate.

Copy of contract to be shown to Medical Inspector.

Emigrant to be examined by him.

The Medical Inspector, if satisfied of his fitness, shall give a certificate to that effect to the Emigration Agent; and if not so satisfied he shall give a certificate to that effect to the Protector of Emigrants.

Act VII of 1871, s. 37, revised with Act V of 1877, s. 25. **52.** The Protector of Emigrants, on receiving the report of arrival mentioned in section fifty, shall, as soon as may be, examine in the presence of the Emigration Agent each emigrant as to the mode in which he has been treated on his journey to the depôt, and as to any other matters which the Protector of Emigrants may think it necessary to enquire into, and shall, at the same time, peruse the contract.

Duty of Protector on arrival of emigrants.

If, owing to the contract not being in accordance with law, or for any other reason, further enquiry appears to him necessary, he shall at once make such enquiry.

If for any reason the Protector is unable to visit the depôt for the purposes of this section within seventy-two hours of the emigrant's arrival there, he shall at once report the circumstances for the information of the Local Government.

VII of 1871, s. 38, revised with Act V of 1877. **53.** If the Medical Inspector gives a certificate of fitness under section fifty-one and in the opinion of the Protector of Emigrants there is no valid reason why the contract to emigrate should not be performed, the Protector shall countersign the copy of the contract in the possession of the emigrant.

Countersignature of copy of contract.

54. If the Medical Inspector of Emigrants, on making the examination required by section fifty-one, or at any subsequent time during the stay at the depôt of any emigrant registered at any place beyond the limits of the port, finds that such emigrant is or has become unfit to undertake the intended voyage, and if the Protector of Emigrants considers that such emigrant has not dishonestly represented himself as fit to undertake such voyage;

Section 35, Act VII of 1871, and section 27 of Act V of 1877.

Power to order payment of expenses of return of emigrant.

or if the Protector, on making the examination and perusing the contract as directed by section fifty-two, finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any such emigrant as makes it just to rescind the contract to emigrate;

or if the Emigration Agent refuses to fulfil the contract entered into with such emigrant,

the Protector may order the Emigration Agent at once to pay such emigrant such reasonable sum as is necessary to enable him to return to the place at which he resides and such further sum as such Protector may deem reasonable as compensation, and may take any other steps he thinks necessary for the conveyance of the emigrant to such place.

And any emigrant who from his state of health is, in the opinion of the Medical Inspector of Emigrants, unfit to undertake such return-journey shall be entitled to be fed, lodged, clothed and attended to at the depôt at the port of embarkation at the expense of the Emigration Agent, until he is reported by the Medical Inspector fit to undertake such return-journey.

55. When any order is made under section fifty-four with reference to any emigrant, any emigrant registered as his dependent,

Section 28 of Act V of 1877.

Like expenses of dependents and relatives.

or any emigrant not a dependent who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may claim—

(1) to be conveyed at the expense of the Emigration Agent with such emigrant to the place at which he resided; and

(2) if such emigrant is unable to travel, to be lodged, fed and clothed in the depôt at the expense of the Emigration Agent until such emigrant is able to travel;

and the Protector may include such expenses in an order made under section fifty-four with respect to such emigrant.

56. If, upon the arrival at the depôt of any emigrant registered beyond the limits of the port it appears that during the journey to the depôt he has suffered any ill-treatment, or that the recruiter has failed to provide him with proper and sufficient food and lodging, the Protector of Emigrants may order the Emigration Agent to pay him a reasonable sum by way of compensation.

Act V of 1877, s. 26.

Compensation to emigrant for ill-treatment on journey.

57. On failure of such Emigration Agent for twenty-four hours to comply with an order of the Protector for the payment of any sum ordered to be paid under section fifty-four, fifty-five or fifty-six, the Protector may pay the same to, or on behalf of, the emigrant.

S. 31 of Act V of 1877. Cf. Act VII of 1871, s. 36.

Failure of Emigration Agent to pay such expenses.

The provisions of section forty-nine relating to the recovery of sums paid by the Magistrate under sections forty-seven and forty-eight shall *mutatis mutandis* apply to the recovery of sums paid by the Protector under this section.

CHAPTER XI.

EMIGRANT VESSELS.

Act VII of 1871, s. 40.

58. It shall not be lawful to receive any emigrant on board any vessel unless a license to carry emigrants in such vessel has been obtained from the Local Government. The granting or withholding any such license shall be in the discretion of the Local Government.

Emigrants not to be received on board unlicensed vessel.

The Master or owner of any vessel who desires to obtain a license to carry emigrants in such vessel shall apply in writing through the Protector of Emigrants to the Local Government for such license.

Application for license.

Every such application shall state the number of adult emigrants which, according to the rules regarding space hereinafter contained, the applicant deems the vessel capable of carrying, and the tonnage and such other particulars respecting the vessel as the Local Government may, from time to time, prescribe.

Contents of application.

Act VII of 1871, s. 40 (4).

59. The Protector of Emigrants shall cause the vessel to be surveyed by a competent person at the cost of the Master or owner, with a view to ascertain her seaworthiness and the extent and nature of her accommodation for emigrants, and to ascertain that she is properly ventilated, and is supplied with all the tackle, apparel and furniture requisite for her intended voyage.

Survey of vessel.

The Protector of Emigrants shall make a full report on the survey to the Local Government; and if such Government is of opinion that the vessel is in all respects suitable for the carrying of emigrants under this Act, it shall give to the Master of the vessel a license to carry emigrants therein specifying the number of emigrants which may be received on board.

Report after survey and license to Master.

Act VII of 1871, s. 41.

60. No license under section fifty-nine shall be granted unless—

Accommodation required on board.

(*a*) there is provided for the emigrants, either between-decks or in cabins on the upper deck, firmly secured and entirely covered in, a space devoted to their exclusive use having in every part a height of not less than six feet;

(*b*) a separate place is fitted up for a hospital;

(*c*) such arrangements are made for the separation of women (married or single) and children from the other emigrants as may be prescribed by the rules made under this Act.

Act VII of 1871, s. 41.

61. Every vessel shall contain within the space referred to in clause (*a*), section sixty, at least twelve superficial feet and seventy-two cubic feet of space for each passenger:

Rules as to space.

Provided that two emigrants under the age of ten years shall for the purposes of this section count as one only.

Act VII of 1871, s. 42 (1), (3) and (4).

62. There shall be actually laden and on board of every vessel carrying emigrants, at the time of departure of such vessel from the port at which they embark,—

Provisions, fuel and water.

(*a*) provisions and clothing for the emigrants (over and above the supply for the Master, officers and crew, and of the cabin and other passengers, if any), in such quantity and of such description and quality as may be prescribed by the rules made under this Act;

(*b*) fuel for cooking such provisions;

(*c*) a supply of water in tanks (which are to be approved by the Protector of Emigrants) to the amount of seven gallons for each emigrant for every week of the probable length of the voyage:

Provided that—

1*st*—when any vessel is to call for the purpose of filling up her tanks at any place in the course of her voyage, a supply of water at the rate hereinbefore mentioned, for every week of the probable length of the voyage to such place, shall be deemed to be a compliance with this clause; and

Supply of water for vessel calling at intermediate port.

2*nd*—when any vessel is fitted with Normandy's apparatus, or other apparatus approved by the Protector of Emigrants, for distilling sea-water, and with proper and sufficient means for working the same, a reduction shall be allowed of one-third in the quantity of water required under this section.

Supply in vessel fitted with distilling apparatus.

Act VII of 1871, s. 42 (2).

63. Every such vessel shall, at the time of departure aforesaid, have actually on board, and shall carry with her, a properly qualified European or Native Surgeon, and also such compounders, interpreters, and female nurses, and such medicines, and other stores, in such quantity and of such quality as may be prescribed by rules to be from time to time made under this Act.

Surgeons, nurses, medicines and stores.

Act VII of 1871, s. 43.

64. Every emigrant leaving India for any place westward of the Cape of Good Hope between the first day of March and the fifteenth day of September shall be supplied with at least one double blanket, which shall, at the time of departure aforesaid, be placed on board the vessel with his other clothing or luggage.

Extra clothing.

Every emigrant shall be allowed to make use of such double blanket so long as the vessel is outside of the tropics.

Act VII of 1871, s. 44.

65. The Protector of Emigrants and the Medical Inspector of Emigrants shall see personally that all the provisions of sections sixty-two, sixty-three and sixty-four are complied with.

Protector and Inspector of Emigrants to insure compliance with above provisions.

Act VII of 1871, s. 45.

66. Every Master licensed under section fifty-nine shall, upon the requisition of the Protector of Emigrants, and before any emigrant embarks on board of his vessel, execute to such Protector, in duplicate, a bond, in such form as the Local Government prescribes, binding himself and the owner of the vessel in a penal sum of ten thousand rupees to perform the duties imposed by this Act or any rule made hereunder on a Master and owner respectively.

Bond to be executed by Master.

The Protector of Emigrants shall forward one copy of such bond to the Government of the place to which the emigrants are to be conveyed (or in the case of a foreign colony to the British Consular Agent at such colony) and the other copy to the Local Government.

CHAPTER XII.

EMBARKATION AND DEPARTURE.

New.

67. No emigrant shall embark, except with the special permission of the Protector of Emigrants, until seven days have elapsed from the date of his arrival at the depôt.

No emigrant to be embarked until he has been seven days at depôt.

Act VII of 1871, s. 46, modified.

68. No person shall emigrate to any place west of the Cape of Good Hope, in sailing-vessels between the first day of March and the thirty-first day of July, or in steam-vessels between the fifteenth day of March and the thirty-first day of July.

Time at which emigrants may leave India.

No person shall emigrate to any place during any season which the Governor General in Council may from time to time by notification in the *Gazette of India* declare to be a season during which emigration to such place is prohibited.

Explanation.—The expression "steam-vessels" in this section means vessels continuously under steam, and not vessels in which steam is only occasionally used as an auxiliary to sails.

Act VII of 1871, s. 47 (clauses 3 & 4).

69. The Protector of Emigrants shall, before the embarkation of any emigrant, ascertain whether he has or has not in his possession the copy of the contract furnished to him under section thirty-eight.

Protector to see that emigrant has copy of entry in register.

When the Protector of Emigrants is satisfied that any emigrant has not such copy in his possession, the Protector shall furnish him with another copy of such contract, and shall thereupon allow such emigrant to embark.

Act VII of 1871, s. 48.

70. The Protector of Emigrants shall explain to all emigrants prior to their embarkation the substance of the provisions of this Act, so far as they immediately affect such emigrants.

Provisions of Act to be explained.

Act VII of 1871, s. 45 (clause 1), revised.

71. If any emigrant without sufficient cause refuses or neglects to embark when called upon by the Emigration Agent to do so, it shall not be lawful to compel such emigrant to embark; but nothing in this section shall affect the civil or criminal liabilities which such emigrant incurs by reason or in respect of such refusal or neglect.

Procedure if emigrant refuses to embark.

Act VII of 1871, s. 49. Original specifies five copies; four [illegible]. All that is needed.

72. When any emigrants are about to embark on board any vessel, the Emigration Agent shall furnish the Master of the vessel with four copies of a list, specifying, as accurately as may be, the names, ages and occupations of such emigrants and the names of their respective fathers.

Emigration Agent to deliver four lists of emigrants to Master.

The Master shall not receive any emigrant on board unless he is provided with a pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant, the name of his father, and the place to which he has contracted to emigrate, and certifying that he is in a fit state of health to undertake the voyage to such place.

Emigrant to be provided with pass.

Every emigrant shall on embarkation deliver such pass to the Master.

Emigrant to give his pass to Master.

The Master shall compare the emigrants who embark and the passes delivered by them with the list furnished by the Emigration Agent: and if the list appears to be correct and to correspond with the passes delivered and with the emigrants embarked, the Master shall sign the four copies of the list.

Master to compare pass with list.

The Protector of Emigrants shall be personally present at the embarkation of all emigrants, and shall see that the Master duly compares the list with the passes and emigrants. He shall himself also compare the list with the passes and emigrants, and shall not permit any emigrant to remain on board who has not delivered up his pass to the Master, or is not mentioned in the list.

Protector to be personally present.

Emigrant without pass not to remain on board.

Act VII of 1871, s. 49 (7).

73. Every pass delivered up under section seventy-two to the Master shall be returned by him to the emigrant by whom the same was delivered up, before such emigrant disembarks at the place to which he has contracted to emigrate.

Pass to be returned to emigrant on arrival at his place of destination.

Act VII of 1871, s. 49 (5).

74. When the copies of the list have been signed, the Master shall give two of such copies to the Protector of Emigrants, who shall sign such copies if he believes them to be correct, and shall return one copy to the Master: the other copy shall be filed in the office of the Protector of Emigrants.

Two copies of list to be given by Master to Protector, signed by him and one returned to Master.

Act VII of 1871, s. 50.

75. The Master shall give to the Emigration Agent the two remaining copies of the list.

Two copies of list to be given by Master to Emigration Agent—

The Emigration Agent shall thereupon sign such copies, and shall return to the Master one of the said copies, which shall, on the arrival of the vessel at the place to which the emigrants have contracted to emigrate, and previous to their disembarkation, be delivered up by the Master to such officer as may be appointed in this behalf by the Government of such place.

and signed by him, and one returned to Master; and by him to be delivered at place of destination.

Act VII of 1871, s. 51.

76. The Protector of Emigrants shall, by every vessel which carries emigrants, send to the Protector of Emigrants or other officer appointed in this behalf by the Government of the place to which the emigrants have contracted to emigrate, a correct and detailed list of all the emigrants embarked in such vessel, compiled from their passes and from the list signed by the Master as aforesaid.

Protector to send list of emigrants to Government of place to which they emigrate.

Act VII of 1871, s. 49 (4).

77. The Medical Inspector shall be personally present at the embarkation of all emigrants, and shall examine each emigrant to ascertain if he is in a fit state of health to undertake the voyage to the place to which he has contracted to emigrate;

Examination by Medical Inspector.

and if he finds that he is not fit to undertake such voyage, he shall inform the Protector accordingly.

The Protector may thereupon refuse to permit such emigrant to embark; and any emigrant, registered as a dependent of an emigrant whom the Protector has refused to permit to embark, or any emigrant, not a dependent, who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may, notwithstanding anything herein contained, refuse to embark.

The provisions of sections fifty-four, fifty-five and fifty-seven shall, so far as may be, apply to emigrants who under this section are not permitted to embark, and to any emigrants who may under this section refuse to embark, and to the recovery of expenses incurred under this Act in respect of them.

Emigration Agent to furnish Master with all contracts.

78. The Emigration Agent shall, after all the emigrants have embarked, furnish the Master with all the contracts made by the Emigration Agent or under his authority with such emigrants, and delivered or transmitted to him under section thirty-eight; and the Master shall, on arrival at the place to which the emigrants are to be conveyed, deliver up such contracts to such officer as may be appointed in this behalf by the Government of such place.

Act VII of 1871, s. 44.

Certificate from Protector of Emigrants and Emigration Agent.

79. Before any vessel licensed to carry emigrants clears out of any port from which emigration is lawful, the Master of such vessel shall obtain from the Protector of Emigrants at such port, and from the Emigration Agent for the place to which the emigrants are to be conveyed, certificates, under the hands of such Protector and Emigration Agent respectively, to the following effect, namely:—

that such Protector and Agent have, in respect of all the emigrants proceeding in such vessel, done all that is hereinbefore required to be done on the part of such Protector and Agent, respectively, and that all the directions for the security, well-being and protection of emigrants which are contained in this Act, or in such rules as the Governor General in Council may make under section eighty-five, have, in the case of such vessel, been complied with.

Act VII of 1871, s. 52.

Vessel sailing from Calcutta to depart within 24 hours of embarkation.

80. The Master of every vessel carrying emigrants from the port of Calcutta shall proceed on his voyage and depart with his vessel from Garden Reach within twenty-four hours after the embarkation of such of the emigrants as have first embarked.

Act VII of 1871, s. 53.

Vessels sailing from Calcutta to be towed to sea.

81. Every sailing-vessel leaving the port of Calcutta with emigrants shall proceed from Garden Reach to sea under tow of a competent steamer.

New.

Power to send to hospital individual emigrants suffering from certain diseases on board vessels leaving Calcutta.

82. When a vessel leaves the port of Calcutta with emigrants, and during her passage down the river, and while between Garden Reach and Diamond Harbour, measles, scarlet-fever or small-pox shall appear on board, the Master shall, if so required by the Surgeon in charge of the emigrants, send to the hospital at Diamond Harbour all emigrants actually suffering from such disease, together with any emigrants registered as their dependents and any emigrant not being a dependent who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of any such emigrant and who may wish to accompany him or her, and shall at once inform the Protector of Emigrants at Calcutta of the number and names of the emigrants so sent to hospital.

The provisions of sections fifty-four, fifty-five and fifty-seven shall, so far as may be, apply to emigrants landed under this section, and to the recovery of expenses incurred in respect of them.

Power to land all emigrants when cholera appears.

New.

83. In the event of cholera in an epidemic form appearing among the emigrants on board any vessel sailing from the port of Calcutta and not having passed Diamond Harbour the Surgeon in charge of the emigrants may require the Master to land at Diamond Harbour all such emigrants.

The Master shall at once comply with such request, and shall immediately give notice of his having done so to the Protector of Emigrants at Calcutta, who shall take such action thereupon as may be prescribed by rules to be made under this Act.

Copies of Act and rules to be kept on board.

Act VII of 1871, s. 54.

84. Two copies of this Act and of all rules made hereunder and two copies of a translation of this Act and of such rules, in such language or languages as the Local Government may direct, shall be delivered by the Emigration Agent to the Master of every vessel carrying emigrants before she clears out of port, and shall be kept on board of every such vessel during the whole voyage.

One of such copies or translations shall, upon request made at any reasonable time to the Master of the vessel, be produced to any emigrant for his perusal.

CHAPTER XIII.

SUPPLEMENTARY POWERS.

Power of Governor General in Council to make rules.

Act VII of 1871, s. 56.

85. The Governor General in Council may, from time to time, make rules consistent with this Act—

(*a*) to regulate the proportion of women to be taken with male emigrants, the proportion of children to be taken with adult emigrants, and the age below which children shall not be so taken;

(*b*) to prescribe the description, quantity and quality of provisions, fuel and water to be taken by vessels carrying emigrants, the daily allowance of food and water to be issued, and the nature and amount of clothing to be supplied to each emigrant during the voyage;

(*c*) to provide for the medical care of the emigrants during their residence at the depôts and on the voyage, and to fix the number of the compounders, interpreters and female nurses to be carried, in addition to the Surgeon, for the care of the sick or weakly on board emigrant-vessels; New.

(*d*) to provide for the precautions to be taken on the outbreak of any epidemic or infectious disease in the depôts or on a voyage; New.

(*e*) to prescribe the nature, quantity and quality of medicines and other stores to be carried on board emigrant-vessels;

New.

(*f*) to provide for the ventilation and cleanliness of such vessels during their voyages, and for their being furnished with a sufficient number of life-buoys, boats, water-buckets and other appliances to be used in case of shipwreck or fire;

New from here.

(*g*) to provide for a journal being kept by the Surgeon of every such vessel, recording the health of the emigrants, and his treatment of the sick, together with full explanation of the causes of every death; and to define the duties and powers of such Surgeon in respect of the emigrants committed to his care;

(*h*) to provide for the disposal of emigrants who may be landed under section eighty-three;

(*i*) and generally to provide for the security, well-being and protection of emigrants.

All such rules shall be published in the *Gazette of India*, and shall thereupon have the force of law.

Act VII of 1871, s. 62.

Power to increase and reduce fees.

86. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, increase or reduce any fee payable under section eighteen, twenty-three, thirty-one or forty-five:

Provided as follows—

Provisoes.

such increase shall not be more than what may, in the opinion of the Governor General in Council, be sufficient to raise the total income from fees under this Act to an amount which will cover the cost of any establishment or supervision which the Governor General in Council thinks necessary to provide for the control of emigration:

if it appears to the Governor General in Council expedient to provide, in the case of any colony, any special establishment or expenditure for the protection of Indian emigrants to such colony, the Governor General in Council may increase the fees mentioned in section forty-five in the case of such emigrants to an amount sufficient, in his opinion, to cover the cost of such special establishment or such expenditure.

CHAPTER XIV.

OFFENCES.

Act VII of 1871, ss. 71, 72, part of s. 73, and s. 74 recast and revised.

Making unlawful agreement;

87. Whoever, except in conformity with the provisions of this Act,

makes or attempts to make any agreement with any native of India purporting to bind him to emigrate, or

recruiting without being licensed;

induces or assists or attempts to induce or assist any such Native to leave any place for the purpose of emigrating, or otherwise acts or is employed as a recruiter of emigrants, or

receiving emigrants in place where accommodation not duly provided.

receives into or detains in any place other than a place in which accommodation has been provided as mentioned in section twenty-six any person with a view to his being registered as an emigrant, or after his registration as an emigrant and prior to his departure for the depôt at the port of embarkation,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Recruiters removing, &c., unregistered emigrants;

88. Whoever being a recruiter duly licensed under this Act,

removes, or attempts to remove, any emigrant to a depôt, until he has been registered under section thirty-eight, or induces or attempts to induce him to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned until he has been so registered, or aids or attempts to aid him in leaving any such local limits or going to any depôt until he has been so registered, or

not supplying proper lodging, food, &c.

fails to provide any emigrant whom he has engaged, and who is registered under this Act, with suitable lodging and food or otherwise ill-treats such emigrant on his journey to the depôt,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Fraudulently inducing Native to emigrate.

Act VII of 1871, s. 73, para. 3; enhanced penalty of Act V of 1877, s. 40, adopted. New.

89. Whoever, by means of intoxication, coercion, fraud or misrepresentation, causes or induces, or attempts to cause or induce, any native of India to emigrate, or to enter into any agreement to emigrate, or to leave any place with a view to emigrating, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both; and any Police-officer may arrest without warrant any person committing an offence under this section.

Acting as Sub-Agent without being licensed.

Act VII of 1871, s. 75.

90. Whoever, not being a Sub-Agent licensed under section thirty-one, acts as such Sub-Agent shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

False representation of Government authority.

Act VII of 1871, s. 76.

91. Whoever, without lawful authority, issues any written order to the Police to assist him or any other person to procure emigrants, or falsely represents that such emigrants are required by the Government or are to be engaged on behalf of the Government, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Receiving emigrants on board in contravention of Act.

92. Any Master who knowingly receives on board his vessel any emigrant who has not complied with the provisions of this Act, so far as they are binding upon him,

any Master not licensed under section fifty-nine who knowingly receives any emigrant on board his vessel, and

any Master licensed as aforesaid who knowingly receives on board his vessel any emigrant in excess of the number specified in his license,

shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees for each emigrant so received, or with both; and the vessel, her tackle, apparel and furniture, may be declared by the Court before which such Master is tried to be forfeited to Her Majesty.

Act VII of 1871, s. 79.

93. Any Master licensed under section fifty-nine who fraudulently does, or suffers to be done, any act or thing whereby such license becomes inapplicable to the altered state of the vessel or other matter to which such license relates, shall be punished with fine which may extend to five thousand rupees;

Fraudulent acts on part of Master whereby certificate becomes inapplicable to vessel.

and he may also be sued on any bond which he may have executed under section sixty-six.

94. Any Master of a vessel carrying emigrants who clears or attempts to clear such vessel outwards when any of the provisions of sections sixty-two, sixty-three and sixty-four have not been complied with in respect thereof shall be punished with fine which may extend to four thousand rupees.

Non-compliance with sections 62 to 64.

Act VII of 1871, s. 77, revised with Act V of 1877, s. 43.

95. Any Master who receives on board his vessel any emigrants and fails to comply with the requirements of sections seventy-two, seventy-four and seventy-five in respect of such emigrants shall be punished with fine which may extend to two hundred rupees for each emigrant so received on board.

Master not complying with sections 72, 74 and 75.

Act VII of 1871, s. 78.

Any Master who, having cleared his vessel, takes on board any emigrant not entered in the list mentioned in section seventy-two, or not furnished with a pass required by the said section, shall be punished with fine which may extend to two hundred rupees for each emigrant so taken.

Master taking on board, after clearance, emigrants not entered in list.

Act V of 1877, s. 44.

96. Any Master landing any emigrant at any place other than the place for which he has been shipped by the Emigration Agent shall be punished for every emigrant so landed with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both, unless such landing has been caused by stress of weather or unavoidable accident, or has taken place under the circumstances mentioned in sections eighty-two and eighty-three.

Landing emigrant at other than specified place.

Act VII of 1871, s. 80.

97. Any Master of a sailing vessel leaving the port of Calcutta with emigrants on board who, without reasonable excuse, causes or allows his vessel to go below Garden Reach without being in tow of a competent steamer,

Proceeding to sea without steam.

or does not leave Garden Reach with his vessel within the time prescribed in section eighty,

shall be punished with fine which may extend to one thousand rupees.

See Act III of 1876, s. 33.

98. Any person who, having been registered by a Magistrate under section thirty-eight, deserts before arrival at the depôt, or refuses without reasonable cause to proceed to the depôt, shall be punished with fine which may extend to twenty rupees or to the cost incurred in contracting with and registering and conveying him to the depôt, whichever is greater, and, in default of payment of such fine, with imprisonment which may extend to one month.

Emigrant deserting or refusing to proceed to depôt after registration.

Every fine levied under the provisions of this section may, in the discretion of the convicting Magistrate, be paid to the Emigration Agent, Sub-Agent or recruiter by whom such cost was incurred.

No prosecution under this section shall be instituted except on complaint made by or at the instance of a Protector of Emigrants or with his sanction; and such sanction shall not be given if the Protector sees reason to believe that the accused person or other intending emigrants accompanying him has or have been ill-treated, deceived or defrauded by the recruiter or any person under his control.

Registered emigrant deserting from depôt or failing to embark.

See Act VII of 1871, s. 45, second clause.

99. Any emigrant who, having been registered as aforesaid,

deserts from the depôt,

or, without reasonable cause, refuses or neglects to embark when called upon to do so by the Emigration Agent,

shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to fifty rupees or to double the amount of the expense incurred in contracting with, registering and conveying him to the depôt, and maintaining him therein, or with both.

No prosecution under this section shall be instituted except by the Emigration Agent with the sanction of the Protector; and such sanction shall not be given if, in the opinion of the Protector, the emigrant has suffered any ill-treatment or neglect in the depôt or on the journey thither.

Embarking emigrant contrary to section 67.

100. Any person who causes, and any Emigration Agent or Master who knowingly permits, any emigrant to embark contrary to the provisions of section sixty-seven, shall be punished with fine which may extend to two hundred rupees for each emigrant so embarked.

Abetment.

101. Whoever abets within the meaning of the Indian Penal Code any offence against this Act shall be deemed to have committed such offence.

Prosecutions instituted.

See Act VII of 1871, s. 82.

102. All prosecutions under sections ninety-two to ninety-seven both inclusive, or under section one hundred, shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

Customs-officers may search and detain for purposes of Act.

Act VII of 1871, s. 81.

103. All the powers for the time being conferred by law on officers of sea-customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention of offences against this Act.

CHAPTER XV.

MISCELLANEOUS.

Suits against Emigration Agent for breach of duty.

See s. 32 of Act V of 1877, and the last two clauses of s. 37 of Act VII of 1871.

104. Whenever an Emigration Agent is chargeable with a breach of any duty to an emigrant arising from any contract with such emigrant or imposed by this Act or the rules made hereunder, the Protector of Emigrants may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of compensation for such breach.

In awarding compensation under this section, all sums ordered to be paid under sections forty-seven and fifty-four shall be taken into consideration.

Act VII of 1871, s. 83.

105. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, determine what shall be held to be, for the purposes of this Act, the probable length of the voyages by sailing-vessels and vessels using steam-power, respectively, from any port from which emigration is for the time being lawful to any place to which emigration is for the time being lawful.

Power to determine probable lengths of voyages for purposes of Act.

Until otherwise so determined under this section, the probable length of the voyage by sailing-vessels from the ports mentioned in the third schedule hereto annexed to the other places mentioned in the said schedule shall be deemed to be the lengths stated in the said schedule.

Reference to Schedule III.

106. The Governor General in Council may by a notification in the *Gazette of India* extend Act No. V of 1877 (the Straits Settlements Emigration Act 1877) to the whole or any part of British India other than Madras.

Power to extend Act No. V of 1877 to other parts of British India.

SCHEDULE I.

(See section 6.)

PLACES TO WHICH EMIGRATION IS LAWFUL.

I.—The British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji.

II.—The French Colonies of Réunion, Martinique, Guadeloupe and its dependencies, and Guiana.

III.—The Netherlands Colony of Dutch Guiana.

IV.—The Danish Colony of St. Croix.

SCHEDULE II.

(See section 23.)

FORM OF RECRUITER'S LICENSE.

Act VII of 1871, second schedule, and Act V of 1877, second schedule.

OFFICE of the Protector of Emigrants at the Port of

A. B., described in the descriptive roll annexed, is hereby licensed under the Indian Emigration Act, 1881, to be a recruiter of labourers for [*here state the place for which the recruiter is licensed to recruit*] in [*here name the local limits within which the recruiter is licensed to act*].

This license will be in force until the day of unless previously cancelled.

(*Signed*) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village, local sub-division (tahsil, taluq, &c.) and district to which he belongs.

SCHEDULE III.

(See section 105).

PROBABLE LENGTHS OF VOYAGES UNDER THIS ACT.

FROM CALCUTTA—

To Mauritius and Réunion.	From the month of April to the month of October, both inclusive, ten weeks; and from the month of November to the month of March, both inclusive, eight weeks.	
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.	Twenty weeks.	
To Natal	...	Twelve weeks.
To Fiji	...	Eighteen weeks.

FROM MADRAS—

To Mauritius and Réunion.	From the month of April to the month of October, both inclusive, seven weeks; and from the month of November to the month of March, both inclusive, six weeks.	
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.	Nineteen weeks.	
To Natal	...	Ten weeks.
To Fiji	...	Seventeen weeks.

FROM BOMBAY—

To Mauritius and Réunion.	From the month of April to the month of September, both inclusive, five weeks; and from the month of October to the month of March, both inclusive, six weeks.	
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.	Nineteen weeks.	
To Natal	...	Ten weeks.
To Fiji	...	Seventeen weeks.

STATEMENT OF OBJECTS AND REASONS.

NUMEROUS suggestions for the amendment of the Indian Emigration Act, 1871, have from time to time been received by the Government. Many of these which it appears desirable to adopt deal with minor and, comparatively speaking, unimportant points; but some propose substantial changes which would materially alter the working of the existing law. It has, moreover, been found that the form and arrangement of the Act are susceptible of improvement. Under these circumstances, it has been thought advisable to repeal the Act, and re-enact it with all the requisite amendments. Of these amendments the more important are the following.

2. In the preliminary chapter "emigrate," "emigrant" and "emigration" have been so defined as to cover not only persons leaving India under a contract to labour, but also dependents of such persons. It is obvious that, for all purposes of the control of recruiters and depôts, the regulation of emigrant vessels, &c., it is as necessary to take count of dependents as of the persons who contract to labour.

3. Section 5, which corresponds to section 26 of the Act of 1871, has been amplified so as to give the Governor General in Council power to establish ports other than those of the three Presidency-towns as ports of embarkation.

4. In a recent correspondence it has been brought to notice that the effect of the Contract Act of 1872 has been to make it impossible for persons under the legal age of majority (in most cases 18) to engage to emigrate. The limit of sixteen years at or above which an emigrant may himself enter into a contract to emigrate has been adopted in sections 34 and 35 of the Bill from the Bengal Labour Districts Emigration Act (Bengal Act VII of 1873); and it has been provided that minors below that age and above the age of six years may contract through their guardians, power being reserved to the minor to rescind the contract at any time within the thirty days next following the completion of his age of eighteen years.

5. Section 33 requires all agreements to emigrate to be in writing, and, if entered into within the limits of any port from which emigration is lawful, to be made with the Emigration Agent at such port, and executed in the presence of the Protector; if entered into elsewhere, to be made with a recruiter and executed in the presence of a Magistrate. Section 36 lays down what such agreements must contain. At present, there is much confusion in the law as to what constitutes the contract to emigrate; and it is not absolutely necessary that any terms of service should be settled before the emigrant leaves India. Most, if not all, colonies have already introduced written contracts, so that there will be no hardship in requiring their general use; the conventions with France and Holland expressly stipulate that a written contract must first be executed in India, and there will thus be no difficulty with those powers. The requirement of a contract, moreover, marks distinctly the stage at which an emigrant becomes liable for breach of contract—a point which under the present law is somewhat uncertain. Lastly, the provision exists (in substance) in the Burma and Straits Settlements Emigration Laws. The material stipulations mentioned in section 36 are all actually adopted by the colonies which receive Indian emigrants.

6. The remaining amendments are for the most part in matters of detail, and may be shortly stated as follows.

7. For the present definition of Magistrate and section 85 of the existing Act, the definition in Act V of 1877 (The Straits Settlements Emigration Act, 1877), which allows of the appointment of any person as a Magistrate for the purposes of the Act, has been substituted.

8. *Chapter II.—Ports from which, and places to which, Emigration is lawful.*—This is a new chapter, which brings together under one head, in an amended form, the provisions of sections 23 to 26 and sections 57 to 61 of the Act of 1871.

9. *Sections 7 to 10.*—In the present law sections 57 and 61 overlap, and one of them is clearly unnecessary. The opportunity has accordingly been taken to re-draft the sections, amalgamating them and specifying more clearly the reasons for which emigration may be suspended. Excessive mortality, neglect to enforce in the colony the contracts made in India and omission to furnish the Government of India with the information necessary to enable it to judge how Indian immigrants are treated have been added to the reasons mentioned in sections 57 and 61 of the present Act. This last is in accordance with the recommendation of Sir G. Campbell.

10. *Section 8* defines more clearly the extraordinary power which, under section 61 of the present Act, can be exercised by the Local Government on a pressing emergency; and this power has been restricted to a single case—the outbreak of plague or other epidemic disease dangerous to life in the colony.

11. *Chapter III.—Emigration Agents.*—No change has been made in this chapter, which corresponds with Part II of the present Act, except a slight amendment of section 4 of the present law, defining the effect of the notification of appointment of an Emigration Agent by the Local Government and giving that Government power to withdraw its approval of the appointment of such Agent.

12. *Chapter IV.—Protectors of Emigrants and Medical Inspectors.*—The wording of this chapter, which corresponds with a portion of Part III of the present Act, has been revised, and power has been given to the Local Government to appoint, with the previous sanction of the Governor General in Council, Protectors of Emigrants for local areas beyond the territories subject to its administration.

13. *Chapter V.—Emigration Depôts.*—This chapter corresponds with a portion of Part III of the present Act; but the second clauses of sections 18 and 21, which are based on Act III of 1876, section 25, are new.

14. *Chapter VI.—Recruiters and Sub-Agents of Emigration.*—Several modifications and additions have been made in the portion of this chapter relating to recruiters, all of which have been strongly urged on the attention of the Government of India at various times, and the expediency of most of which has already been recognized in Acts III of 1876 and V of 1877. The first of these is the requirement in section 23 that the local area within which the recruiter is to work shall be specified in the license: this is taken from Act V of 1877, section 12. The next is the omission of section 20 of the present Act, which requires every recruiter to wear a badge. The badge has been objected to by many authorities, as investing the recruiter, in the eyes of the people, with the appearance of a Government officer. It is clearly necessary, on the other hand, that every recruiter should be furnished with an authentic statement of the terms he is authorized to offer; and section 25 of the Bill accordingly requires that he should be furnished with such a statement. The next amendment calling for notice is in the second paragraph of section 26. At present, the Magistrate has no option in countersigning a recruiter's license, but must add his signature, if the period of the license is unexpired; it is obvious that he should refuse to do so if the recruiter bears a bad character. At present, the Protector is required, under executive instructions, to satisfy himself, by enquiry from the Magistrate of the district where the recruiter is known, that there is nothing against him before granting the license; but this is a circuitous method of procedure, and often leads to great delay. The principle of this amendment has already been fully admitted in Acts III of 1876, section 12, and V of 1877, section 13, from which it is borrowed. The other provisions of this paragraph, and the provisions of section 27 as to the regulation of places of accommodation to be provided in the recruiting districts for intending emigrants, are also new. At the places referred to many abuses are practised in connection with recruiting, and the necessity of supervising such places has several times been pressed on the Government of India as urgently necessary. Sections 28 and 29 are also new. They are the complement of section 26, and are taken from Acts III of 1876, section 12, and V of 1877, section 13. Section 28 empowers the Magistrate, under certain circumstances, to cancel his countersignature or to impound the license and send it to the Protector for cancellation; and section 29 requires all refusals and cancellations of countersignature by Magistrates to be at once reported to the Protector.

15. The last three sections of this chapter (30 to 32), relating to Sub-Agents, are new, and provide some much-needed clauses for the control of the local agency through which it is the practice of Emigration Agents to conduct recruiting operations. All Sub-Agents must be licensed by the Local Government; and the license, for which a fee of Rs. 30 (double that for a recruiter's license) is fixed, may be revoked on proof of misconduct. It is further provided that the remuneration of Sub-Agents must, like that of Emigration Agents (under section 5 of the present Act), be a fixed sum, and not in the form of head-money.

16. *Chapter VII.—Agreements with Emigrants.*—The provisions of this chapter are new, and make certain important additions to the existing law.

17. *Chapter VIII—Attestation of Agreements and Registration of Emigrants.*—In this chapter, which corresponds with Part VI of the present Act, modifications have been introduced—

(1) to provide for the agreement with the emigrant being executed before and attested by the Magistrate or the Protector (section 38);

(2) to alter the particulars required to be entered in the register (section 38);

(3) to state more clearly the reasons for which a registering officer may refuse to attest a contract (section 39);

(4) to provide for the examination of dependents as to their dependence upon the contracting emigrants and as to their willingness to accompany such emigrants (section 40);

(5) to provide for a medical examination of intending emigrants, where necessary, previous to their being registered under section 38 (section 42);

(6) to revise the table of fees (section 45).

18. The effect of the first of these amendments will be to bind the emigrant more closely, and so place an obstacle in the way of his desertion. On the other hand, it will give the emigrant, if rejected by the Agent, a claim which can be enforced in the Courts on his behalf by the Protector (section 104).

19. The second matter is dealt with by adding to the particulars at present required the following:—

(*a*) the name of the recruiter or agent to whom the emigrant has been engaged;

(*b*) the caste and occupation of the emigrant; and

(*c*) the persons who, if he were to die at once, would be entitled to succeed to his property (so that any savings he may have collected in the colony may be duly delivered).

On the other hand, as a copy of the contract is to be placed on record in the Protector's office, the rate of wages and period of service will no longer be entered in the register.

20. As regards the third matter, power has been given, in accordance with the recommendation of the Government of the North-Western Provinces, to refuse attestation (in the absence of sufficient explanation) when the emigrant is a resident of a place beyond the jurisdiction of the Magistrate before whom he appears. This is a necessary precaution, as it is common for unscrupulous recruiters to convey intending emigrants long distances from their homes, to involve them in debt for maintenance during their journey, and thus to remove the temptation, and at the same time deprive them of the power, to return. It also often happens that an emigrant whose registration is refused by one Magistrate is taken before another in the next district, where it is hoped that the officer will be more compliant. Power has also been given to refuse registration of a person who, if he quits his home, will leave his family destitute, and of a married woman without the consent of her husband.

21. The fourth point has been provided for as in Act V of 1877, section 19.

22. As regards the fifth point, it is not intended that the power to order a medical examination of an emigrant recruited in a district beyond the port of embarkation shall be universally enforced. The examination is only to be directed to testing the emigrant's fitness to undertake the journey to the depôt and not his fitness to labour, for which the Emigration Agent is responsible. It will only be necessary to require a medical examination in special cases, as, for instance, when the condition of the emigrating class is reduced by famine, or when the distance to be travelled to the depôt is great.

23. The fees fixed by section 31 of the present Act can be taken, under the definition of "emigrant" and the operation of the Contract Act, only for adult emigrants. It seems desirable to require a fee for the registration of every contracting emigrant, allowing dependents who do not contract, and are only entered in the register, to be registered without a fee. This matter recently formed the subject of correspondence with Local Governments, and the scale adopted is generally in accordance with their recommendations. The present provision for the refund of the fee on desertion has, in accordance with the precedents of Acts III of 1876 and V of 1877 and the recommendation of the Government of Bengal, been omitted. The fee is a payment for the work of registration, and that work is not affected by the subsequent desertion of the emigrant.

24. *Chapter IX.—Conveyance of Emigrants to Depôts.*—In this chapter a provision has been added which enables the Magistrate to order the Emigration Agent or recruiter to pay such sum as is necessary to enable an emigrant, who has been rejected before arriving at the port of embarkation, or the dependent of such emigrant, to return to his home.

25. *Chapter X.—Procedure on arrival at the Depôt of Emigrants from Up-country.*—The provisions of this chapter have been re-arranged and revised, the corresponding provisions of Act V of 1877 being generally followed. The operation of the chapter has been expressly restricted to the case of emigrants from up-country, for whom alone it appears to be intended. Section 51 as amended expresses what has always been understood by the Government of India to be the responsibility of its officers in respect of the fitness of emigrants for the emigrate: fitness for labour and life in the colony is a matter for which [illegible] is responsible. Sections 55 and 56 have been adopted with some modifications from Act V of 1877, sections 28, 29 and 30.

26. *Chapter XI.—Emigrant Vessels.*—The amendments in this chapter, which corresponds with Part IX of the present Act, are slight. There is a change in the wording of paragraph 3 of section 58 and some alterations in the dimensions specified in section 60. The principal differences, as compared with the present law, are—(1) that the height of the accommodation for emigrants is raised from 5½ to 6 feet; (2) that *all* children under ten, instead of only those from one to ten years of age, are counted at the rate of two to one adult; and (3), that the space required for each child under ten is fixed at half that required for an adult, instead of, as now, two-thirds for children between two and ten. These changes were recommended by the Government of Bengal in 1873, and are required chiefly to improve the accommodation for infants, among whom much mortality occasionally occurs. "Compounders, interpreters and female nurses" have been added in section 63 also, in accordance with the recommendation of the Government of Bengal.

27. *Chapter XII.—Embarkation and Departure.*—Section 67 is in accordance with a recommendation made by the Protector of Emigrants at Calcutta, who considers it a precaution necessary "not only to afford the opportunity of ascertaining the freedom of emigrants from latent and communicable diseases which have distinct periods of incubation, but to give such as are ill-nourished and have been recruited in famine-stricken districts some time to rest and recover themselves after their journey, and prior to undertaking what proves in all cases a trying voyage to Indian emigrants generally."

28. Section 68 embodies the present views of the Government of India regarding the seasons at which embarkation should be allowed. This matter has been the subject of much discussion. The conventions allow the French and Dutch colonies a longer period than the Act allows the corresponding British colonies; and, in the case of the latter, it has been represented that even the period allowed by the Act is too long, since emigrants shipped late in the season for the West Indies arrive there at a very unhealthy season of the year, and are liable to great mortality in consequence.

When the provisions of the existing law were framed, the embarkation seasons were settled with reference to one point only, *viz.*, the necessity for avoiding the stormy weather encountered in the neighbourhood of the Cape of Good Hope during the Antarctic winter; consequently no impediment was offered to the shipment of emigrants at any time of the year for colonies east of the Cape. But hurricanes prevail in the neighbourhood of Réunion between the months of November and April; and they are also prevalent in the Fiji Islands during the same season. Moreover, the necessity for landing emigrants in their place of destination at a healthy season of the year is another consideration which makes it necessary carefully to regulate the period of despatch.

In the Bill, therefore, power has been taken to enable the Governor General in Council to regulate the departure of all emigrant vessels, whether bound for places to the east or west of the Cape of Good Hope.

The present limits, the 31st July to the 1st March, for places west of the Cape of Good Hope, however, have been [illegible] of emigrant vessels allowed to be despatched after the 1st March, as well as heavy mortality during such voyages, have occurred, and it is thought inexpedient to continue the concession.

The special privilege of carrying emigrants at any time of the year now enjoyed by steamers has also been done away with, as being inconsistent with the regulation of the season for departure with reference to that of arrival in the colony; but as a concession to the superiority of such vessels over sailing vessels, the time within which they may depart for places west of the Cape of Good Hope is extended from the 1st to the 15th March.

29. The penalty clause in section 45 of the present Act, to which section 71 of the Bill corresponds, has been removed to its proper place in chapter XIV (section 99).

In section 72 the number of copies of the list has been reduced from five to four, which, according to the Protector of Emigrants at Calcutta, are all that are required.

Section 78, requiring the Emigration Agent to furnish the Master with the contracts, is new, but needs no comment.

30. Sections 82 and 83 are new. They express the substance of the conclusions come to in a correspondence which passed in 1877 regarding the action which should be taken on the occurrence of cases of an infectious disease, or an outbreak of cholera in an epidemic form, on board an emigrant vessel proceeding down the Hugli.

31. Section 55 of the present Act has been omitted, as no emigration has ever gone on to Seychelles, and the colony was included in that Act by a mistake.

32. *Chapter XIII.—Supplementary Powers.*—In section 85 a few additions have been made to the matters regarding which rules may be framed (clauses *c*, *d*, *f*, *g* and *h*), and the proviso authorizing the Local Government to permit the despatch of a vessel with less than the prescribed proportion of women has been struck out.

33. Section 86 relates to fees, and modifies section 62 of the present Act. The object of levying fees is to maintain therefrom the necessary protective establishments in India; such fees should accordingly be just sufficient to cover the cost of such establishments, neither more nor

less. It may sometimes happen (more especially, as at present, in the case of foreign colonies) that the Government of India has to meet in respect of some particular colony a special expenditure, which it would be unfair to cast (as is now done) on the income from fees contributed by all colonies; a proviso has accordingly been added enabling such expenditure to be met by enhanced fees on emigration to the particular colony in respect of which it is incurred.

34. *Chapter XIV.—Offences.*—This part has been generally redrawn. The penalties provided in the present Act, sections 72 to 75, are merely fine extending to 500 rupees. It appears necessary to add imprisonment, as in Act V of 1877.

35. *Section* 90 has been introduced to cover the case of unlicensed persons acting as Sub-Agents.

36. *Section* 96 is new; it has been adopted from Act V of 1877, section 44.

37. *Section* 98 is also new; it provides for the punishment of emigrants who desert after a contract has been duly entered into with the recruiter before a Magistrate. The present law provides no punishment for this offence, the only liability being to a civil suit for breach of contract—a proceeding which is, of course, useless in most cases of the kind. There is no doubt that, in view of the class of men who work as recruiters and the many risks of deception and ill-treatment to which intending emigrants are exposed at their hands, it is necessary to guard the power to inflict a penalty for desertion in such cases most carefully. Still cases have arisen, and may easily arise, of impudent deception on the part of persons who profess willingness to emigrate, and under such profession obtain board and lodging in the Mufassal, and free conveyance to the port of embarkation, where they desert or refuse to emigrate. To meet such cases, the section has been devised, and it has been so drawn as to require the sanction of the Protector of Emigrants to every prosecution instituted under it.

38. *Section* 99 has been substituted for the second clause of section 45 of the present Act, which clause, it may here be observed, is practically inoperative in Calcutta, because it requires the complaint to be laid before a Magistrate of Police in a Presidency-town, and the depôts are situated outside the limits of Calcutta, and therefore outside of the local jurisdiction of such Magistrates. The penalty, instead of being stated by reference to section 492 of the Penal Code, is mentioned in express terms; and the sanction of the Protector to a prosecution under the section is, as in section 98, required.

39. *Section* 102 is an amendment of section 82 of Act VII of 1871. At present special authority is required to institute prosecutions for all offences under the existing Act; there seems to be no good reason why such sanction should be required in the case of the offences mentioned in sections 87 to 91.

40. *Chapter XV.—Miscellaneous.*—Section 105 corresponds with section 88 of the present Act, which has been re-drawn to admit of the probable length of voyages being modified from time to time as may be found necessary on the receipt of fuller information, or the establishment of improved means of communication. Section 84 of the present Act is incorporated with section 105.

41. A new form of recruiter's license (chiefly taken from Act V of 1877) has been substituted for the form in Schedule II of the present Act.

42. In the third schedule of the Bill opportunity has been taken to correct a clerical error as to the length of the voyage from Calcutta to French Guiana. In section 83, Act VII of 1871, twenty-six weeks is said to be the length of this voyage, whereas it should be twenty weeks.

43. The "special provisions as to French colonies" (Part XII, sections 63—70 of the present Act) have been omitted as unnecessary, it being considered that all emigration, whether to British or Foreign colonies, should be conducted on one system. It may be observed that no such special provisions have been found necessary in the case of emigration to Surinam, which has been carried on under a convention with the Netherlands Government similar to that with France. The convention with France is now about to be amended, and if in its amended form it should be found to include any points requiring a deviation in matters of detail from the general procedure of the Bill, such points, together with the question of the adaptation of the Bill to emigration from French ports, can be left for consideration to the Select Committee to which it is proposed to refer the Bill.

SIMLA;
The 16th July, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 30, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July, 1881:—

WE, the undersigned Members of the Select Committee to which the Bill to define and amend the law relating to Private Trusts and Trustees was referred, have the honour to report that we have considered the Bill, the Report of the Indian Law Commissioners on the Bill, and the papers noted in the schedule to the present report.

2. The Government of India has no desire to bring this Bill into operation in any part of India against the wishes of the Local Government. We have therefore made the Bill to extend in the first instance only to the territories respectively administered by the Governor of Madras in Council, the Lieutenant-Governors of the North-Western Provinces and the Panjáb, and the Chief Commissioners of Oudh, the Central Provinces and Assam; and we have given power to the other Local Governments to extend it by notification to any part of the territories respectively under their administration.

3. In section 13 (as to the duty of the trustee to protect the trust-property), before the words "amount or value," we have inserted the words "nature and," inasmuch as it is obviously necessary to have regard to the nature of the property, as well as to its amount or value, in order to determine what steps are reasonably requisite for its preservation.

4. Section 20, in accordance with a suggestion of the Bombay High Court, enumerates the securities on which trustees may properly invest trust-funds. The learned Chief Justice of Bombay has pointed out that the most ordinary and popular investment, among Native trustees (at least in the Bombay mufassal), is an investment of money with the firms of shroffs or merchants of good repute to run at interest. To proscribe this form of investment, as the Bill as introduced practically does, would, in Sir M. Westropp's opinion, cause much inconvenience. Similar kinds of investment may also occur in other parts of India. We have therefore in section 20, clause (*f*), provided that money held in trust may be invested on any security expressly authorized by any rule which the High Court may from time to time prescribe in this behalf. The rule in clause (*e*) forbidding trustees (in the absence of an express authority) to advance more than one-half of the value of property consisting of freehold houses has been objected to as over-stringent by the learned Advocate General of Bengal. But, considering the sudden and rapid deterioration to which, in this country, house-property is liable, our only doubt is whether the rule in question is as stringent as it ought to be.

5. We have struck out section 22, which provided for the transfer of the trust-property to the beneficiary on the completion of the purpose of the trust, as we consider that the case is sufficiently provided for by section 55.

6. In section 23 we have set out the circumstances under which a trustee committing a breach of trust is liable to pay interest and the cases in which that interest is compound. The law on this point was left too much to be gathered from the illustrations.

7. In the second paragraph of section 27 (as to the liability of co-trustees committing a breach of trust) we have added after the words "or his legal representative" the words "to the extent of the assets he has received."

8. The provisions of section 54 which declares that "the beneficiary has a right to the rents and profits of the trust-property," appear to us to be too general. We have, therefore, limited them by making them expressly subject to the provisions of the instrument of trust.

9. We have omitted the proviso to section 55, as we consider it, in view of the provisions of the section, unnecessary; and we have amended the last clause of that section and the last clause of section 67 so as to bring them into conformity with the last clause of section 57.

10. The subject-matter of section 64 (as to the wrongful employment of trust-funds in trade) being sufficiently provided for by the additions we have made to section 23, we have struck out the former section.

11. The illustration to section 77 relates to the case of a trust *inter vivos* for the payment of debts; but as no provision was made for such a case in the section, we have added a clause, (*c*), containing the accepted law on the subject.

12. To section 81 (as to benámi transactions) we have added, at the suggestion of the learned Advocate General of Bengal, a clause saving the Code of Civil Procedure, section 317, and section 36 of Act XI of 1859.

13. We have amended the first illustration to section 82 so as to show that the section provides for the case where a trust is incapable of being executed in consequence of the beneficiary's renunciation of his interest.

14. Section 86 of the Bill as introduced provides for cases of transfer in fraud of the creditors of the transferor. This, we consider, is a matter which more properly belongs to the Transfer of Property Bill, and it is, in fact, provided for by section 53 of that Bill. We have, therefore, struck out the former section, and omitted from the schedule the statute (13 Eliz., cap. 5) dealing with such cases.

15. The Lieutenant-Governor of the Panjáb has suggested that the powers conferred by the Bill on a principal Civil Court of Original Jurisdiction should be exercisable only by such officers as may be specially empowered in that behalf by the Local Government. We are however of opinion that the adoption of this proposal might lead to heart-burning in the case of judges not so empowered, and would certainly cause inconvenience to the public, as, without referring to the notifications in the Gazette, it would be impossible to know what Courts were, or were not, competent to exercise powers under the Act. Moreover, District Judges are now empowered, under the Indian Companies Act, 1866, to wind up companies and have also jurisdiction under the Divorce Act. As the Legislature has deemed them competent to perform these important functions, we cannot hold them incompetent to exercise the much less difficult and delicate jurisdiction conferred by the Trusts Bill. For these reasons we have not accepted His Honour's suggestion.

16. It will be seen that we have left the Bill in substance as it was settled by the Indian Law Commission. We recommend that it be passed as now amended, but it should first be republished in the *Gazette of India* with this report; and, in obedience to the orders of the Secretary of State, it must also be sent to him, published in the local Gazettes, and translated into the vernacular languages.

SIMLA:
The 6th July, 1881.

WHITLEY STOKES.
J. GIBBS.

SCHEDULE.

Endorsement of the Home Department, No. 188, dated 17th February, 1879, and enclosures [Papers No. 1].

Endorsement of the Government of the Panjáb, No. 630, dated 17th February, 1879, and enclosures [Papers No. 2.]

Endorsement of the Home Department, No. 214, dated 24th February, 1879, and enclosures [Papers No. 3].

Endorsement of the Home Department, No. 336, dated 18th March, 1879, and enclosures [Papers No. 4].

Endorsement of the Home Department, No. 448, dated 21st April, 1879, and enclosures [Papers No. 5].

From Resident at Haidarábád, to Home Department, No. 4, dated 17th April, 1879, [Paper No. 6].

From Government of Bengal, to Home Department, No. 2225, dated 6th May, 1879, and enclosures [Papers No. 7].

From Government of Bombay, to Home Department, No. 2523, dated 26th April, 1879, and enclosures [Papers No. 8.]

From Government of the North-Western Provinces and Oudh, to Home Department, No. 361, dated 9th May, 1879, and enclosures [Papers No. 9].

From Chief Commissioner, Central Provinces, to Home Department, No. 2115-100, dated 13th May 1879, and enclosures [Papers No. 10].

From Chief Commissioner, Mysore, to Home Department, No. 61, dated 25th April, 1879, and enclosures [Papers No. 11].

From Chief Commissioner, Mysore, to Home Department, No. 1490-J.6, dated 14th May, 1879, and enclosures [Papers No. 12].

From Government of the North-Western Provinces and Oudh, to Home Department, No. 420, dated 21st May, 1879, and enclosure [Papers No. 13].

From Government of the Panjáb, to Home Department, No. 169C., dated 9th June, 1879, and enclosures [Papers No. 14].

From Government of Bombay, to Home Department, No. 3084, dated 27th May, 1879, and enclosure [Papers No. 15].

From Government of Bombay, to Home Department, No. 3060, dated 26th May, 1879, and enclosure [Papers No. 16].

From Government of Madras, to Home Department, No. 1318, dated 6th June, 1880, and enclosures [Papers No. 17].

From Registrar, High Court, Calcutta, No. 1123, dated 27th June, 1880 [Paper No. 18].

Note by Pandit Lakshmí Náráyana, Pleader, High Court, North-Western Provinces, dated 12th July, 1879 [Paper No. 19].

From Government of the North-Western Provinces and Oudh, to Home, Revenue and Agricultural Department, No. 657, dated 28th July, 1879, and enclosure [Papers No. 20].

From Government of Madras, to Home, Revenue and Agricultural Department, No. 1755, dated 24th July, 1879, and enclosure [Papers No. 21].

From Chief Commissioner, Coorg, No. 1419-9, dated 3rd February, 1881, and enclosure [Papers No. 22].

From Resident at Haidarábád, No. 46, dated 4th February, 1881, and enclosure [Papers No. 23].

From Chief Commissioner, Ajmer-Merwára, No. 90, dated 8th February, 1881, and enclosure [Papers No. 24].

From Chief Commissioner, Central Provinces, No. $\frac{414}{16}$, dated 5th February, 1881, and enclosures [Papers No. 25].

From Government of Madras, No. 260, dated 3rd February, 1881, and enclosures [Papers No. 26].

From Chief Commissioner, Assam, No. 427, dated 17th February, 1881 [Paper No. 27].

From Government of Bengal, No. 876J., dated 23rd February, 1881, and enclosures [Papers No. 28].

From Chief Commissioner, Coorg, No. 1500-10, dated 22nd February, 1881, and enclosure [Papers No. 29].

From Chief Commissioner, British Burma, No. 1258-28, dated 23rd February, 1881, and enclosures [Papers No. 30].

From Government of Bombay, No. 1485, dated 5th March, 1881 [Paper No. 31].

From Government of the North-Western Provinces and Oudh, Nos. 262 and 302, dated respectively 4th and 16th April, 1881, and enclosures [Papers No. 32].

From Government of the Panjáb, No. 1539, dated 18th April, 1881, and enclosures [Papers No. 33].

From Government of Bombay, No. 3700, dated 13th June, 1881, and enclosure [Papers No. 34].

No. II.

THE INDIAN TRUSTS BILL, 1881.

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THE SCHEDULE.

No. II.

A Bill to define and amend the law relating to Private Trusts and Trustees.

Preamble.

WHEREAS it is expedient to define and amend the law relating to private trusts and trustees; It is hereby enacted as follows:—

Trusts in dia of v kinds, R. (1 Trusts benefit of ors, 1 233; 9 249; 10 327. T misapp trust South. 60.

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Indian Trusts Act, 1882": and it shall

Commencement.

come into force on the first day of March, 1882.

Local extent.

It extends in the first instance to the territories respectively administered by the Governor of Madras in Council, the Lieutenant-Governors of the

North-West Provinces and the Panjáb, the Chief Commissioners of Oudh, the Central Provinces and Assam; and the Local Government may from time to time, by notification in the official Gazette, extend it to any other part of British India. But nothing herein contained affects the rules of Muhammadan law as to *waqf*, or the mutual relations of the members of an undivided family as determined by any customary or personal law, or applies to public or private religious or charitable endowments, or to trusts to distribute prizes taken in war among the captors; and nothing in the second chapter of this Act applies to trusts created before the said day.

Savings.

As to family religious trusts, 10 Beng. 19; Norton, II, 406. As to Pagoda-trustees, see 1 Mad. 415; 7 Mad. 77: Act XX of 1863.

Property purchased in name of an idol, 15 Beng. 176.

Repeal of enactments.

2. On and from that day the Statute and Acts mentioned in the Schedule hereto annexed shall be repealed to the extent therein mentioned.

Interpretation-clause.

3. A "trust" is an obligation annexed to the ownership of property, and arising out of a confidence reposed in and accepted by the owner, or declared and accepted by him, for the benefit of another, or of another and the owner:

"trust":

the person who reposes or declares the confidence is called the "author of the trust": the person who accepts the confidence is called the "trustee": the person for whose benefit the confidence is accepted is called the "beneficiary": the subject-matter of the trust is called "trust-property" or "trust-money": the "beneficial interest" or "interest" of the beneficiary is his right against the trustee as owner of the trust-property: the instrument, if any, by which the trust is declared is called the "instrument of trust":

"author of the trust":

"trustee":

"beneficiary":

"trust-property":

a breach of any duty imposed on a trustee, as such, by any law for the time being in force is called a "breach of trust":

"breach of trust":

and in this Act, unless there be something repugnant in the subject or context, "registered" means registered under the law for the registration of documents for the time being in force: a person is said to have "notice" of a fact either when he actually knows that fact or when, but for wilful abstention from inquiry or gross negligence, he would have known it, or when information of the fact is given to or obtained by his agent under the circumstances mentioned in the Indian Contract Act, 1872, section 229; and all expressions used herein and defined in the Indian Contract Act, 1872, shall be deemed to have the meanings respectively attributed to them by that Act.

"registered":

"notice."

Expressions defined in Act IX of 1872.

Cf., 'fraud,' s. 27, *infra*.

CHAPTER II.

OF THE CREATION OF TRUSTS.

9 Beng. 377: Act IX of 1872, s. 23. Beng. Reg. II of 1793, s. 19, forbids Collectors to make

4. A trust may be created for any lawful purpose. The purpose of a trust is lawful unless it is (*a*) forbidden by law, or (*b*) is of such a nature that, if permitted, it would defeat the provisions of any law, or (*c*) is fraudulent, or (*d*) involves or implies injury to the person or property of another, or (*e*) the Court regards it as immoral or opposed to public policy.

Lawful purpose.

their subordinates their trustees. Perpetuity, 14 Beng. 175.

Every trust of which the purpose is unlawful is void. And where a trust is created for two purposes, of which one is lawful and the other unlawful, and the two purposes cannot be separated, the whole trust is void.

Explanation.—In this section, the expression "law" includes, where the trust-property is immoveable and situate in a foreign country, the law of such country.

See *Nelson* v. *Bridport*, 8 Beav. 547.

Illustrations.

(*a*) A conveys property to B in trust to apply the profits to the nurture of female foundlings to be trained up as prostitutes. The trust is void.

(*b*) A bequeathes property to B in trust for C for his life, and after his death to D for his life, and after D's death to such of the sons of D as shall first attain the age of twenty-five. A, B, C and D are persons to whom the Indian Succession Act, 1865, applies. The trust after D's death is void.

Act X of 1865, s. 101.

(*c*) A bequeathes property to B in trust to employ it in carrying on a smuggling business, and out of the profits thereof to support A's children. The trust is void.

(*d*) A, while in insolvent circumstances, transfers property to B in trust for A during his life, and after his death for B. A is declared an insolvent. The trust for A is invalid as against his creditors.

Trust of immoveable property.

5. No trust in relation to immoveable property is valid unless declared by a non-testamentary instrument in writing signed by the author of the trust or the trustee and registered, or by the will of the author of the trust or of the trustee.

Trust of moveable property.

No trust in relation to moveable property is valid unless declared as aforesaid or unless the ownership of the property is transferred to the trustee.

These rules do not apply where they would operate so as to effectuate a fraud.

Creation of trust.

6. Subject to the provisions of section five, a trust is created when the author of the trust indicates with reasonable certainty by any words or acts (*a*) an intention on his part to create thereby a trust, (*b*) the purpose of the trust, (*c*) the beneficiary, and (*d*) the trust-property, and (unless the trust is declared by will or the author of the trust is himself to be the trustee) transfers the trust-property to the trustee.

Whether voluntary declaration of trust is binding against Hindú declarant, 4 Mad. 462. Transmutation of possession unnecessary, 2 Bom. 148 (a Parsí case).

Illustrations.

(*a*) A bequeathes certain property to B, "having the fullest confidence that he will dispose of it for the benefit of" C. This creates a trust so far as regards A and C.

See 7 Bom. A. C. J. 149.

(*b*) A bequeathes certain property to B, "hoping he will continue it in the family." This does not create a trust, as the beneficiary is not indicated with reasonable certainty.

(*c*) A bequeathes certain property to B, requesting him to distribute it amongst such members of C's family as B should think most deserving. This does not create a trust, for the beneficiaries are not indicated with reasonable certainty.

(*d*) A bequeathes certain property to B, desiring him to divide the bulk of it among C's children. This does not create a trust, for the trust-property is not indicated with sufficient certainty.

(*e*) A bequeathes a shop and stock-in-trade to B, on condition that he pays A's debts and a legacy to C. This is a condition, not a trust for A's creditors and C.

Who may create trusts.

7. A trust may be created—

Cf. Act IX of 1872, ss. 11 & 12.

(*a*) by every person competent to contract, and

(*b*) with the permission of a principal Civil Court of original jurisdiction, by or on behalf a minor;

but subject in each case to the law for the time being in force as to the circumstances and extent in and to which the author of the trust may dispose of the trust-property.

8. The subject-matter of a trust must be property transferable to the beneficiary.

Subject of trust.

It must not be a merely beneficial interest under a subsisting trust.

9. Every person capable of holding property may be a beneficiary.

Who may be beneficiary.

A proposed beneficiary may renounce his interest under the trust by disclaimer addressed to the trustee, or by setting up, with notice of the trust, a claim inconsistent therewith.

Disclaimer by beneficiary.

Act IX of 1872, s. 11.

10. Every person capable of holding property may be a trustee; but where the trust involves the exercise of discretion, he cannot execute it unless he is competent to contract.

Who may be trustee.

No one is bound to accept a trust.

No one bound to accept trust.

A trust is accepted by any words or acts of the trustee indicating with reasonable certainty such acceptance.

Acceptance of trust.

Instead of accepting a trust, the intended trustee may, within a reasonable period, disclaim it, and such disclaimer shall prevent the trust-property from vesting in him.

Disclaimer of trust.

A disclaimer by one of two or more co-trustees vests the trust-property in the other or others and makes him or them sole trustee or trustees from the date of the creation of the trust.

Illustrations.

(*a*) A bequeathes certain property to B and C, his executors, as trustees for D. B and C prove A's will. This is in itself an acceptance of the trust, and B and C hold the property in trust for D.

(*b*) A transfers certain property to B in trust to sell it and to pay out of the proceeds A's debts. B accepts the trust and sells the property. So far as regards B, a trust of the proceeds is created for A's creditors.

(*c*) A bequeathes a lákh of rupees to B upon certain trusts and appoints him his executor. B severs the lákh from the general assets and appropriates it to the specific purpose. This is an acceptance of the trust.

CHAPTER III.

OF THE DUTIES AND LIABILITIES OF TRUSTEES.

11. The trustee is bound to fulfil the purpose of the trust, and to obey the directions of the author of the trust given at the time of its creation, except as modified by the consent of all the beneficiaries being competent to contract.

Trustee to execute trust.

Where the beneficiary is incompetent to contract, his consent may, for the purposes of this section, be given by a principal Civil Court of original jurisdiction.

Nothing in this section shall be deemed to require a trustee to obey any direction when to do so would be impracticable, illegal or manifestly injurious to the beneficiaries.

Explanation.—Unless a contrary intention be expressed, the purpose of a trust for the payment of debts shall be deemed to be (*a*) to pay only the debts of the author of the trust existing and recoverable at the date of the instrument of trust, or, when such instrument is a will, at the date of his death, and (*b*) in the case of debts not bearing interest, to make such payment without interest.

Illustrations.

(*a*) A, a trustee, is simply authorized to sell certain land by public auction. He cannot sell the land by private contract.

(*b*) A, a trustee of certain land for X, Y and Z, is authorized to sell the land to B for a specified sum. X, Y and Z, being competent to contract, consent that A may sell the land to C for a less sum. A may sell the land accordingly.

(*c*) A, a trustee for B and her children, is directed by the author of the trust to lend, on B's request, trust-property to B's husband, C, on the security of his bond. C becomes insolvent, and B requests A to make the loan. A may refuse to make it.

12. A trustee is bound to acquaint himself, as soon as possible, with the nature and circumstances of the trust-property; to obtain where necessary, a transfer of the trust-property to himself; and (subject to the provisions of the instrument of trust) to get in trust-moneys invested on insufficient or hazardous security.

Trustee to inform himself of state of trust-property.

Illustrations.

(*a*) The trust-property is a debt outstanding on personal security. The instrument of trust gives the trustee no discretionary power to leave the debt so outstanding. The trustee's duty is to recover the debt without unnecessary delay. 4 Moo. I. A. 452.

(*b*) The trust-property is money in the hands of one of two co-trustees. No discretionary power is given by the instrument of trust. The other co-trustee must not allow the former to retain the money for a longer period than the circumstances of the case require. *Bai Jadav v. Trikhwandas*, 9 Bom. 383.

13. A trustee is bound to maintain and defend all such suits, and (subject to the provisions of the instrument of trust) to take such other steps as, regard being had to the nature and amount or value of the trust-property, may be reasonably requisite for the preservation of the trust-property and the assertion or protection of the title thereto.

Trustee to protect title to trust-property.

Act I of 1877, s. 10, expl. 1.

Illustration.

The trust-property is immoveable property which has been given to the author of the trust by an unregistered instrument. Subject to the provisions of the Indian Registration Act, 1877, the trustee's duty is to cause the instrument to be registered.

14. The trustee must not for himself or another set-up or aid any title to the trust-property adverse to the interest of the beneficiary.

Trustee not to set-up title adverse to beneficiary.

15. A trustee is bound to deal with the trust-property as carefully as a man of ordinary prudence would deal with such property if it were his own; and, in the absence of a contract to the contrary, a trustee so dealing is not responsible for the loss, destruction or deterioration of the trust-property.

Care required from trustee.

Act IX of 1872, ss. 152.

Illustrations.

(*a*) A, living in Calcutta, is a trustee for B, living in Bombay. A remits trust-funds to B by bills drawn by a person of undoubted credit in favour of the trustee as such, and payable at Bombay. The bills are dishonoured. A is not bound to make good the loss.

(*b*) A, a trustee of leasehold property, directs the tenant to pay the rents on account of the trust to a banker, B, then in credit. The rents are accordingly paid to B, and A leaves the money with B only till wanted. Before the money is drawn out, B becomes insolvent. A, having had no reason to believe that B was in insolvent circumstances, is not bound to make good the loss.

(*c*) A, a trustee of two debts for B, releases one and compounds the other, in good faith, and reasonably believing that it is for B's interest to do so. A is not bound to make good any loss caused thereby to B.

(*d*) A, a trustee directed to sell the trust-property by auction, sells the same, but does not advertise the sale and otherwise fails in reasonable diligence in inviting competition. A is bound to make good the loss caused thereby to the beneficiary.

(*e*) A, a trustee for B, in execution of his trust, sells the trust-property, but from want of due diligence on his part fails to receive part of the purchase-money. A is bound to make good the loss thereby caused to B.

(*f*) A, a trustee for B of a policy of insurance, has funds in hand for payment of the premiums. A neglects to pay the premiums, and the policy is consequently forfeited. A is bound to make good the loss to B.

(*g*) A bequeathes certain monies to B and C as trustees and authorizes them to continue trust-moneys upon the personal security of a certain firm in which A had himself invested them. A dies, and a change takes place in the firm. B and C must not permit the monies to remain upon the personal security of the new firm.

(*h*) A, a trustee for B, allows the trust to be executed solely by his co-trustee, C. C misapplies the trust-property. A is personally answerable for the loss resulting to B.

16. Where the trust is created for the benefit of several persons in succession, and the trust-property is of a wasting nature or a future or reversionary interest, the trustee is bound, unless an intention to the contrary may be inferred from the instrument of trust, to convert the property into property of a permanent and immediately profitable character.

Conversion of perishable property.

Illustrations.

(*a*) A bequeathes to B all his property in trust for C during his life, and on his death for D, and on D's death for E. A's property consists of three leasehold houses, and there is nothing in A's will to show that he intended the houses to be enjoyed in specie. B should sell the houses, and invest the proceeds in accordance with section twenty.

(*b*) A bequeathes to B his three leasehold houses in Calcutta and all the furniture therein in trust for C during his life, and on his death for D, and on D's death for E. Here an intention that the houses and furniture should be enjoyed in specie appears clearly, and B should not sell them.

17. Where there are more beneficiaries than one, the trustee is bound to be impartial, and must not execute the trust for the advantage of one at the expense of another.

Trustee to be impartial.

Where the trustee has a discretionary power, nothing in this section shall be deemed to authorize the Court to control the exercise reasonably and in good faith of such discretion.

Illustration.

A, a trustee for B, C and D, is empowered to choose between several specified modes of investing the trust-property. A in good faith chooses one of these modes. The Court will not interfere, although the result of the choice may be to vary the relative rights of B, C and D.

18. Where the trust is created for the benefit of several persons in succession and one of them is in possession of the trust-property, if he commits, or threatens to commit, any act which is destructive or permanently injurious thereto, the trustee is bound to take measures to prevent such act.

Trustee to prevent waste.

19. A trustee is bound (*a*) to keep clear and accurate accounts of the trust-property, and (*b*), at all reasonable times, at the request of the beneficiary, to furnish him with full and accurate information as to the amount and state of the trust-property.

Accounts and information.

20. Where the trust-property consists of money and cannot be applied immediately or at an early date to the purposes of the trust, the trustee is bound (subject to any direction contained in the instrument of trust) to invest the money on the following securities, and on no others:—

Investment of trust-money.

Act XXVIII of 1866, ss. 5 and 32.

As to the necessity of some such provisions, see *DeSouza* v. *DeSouza*, 12 Bom 184.

(*a*) in promissory notes, debentures, stock or other securities of the Government of India, or of the United Kingdom of Great Britain and Ireland;

Cf. 23 & 24 Vic., c. 145, s. 25.

(*b*) in bonds, debentures and annuities charged by the Imperial Parliament on the revenues of India;

(*c*) in stock or debentures of, or shares in, Railway or other Companies the interest whereon shall have been guaranteed by the Secretary of State for India in Council;

Cf. 32 & 33 Vic., c. 132, s. 2.

(*d*) in debentures or other securities for money issued by, or on behalf of, any municipal body under the authority of any Act of a legislature established in British India;

Cf. 34 & 35 Vic., c. 47, s. 13.

(*e*) on a first mortgage of immoveable property situate in British India: Provided that the property is not a leasehold for a term of years and that the value of the property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the mortgage-money; or

(*f*) upon any other security expressly authorized by the instrument of trust, or by any rule which the High Court may from time to time prescribe in this behalf.

Provided that, where there is a person competent to contract and entitled in possession to receive the income of the trust-property for his life, or for any greater estate, no investment on any security mentioned or referred to in clauses (*d*), (*e*) and (*f*) shall be made without his consent in writing.

The Statute excepts investment on Consols.

21. Nothing in section twenty shall apply to investments made before this Act comes into force, or shall be deemed to preclude an investment on a mortgage of immoveable property already pledged as security for an advance under the Land Improvement Act, 1871, or, in case the trust-money does not exceed three thousand rupees, a deposit thereof in a Government Savings Bank.

Mortgage of land pledged to Government under Act XXVI of 1871.

Deposit in Government Savings Bank.

27 & 28 Vic., c. 114, s. 61.

22. Where a trustee directed to sell within a specified time extends such time, the burden of proving, as between himself and the beneficiary, that the latter is not prejudiced by the extension lies upon the trustee, unless the extension has been authorized by a principal Civil Court of original jurisdiction.

Sale by trustee directed to sell within specified time.

Illustration.

A bequeathes property to B, directing him with all convenient speed and within five years to sell it, and apply the proceeds for the benefit of C. In the exercise of reason-

able discretion, B postpones the sale for six years. The sale is not thereby rendered invalid, but C, alleging that he has been injured by the postponement, institutes a suit against B to obtain compensation. In such suit the burden of proving that C has not been injured lies on B.

23. Where the trustee commits a breach of trust, he is liable to make good the loss which the trust-property or the beneficiary has thereby sustained, unless the beneficiary has by fraud induced the trustee to commit the breach, or the beneficiary being competent to contract, has himself, without coercion or undue influence having been brought to bear on him, concurred in the breach, or subsequently acquiesced therein, with full knowledge of the facts of the case and of his rights as against the trustee.

Liability for breach of trust.

A trustee committing a breach of trust is not liable to pay interest except in the following cases:—

(*a*) where he has actually received interest:

(*b*) where the breach consists in unreasonable delay in paying trust-money to the beneficiary:

(*c*) where the trustee ought to have received interest, but has not done so:

(*d*) where he may be fairly presumed to have received interest.

He is liable in case (*a*) to account for the interest actually received, and, in cases (*b*), (*c*) and (*d*), to account for simple interest at the rate of six per cent. per annum, unless the Court otherwise directs.

(*e*) Where the breach consists in failure to invest trust-money and to accumulate the interest or dividends thereon, he is liable to account for compound interest (with half-yearly rests) at the same rate.

(*f*) Where the breach consists in the employment of trust-property or the proceeds thereof in trade or business, he is liable to account, at the option of the beneficiary, either for compound interest (with half-yearly rests) at the same rate, or for the net profits made by such employment.

Illustrations.

(*a*) A trustee improperly leaves trust-property outstanding, and it is consequently lost: he is liable to make good the property lost, but he is not liable to pay interest thereon.

(*b*) A bequeathes a house to B in trust to sell it and pay the proceeds to C. B neglects to sell the house for a great length of time, whereby the house is deteriorated and its market price falls. B is answerable to C for the loss.

(*c*) A trustee is guilty of unreasonable delay in investing trust-money in accordance with section twenty, or in paying it to the beneficiary. The trustee is liable to pay interest thereon for the period of the delay.

(*d*) The duty of the trustee is to invest trust-money in any of the securities mentioned in section twenty, clause (*a*), (*b*), (*c*) or (*d*). Instead of so doing, he retains the money in his hands. He is liable, at the option of the beneficiary, to be charged either with the amount of the principal money and interest, or with the amount of such securities which he might have purchased with the trust-money when the investment should have been made, and the intermediate dividends and interest thereon.

(*e*) The instrument of trust directs the trustee to invest trust-money either in any of such securities or on mortgage of immoveable property. The trustee does neither. He is liable for the principal money and interest.

(*f*) The instrument of trust directs the trustee to invest trust-money in any of such securities and to accumulate the dividends thereon. The trustee disregards the direction. He is liable, at the option of the beneficiary, to be charged either with the amount of the principal money and compound interest, or with the amount of such securities which he might have purchased with the trust-money when the investment should have been made, together with the amount of the accumulations which would have arisen from a proper investment of the intermediate dividends.

(*g*) Trust-property is invested in one of the securities mentioned in section twenty, clause (*a*) (*b*), (*c*) or (*d*). The trustee sells such security for some purpose not authorized by the terms of the instrument of trust. He is liable, at the option of the beneficiary, either to replace the security with the intermediate dividends and interest thereon, or to account for the proceeds of the sale with interest thereon.

(*h*) The trust-property consists of land. The trustee sells the land to a purchaser for a consideration without notice of the trust. The trustee is liable, at the option of the beneficiary, to purchase other land of equal value to be settled upon the like trust, or to be charged with the proceeds of the sale with interest.

24. A trustee who is liable for a loss occasioned by a breach of trust in respect of one portion of the trust-property cannot set-off against his liability a gain which has accrued to another portion of the trust-property through another and distinct breach of trust.

No set-off allowed to trustee.

25. Where a trustee succeeds another, he is not, as such, liable for the acts or defaults of his predecessor.

Non-liability for predecessor's default.

26. Subject to the provisions of sections thirteen and fifteen, one trustee is not, as such, liable for a breach of trust committed by his co-trustee:

Non-liability for co-trustee's default.

Provided that, in the absence of an express declaration to the contrary in the instrument of trust, a trustee is so liable—

(*a*) where he has delivered trust-property to his co-trustee without seeing to its proper application: Act I of 1877, s. 54, ill. (b).

(*b*) where he allows his co-trustee to receive trust-property and fails to make due enquiry as to the co-trustee's dealings therewith, or allows him to retain it longer than the circumstances of the case reasonably require:

(*c*) where he becomes aware of a breach of trust committed or intended by his co-trustee, and either actively conceals it or does not within a reasonable time take proper steps to protect the beneficiary's interest.

A co-trustee who joins in signing a receipt for trust-property and proves that he has not received the same is not answerable, by reason of such signature only, for loss or misapplication of the property by his co-trustee.

Joining in receipt for conformity.

Illustration.

A bequeathes certain property to B and C, and directs them to sell it and invest the proceeds for the benefit of D. B and C accordingly sell the property, and the purchase-money is received by B and retained in his hands. C pays no attention to the matter for two years and then calls on B to make the investment. B is unable to do so, becomes insolvent, and the purchase-money is lost. C may be compelled to make good the amount.

27. Where co-trustees jointly commit a breach of trust, or where one of them by his neglect enables the other to commit a breach of trust, each is liable to the beneficiary for the whole of the loss occasioned by such breach.

Several liability of co-trustees.

But as between the trustees themselves, if one be less guilty than another and has had to refund the loss, the former may compel the latter, or his legal representative to the extent of the assets he has received, to make good such loss; and if all be equally guilty, any one or more of the trustees who has had to refund the loss may compel the others to contribute.

Contribution as between co-trustees.

Nothing in this section shall be deemed to authorize a trustee who has been guilty of fraud to institute a suit to compel contribution.

28. When any beneficiary's interest becomes vested in another person, and the trustee, not having notice of the vesting, pays or delivers trust-property to the person who would have been entitled thereto in the absence of such vesting, the trustee is not liable for the property so paid or delivered.

Non-liability of trustee paying without notice of transfer by beneficiary.

29. When the beneficiary's interest is forfeited or awarded by legal adjudication to Government, the trustee is bound to hold the trust-property to the extent of such interest for the benefit of such person in such manner as the Government may direct in this behalf.

Liability of trustee where beneficiary's interest is forfeited to Government.

30. Subject to the provisions of the instrument of trust and of sections twenty-three and twenty-six, trustees shall be respectively chargeable only for such moneys, stocks, funds and securities as they respectively actually receive, and shall not be answerable the one for the other of them, nor for any banker, broker or other person in whose hands any trust-property may be placed, nor for the insufficiency or deficiency of any stocks, funds or securities, nor otherwise for involuntary losses.

Act XXVIII of 1866, s. 37, shortened. See sections 15 & 26 *supra*.

Indemnity of trustees.

CHAPTER IV.

OF THE RIGHTS AND POWERS OF TRUSTEES.

31. A trustee is entitled to have in his possession the instrument of trust and (if any) relating solely to the trust-property.

Right to title-deeds.

32. In addition to the powers expressly conferred by this Act and by the instrument of trust, and subject to the restrictions, if any, contained in such instrument, and to the provisions of section seventeen, a trustee may do all acts which are reasonable and proper for the realization, protection or benefit of the trust-property, and for the protection or support of a beneficiary who is not competent to contract.

General authority of trustee.

Every trustee in the actual possession or receipt of the rents and profits of land as defined in the Land Improvement Act, 1871, shall, for the purposes of that Act, be deemed to be a landlord in possession.

27 & 28 Vic. c. 114.

Except with the permission of a principal Civil Court of original jurisdiction, no trustee shall lease trust-property for a term exceeding twenty-one years from the date of executing the lease, nor without reserving the best yearly rent that can be reasonably gotten.

33. A person other than a trustee who has gained an advantage from a breach of trust must indemnify the trustee to the extent of the amount actually received by such person under the breach; and where he is a beneficiary the trustee has a charge on his interest for such amount.

Right to indemnity from gainer by breach of trust.

Nothing in this section shall be deemed to entitle a trustee to be indemnified who has, in committing the breach of trust, been guilty of fraud.

34. Any trustee may, without instituting a suit, apply by petition to a principal Civil Court of original jurisdiction for its opinion, advice or direction on any present questions respecting the management or administration of the trust-property other than questions of detail, difficulty or importance, not proper for summary disposal.

Act XXVIII of 1866, s. 43.

Right to apply to Court for opinion in management of trust-property.

A copy of such petition shall be served upon, and the hearing thereof may be attended by, such of the persons interested in the application as the Court thinks fit.

The trustee stating in good faith the facts in such petition and acting upon the opinion, advice or direction given by the Court shall be deemed, so far as regards his own responsibility, to have discharged his duty as such trustee in the subject-matter of the application.

The costs of every application under this section shall be in the discretion of the Court to which it is made.

35. When the duties of a trustee, as such, are completed, he is entitled to have the accounts of his administration of the trust-property examined and settled; and where nothing is due to the beneficiary under the trust, to an acknowledgment in writing to that effect.

Right to settlement of accounts.

36. Every trustee may reimburse himself, or pay or discharge out of the trust-property, all expenses properly incurred in or about the execution of the trust, or the realization, preservation or benefit of the trust-property, or the protection or support of the beneficiary.

Right to reimbursement of expenses.

If he pays such expenses out of his own pocket he has a first charge upon the trust-property for such expenses and interest thereon; but such charge (unless the expenses have been incurred with the sanction of a principal Civil Court of original jurisdiction) shall be enforced only by prohibiting any disposition of the trust-property without previous payment of such expenses and interest.

If the trust-property fail, the trustee is entitled to recover from the beneficiary personally on whose behalf he acted, and at whose request, expressed or implied, he made the payment, the amount of such expenses.

Where a trustee has by mistake made an over-payment to the beneficiary, he may reimburse the trust-property out of the beneficiary's interest. If such interest fail, the trustee is entitled to recover from the beneficiary personally the amount of such over-payment.

Right to be recouped for erroneous overpayment.

37. Where the trustee is empowered to sell any trust-property, he may sell the same either together or in lots, and either by public auction or private contract, and either at one time or at several times, unless the instrument of trust otherwise directs.

Act XXVIII of 1866, s. 2, extended to moveables.

Power to sell in lots, and either by public auction or private contract.

38. The trustee making any such sale may insert such reasonable stipulations either as to title or evidence of title, or otherwise, in any conditions of sale or contract for sale, as he thinks fit; and may also

Act XXVIII of 1866, s. 3.

Power to sell under special conditions.

buy-in the property or any part thereof at any sale by auction, and rescind or vary any contract for sale, and re-sell the property so bought in, or as to which the contract is so rescinded, without being responsible to the beneficiary for any loss occasioned thereby.

Power to buy-in and re-sell.

Where a trustee is directed to sell trust-property or to invest trust-money in the purchase of property, he may exercise a reasonable discretion as to the time of effecting the sale or purchase.

Time allowed for selling trust-property.

Illustrations.

(*a*) A bequeathes property to B, directing him to sell it with all convenient speed and pay the proceeds to C. This does not render an immediate sale imperative.

(*b*) A bequeathes property to B, directing him to sell it at such time and in such manner as he shall think fit and invest the proceeds for the benefit of C. This does not authorize B, as between him and C, to postpone the sale to an indefinite period.

Act XXVIII of 1866, s. 4.

39. For the purpose of completing any such sale, the trustee shall have power to convey or otherwise dispose of the property sold in such manner as may be necessary.

Power to convey.

Act XXVIII of 1866, s. 32.

40. A trustee may, at his discretion, call in any trust-property invested in any security and invest the same on any of the securities mentioned in section twenty, and from time to time vary any such investments for others of the same nature:

Power to vary investments.

Provided that, where there is a person competent to contract and entitled at the time to receive the income of the trust-property for his life, or for any greater estate, no such change of investment shall be made without his consent in writing.

Act XXVIII of 1866, s. 33.

41. Where any property is held by a trustee in trust for a minor, such trustee may, at his discretion, pay to the guardians (if any) of such minor, or otherwise apply for or towards his maintenance or education or advancement in life, or the reasonable expenses of his marriage or funeral, the whole or any part of the income to which he may be entitled in respect of such property; and such trustee shall accumulate all the residue of such income by way of compound interest, by investing the same and the resulting income thereof from time to time in any of the securities mentioned or referred to in section twenty, for the benefit of the person who shall ultimately become entitled to the property from which such accumulations have arisen: Provided that such trustee may, at any time, if he thinks fit, apply the whole or any part of such accumulations as if the same were part of the income arising in the then current year.

Power to apply property of minors, &c., for their maintenance, &c.

Where the income of the trust-property is insufficient for the minor's maintenance or education or advancement in life, or the reasonable expenses of his marriage or funeral, the trustee may, with the permission of a principal Civil Court of original jurisdiction, but not otherwise, apply the whole or any part of such property for or towards such maintenance, education, advancement or expenses.

See Acts XL of 1858, XX of 1864 and XIII of 1874.

Nothing in this section shall be deemed to affect the provisions of any local law for the time being in force relating to the persons and property of minors.

Act XXVIII of 1866, s. 36, shortened.

42. A trustee may give a receipt in writing for any money paid or property transferred to him by reason or in the exercise of any trust reposed in him, and, in the absence of fraud, such receipt shall discharge the person paying or transferring the same therefrom, and from seeing to the application thereof or being accountable for any loss or misapplication thereof.

Power to give receipts.

43. When an authority to deal with the trust-property is given to several trustees and one of them disclaims or dies, the authority may be exercised by the continuing trustees, unless from the terms of the instrument of trust it is apparent that the authority is to be exercised by a number in excess of the number of the remaining trustees.

Power to several trustees of whom one disclaims or dies.

44. Where a decree has been made in a suit for the execution of a trust, the trustee must not exercise any of his powers except in conformity with such decree, or with the sanction of the Court by which the decree has been made, or, where an appeal against the decree is pending, of the Appellate Court.

Suspension of trustee's powers by decree.

CHAPTER V.

OF THE DISABILITIES OF TRUSTEES.

45. A trustee who has accepted the trust cannot afterwards renounce it except (*a*) with the permission of a principal Civil Court of original jurisdiction, or (*b*), if the beneficiary is competent to contract, with his consent, or (*c*) by virtue of a special power in the instrument of trust.

Trustee cannot renounce after acceptance.

3 Calc. Rep.

46. A trustee cannot delegate his office or any of his duties either to a co-trustee or to a stranger, unless (*a*) the instrument of trust so provides, or (*b*) the delegation is in the regular course of business, or (*c*) the delegation is necessary, or (*d*) the beneficiary, being competent to contract, consents to the delegation.

Trustee cannot delegate.

Explanation.—The appointment of an attorney or proxy to do an act merely ministerial and involving no independent discretion is not a delegation within the meaning of this section.

Illustrations.

(*a*) A bequeathes certain property to B and C on certain trusts to be executed by them or the survivor of them or the assigns of such survivor. B dies. C may bequeath the trust-property to D and E upon the trusts of A's will.

(*b*) A is a trustee of certain property with power to sell the same. A may employ an auctioneer to effect the sale.

(*c*) A bequeathes to B fifty houses let at monthly rents in trust to collect the rents and pay them to C. B may employ a proper person to collect these rents.

47. When there are more trustees than one, all must join in the execution of the trust, except where the instrument of trust otherwise provides.

Co-trustees cannot act singly.

48. Where a discretionary power conferred on a trustee is not exercised reasonably and in good faith, such power may be controlled by a principal Civil Court of original jurisdiction.

Control of discretionary power.

6 Beng. 278.

49. In the absence of express directions to the contrary contained in the instrument of trust or of a contract to the contrary entered into with the beneficiary or the Court at the time of accepting the trust, a trustee has no right to remuneration for his trouble, skill and loss of time in executing the trust.

Trustee may not charge for services.

As to them, see Acts XVII of 1864, II of 1874, XX of 1858, and XX of 1864.

Nothing in this section applies to any Official Trustee, Administrator General, Public Curator, or person holding a certificate of administration.

50. A trustee may not use or deal with the trust-property for his own profit or for any other purpose unconnected with the trust.

Trustee may not use trust-property for his own profit.

51. No trustee whose duty it is to sell trust-property, and no agent employed by such trustee for the purpose of the sale, may, directly or indirectly, buy the same or any interest therein, on his own account or as agent for a third person.

Trustee for sale or his agent may not buy.

52. No trustee, and no person who has recently ceased to be a trustee, may, without the permission of a principal Civil Court of original jurisdiction, buy or become mortgagee or lessee of the trust-property or any part thereof; and such permission shall not be given unless the proposed purchase, mortgage or lease is manifestly for the advantage of the beneficiary.

Trustee may not buy beneficiary's interest without permission.

And no trustee whose duty it is to buy or to obtain a mortgage or lease of particular property for the beneficiary may buy it, or any part thereof, or obtain a mortgage or lease of it, or any part thereof,

Trustee for purchase.

Co-trustees may not lend to one of themselves.

to invest trust-money on mortgage or personal security must not invest it on a mortgage by, or on the personal security of, himself or one of his co-trustees.

CHAPTER VI.

OF THE RIGHTS AND LIABILITIES OF THE BENEFICIARY.

Lewin 576, 586.

54. The beneficiary has, subject to the provisions of the instrument of trust, a right to the rents and profits of the trust-property.

Rights to rents and profits.

Act I of 1877, s. 12, cl. (*a*).

55. The beneficiary is entitled to have the intention of the author of the trust specifically executed to the extent of the beneficiary's interest;

Right to specific execution.

and where there is only one beneficiary and he is competent to contract, or where there are several beneficiaries and they are competent to contract and all of one mind, he or they may require the trustee to transfer the trust-property to him or them, or to such person as he or they may direct.

3 Beng. A. C. J. 409: 3 Beng. O. C. J. 92.

Right to transfer of possession.

When property has been transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in the second clause of this section applies to such property during her marriage.

Illustrations.

(*a*) Certain Government securities are given to trustees upon trust to accumulate the interest until A attains the age of 24, and then to transfer the gross amount to him. A on attaining majority may, as the person exclusively interested in the trust-property, require the trustees to transfer it immediately to him.

(*b*) A bequeathes Rs. 10,000 to trustees upon trust to purchase an annuity for B, who has attained his majority and is otherwise competent to contract. B may claim the Rs. 10,000.

(*c*) A transfers certain property to B and directs him to sell or invest it for the benefit of C, who is competent to contract. C may elect to take the property in its original character.

56. The beneficiary has a right as against the trustee and all persons claiming under him with notice of the trust to inspect and take copies of the instrument of trust, the documents of title relating solely to the trust-property, the accounts of the trust-property and the vouchers (if any) by which they are supported, and the cases submitted and opinions taken by the trustee for his guidance in the discharge of his duty.

Right to inspect and take copies of instrument of trust, accounts, &c.

57. The beneficiary, if competent to contract, may transfer his interest, but subject to the law for the time being in force as to the circumstances and extent in and to which he may dispose of such interest:

Right to transfer beneficial interest.

Provided that when property is transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in this section shall authorize her to transfer such interest during her marriage.

58. Where no trustees are appointed or all the trustees die, disclaim or are [illegible] or becomes impracticable, the beneficiary may institute a suit for the execution of the trust, and the trust shall, so far as may be possible, be executed by the Court until the appointment of a trustee or new trustee.

Right to sue for execution of a trust by the Court.

59. The beneficiary has a right (subject to the provisions of the instrument of trust) that the trust-property shall be properly protected and held and administered by proper persons and by a proper number of such persons.

Right to proper trustees.

Explanation I.—The following are not proper persons within the meaning of this section:—

A person domiciled abroad: an alien enemy: a person having an interest inconsistent with that of the beneficiary: a person in insolvent circumstances; and, unless the personal law of the beneficiary allows otherwise, a married woman and a minor.

Explanation II.—When the administration of the trust involves the receipt and custody of money, the number of trustees should be two at least.

Illustrations.

(*a*) A, one of several beneficiaries, proves that B, the trustee, has improperly disposed of part of the trust-property, or that the property is in danger from B's being in insolvent circumstances, or that he is incapacitated from acting as trustee. A may obtain a receiver of the trust-property.

(*b*) A bequeathes certain jewels to B in trust for C. B dies during A's lifetime; then A dies. C is entitled to have the property conveyed to a trustee for him.

(*c*) A conveys certain property to four trustees in trust for B. Three of the trustees die. B may institute a suit to have three new trustees appointed in the place of the deceased trustees.

(*d*) A conveys certain property to three trustees in trust for B. All the trustees disclaim. B may institute a suit to have three trustees appointed in place of the trustees so disclaiming.

(*e*) A, a trustee for B, refuses to act, or goes to reside permanently out of British India, or is declared an insolvent or compounds with his creditors, or suffers a co-trustee to commit a breach of trust. B may institute a suit to have A removed and a new trustee appointed in his room.

Act I of 1877, s. 54.

60. The beneficiary has a right that his trustee shall be compelled to perform any particular act of his duty as such, and restrained from committing any contemplated or probable breach of trust.

Right to compel to any act of duty.

Illustrations.

(*a*) A contracts with B to pay him monthly Rs. 100 for the benefit of C. B writes and signs a letter declaring that he will hold in trust for C the money so to be paid. A fails to pay the money in accordance with his contract. C may compel B on a proper indemnity to allow C to sue on the contract in B's name.

Act I of 1877, s. 54, ill. (*f*).

(*b*) A is trustee of certain land, with a power to sell the same and pay the proceeds to B and C equally. A is about to make an improvident sale of the land. B may sue on behalf of himself and C for an injunction to restrain A from making the sale.

61. Where a trustee has wrongfully bought trust-property, the beneficiary has a right to have the property declared subject to the trust or retransferred by the trustee, if it remains in his hands unsold, or, if it has been bought from him by any person with notice of the trust, by such person. But in such case the beneficiary must repay the purchase-money paid by the trustee, with interest, and such other expenses (if any) as he has properly incurred in connection with the purchase, and the trustee or purchaser must (*a*) account for the net profits of the property, (*b*) be charged with an occupation-rent, if he has been in actual possession of the property, and (*c*) allow the beneficiary to deduct a proportionate part of the purchase-money if the property has been deteriorated by the acts or omissions of the trustee or purchaser.

Wrongful purchase by trustee.

Nothing in this section—

(*a*) impairs the rights of lessees and others who, before the institution of a suit to have the property declared subject to the trust or retransferred, have contracted in good faith with the trustee or purchaser; or

(*b*) entitles the beneficiary to have the property declared subject to the trust or retransferred where he, being competent to contract, has himself, without coercion or undue influence having been brought to bear on him, ratified the sale to the trustee with full knowledge of the facts of the case and of his rights as against the trustee.

6 Ben. O. C. 1; 10 I. L. R. 3 Bom. 397.

62. Where trust property comes into the hands of a third person inconsistently with the trust, the beneficiary may require him to admit formally, or may institute a suit for a declaration, that the property is comprised in the trust.

Following trust-property—into the hands of third persons;

Where the trustee has disposed of trust-property and the money or other property which he has received therefor can be traced in his hands, or the hands of his legal representative or legatee, the beneficiary has, in respect thereof, rights as nearly as may be the same as his rights in respect of the original trust-property.

into that into which it has been converted.

Illustrations.

(*a*) A, a trustee for B of Rs. 10,000, wrongfully invests the Rs. 10,000 in the purchase of certain land. B is entitled to the land.

(*b*) A, a trustee, wrongfully purchases land in his own name, partly with his own money, partly with money subject to a trust for B. B is entitled to a charge on the land for the amount of the trust-money so misemployed.

63. Nothing in section sixty-two entitles the beneficiary to any right in respect of property in the hands of—

Saving of rights of certain transferees.

As to movables, see Act IX of 1872, s. 108.

(*a*) a transferee in good faith for consideration without having notice of the trust, either when the purchase-money was paid, or when the conveyance was executed, or—

5 W. R. 120: W. R. 1864, p. 225.

(*b*) a transferee for consideration from such a transferee.

A judgment-creditor of the trustee attaching and purchasing trust-property is not a transferee for consideration within the meaning of this section.

Nothing in section sixty-two applies to money, currency notes and negotiable instruments in the hands of a *bonâ fide* holder to whom they have passed in circulation, or shall be deemed to affect the Indian Contract Act, 1872, section 108, or the liability of a person to whom a debt or charge is transferred.

64. Where a trustee wrongfully sells or otherwise transfers trust-property and afterwards buys it, he is bound to convey the property to the purchaser and the trust, notwithstanding any want of notice on the part of intervening transferees in good faith for consideration.

Acquisition by trustee of trust-property wrongfully sold.

65. Where the trustee wrongfully mingles the trust-property with his own, the beneficiary is entitled to a charge on the whole fund for the amount due to him.

Cf. Contract Act, s. 157.

Right in case of blended property.

66. If a partner, being a trustee, wrongfully employs trust-property in the business or on the account of the partnership, no other partner is liable therefor in his personal capacity to the beneficiaries, unless he had notice of the breach of trust.

Wrongful employment by partner-trustee of trust-property for partnership purposes.

The partners having such notice are jointly and severally liable for the breach of trust.

Illustrations.

(*a*) A and B are partners. A dies, having bequeathed all his property to B in trust for Z, and appointed B his sole executor. B, instead of winding-up the affairs of the partnership, retains all the assets in the business. Z may compel him, as partner, to account for so much of the profits as are derived from A's share of the capital. B is also answerable to Z for the improper employment of A's assets.

(*b*) A, a trader, bequeaths his property to B in trust for C, appoints B his sole executor, and dies. B enters into partnership with X and Y in the same trade, and employs A's assets in the partnership-business. B gives an indemnity to X and Y against the claims of C. Here X and Y are jointly liable with B to C as having knowingly become parties to the breach of trust committed by B.

67. Where one of several beneficiaries—

Liability of beneficiary joining in breach of trust.

(*a*) joins in committing breach of trust, or

(*b*) knowingly obtains any advantage therefrom, without the consent of the other beneficiaries, or

(*c*) becomes aware of a breach of trust committed or intended to be committed, and either actually conceals it, or does not within a reasonable time take proper steps to protect the interests of the other beneficiaries, or

(*d*) has deceived the trustee and thereby induced him to commit a breach of trust,

the other beneficiaries are entitled to have all his beneficial interest impounded as against him and all who claim under him (otherwise than as transferees for consideration without notice of the breach) until the loss caused by the breach has been compensated.

When property has been transferred or bequeathed for the benefit of a married woman, so that she shall not have power to deprive herself of her beneficial interest, nothing in this section applies to such property during her marriage.

68. Every person to whom a beneficiary transfers his interest has the rights, and is subject to the liabilities, of the beneficiary in respect of such interest at the date of the transfer.

Rights and liabilities of beneficiary's transferee.

CHAPTER VII.

OF VACATING THE OFFICE OF TRUSTEE.

69. The office of a trustee [illegible] only as follows:—

'under express authority conferred by.'

Discharge of trustee.

(*a*) by the extinction of the trust;

(*b*) by the completion of his duties under the trust;

(*c*) by such means as may be prescribed by the instrument of trust;

(*d*) by appointment under this Act of a new trustee in his place;

(*e*) by consent of himself and the beneficiary, or, where there are more beneficiaries than one, all the beneficiaries being competent to contract, or

(*f*) by the Court to which a petition for his discharge is presented under this Act.

71. Notwithstanding the provisions of section eleven, every trustee may apply by petition to a principal Civil Court of original jurisdiction to be discharged from his office; and, if the Court finds that there is sufficient reason for such discharge, it may discharge him accordingly, and direct his costs to be paid out of the trust-property. But where there is no such reason, the Court shall not discharge him, unless a proper person can be found to take his place.

Petition to be discharged from trust.

Act XXVIII of 1866, s. 24; 23 & 24 Vic., c. 145, s. 27.

72. Whenever any person appointed a trustee disclaims, or any trustee dies, or is for a continuous period of six months absent from British India, or leaves British India for the purpose of residing abroad, or is declared an insolvent, or desires to be discharged from the trust, or refuses or becomes, in the opinion of a principal Civil Court of original jurisdiction, unfit or personally incapable to act in the trust, or accepts an inconsistent trust, a new trustee may be appointed in his place by—

Appointment of new trustees on death, &c.

(*a*) the person nominated for that purpose by the instrument of trust (if any), or

(*b*) if there be no such person, or no such person able and willing to act, the author of the trust if he be alive and competent to contract, or the surviving or continuing trustees or trustee for the time being, or legal representative of the last surviving and continuing trustee, or the retiring trustees, if they all retire simultaneously, or the last retiring trustee. 5 Beng. 184.

Every such appointment shall be by writing under the hand of the person making it.

The Official Trustee may, with his consent and by the order of the Court, be appointed under this section, in any case in which only one trustee is to be appointed and such trustee is to be the sole trustee.

For the purposes of this section, any refusing or retiring trustee shall, if willing to act in the execution of the power, be considered a continuing trustee.

73. Whenever any such vacancy or disqualification occurs and it is found impracticable to appoint a new trustee under section seventy-two, the beneficiary may, without instituting a suit, apply by petition to a principal Civil Court of original jurisdiction for the appointment of a trustee or a [illegible] and the Court may appoint a trustee

Appointment by Court.

In appointing new trustees, the Court shall have regard (*a*) to the wishes of the author of the trust as expressed in or to be inferred from the instrument of trust; (*b*) to the wishes of the person, if any, empowered to appoint new trustees; (*c*) to the question whether the appointment will promote or impede the execution of the trust, and (*d*) where there are more beneficiaries than one, to the interests of all such beneficiaries.

Rule for selecting new trustees.

74. Whenever any new trustee is appointed under section seventy-two or section seventy-three, all the trust-property for the time being vested in the surviving or continuing trustees or trustee, or in the legal representative of any trustee, shall become vested in such new trustee, either solely or jointly with the surviving or continuing trustees or trustee as the case may require.

Vesting of trust-property in new trustees.

Every new trustee so appointed, and every trustee appointed by a Court either before or after the passing of this Act, shall have the same powers, authorities and discretions, and shall in all respects act, as if he had been originally nominated a trustee by the author of the trust.

Powers of new trustees.

75. On the death or discharge of one of several co-trustees, the trust survives, and the trust property passes to the others, unless the instrument of trust expressly declares otherwise.

Survival of trust.

CHAPTER VIII.

OF THE EXTINCTION OF TRUSTS.

Trust how extinguished.

76. A trust is extinguished—

(*a*) when its purpose is completely fulfilled; or

(*b*) when its purpose becomes unlawful; or

(*c*) when the fulfilment of its purpose becomes impossible by destruction of the trust-property or otherwise; or

(*d*) when the trust, being revocable, is expressly revoked.

Revocation of trust.

77. A trust created by will may be revoked at the pleasure of the testator.

A trust otherwise created can be revoked only—

Jijibhai v. Sonabhai, 2 Bom. 139. N. W. P., 1870, p. 420.

(*a*) where all the beneficiaries are competent to contract—by their consent;

(*b*) where the trust has been declared by a non-testamentary instrument or by word of mouth—in exercise of a power of revocation expressly reserved to the author of the trust; or

(*c*) where the trust is for the payment of the debts of the author of the trust, and has not been communicated to the creditors—at the pleasure of the author of the trust.

Illustration.

A conveys property to B in trust to sell the same and pay out of the proceeds the claims of A's creditors. A reserves no power of revocation. If no communication has been made to the creditors, A may revoke the trust. But if the creditors are parties to the arrangement, the trust cannot be revoked without their consent.

Effect what trustees have duly done.

78. No trust can be revoked by the author of the trust so as to defeat or prejudice acts which the trustees may have duly done in execution of the trust.

CHAPTER IX.

OF CERTAIN OBLIGATIONS IN THE NATURE OF TRUSTS.

Where obligation in nature of trust is created.

79. An obligation in the nature of a trust is created in the following cases.

Where it does not appear that transferor intended to dispose of beneficial interest.

80. Where the owner of property transfers or bequeathes it and it cannot be inferred consistently with the attendant circumstances that he intended to dispose of the beneficial interest therein, the transferee or legatee must hold such property for the benefit of the owner or his legal representative.

Illustrations.

(*a*) A conveys land to B without consideration and declares no trust of any part. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in the land. B holds the land for the benefit of A.

(*b*) A conveys to B two fields, Y and Z, and declares a trust of Y, but says nothing about Z. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in Z. B holds Z for the benefit of A.

(*c*) A transfers certain stock into the joint names of himself and B. It cannot, consistently with the circumstances under which the transfer is made, be inferred that A intended to transfer the beneficial interest in the stock during his life. A and B hold the stock for the benefit of A during his life.

(*d*) A makes a gift of certain land to his wife B. She takes the beneficial interest in the land free from any trust in favour of A, for it may be inferred from the circumstances that the gift was for B's benefit.

Transfer to one for consideration paid by another.

81. Where property is transferred to one person for a consideration paid or provided by another person, and it appears that such other person did not intend to pay or provide such consideration for the benefit of the transferee, the transferee must hold the property for the benefit of the person paying or providing the consideration.

Nothing in this section shall be deemed to affect the Code of Civil Procedure, section 317, or Act No. XI of 1859 (*to improve the law relating to sales of land for arrears of revenue in the Lower Provinces under the Bengal Presidency*), section 36.

Trust incapable of execution or executed without exhausting trust-property.

I. L. R. 2 Bom. 410.

82. Where a trust is incapable of being executed, or where the trust is completely executed without exhausting the trust-property, the trustee, in the absence of a direction to the contrary, must hold the trust-property, or so much thereof as is unexhausted, for the benefit of the author of the trust or his legal representative.

Illustrations.

(*a*) A conveys certain land to B—
"upon trust," and no trust is declared, or
"upon trust to be thereafter declared," and no such declaration is ever made; or
upon trusts that are too vague to be executed;
upon trusts that become incapable of taking effect; or
"in trust for C," and C renounces his interest under the trust.

In each of these cases B holds the land for the benefit of A.

(*b*) A transfers Rs. 10,000 in the four per cents. to B, in trust to pay the interest annually accruing due to C for her life. A dies. Then C dies. B holds the fund for the benefit of A.

(*c*) A conveys land to B upon trust for the maintenance of the worship of an idol. B sells the land, but the charitable purposes wholly fail, and the maintenance of the worship does not exhaust the second moiety of the proceeds. B holds the first moiety and the part unapplied of the second moiety for the benefit of A or his legal representative.

(*d*) A bequeathes Rs. 10,000 to B, to be laid out in buying land to be conveyed for purposes which either wholly or partially fail to take effect. B holds for the benefit of A's legal representative the undisposed of interest in the money or land if purchased.

Transfer for illegal purpose.

83. Where the owner of property transfers it to another for an illegal purpose and such purpose is not carried into execution, or the transferor is not as guilty as the transferee, or the effect of permitting the transferee to retain the property might be to defeat the provisions of any law, the transferee must hold the property for the benefit of the transferor.

Bequest for illegal purpose.

84. Where a testator bequeathes certain property upon trust and the purpose of the trust appears on the face of the will to be unlawful, or during the testator's lifetime the legatee agrees with him to apply the property for an unlawful purpose, the legatee must hold the property for the benefit of the testator's legal representative.

Bequest of which revocation is prevented by coercion.

Where property is bequeathed and the revocation of the bequest is prevented by coercion, the legatee must hold the property for the benefit of the testator's legal representative.

See Act I of 1877, s. 35.

Transfer pursuant to rescindible contract.

85. Where property is transferred in pursuance of a contract which is liable to rescission or induced by fraud or mistake, the transferee must, on receiving notice to that effect, hold the property for the benefit of the transferor, subject to repayment by the latter of the consideration actually paid.

Debtor becoming creditor's representative.

86. Where a debtor becomes the executor or other legal representative of his creditor, he must hold the debt for the benefit of the persons interested therein.

Act I of 1877, s. 3, ills. (*b*), (*c*), (*e*). L. R. 2 Ind. App. 18.

Advantage gained by fiduciary.

87. Where a trustee, executor, partner, agent, director of a company, legal adviser, or other person bound in a fiduciary character to protect the interests of another person, by availing himself of his character, gains for himself any pecuniary advantage, or where any person so bound enters into any dealings under circumstances in which his own interests are, or may be, adverse to those of such other person and thereby gains for himself a pecuniary advantage, he must hold for the benefit of such other person the advantage so gained.

Illustrations.

(*a*) A, an executor, buys at an undervalue from B, a legatee, his claim under the will. B is ignorant of the value of the bequest. A must hold for the benefit of B the difference between the price and value.

(*b*) A, a trustee, uses the trust-property for the purpose of his own business. A holds for the benefit of his beneficiary the profits arising from such user.

(*c*) A, a trustee, retires from his trust in consideration of his successor paying him a sum of money. A holds such money for the benefit of his beneficiary.

(*d*) A, a partner, buys land in his own name with funds belonging to the partnership. A holds such land for the benefit of the partnership.

(*e*) A, a partner, employed on behalf of himself and his co-partners in negotiating the terms of a lease, clandestinely stipulates with the lessor for payment to himself of a lákh of rupees. A holds the lákh for the benefit of the partnership.

(*f*) A and B are partners. A dies. B, instead of winding up the affairs of the partnership, retains all the assets in the business. B must account to A's legal representative for the profits arising from A's share of the capital.

(*g*) A, an agent employed to obtain a lease for B, obtains the lease for himself. A holds the lease for the benefit of B.

(*h*) A, a guardian, buys up for himself incumbrances on his ward B's estate at an undervalue. A holds for the benefit of B the incumbrances so bought, and can only charge him with what he has actually paid.

Advantage gained by exercise of undue influence.

88. Where by the exercise of undue influence any advantage is gained in derogation of the interests of another, the person gaining such advantage without consideration or with notice that such influence has been exercised must hold the advantage for the benefit of the person whose interests have been so prejudiced.

Act I of 1877, s. 3, ill. (*g*). Cf. 5 Beng. L. R. 353, mortgagee buying equity of redemption.

Advantage gained by qualified owner.

89. Where a tenant for life, co-owner, mortgagee or other qualified owner of any property, by availing himself of his position as such, gains an advantage in derogation of the rights of the other persons interested in the property, or where any such owner, as representing all persons interested in such property, gains any advantage, he must hold, for the benefit of all persons so interested, the advantage so gained, but subject to repayment by such persons of their due share of the expenses properly incurred, and to an indemnity by the same persons against liabilities properly contracted, in gaining such advantage.

Illustrations.

(*a*) A, the tenant for life of leasehold property, renews the lease in his own name and for his own benefit. A holds the renewed lease for the benefit of all those interested in the old lease.

(*b*) A village belongs to a Hindú family. A, one of its members, pays nazrána to Government and thereby procures his name to be entered as the inámdár of the village. A holds the village for the benefit of himself and the other members.

(*c*) A mortgages land to B, who enters into possession. B allows the Government revenue to fall into arrear with a view to the land being put up for sale and his becoming himself the purchaser of it. The land is accordingly sold to B. Subject to the repayment of the amount due on the mortgage and of his expenses properly incurred as mortgagee, B holds the land for the benefit of A. 10 Moo. I. A. 322: 14 Moo. I. A. 305.

Act I of 1877, s. 3, ills. (*g*), (*k*).

Property acquired with notice of existing contract.

90. Where a person acquires property with notice that another person has entered into an existing contract affecting that property, of which specific performance could be enforced, the former must hold the property for the benefit of the latter to the extent necessary to give effect to the contract.

Purchase by person contracting to buy property to be held on trust.

91. Where a person contracts to buy property to be held on trust for certain beneficiaries and buys the property accordingly, he must hold the property for their benefit to the extent necessary to give effect to the contract.

Advantage secretly gained by one of several compounding creditors.

92. Where creditors compound the debts due to them, and one of such creditors, by a secret arrangement with the debtor, gains an undue advantage over his co-creditors, he must hold for the benefit of such creditors the advantage so gained.

Constructive trusts in cases not expressly provided for.

93. In any case not coming within the scope of any of the preceding sections, where there is no trust, but the person having possession of property has not the whole beneficial interest therein, he must hold the property for the benefit of the persons having such interest, or the residue thereof (as the case may be), to the extent necessary to satisfy their just demands.

Illustrations.

(*a*) A, an executor, distributes the assets of his testator B to the legatees without having paid the whole of B's debts. The legatees hold for the benefit of B's creditors, to the extent necessary to satisfy their just demands, the assets so distributed.

(*b*) A by mistake assumes the character of a trustee for B, and under colour of the trust receives certain moneys. B may compel him to account for such moneys.

(*c*) A makes a gift of a lákh of rupees to B, reserving to himself, with B's assent, power to revoke at pleasure the gift as to Rs. 10,000. The gift is void as to Rs. 10,000, and B holds that sum for the benefit of A.

Obligor's duties, liabilities and disabilities.

94. The person holding property in accordance with any of the preceding sections of this chapter must, so far as may be, perform the same duties, and is subject, so far as may be, to the same liabilities and disabilities, as if he were a trustee of the property for the person for whose benefit he holds it:

Provided that (*a*) where he rightfully cultivates the property or employs it in trade or business, he is entitled to reasonable remuneration for

his trouble, skill and loss of time in such cultivation or employment; and (*b*) where he holds the property by virtue of a contract with the person for whose benefit he holds it, or with any one through whom such person claims, he may, without the permission of the Court, buy or become lessee or mortgagee of the property or any part thereof.

95. Nothing contained in this chapter shall impair the rights of transferees in good faith for consideration, or create an obligation in evasion of any law for the time being in force.

Saving of rights of *bond fide* purchasers.

THE SCHEDULE.

STATUTE.

Year and chapter.	Short title.	Extent of repeal.
29 Car. II, c. 3 ...	The Statute of Frauds.	Sections 7, 8, 9, 10 and 11.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Short title.	Extent of repeal.
XXVIII of 1866 ...	The Trustees' and Mortgagees' Powers Act, 1866.	Sections 2, 3, 4, 5, 32, 33, 34, 35, 36 and 37. In sections 39 and 43, the word "trustee" wherever it occurs; and in section 43 the words "management or" and "the trust-property or."
I of 1877 ...	The Specific Relief Act, 1877.	In section 12, the first illustration.

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th July, 1881:—

WE, the undersigned Members of the Select Committee to which the Bill to define and amend the law relating to Easements and Licenses was referred, have the honour to report that we have considered the Bill, the portions of the report of the Indian Law Commission relating to the Bill, and the papers noted in the schedule annexed to this report.

2. As the Government of India does not wish to put the Bill in force in any territory against the wishes of the Local Government, we have made it apply, in the first instance, only to the Presidency of Madras, Coorg and the Central Provinces, and, as regards the rest of British India, made it extendible to such areas as the respective Local Governments think fit.

3. We have left out the section (5) relating to affirmative and negative easements, as its provisions were only required to explain the use of those terms in section 15, and it does not appear necessary to use them in that section.

4. In section 15, paragraph 2, which provides for the period within which a right to support can be acquired by prescription, we have inserted the words "as of right." We consider that this easement should not be acquired except in cases where the owner of the land from which the support is enjoyed has an opportunity of resisting its acquisition. No doubt, the natural secrecy of the enjoyment often makes it difficult to shew that the servient owner has been aware of the user. But where the dominant house is so constructed, or the manner of imposing the pressure is so manifest, that the servient owner may reasonably be held to have notice of the support, there seems no reason why this easement should not be acquired in the same manner as any other.

5. Paragraph 5 of section 15 of the Bill as introduced follows the existing law, as contained in section 26 of Act No. XV of 1877 (the Indian Limitation Act). It provides that the period of twenty years, the period fixed by the section for the acquisition of easements by prescription, shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested. The effect is that, in a suit in which the right to an easement is contested, the party claiming the easement must not only prove a twenty years' enjoyment, but must also prove that the enjoyment has continued within two years [illegible] of the suit. This provision was necessary when the Indian Limitation Act was passed, because there was no law to regulate the extinction of easements by non-enjoyment; but now that section 49 of the Bill (section 47 of the Bill as amended) defines the law on this subject, the rule contained in paragraph 5 of section 15 appears to be no longer required, and we have therefore omitted it. This omission has the further advantage of rendering it unnecessary to apply the doctrine contained in the recent decision of the Privy Council in the case of *Raj Roop Koer* v. *Abdool Hoossein*.

6. For explanation IV to section 15, we have substituted an illustration suggested by the case of *Angus* v. *Dalton*.

7. The provisions of clause (*b*), section 17, of the Bill as introduced contain a doctrine which is based on the theory of presumed grants—a theory not recognised by the Bill. We have therefore omitted this clause, and modified the explanation accordingly.

8. Section 35 of the Bill as introduced provides (in accordance with the decision in the case of *the St. Helen's Smelting Company*) that the fact that air or water is already polluted by a person who enjoys an easement of which the air or water is the subject does not give others the right to add to the pollution; and section 36 of the Bill as introduced declares that the continued disturbance of an easement, after compensation has been recovered for an original disturbance, gives a right to recover compensation for the continuance. We have omitted these sections, as the former does not seem likely to be of practical utility, and the latter contains an elementary rule which will more fitly find a place in a code of the law of torts.

9. We have redrawn section 45 (now 43) as to the extinction of an easement by changes in the dominant heritage, so as to express more clearly what we take to be the existing law on the subject.

10. We have also made a few verbal amendments, but the Bill in substance remains the same as settled by the Indian Law Commission. We do not see how it can be further shortened or simplified. We therefore recommend that it be passed as now amended, but that, in obedience to the orders of the Secretary of State for India, it be republished in the *Gazette of India* with this report; it must also be sent to the Secretary of State, published in the local Gazettes, and translated into the vernacular languages.

SIMLA;
The 6th July 1881.

WHITLEY STOKES.
J. GIBBS.

SCHEDULE.

Endorsement by the Home Department, No. 788, dated 25th June, 1878, and enclosures [Papers No. 1].

Endorsement by the Home Department, No. 789, dated 25th June, 1878, and enclosures [Papers No. 2].

Office Memorandum from the Home Department, No. 919, dated 18th July, 1878, and enclosures [Papers No. 3].

Endorsement by the Home Department, No. 951, dated 25th July, 1878, and enclosures [Papers Nos. 4 and 5].

Endorsement by the Home Department, No. 993, dated 5th August, 1878, and enclosures [Papers No. 6].

Endorsement by the Home Department, No. 1016, dated 8th August, 1878, and enclosures [Papers No. 7].

Endorsement by the Home Department, No. 1035, dated 12th August, 1878, and enclosures [Papers No. 8].

Endorsement by the Home Department, No. 1004, dated 7th August, 1878, and enclosures [Papers No. 9].

Endorsement by the Home Department, No. 1131, dated 24th August, 1878, and enclosures [Papers No. 10].

Endorsement by the Home Department, No. 1433, dated 17th October, 1878, and enclosures [Papers No. 11].

Endorsement by the Home Department, No. 1554, dated 26th November, 1878, and enclosures [Papers No. 12].

Endorsement by the Home Department, No. 239, dated 1st March, 1879, and enclosures [Papers No. 13].

From Resident at Haidarábád, to the Secretary to Government of India, Home Department, No. 1, dated 12th April, 1879 [Paper No. 14].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2423, dated 22nd April, 1879, and enclosures [Papers No. 15].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2522, dated 26th April, 1879, and enclosures [Papers No. 16].

From Resident at Haidarábád, to Officiating Secretary to Government of India, Home Department, No. 8, dated 23rd April, 1879, and enclosure [Papers No. 17].

From Chief Commissioner, Coorg, to Officiating Secretary to Government of India, Home Department, No. 60, dated 25th April, 1879 [Paper No. 18].

From Government of Bengal, to Secretary to Government of India, Home Department, No. 2222, dated 6th May, 1879, and enclosures [Papers No. 19].

From Chief Commissioner, Assam, to the Officiating Secretary to Government of India, Home Department, No. 732, dated 1st May, 1879 [Papers No. 20].

From Lakshmí Náráyana Pandit, Pleader, High Court, North-Western Provinces, dated 3rd May, 1879 [Paper No. 21].

From Chief Commissioner, Central Provinces, to Secretary to Government of India, Home Department, No. 1962-99, dated 30th April, 1879 [Paper No. 22].

From Chief Commissioner, Coorg, to Officiating Secretary to Government of India, Home Department, No. 115-5, dated 7th May, 1879, and enclosures [Papers No. 23].

From Government of the North-Western Provinces and Oudh, to Secretary to Government of India, Home Department, and enclosures [Papers No. 24].

From Chief Commissioner, British Burma, to Secretary to Government of India, Home Department, and enclosures [Papers No. 25].

From Government of Bombay, to the Secretary to Government of India, Home Department, No. 2879, dated 17th May, 1879, and enclosure [Paper No. 26].

From Registrar, High Court, Calcutta, to the Secretary to Government of India, Home Department, No. 1121, dated 27th June, 1879, and enclosures [Papers No. 27].

From Chief Commissioner, British Burma, to Officiating Secretary to Government of India, Home Department, No. 657-247, dated 27th May, 1879, and enclosures [Papers No. 28].

From Government of the Panjáb, to the Officiating Secretary to Government of India, Home Department, No. 179C., dated 11th June, 1879, and enclosures [Papers No. 29].

From Government of the Panjáb, to the Secretary to Government of India, Home, Revenue and Agricultural Department, No. 466Ca, dated 18th July, 1879 [Paper No. 30].

Notes by Hon'ble T. H. Thornton, Judge, Chief Court, Panjáb, dated 25th May, 1878 [Papers No. 31].

From Chief Commissioner, Coorg, No. 1419-9, dated 3rd February, 1881, and enclosure [Papers No. 32].

From Resident at Haidarábád, No. 47, dated 4th February, 1881 [Paper No. 33].

From Chief Commissioner, Ajmer-Merwára, No. 91, dated 8th February, 1881, and enclosures [Papers No. 34].

From Government of Madras, No. 285, dated 7th February, 1881, and enclosures [Papers No. 35].

From Chief Commissioner, Central Provinces, No. 513A.-3, dated 15th February, 1881, and enclosures [Papers No. 36].

From Government of Bengal, No. 823J., dated 19th February, 1881, and enclosures [Papers No. 37].

From Chief Commissioner, Assam, No. 49T., dated 21st February, 1881, and enclosures [Papers No. 38].

From Government of Bombay, No. 1095, dated 19th February, 1881, and enclosures [Papers No. 39].

From Chief Commissioner, British Burma, No. 1263-1L., dated 23rd February, 1881, and enclosures [Papers No. 40].

From Registrar, High Court, Calcutta, No. 565, dated 11th March, 1881, and enclosures [Papers No. 41].

From Resident at Haidarábád, No. 92, dated 10th March, 1881, and enclosures [Papers No. 42].

From Government of the North-Western Provinces and Oudh, No. 462, dated 30th March, 1881, and enclosures [Papers No. 43].

From Government of the Panjáb, No. 1313, dated 3rd April, 1881, and enclosures [Papers No. 44].

From Government of Bombay, No. 3103, dated 17th May, 1881, and enclosures [Papers No. 45].

No. II.

THE INDIAN EASEMENTS BILL, 1881.

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No. II.

A Bill to define and amend the law relating to Easements and Licenses.

WHEREAS it is expedient to define and amend the law relating to Easements and Licenses; It is hereby enacted as follows: Preamble.

PRELIMINARY.

1. This Act may be called "The Indian Easements Act, 1882": Short title.

It extends in the first instance to the territories respectively administered by the Governor of Madras in Council and the Chief Commissioners of the Central Provinces and Coorg, and the Local Government may from time to time, by notification in the official Gazette, extend it to any other part of British India; Local extent.

and it shall come into force on the first day of March 1882. Commencement.

2. Nothing herein contained shall be deemed to affect any law not hereby expressly repealed; or to derogate from— Savings.

(*a*) any right of the Government to regulate the collection, retention and distribution of the water of rivers and streams flowing in natural channels, and of natural lakes and ponds, or of the water flowing, collected, retained or distributed in or by any channel or other work constructed at the public expense for irrigation;

(*b*) any customary or other right (not being a license) in or over immoveable property which the Government, the public or any person may possess irrespective of other immoveable property; or

(*c*) any right acquired, or arising out of a relation created, before this Act comes into force.

3. Sections 26 and 27 of the Indian Limitation Act, 1877, and the definition of "easement" contained in that Act, are hereby repealed. All references to the said sections, or to sections 27 and 28 of Act No. IX of 1871, shall be read as made to sections fifteen and sixteen of this Act. Repeal of Act XV of 1877, sections 26 and 27.

CHAPTER I.—OF EASEMENTS GENERALLY.

4. An easement is a right which the owner or occupier of certain land possesses, as such, for the beneficial enjoyment of that land, to do and continue to do something, or to prevent and continue to prevent something being done, in or upon, or in respect of, certain other land not his own. "Easement" defined.

The land for the beneficial enjoyment of which the right exists is called the dominant heritage, and the owner or occupier thereof the dominant owner; the land on which the liability is imposed is called the servient heritage, and the owner or occupier thereof the servient owner. Dominant and servient heritages and owners.

Explanation.—In the first and second clauses of this section, the expression "land" includes also things permanently attached to the earth: the expression "beneficial enjoyment" includes also possible convenience, remote advantage, and even a mere amenity; and the expression "to do something" includes removal and appropriation by the dominant owner, for the beneficial enjoyment of the dominant heritage, of any part of the soil of the servient heritage or anything growing or subsisting thereon.

Illustrations.

(*a*) A, as the owner of a certain house, has a right of way thither over his neighbour B's land for purposes connected with the beneficial enjoyment of the house. This is an easement.

(*b*) A, as the owner of a certain house, has the right to go on his neighbour B's land, and to take water for the purposes of his household out of a spring therein. This is an easement.

(*c*) A, as the owner of a certain house, has the right to conduct water from B's stream to supply the fountains in the garden attached to the house. This is an easement.

(*d*) A, as the owner of a certain house and farm, has the right to graze a certain number of his own cattle on B's field, or to take, for the purpose of being used in the house, by himself, his family, guests, lodgers and servants, water, or fish out of C's tank, or timber out of D's wood, or to use, for the purpose of manuring his land, the leaves which have fallen from the trees on E's land. These are easements.

(*e*) A dedicates to the public the right to occupy the surface of certain land for the purpose of passing and repassing. This right is not an easement.

(*f*) A is bound to cleanse a watercourse running through his land and keep it free from obstruction for the benefit of B, a lower riparian owner. This is not an easement.

5. Easements are either continuous or discontinuous, apparent or non-apparent. Continuous and discontinuous, apparent and non-apparent, easements.

A continuous easement is one whose exercise is or may be continual without the act of man.

A discontinuous easement is one that needs the act of man for its exercise.

An apparent easement is one that has some permanent sign of its existence, which, upon careful inspection by a competent person, would be visible to him. *Pyer* v. *Carter*, 1 H. & N. 922.

A non-apparent easement is one that has no such sign.

Illustrations.

(*a*) A right annexed to B's house to receive light by the windows without obstruction by his neighbour A. This is a continuous easement.

(*b*) A right of way annexed to A's house over B's land. This is a discontinuous easement.

(*c*) Rights annexed to A's land to lead water thither across B's land by an aqueduct and to draw off water thence by a drain. The drain would be discovered upon careful inspection by a person conversant with such matters. These are apparent easements.

(*d*) A right annexed to A's house to prevent B from building on his own land. This is a non-apparent easement.

6. An easement may be permanent, or for a term of years or other limited period, or subject to periodical interruption, or exercisable only at a certain place, or at certain times, or between certain hours, or for a particular purpose, or on condition that it shall commence or become void or voidable on the happening of a specified event or the performance or non-performance of a specified act. Easement for limited time or on condition.

7. Easements are restrictions of one or other of the following rights (namely) :— Easements restrictive of certain rights.

(*a*) The exclusive right of every owner of immoveable property (subject to any law for the time being in force) to enjoy and dispose of the same and all products thereof and accessions thereto. Exclusive right to enjoy.

(*b*) The right of every owner of immoveable property (subject to any law for the time being in force) to enjoy without disturbance by another the natural advantages arising from its situation. Rights to advantages arising from situation.

Illustrations of the rights above referred to.

I. W. P. (1870). pp. 139, 139. (*a*) The exclusive right of every owner of land in a town to build thereon, subject to any municipal law for the time being in force.

(*b*) The right of every owner of land that the air passing thereto shall not be unreasonably polluted by other persons.

Recognised by the High Court, N. W. P. No. 1143 of 1878, 28th November, 1878, *Mahadeo Misser* v. *Phaikoo Singh*. (*c*) The right of every owner of a house that his physical comfort shall not be interfered with materially and unreasonably by noise or vibration caused by any other person.

(*d*) The right of every owner of land to so much light and air as pass vertically thereto.

Mayor of Birmingham v. *Allen*, 46 L. J. Ch. (*e*) The right of every owner of land that such land, in its natural condition, shall have the support naturally rendered by the subjacent soil of another person.

Explanation.—Land is in its natural condition when it is not excavated and not subjected to artificial pressure; and the "subjacent and adjacent soil" mentioned in this illustration means such soil only as in its natural condition would support the dominant heritage in its natural condition.

(*f*) The right of every owner of land that, within his own limits, the water which naturally passes or percolates by, over or through his land shall not, before so passing or percolating, be unreasonably polluted by other persons.

(*g*) The right of every owner of land to collect and dispose within his own limits of all water under the land and all water on its surface which does not pass in a defined channel. Marshall 506.

(*h*) The right of every owner of land that the water of every natural stream which passes by, through or over his land in a defined natural channel shall be allowed by other persons to flow within such owner's limits without interruption and without material alteration in quantity, direction, force or temperature; the right of every owner of land abutting on a natural lake or pond into or out of which a natural stream flows, that the water of such lake or pond shall be allowed by other persons to remain within such owner's limits without material alteration in quantity or temperature. L. R. 6 Ind. App. 33 : 3 W. R. 218 : 13 W. R. 48 : 8 W. R. 525.

(*i*) The right of every owner of upper land that water naturally rising in, or falling on, such land, and not passing in defined channels, shall be allowed by the owner of adjacent lower land to run naturally thereto. 20 W. R. 287.

(*j*) The right of every owner of land abutting on a natural stream, lake or pond to use and consume its water for drinking, household purposes and watering his cattle and sheep; and the right of every such owner to use and consume the water for irrigating such land, and for the purposes of any manufactory situate thereon, provided that he does not thereby cause material injury to other like owners. 11 W. R. 254.

Explanation.—A natural stream is a stream, whether permanent or intermittent, tidal or tideless, on the surface of land or underground, which flows by the operation of nature only and in a natural and known course.

CHAPTER II.—THE IMPOSITION, ACQUISITION AND TRANSFER OF EASEMENTS.

8. An easement may be imposed by any one in the circumstances, and to the extent in, and to which he may transfer his interest in the heritage on which the liability is to be imposed. Who may impose

Illustrations.

(*a*) A is tenant of B's land under a lease for an unexpired term of twenty years, and has power to transfer his interest under the lease. A may impose an easement on the land to continue during the time that the lease exists or for any shorter period.

(*b*) A is tenant for his life of certain land with remainder to B absolutely. A cannot, unless with B's consent, impose an easement thereon which will continue after the determination of his life-interest.

(*c*) A, B and C are co-owners of certain land. A cannot, without the consent of B and C impose an easement on the land or on any part thereof.

(*d*) A and B are lessees of the same lessor, A of a field X for a term of five years, and B of a field Y for a term of ten years. A's interest under his lease is transferable; B's is not. A may impose on X, in favour of B, a right of way terminable with A's lease.

(*e*) A is the trustee of certain land for the benefit of B. A cannot, without the consent of B, impose an easement on the trust property.

9. Subject to the provisions of section eight, a servient owner may impose on the servient heritage any easement that does not lessen the utility of the existing easement. But he cannot, without the consent of the dominant owner, impose an easement on the servient heritage which would lessen such utility. Servient owners.

Illustrations.

(*a*) A has, in respect of his mill, a right to the uninterrupted flow thereto, from sunrise to noon, of the water of B's stream. B may grant to C the right to divert the water of the stream from noon to sunset: provided that A's supply is not thereby diminished.

(*b*) A has, in respect of his house, a right of way over B's land. B may grant to C, as the owner of a neighbouring farm, the right to feed his cattle on the grass growing on the way: provided that A's right of way is not thereby obstructed.

10. Subject to the provisions of section eight, a lessor may impose, on the property leased, any easement that does not derogate from the rights of the lessee as such, and a mortgagor may impose, on the property mortgaged, any easement that does not render the security insufficient. But a lessor or mortgagor cannot, without the consent of the lessee or mortgagee, impose any other easement on such property, unless it be to take effect on the termination of the lease or the redemption of the mortgage.

Lessor and mortgagor.

Explanation.—A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the amount for the time being due on the mortgage.

11. No lessee or other person having a derivative interest may impose on the property held by him as such an easement to take effect after the expiration of his own interest or in derogation of the right of the lessor or the superior proprietor.

Lessee.

12. An easement may be acquired by the owner of the immoveable property for the beneficial enjoyment of which the right is created, or on his behalf, by any person in possession of the same.

Who may acquire easements.

One of two or more co-owners of immoveable property may, as such, with or without the consent of the other or others, acquire an easement for the beneficial enjoyment of such property.

7 Mad. 64. No lessee of immoveable property can acquire for the beneficial enjoyment of other immoveable property of his own an easement in or over the property comprised in his lease.

13. Where one person transfers or bequeathes immoveable property to another,—

Easements of necessity and quasi-easements.

Mayor of London v. *Riggs*, 49 L. J. Chan. Div. 297. (*a*) if an easement in other immoveable property of the transferor or testator is absolutely necessary for enjoying the subject of the transfer or bequest, the transferee or legatee shall be entitled to such easement; or

Morgan v. *Kirby*, I. L. R. 2 Mad. 46 (*b*) if such an easement is apparent and continuous and necessary for enjoying the said subject as it was enjoyed when the transfer or bequest took effect, the transferee or legatee shall, unless a different intention is expressed or necessarily implied, be entitled to such easement;

(*c*) if an easement in the subject of the transfer or bequest is absolutely necessary for enjoying other immoveable property of the transferor or testator, the transferor or the legal representative of the testator shall be entitled to such easement; or

(*d*) if such an easement is apparent and continuous and necessary for enjoying the said property as it was enjoyed when the transfer or bequest took effect, the transferor, or the legal representative of the testator, shall, unless a different intention is expressed or necessarily implied, be entitled to such easement.

Bom. 181. Where a partition is made of the joint property of several persons,—

(*e*) if an easement over the share of one of them is absolutely necessary for enjoying the share of another of them, the latter shall be entitled to such easement, or

(*f*) if such an easement is apparent and continuous and necessary for enjoying the share of the latter as it was enjoyed when the partition took effect, he shall, unless a different intention is expressed or necessarily implied, be entitled to such easement.

The easements mentioned in this section, clauses (*a*), (*c*) and (*e*), are called easements of necessity.

Where immoveable property passes by operation of law, the persons from and to whom it so passes are, for the purpose of this section, to be deemed, respectively, the transferor and transferee.

Illustrations.

(*a*) A sells B a field then used for agricultural purposes only. It is inaccessible except by passing over A's adjoining land, or by trespassing on the land of a stranger. B is entitled to a right of way, for agricultural purposes only, over A's adjoining land to the field sold.

(*b*) A, the owner of two fields, sells one to B, and retains the other. The field retained was at the date of the sale used for agricultural purposes only and is inaccessible except by passing over the field sold to B. A is entitled to a right of way, for agricultural purposes only, over B's field to the field retained.

(*c*) A sells B a house with windows overlooking A's land, which A retains. The light which passes over A's land to the windows is necessary for enjoying the house as it was enjoyed when the grant took effect. B is entitled to the light, and A cannot afterwards obstruct it by building on his land.

(*d*) A sells B a house with windows overlooking A's land. The light passing over A's land to the windows is necessary for enjoying the house as it was enjoyed when the grant took effect. Afterwards A sells the land to C. Here C cannot obstruct the light by building on the land, for he takes it subject to the burdens to which it was subject in A's hand.

(*e*) A is the owner of a house and adjoining land. The house has windows overlooking the land. A simultaneously sells the house to B and the land to C. The light passing over the land is necessary for enjoying the house as it was enjoyed when the sale was made. Here A impliedly grants B a right to the light, and C takes the land subject to the restriction that he may not build so as to obstruct such light.

Contra England, *Allen* v. *Tagg*, 16, L. R. Ch. p. 353. (*f*) A is the owner of a house and adjoining land. The house has windows overlooking the land. A, retaining the house, sells the land to B, without expressly reserving any easement. The light passing over the land is necessary for enjoying the house as it was enjoyed when the sale took effect. A is entitled to the light, and B cannot build on the land so as to obstruct such light.

(*g*) A sells B a factory. B is entitled, as against A, to pollute the air, when necessary, with smoke and vapours from the factory.

(*h*) A, the owner of two adjoining houses, Y and Z, sells Y to B, and retains Z. B is entitled to the benefit of all the gutters and drains common to the two houses and necessary for enjoying Y as it was enjoyed when the sale was made, and A is entitled to the benefit of all the gutters and drains common to the two houses and necessary for enjoying Z as it was enjoyed when the sale was made.

(*i*) A, the owner of two adjoining buildings, sells one to B, retaining the other. B is entitled to a right to lateral support from A's building, and A is entitled to a right to lateral support from B's building.

(*j*) A, the owner of two adjoining buildings, sells one to B, and the other to C. C is entitled to lateral support from B's building, and B is entitled to lateral support from C's building.

(*k*) A grants land to B for the purpose of building a house thereon. B is entitled to such amount of lateral and subjacent support from A's land as is necessary for the safety of the house.

(*l*) Under the Land Acquisition Act, 1870, a Railway Company compulsorily acquires a portion of B's land for the purpose of making a siding. The Company is entitled to such amount of lateral support from B's adjoining land as is essential for the safety of the siding.

(*m*) Owing to the partition of joint property, A becomes the owner of an upper room in a building and B becomes the owner of the portion of the building immediately beneath it. A is entitled to such amount of vertical support from B's portion as is essential for the safety of the upper room.

(*n*) A lets a house and grounds to B for a particular business. B has no access to them other than by crossing A's land. B is entitled to a right of way over that land suitable to the business to be carried on by B in the house and grounds.

Bolton v. *Bolton*, 11 Chan. Div. 968. **14.** When right to a way of necessity is created under section thirteen, the transferor, the legal representative of the testator, or the owner of the share over which the right is exercised, as the case may be, is entitled to set out the way; but it must be reasonably convenient for the dominant owner.

Direction of way of necessity.

When the person so entitled to set out the way refuses or neglects to do so, the dominant owner may set it out.

Act XV of 1877, s. 26. **15.** Where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, and as of right, without interruption, and for twenty years,

Acquisition by prescription.

Angus v. *Dalton*. and where support from one person's land, or things affixed thereto, has been peaceably received by another person's land subjected to artificial pressure, or by things affixed thereto, as an easement, and as of right without interruption, and for twenty years,

Limitation 37 & 38 Vic., Cap. 57. and where a right of way or any other easement has been peaceably and openly enjoyed by any person claiming title thereto, as an easement and as of right, without interruption, and for twenty years,

the right to such access and use of light or air, support, or other easement shall be absolute.

Explanation I.—Nothing is an enjoyment within the meaning of this section when it has been had in pursuance of an agreement with the owner or occupier of the property over which the right is claimed, and it is apparent from the agreement that such right has not been granted as an easement, or, if granted as an easement, that it has been granted for a limited period, or subject to a condition on the fulfilment of which it is to cease.

I. L. R. 1 Calc. 480. *Explanation II.*—Nothing is an interruption within the meaning of this section unless where there is an actual cessation of the enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Explanation III.—Suspension of enjoyment in pursuance of a contract between the dominant and servient owners is not an interruption within the meaning of this section.

Explanation IV.—In the case of an easement to pollute water, the said period of twenty years begins when the pollution first prejudices perceptibly the servient heritage.

Illustrations.

(*a*) A. suit is brought in 1883 for obstructing a right of way. The defendant admits the obstruction, but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption, from 1st January, 1862, to 1st January, 1882. The plaintiff is entitled to judgment.

(*b*) In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that for a year of that time the plaintiff was entitled to possession of the servient heritage as lessee thereof and enjoyed the right as such lessee. The suit shall be dismissed, for the right of way has not been enjoyed "as an easement" for twenty years.

(*c*) In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff on one occasion during the twenty years had admitted that the user was not of right and asked his leave to enjoy the right. The suit shall be dismissed, for the right of way has not been enjoyed "as of right" for twenty years.

(*d*) A builds on his land adjoining to B's land two houses. One of these is of ordinary stability and of reasonable construction. The other, owing to some defect or peculiarity in its construction, requires a greater amount of support from B's land than B can reasonably be expected to be aware of and provide for. B excavates his land so that both houses fall down. A sues him for compensation for their destruction, and proves that he has enjoyed the support of B's land for both houses as an easement peaceably and without interruption for twenty years. As regards the former house he also proves that the enjoyment has been 'as of right.' As to this house A is entitled to judgment, for his right to support for it has become absolute. As to the latter house the suit must be dismissed; for under the circumstances A cannot prove that the enjoyment has been "as of right."

Act XV of 1877, s. 27. **16.** Provided that, when any land or water upon, over or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term shall be excluded in the computation of the said last-mentioned period of twenty years, in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Exclusion in favour of reversioner or servient heritage.

Illustration.

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C had a life-interest in the land; that on C's death B became entitled to the land; and that within two years after C's death he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

17. Easements acquired under section fifteen are said to be acquired by prescription, and are called prescriptive rights.

Rights which cannot be acquired by prescription.

None of the following rights can be so acquired:—

Potts v. *Smith*, L. R. 6 Eq. Ca. 311. (*a*) a right which would tend to the total destruction of the subject of the right, or the property on which, if the acquisition were made, liability would be imposed;

(*b*) a right to the free passage of light or air to an open space of ground;

(*c*) a right to surface-water not flowing in a stream and not permanently collected in a pool, tank or otherwise;

(*d*) a right to underground water not passing in a defined channel.

18. An easement may be acquired in virtue of a local custom. Such easements are called customary easements.

Customary easements.

Illustrations.

(*a*) By the custom of a certain village every cultivator of village land is entitled, as such, to graze his cattle on the common pasture. A having become the tenant of a plot of uncultivated land in the village breaks up and cultivates that plot. He thereby acquires an easement to graze his cattle in accordance with the custom.

(*b*) By the custom of a certain town no owner or occupier of a house can open a new window therein so as substantially to invade his neighbour's privacy. A builds a house in the town near B's house. A thereupon acquires an easement that B shall not open new windows in his house so as to command a view of the portions of A's house which are ordinarily excluded from observation, and B acquires a like easement with respect to A's house.

19. Where the dominant heritage is transferred or devolves, by act of parties or by operation of law, the transfer or devolution shall, unless a contrary intention appears, be deemed to pass the easement to the person in whose favour the transfer or devolution takes place.

Transfer of dominant heritage passes easement.

Illustration.

A has certain land to which a right of way is annexed. A lets the land to B for twenty years. The right of way vests in B and his legal representative so long as the lease continues.

CHAPTER III.—THE INCIDENTS OF EASEMENTS.

20. The rules contained in this chapter are controlled by any contract between the dominant and servient owners relating to the servient heritage, and by the provisions of the instrument or decree, if any, by which the easement referred to was imposed.

Rules controlled by contract or title.

And when any incident of any customary easement is inconsistent with such rules, nothing in this chapter shall affect such incident.

Incidents of customary easements.

21. An easement must not be used for any purpose not connected with the enjoyment of the dominant heritage.

Bar to use unconnected with enjoyment.

Illustrations.

(*a*) A, as owner of a farm Y, has a right of way over B's land to Y. Lying beyond Y, A has another farm Z, the beneficial enjoyment of which is not necessary for the beneficial enjoyment of Y. He must not use the easement for the purpose of passing to and from Z.

(*b*) A, as owner of a certain house, has a right of way to and from it. For the purpose of passing to and from the house, the right may be used, not only by A, but by the members of his family, his guests, lodgers, servants, workmen, visitors and customers; for this is a purpose connected with the enjoyment of the dominant heritage. So, if A lets the house, he may use the right of way for the purpose of collecting the rent and seeing that the house is kept in repair.

22. The dominant owner must exercise his right in the mode which is least onerous to the servient owner; and when the exercise of an easement can without detriment to the dominant owner be confined to a determinate part of the servient heritage, such exercise shall, at the request of the servient owner, be so confined.

Exercise of easement.

Confinement of exercise of easement.

Illustrations.

(*a*) A has a right of way over B's field. A must enter the way at either end, and not at any intermediate point.

(*b*) A has a right annexed to his house to cut thatching-grass in B's swamp. A, when exercising his easement, must cut the grass so that the plants may not be destroyed.

23. Subject to the provisions of section twenty-two, the dominant owner may, from time to time, alter the mode and place of enjoying the easement, provided that he does not thereby impose any additional burden on the servient heritage.

Right to alter mode of enjoyment.

Exception.—The dominant owner of a right of way cannot vary his line of passage at pleasure, even though he does not thereby impose any additional burden on the servient heritage.

Panjáb Record, 1867, p. 156.

Illustrations.

(*a*) A, the owner of a saw-mill, has a right to a flow of water sufficient to work the mill. He may convert the saw-mill into a corn-mill, provided that it can be worked by the same amount of water.

(*b*) A has a right to discharge on B's land the rain-water from the eaves of A's house. This does not entitle A to advance his eaves if, by so doing, he imposes a greater burden on B's land.

(*c*) A, as the owner of a paper-mill, acquires a right to pollute a stream by pouring in the refuse-liquor produced by making in the mill paper from rags. He may pollute the stream by pouring in similar liquor produced by making in the mill paper by a new process from bamboos provided that he does not substantially increase the amount, or injuriously change the nature, of the pollution.

(*d*) A, a riparian owner, acquires, as against the lower riparian owners, a prescriptive right to pollute a stream by throwing sawdust into it. This does not entitle A to pollute the stream by discharging into it poisonous liquor.

24. The dominant owner is entitled, as against the servient owner, to do all acts necessary to secure the full enjoyment of the easement; but such acts must be done at such time and in such manner as, without detriment to the dominant owner, to cause the servient owner as little inconvenience as possible; and the dominant owner must repair, as far as practicable, the damage (if any) caused by the act to the servient heritage.

Right to do acts to secure enjoyment.

Right to do acts necessary to secure the full enjoyment of an easement are called accessory rights.

Accessory rights.

Illustrations.

(*a*) A has an easement to lay pipes in B's land to convey water to A's cistern. A may enter and dig the land in order to mend the pipes, but he must restore the surface to its original state.

(*b*) A has an easement of a drain through B's land. The sewer with which the drain communicates is altered. A may enter upon B's land and alter the drain, to adapt it to the new sewer, provided that he does not thereby impose any additional burden on B's land.

(*c*) A, as owner of a certain house, has a right of way over B's land. The way is out of repair, or a tree is blown down and falls across it. A may enter on B's land and repair the way or remove the tree from it.

(*d*) A, as owner of a certain field, has a right of way over B's land. B renders the way impassable. A may deviate from the way and pass over the adjoining land of B, provided that the deviation is reasonable.

(*e*) A, as owner of a certain house, has a right of way over B's field. A may remove rocks to make the way.

(*f*) A has an easement of support from B's wall. The wall gives way. A may enter upon B's land and repair the wall.

(*g*) A has an easement to have his land flooded by means of a dam in B's stream. The dam is half swept away by an inundation. A may enter upon B's land and repair the dam.

25. The expenses incurred in constructing works, or making repairs, or doing any other act necessary for the use or preservation of an easement, must be defrayed by the dominant owner.

Liability for expenses necessary for preservation of easement.

26. Where an easement is enjoyed by means of an artificial work, the dominant owner is liable to make compensation for any damage to the servient heritage arising from the want of repair of such work.

Liability for damage from want of repair.

27. The servient owner is not bound to do anything for the benefit of the dominant heritage, and he is entitled, as against the dominant owner, to use the servient heritage in any way consistent with the enjoyment of the easement: but he must not do any act tending to restrict the easement or to render its exercise less convenient.

Servient owner not bound to do anything.

N. W. P. (1867), p. 191.

Illustrations.

(*a*) A, as owner of a house, has a right to lead water and send sewage through B's land. B is not bound as servient owner to clear the watercourse or scour the sewer.

(*b*) A grants a right of way through his land to B as owner of a field. A may feed his cattle on grass growing on the way, provided that B's right of way is not thereby obstructed; but he must not build a wall at the end of his land so as to prevent B from going beyond it, nor must he narrow the way so as to render the exercise of the right less easy than it was at the date of the grant.

(*c*) A, in respect of his house, is entitled to an easement of support from B's wall. B is not bound as servient owner to keep the wall standing and in repair, but he must not pull down or weaken the wall so as to make it incapable of rendering the necessary support.

(*d*) A, in respect of his mill, is entitled to a watercourse through B's land. B must not drive stakes so as to obstruct the watercourse.

(*e*) A, in respect of his house, is entitled to a certain quantity of light passing over B's land. B must not plant trees so as to obstruct the passage to A's windows of that quantity of light.

28. With respect to the extent of easements and the mode of their enjoyment, the following provisions shall take effect:—

Extent of easements.

An easement of necessity is co-extensive with the necessity as it existed when the easement was imposed.

Easement of necessity.

Mayor of London v. Riggs, 49, L. J. Chanc. 297.

The extent of any other easement and the mode of its enjoyment must be fixed with reference to the probable intention of the parties, and the purpose for which the right was imposed or acquired.

Other easements.

In the absence of evidence as to such intention and purpose—

(*a*) a right of way of any one kind does not include a right of way of any other kind:

Right of way.

(*b*) the extent of a right to the passage of light or air to a certain window, door or other opening, imposed by assurance or will, is the quantity of light or air that entered the opening at the time the assurance was made or the testator died:

Right to light or air acquired by grant.

(*c*) the extent of a prescriptive right to the passage of light or air to a certain window, door or other opening is that quantity of light or air which has been accustomed to enter that opening during the whole of the prescriptive period irrespectively of the purposes for which it has been used:

Prescriptive right to light or air.

(*d*) the extent of a prescriptive right to pollute air or water is the extent of the pollution at the commencement of the period of user on completion of which the right arose: and

Prescriptive right to pollute air and water.

(*e*) the extent of every other prescriptive right and the mode of its enjoyment must be determined by the accustomed user of the right.

Other prescriptive rights.

29. The dominant owner cannot, by merely altering or adding to the dominant heritage, substantially increase an easement.

Increase of easement.

Where an easement has been granted or bequeathed so that its extent shall be proportionate to the extent of the dominant heritage, if the dominant heritage is increased by alluvion, the easement is proportionately increased, and if the dominant heritage is diminished by diluvion, the easement is proportionately diminished.

Save as aforesaid, no easement is affected by any change in the extent of the dominant or the servient heritage.

Illustrations.

(*a*) A, the owner of a mill, has acquired a prescriptive right to divert to his mill part of the water of a stream. A alters the machinery of his mill. He cannot thereby increase his right to divert water.

(*b*) A has a prescriptive easement to pollute a stream by carrying on a manufacture on its banks by which a certain quantity of foul matter is discharged into it. A extends his works and thereby increases the quantity discharged. He is responsible to the lower riparian owners for injury done by such increase.

(*c*) A, as the owner of a farm, has a right to take, for the purpose of manuring his farm, leaves which have fallen from the trees on B's land. A buys a field and unites it to his farm. A is not thereby entitled to take leaves to manure this field.

30. Where a dominant heritage is divided between two or more persons, the easement becomes annexed to each of the shares, but not so as to increase substantially the burden on the servient heritage: provided that such annexation is consistent with the terms of the instrument, decree or revenue proceeding (if any) under which the division was made, and in the case of prescriptive rights, with the user during the prescriptive period.

Partition of dominant heritage.

Illustrations.

(*a*) A house to which a right of way by a particular path is annexed is divided into two parts, one of which is granted to A, the other to B. Each is entitled, in respect of his part, to a right of way by the same path.

(*b*) A house to which is annexed the right of drawing water from a well to the extent of fifty buckets a day is divided into two distinct heritages, one of which is granted to A, the other to B. A and B are each entitled, in respect of his heritage, to draw from the well fifty buckets a day; but the amount drawn by both must not exceed fifty buckets a day.

(*c*) A, having in respect of his house an easement of light, divides the house into three distinct heritages. Each of these continues to have the right to have its windows unobstructed.

31. In the case of excessive user of an easement the servient owner may, without prejudice to any other remedies to which he may be entitled, obstruct the user, but only on the servient heritage: provided that such user cannot be obstructed when the obstruction would interfere with the lawful enjoyment of the easement.

Obstruction in case of excessive user.

Illustration.

A, having a right to the free passage over B's land of light to four windows six feet by four, increases their size and number. It is impossible to obstruct the passage of light to the new windows without also obstructing the passage of light to the ancient windows. B cannot obstruct the excessive user.

CHAPTER IV.—THE DISTURBANCE OF EASEMENTS.

32. The owner or occupier of the dominant heritage is entitled to enjoy the easement without disturbance by any other person.

Right to enjoyment without disturbance.

Illustration.

A, as owner of a house, has a right of way over B's land. C unlawfully enters on B's land, and obstructs A in his right of way. A may sue C for compensation, not for the entry, but for the obstruction.

33. The owner of any interest in the dominant heritage, or the occupier of such heritage, may institute a suit for compensation for the disturbance of the easement or of any right accessory thereto; provided that the disturbance has actually caused substantial damage to the plaintiff.

Suit for disturbance of easement.

Explanation I.—The doing of any act likely to injure the plaintiff by affecting the evidence of the easement, or by materially diminishing the value of the dominant heritage, is substantial damage within the meaning of this section and section thirty-four.

Explanation II.—Where the easement disturbed is a right to the free passage of light passing to the openings in a house, no damage is substantial within the meaning of this section unless it falls within the first Explanation, or interferes materially with the physical comfort of the plaintiff, or prevents him from carrying on his accustomed business in the dominant heritage as beneficially as he had done previous to instituting the suit.

15 Bom. 68. *Explanation III.*—Where the easement disturbed is a right to the free passage of air to the openings in a house, damage is substantial within the meaning of this section if it interferes materially with the physical comfort of the plaintiff, though it is not injurious to his health.

Illustration.

(*a*) A places a permanent obstruction in a path over which B, as tenant of C's house, has a right of way. This is substantial damage to C, for it may affect the evidence of his reversionary right to the easement.

1 Calc. 425. (*b*) A, as owner of a house, has a right to walk along one side of B's house. B builds a verandah overhanging the way about ten feet from the ground, and so as not to occasion any inconvenience to foot-passengers using the way. This is not substantial damage to A.

34. The removal of the means of support to which a dominant owner is entitled does not give rise to a right to recover compensation, unless and until substantial damage is actually sustained.

When cause of action arises for removal of support.

35. Subject to the provisions of the Specific Relief Act, 1877, sections 52 to 57 (both inclusive), an injunction may be granted to restrain the disturbance of an easement—

Injunction to restrain disturbance.

(*a*) if the easement is actually disturbed,—when compensation for such disturbance might be recovered under this chapter:

(*b*) if the disturbance is only threatened or intended,—when the act threatened or intended must necessarily, if performed, disturb the easement.

36. Notwithstanding the provisions of section twenty-four, the dominant owner cannot himself abate a wrongful obstruction of an easement.

7 Mad. H. C. Ruling, XXXV.

Abatement of obstruction of easement.

CHAPTER V.—THE EXTINCTION, SUSPENSION AND REVIVAL OF EASEMENTS.

37. When, from a cause which preceded the imposition of an easement, the person by whom it was imposed ceases to have any right in the servient heritage, the easement is extinguished.

Extinction by dissolution of right of servient owner.

Exception.—Nothing in this section applies to an easement lawfully imposed by a mortgagor in accordance with section ten.

Illustrations.

(*a*) A transfers Sultánpur to B on condition that he does not marry C. B imposes an easement on Sultánpur. Then B marries C. B's interest in Sultánpur ends, and with it the easement is extinguished.

(*b*) A, in 1860, lets Sultánpur to B for thirty years from the date of the lease. B, in 1861, imposes an easement on the land in favour of C, who enjoys the easement peaceably and openly as an easement without interruption for twenty-nine years. B's interest in Sultánpur then ends, and with it C's easement.

(*c*) A and B, tenants of C, have permanent transferable interests in their respective holdings. A imposes on his holding an easement to draw water from a tank for the purpose of irrigating B's land. B enjoys the easement for twenty years. Then A's rent falls into arrear and his interest is sold. B's easement is extinguished.

(*d*) A mortgages Sultánpur to B, and lawfully imposes an easement on the land in favour of C in accordance with the provisions of section ten. The land is sold to D in satisfaction of the mortgage-debt. The easement is not thereby extinguished.

38. An easement is extinguished when the dominant owner releases it, expressly or impliedly, to the servient owner.

Extinction by release.

Such release can be made only in the circumstances and to the extent in and to which the dominant owner can alienate the dominant heritage.

An easement may be released as to part only of the servient heritage.

Explanation I.—An easement is impliedly released—

(*a*) where the dominant owner expressly authorizes an act of a permanent nature to be done on the servient heritage, the necessary consequence of which is to prevent his future enjoyment of the easement, and such act is done in pursuance of such authority;

(*b*) where any permanent alteration is made in the dominant heritage of such a nature as to show that the dominant owner intended to cease to enjoy the easement in future.

Explanation II.—Mere non-user of an easement is not an implied release within the meaning of this section.

Illustrations.

(*a*) A, B and C are co-owners of a house to which an easement is annexed. A, without the consent of B and C, releases the easement. This release is effectual only as against A and his legal representative.

(*b*) A grants B an easement over A's land for the beneficial enjoyment of his house. B assigns the house to C. B then purports to release the easement. The release is ineffectual.

(*c*) A, having the right to discharge his eavesdroppings into B's yard, expressly authorizes B to build over this yard to a height which will interfere with the discharge. B builds accordingly. A's easement is extinguished to the extent of the interference.

(*d*) A, having an easement of light to a window, builds up that window with bricks and mortar so as to manifest an intention to abandon the easement permanently. The easement is impliedly released.

(*e*) A, having a projecting roof by means of which he enjoys an easement to discharge eavesdroppings on B's land permanently alters the roof, so as to direct the rain-water into a different channel and discharge it on C's land. The easement is impliedly released.

39. An easement is extinguished when the servient owner, in exercise of a power reserved in this behalf, revokes the easement.

Extinction by revocation.

40. An easement is extinguished where it has been imposed for a limited period, or acquired on condition that it shall become void on the performance or non-performance of a specified act, and the period expires or the condition is fulfilled.

Extinction on expiration of limited period or happening of dissolving condition.

41. An easement of necessity is extinguished when the necessity comes to an end.

Extinction on termination of necessity.

Illustration.

A grants B a field inaccessible except by passing over A's adjoining land. B afterwards purchases a part of that land over which he can pass to his field. The right of way over A's land which B had acquired is extinguished.

42. An easement is extinguished when it becomes incapable of being at any time and under any circumstances beneficial to the dominant owner.

Extinction of useless easement.

43. Where by any permanent change in the dominant heritage the burden on the servient heritage is materially increased and cannot be reduced by the servient owner without interfering with the lawful enjoyment of the easement, the easement is extinguished, unless—

Extinction by permanent change in dominant heritage.

(*a*) it was intended for the beneficial enjoyment of the dominant heritage, to whatever extent the easement should be used; or

(*b*) the injury caused to the servient owner by the change is so slight that no reasonable person would complain of it; or

(*c*) the easement is an easement of necessity.

44. An easement is extinguished where the servient heritage is by superior force so permanently altered that the dominant owner can no longer exercise his right:

Extinction on permanent alteration of servient heritage by superior force.

Provided that, where a way of necessity is destroyed by superior force, the dominant owner has a right to another way over the servient heritage; and the provisions of section fourteen apply to such way.

Illustrations.

(*a*) A grants to B, as the owner of a certain house, a right to fish in a river running through A's land. The river changes its course permanently and runs through C's land. B's easement is extinguished.

(*b*) Access to a path over which A has a right of way is permanently cut off by an earthquake. A's right is extinguished.

45. An easement is extinguished when either the dominant or the servient heritage is completely destroyed.

Extinction by destruction of either heritage.

Illustration.

A has a right of way over a road running along the foot of a sea-cliff. The road is washed away by a permanent encroachment of the sea. A's easement is extinguished.

46. An easement is extinguished when the same person becomes entitled to the absolute ownership of the whole of the dominant and servient heritages. Bom. 365.

Extinction by unity of ownership.

Illustrations.

(*a*) A, as the owner of a house, has a right of way over B's field. A mortgages his house, and B mortgages his field to C. Then C forecloses both mortgages and becomes thereby absolute owner of both house and field. The right of way is extinguished.

(*b*) The dominant owner acquires only part of the servient heritage: the easement is not extinguished, except in the case illustrated in section forty-one.

(*c*) The servient owner acquires the dominant heritage in connection with a third person: the easement is not extinguished.

(*d*) The separate owners of two separate dominant heritages jointly acquire the heritage which is servient to the two separate heritages: the easements are not extinguished [illegible] the heritages the easement is extinguished.

(*f*) A single right of way exists over two servient heritages for the beneficial enjoyment of a single dominant heritage. The dominant owner acquires one only of the servient heritages. The easement is not extinguished.

(*g*) A has a right of way over B's road. B dedicates the road to the public. A's right of way is not extinguished.

47. A continuous easement is extinguished when it totally ceases to be enjoyed as such for an unbroken period of twenty years.

Extinction by non-enjoyment.

A discontinuous easement is extinguished when, for a like period, it has not been enjoyed, or the dominant owner has not registered, under the Indian Registration Act, 1877, a declaration of his intention to retain the easement.

Such period shall be reckoned, in the case of a continuous easement, from the day on which its enjoyment was obstructed by the servient owner, or rendered impossible by the dominant owner; and, in the case of a discontinuous easement, from the day on which it was last enjoyed by any person as dominant owner, or the day on which the dominant owner registered the said declaration.

Where an easement can be enjoyed only at a certain place, or at certain times, or between certain hours, or for a particular purpose, its enjoyment during the said period at another place, or at other times, or between other hours, or for another purpose, does not prevent its extinction under this section.

The circumstance that, during the said period, no one was in possession of the servient heritage,

or that the easement could not be enjoyed, or that a right accessory thereto was enjoyed, or that the dominant owner was not aware of its existence, or that he enjoyed it in ignorance of his right to do so, does not prevent its extinction under this section.

An easement is not extinguished under this section—

(*a*) where the cessation is in pursuance of a contract between the dominant and servient owners;

(*b*) where the dominant heritage is held in co-ownership, and one of the co-owners enjoys the easement within the said period, or

(*c*) where the easement is a necessary easement.

Where several heritages are respectively subject to rights of way for the benefit of a single heritage, and the ways are continuous, such rights shall, for the purposes of this section, be deemed to be a single easement.

Illustration.

A has, as annexed to his house, rights of way from the high road thither over the heritages X and Z and the intervening heritage Y. Before the twenty years expire, A exercises his right of way over X. His rights of way over Y and Z are not extinguished.

48. When an easement is extinguished, the rights (if any) accessory thereto are also extinguished.

Extinction of accessory rights.

Illustration.

A has an easement to draw water from B's well. As accessory thereto, he has a right of way over B's land to and from the well. The easement to draw water is extinguished under section forty-seven. The right of way is also extinguished.

49. An easement is suspended when the dominant owner becomes entitled to possession of the servient heritage for a limited interest therein, or when the servient owner becomes entitled to possession of the dominant heritage for a limited interest therein.

Suspension of easement.

50. The servient owner has no right to require that an easement be continued; and, notwithstanding the provisions of section twenty-six, he is not entitled to compensation for damage caused to the servient heritage in consequence of the extinguishment or suspension of the easement, if the dominant owner has given to the servient owner such notice as will enable him, without unreasonable expense, to protect the servient heritage from such damage.

Servient owner not entitled to require continuance.

Where such notice has not been given, the servient owner is entitled to compensation for damage caused to the servient heritage in consequence of such extinguishment or suspension.

Compensation for damage caused by extinguishment.

Illustration.

A, in exercise of an easement, diverts to his canal the water of B's stream. The diversion continues for many years, and during that time the bed of the stream partly fills up. A then abandons his easement, and restores the stream to its ancient course. B's land is consequently flooded. B sues A for compensation for the damage caused by the flooding. It is proved that A gave B a month's notice of his intention to abandon the easement, and that such notice was sufficient to enable B, without unreasonable expense, to have prevented the damage. The suit must be dismissed.

51. An easement extinguished under section forty-five revives (*a*) when the destroyed heritage is, before twenty years have expired, restored by the deposit of alluvion; (*b*) when the destroyed heritage is a servient building and before twenty years have expired such building is rebuilt upon the same site; and (*c*) when the destroyed heritage is a dominant building and before twenty years have expired such building is rebuilt upon the same site and in such a manner as not to impose a greater burden on the servient heritage.

Revival of easements.

An easement extinguished under section forty-six revives when the grant or bequest by which the unity of ownership was produced is set aside by the decree of a competent Court. A necessary easement extinguished under the same section revives when the unity of ownership ceases from any other cause.

A suspended easement revives if the cause of suspension is removed before the right is extinguished under section forty-seven.

Illustration.

A, as the absolute owner of field Y, has a right of way thither over B's field Z. A obtains from B a lease of Z for twenty years. The easement is suspended so long as A remains lessee of Z. But when A assigns the lease to C, or surrenders it to B, the right of way revives.

CHAPTER VI.—LICENSES.

52. Where one person grants to another, or to a definite number of other persons, a right to do, or continue to do, in or upon the immoveable property of the grantor, something which would, in the absence of such right, be unlawful, and such right does not amount to an easement or an interest in the property, the right is called a license.

"License" defined.

53. A license may be granted by any one in the circumstances and to the extent in and to which he may transfer his interests in the property affected by the license.

Who may grant license.

54. The grant of a license may be express or implied from the conduct of the grantor, and an agreement purporting to create an easement, which is ineffectual for that purpose, may operate to create a license.

Grant may be express or implied.

55. All licenses necessary for the enjoyment of any interest, or the exercise of any right, are implied in the constitution of such interest or right. Such licenses are called accessory licenses.

Accessory licenses annexed by law.

Illustration.

A sells the trees growing on his land to B. B is entitled to go on the land and take away the trees.

56. Unless a different intention is expressed or necessarily implied, a license to attend a place of public entertainment may be transferred by the licensee; but, save as aforesaid, a license cannot be transferred by the licensee or exercised by his servants or agents.

License when transferable.

Illustrations.

(*a*) A grants B a right to walk over A's field whenever he pleases. The right is not annexed to any immoveable property of B. The right cannot be transferred.

(*b*) The Government grant B a license to erect and use temporary grain-sheds on Government land. In the absence of express provision to the contrary, B's servants may enter on the land for the purpose of erecting sheds, erect the same, deposit grain therein and remove grain therefrom.

57. The grantor of a license is bound to disclose to the licensee any defect in the property affected by the license, likely to be dangerous to the person or property of the licensee, of which the grantor is, and the licensee is not, aware.

Grantor's duty to disclose defects.

58. The grantor of a license is bound not to do anything likely to render the property affected by the license dangerous to the person or property of the licensee.

Grantor's duty not to render property unsafe.

17 Q. B. 574.

59. When the grantor of the license transfers the property affected thereby, the transferee is not as such bound by the license.

Grantor's transferee not bound by license.

Gale 69.

60. A license may be revoked by the grantor, unless—

License when revocable.

Gale 65.

(*a*) it is coupled with a transfer of property and such transfer is in force:

(*b*) the licensee, acting upon the license, has executed a work of a permanent character and incurred expenses in the execution.

61. The revocation of a license may be express or implied.

Revocation express or implied.

Illustrations.

(*a*) A, the owner of a field, grants a license to B to use a path across it. A, with intent to revoke the license, locks a gate across the path. The license is revoked.

[redacted] A lets or sells the field to C. The license is revoked.

3 Kent 583.

62. A license is deemed to be revoked—

License when deemed revoked.

(*a*) when, from a cause preceding the grant of it, the grantor ceases to have any interest in the property affected by the license:

(*b*) when the licensee releases it, expressly or impliedly, to the grantor or his representative:

(*c*) where it has been granted for a limited period, or acquired on condition that it shall become void on the performance or non-performance of a specified act, and the period expires, or the condition is fulfilled:

(*d*) where the property affected by the license is destroyed or by superior force so permanently altered that the licensee can no longer exercise his right:

(*e*) where the licensee becomes entitled to the absolute ownership of the property affected by the license:

(*f*) where the license is granted for a specified purpose and the purpose is attained, or abandoned, or becomes impracticable:

(*g*) where the license is granted to the licensee as holding a particular office, employment or character, and such office, employment or character ceases to exist:

(*h*) where the license totally ceases to be used as such for an unbroken period of twenty years, and such cessation is not in pursuance of a contract between the grantor and the licensee:

(*i*) in the case of an accessory license, when the interest or right to which it is accessory ceases to exist.

63. Where a license is revoked, the licensee is entitled to a reasonable time to leave the property affected thereby and to remove any goods which he has been allowed to place on such property.

Licensee's rights on revocation.

L. R. 5 C. P. 334: L. R. 9 Q. B. 400.

64. Where a license has been granted for a consideration, [redacted] without any fault of his own, is evicted by the grantor before he has fully enjoyed, under the license, the right for which he contracted, he is entitled to recover compensation from the grantor.

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 20th July, 1881, and was referred to a Select Committee :—

No. 15 OF 1881.

THE INDIAN EMIGRATION BILL, 1881.

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SCHEDULE I.—PLACES TO WHICH EMIGRATION IS LAWFUL.

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A Bill to amend the law relating to the Emigration of Natives of India.

WHEREAS it is expedient to amend the law relating to the emigration of natives of India; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The Indian Emigration Act, 1881"; and shall come into force at once. Short title. Commencement. Act VII of 1871, s. 1.

It extends to the whole of British India; Local extent.

But nothing in this Act or in any rule made hereunder shall apply to any vessel belonging to or hired by Her Majesty or the Secretary of State for India in Council. Exemption of certain vessels. Act VII of 1871, s. 86

2. The Indian Emigration Act, 1871, and Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) are hereby repealed. Repeal of Acts. Act VII of 1871, s. 2.

All notifications issued, contracts entered into, rules and appointments made and licenses granted under the former Act and now in force shall (so far as they are consistent herewith) be deemed to have been respectively issued, entered into, made and granted under this Act. Notifications, &c., under Act VII of 1871.

3. In this Act, unless there is something repugnant in the subject or context,— Act VII of 1871, s. 3.

"Emigrate" denotes the departure by sea out of British India of a native of India under a contract to labour for hire otherwise than as a menial servant in some country beyond the limits of India, other than the island of Ceylon or the Straits Settlements, and it also denotes the departure by sea out of British India of dependents of persons so departing. "Emigrate:"

"Emigrant" means any native of India emigrating, or intending to emigrate, or who has emigrated, within the meaning of the above definition: and "Emigrant";

"Emigration" means the act of emigrating within the meaning of the above definition: "Emigration";

"Magistrate" means a Magistrate of a district, a Magistrate of a division of a district, or any other person appointed by the Local Government to perform the functions of a Magistrate under this Act: "Magistrate"; Act V of 1877, s. 3.

"Vessel" includes anything made for the conveyance by water of human beings or property: "Vessel"; Act VII of 1871, s. 3.

"Master" means any person (except a Pilot or Harbour Master) having for the time being the charge or control of a vessel. "Master." New.

And all words defined in the Indian Contract Act, 1872, and used in this Act shall have the meanings respectively assigned to them by that Act. Words to be understood as defined in Contract Act.

CHAPTER II.

PORTS FROM WHICH, AND PLACES TO WHICH, EMIGRATION IS LAWFUL.

New.

4. No person shall emigrate except from such ports and to such places as under this Act and the notifications issued hereunder are for the time being ports from which and places to which emigration is lawful.

Emigration unlawful except from and to certain ports and places.

Act VII of 1871, s. 26, amended with Act V of 1877, s. 3.

5. Emigration shall be lawful from the ports of Calcutta, Madras and Bombay, and from such other ports as the Governor General in Council may, from time to time, by a notification in the *Gazette of India*, declare to be ports from which emigration under this Act shall be lawful.

From what ports emigration lawful.

The Governor General in Council may at any time, by a like notification, revoke any notification issued under this section.

The Local Government may, from time to time, by notification in the official Gazette, fix for the purposes of this Act the limits of any port from which emigration is lawful.

Act VII of 1871, s. 23.

6. Emigration shall be lawful to the places specified in the first schedule hereto annexed and to such other places as the Governor General in Council may from time to time, by a notification in the *Gazette of India*, declare to be places to which emigration under this Act shall be lawful:

To what places emigration lawful.

Act VII of 1871, s. 24.

Provided that every such notification shall contain a declaration that the Governor General in Council has been duly certified that the Government of the place to which the notification refers has made such laws and other provisions as the Governor General in Council thinks sufficient for the protection of emigrants to such place during their residence therein.

Act VII of 1871, ss. 57, 58 & 61, redrawn and amalgamated.

7. Whenever the Governor General in Council has reason to believe that any of the grounds, hereinafter mentioned, for prohibiting emigration to any place to which emigration is lawful exists, he may, by a notification published in the *Gazette of India*, declare that emigration to such place shall cease to be lawful from a day specified in such notification; and from such day emigration to such place shall accordingly cease to be lawful.

Power to prohibit emigration to place to which it is lawful.

The said grounds are—

(*a*) that the plague or any other epidemic disease dangerous to human life has broken out in such place;

New.

(*b*) that the mortality among emigrants in such place is excessive;

(*c*) that proper measures have not been taken for the protection of emigrants immediately upon their arrival in such place, or during their residence therein;

(*d*) that the contracts made with emigrants, as such, before their departure from India are not duly enforced by the Government of such place; and

New.

(*e*) that the Governor General in Council, having, either directly or through the Secretary of State for India in Council, addressed the Government of such place with a view to obtain information regarding the condition or treatment of emigrants in such place, has not within a reasonable time received such information.

8. Whenever the Local Government has reason to believe that, in any place to which emigration is lawful, the plague or other epidemic disease dangerous to human life has broken out, and that emigrants, if allowed to emigrate to such place, would be exposed to serious risk of life on arrival there, it may, by notification published in the official Gazette, declare that emigration to such place from any port in the territories administered by such Local Government shall cease to be lawful pending a reference to the Governor General in Council.

A new section taken from 61 of Act VII of 1871.

New.

Power to suspend emigration pending reference to Governor General in Council.

The Local Government shall at once report the publication of such notification, with the reasons for the same, to the Governor General in Council, who shall thereupon publish a notification in the *Gazette of India* confirming or cancelling the notification so published by the Local Government.

9. Whenever the Governor General in Council is satisfied that the ground on which a notification has been published by him under section seven, prohibiting emigration to any place, or under section eight, confirming such a prohibition, has ceased to exist, he may, by a notification published in the *Gazette of India*, declare that emigration to such place shall again be lawful from a day to be specified in such notification.

Act VII of 1871, s. 60, redrawn.

Revocation of prohibition.

10. The publication of a notification under section seven, section eight or section nine shall not affect any act done, offence committed or proceedings commenced before such publication.

Act VII of 1871, s. 58.

Notifications under sections 7, 8 and 9 not to affect prior acts, &c.

CHAPTER III.

EMIGRATION AGENTS.

11. The Government of every place to which emigration is lawful may, from time to time, appoint a person to be Emigration Agent in any port from which emigration is lawful, and may suspend or remove any person so appointed.

Act VII of 1871, s. 4.

Appointment of Emigration Agents.

No such appointment shall take effect until it has received the approval of the Local Government, to be declared by a notification in the official Gazette;

and the Local Government may, at any time, if it thinks fit, by a like notification revoke its approval of the appointment of any person under this section; and from the date of such notification such person shall cease to be an Emigration Agent.

New.

12. The remuneration to be given to Emigration Agents shall not depend upon, or be regulated by, the number of emigrants sent by such Agents, but shall be in the nature of a fixed annual salary.

Act VII of 1871, s. 5.

Remuneration of Agents.

CHAPTER IV.

PROTECTORS OF EMIGRANTS AND MEDICAL INSPECTORS.

13. The Local Government shall from time to time appoint Protectors of Emigrants for such local areas whether within the territories administered by such Government, or by any other Local Government, as it thinks fit:

Act VII of 1871, s. 6, and Act V of 1877, s. 5.

Appointment of Protectors of Emigrants.

Provided that the Local Government shall not, except with the previous sanction of the Governor General in Council, appoint a Protector of Emigrants for any local area within the territories administered by any other Local Government.

Every Protector of Emigrants may be suspended or removed by the Local Government which appointed him.

Act VII of 1871, s. 8, and Act III of 1876, s. 6.

14. Every Protector of Emigrants, in addition to the special duties hereinafter assigned to him, shall—

General duties of Protector.

(*a*) protect and aid with his advice all emigrants;

(*b*) cause, so far as he can, all provisions of this Act to be complied with;

(*c*) inspect, on arrival, all vessels bringing return-emigrants to the port at which he is Protector;

(*d*) enquire into the treatment received by such return-emigrants both during the period of their service in the place to which they emigrated, and also during the return voyage, and report thereon to the Local Government;

(*e*) aid and advise such return-emigrants so far as he reasonably can.

Act VII of 1871, s. 9, and Act III of 1876, s. 4, para. 2.

15. The Local Government shall from time to time appoint a Medical Inspector of Emigrants at each port from which emigration is lawful, and may suspend or remove him.

Appointment of Medical Inspector.

Act VII of 1871, s. 15, revised.

16. Every Emigration Agent, and all persons in charge of, or employed in, any depôt established under this Act, or any vessel the Master of which is licensed to carry emigrants as hereinafter provided, shall give the Protector of Emigrants and the Medical Inspector of Emigrants every facility for making such inspections, examinations and surveys as are required by this Act, or as such officers may deem necessary or proper, and shall afford them all such information as they may reasonably require.

Protector and Medical Inspector to have facilities for inspection.

CHAPTER V.

EMIGRATION DEPÔTS.

Act VII of 1871, s. 10.

17. Every Emigration Agent shall establish at the port for which he is appointed a suitable depôt for the reception and lodging of emigrants previous to embarkation for the place for which he is Emigration Agent, and shall provide all necessary food and clothing for all emigrants during their stay at such depôt.

Depôts to be established at ports of embarkation.

New.

18. No such depôt shall be used for the reception and lodging of emigrants until it has been inspected and approved of by the Protector of Emigrants and the Medical Inspector of Emigrants, and a license for the use thereof has been granted by such Protector.

Act VII of 1871, s. 11.

Licensing of depôts.

No depôt shall be licensed unless sufficient provision has, in the opinion of such Protector and Medical Inspector, been made therein for treating the sick.

For every such license there shall be paid to the Protector by the Emigration Agent a fee of fifteen rupees.

No such license shall be granted for a longer period than one year from the date thereof;

and any such license may at any time be cancelled by the Protector of Emigrants, if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or if the Emigration Agent fails to comply with any of the requirements of this Act or of the rules made hereunder.

Act VII of 1871, s. 12.

19. The Protector of Emigrants and the Medical Inspector shall, from time to time, and at least once in every week during which any emigrants may be kept in any depôt at the port for which they are Protector and Medical Inspector respectively, inspect the emigrants in such depôt, and examine the state of the depôt and the manner in which the emigrants therein are lodged, fed, clothed and otherwise provided for and attended to.

Inspection by Protector and Medical Inspector.

Act VII of 1871, s. 13.

20. The Medical Inspector shall report to the Protector of Emigrants any circumstance that may come to his knowledge showing that any depôt is not suitable for its purpose, or that the emigrants lodged therein are treated with any oppression or neglect.

Report by Medical Inspector.

See Act III of 1876, s. 25.

21. The Medical Inspector may, if he thinks fit, direct any emigrant suffering from any disease likely to be dangerous to his neighbours to be isolated or excluded from the depôt.

Treatment of emigrant suffering from disease.

Any person so suffering may, if the Medical Inspector thinks fit, be removed to a proper hospital for treatment at the expense of the Emigration Agent; and the expenses of his removal and treatment in such hospital shall be recoverable from the Emigration Agent by the Protector of Emigrants together with interest thereon at the rate of six per cent. per annum from the date of payment.

CHAPTER VI.

RECRUITERS AND SUB-AGENTS OF EMIGRATION.

Act VII of 1871, s. 16, revised.

22. The Protector of Emigrants at each of the ports from which emigration is lawful shall, on the application of the Emigration Agent for any place to which emigration is lawful, grant licenses to so many fit persons as to such Protector seems necessary, to be recruiters of emigrants for such place as he thinks fit, within the whole or any specified part of the local area for which such Protector has been appointed;

Protector of Emigrants to license recruiters.

and, except as hereinafter provided, no person not possessing such a license shall enter into or attempt to enter into any agreement with any person purporting to bind him to emigrate, or shall induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or shall act or be employed in any other respect as a recruiter of emigrants.

See Act III of 1876, s. 10.

23. Every license granted to a recruiter under section twenty-two shall specify the particular place for which, and the local area within which, the holder is licensed to recruit, and may be in the form set forth in the second schedule hereto annexed.

Form of license.

Act VII of 1871, s. 19.

For every such license there shall be paid to the Protector of Emigrants a fee of fifteen rupees.

Fee for license.

Act VII of 1871, s. 18, revised.

24. No such license shall be in force for a longer period than one year from the date thereof; and, in case of misconduct on the part of the licensee, the Protector of Emigrants granting any such license may, before the expiration of the period for which it was granted, cancel the same.

Period for which license to remain in force.

New.

25. Every recruiter shall be furnished by the Emigration Agent on whose application he was licensed, with a written or printed statement, under the hand of such Agent, of the terms of contract which he is authorized to offer on behalf of such Agent to intending emigrants.

Recruiter to be furnished with statement of terms of contract he is authorized to offer.

Such statement shall be both in English and in the vernacular language or languages of the local area to which the recruiter's license extends.

The recruiter shall be bound to produce such statement for the information of any person whom he may invite to emigrate, or when called upon by any Magistrate before whom any such person may be brought for registration as hereinafter provided.

Act VII of 1871, s. 21, revised.

26. No recruiter shall, in any local area beyond the limits of a port from which emigration is lawful, enter, or attempt to enter, into any agreement with any person purporting to bind him to emigrate, or shall induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or shall act or be employed in any other respect as a recruiter of emigrants, unless his license bears the countersignature of a Magistrate having jurisdiction throughout such local area.

Countersignature of recruiter's license.

Act III of 1876, s. 12, and Act V of 1877, s. 13.

No such Magistrate shall countersign a recruiter's license unless and until he has satisfied himself, by such enquiry as he thinks fit, that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act, and that sufficient and proper accommodation has been provided in a suitable place and is available for such intending emigrants as may be collected by such recruiter pending their removal to the depôt at the port of embarkation.

New.

27. Every Magistrate shall have, for the supervision, management and regulation of the premises where such accommodation is provided, the same powers as are by this Act conferred on a Protector of Emigrants in respect of depôts at the port of embarkation.

Magistrate to supervise accommodation.

The premises where such accommodation is provided shall have a board fixed in some conspicuous position, specifying the purpose for which the premises are used.

Any Magistrate may authorize any Magistrate subordinate to him or any officer of Police above the rank of Sub-Inspector to visit and inspect such places at any time; and all recruiters or other persons in charge of such places shall afford such subordinate Magistrates and officers of Police every facility for making such visits and inspections.

Act III of 1876, s. 12, and Act V of 1877, s. 13.

28. If any Magistrate who has countersigned a recruiter's license afterwards finds reason to think that the licensee is, by character or from any other cause, unfitted to be a recruiter under this Act, or that the accommodation provided for the emigrants as aforesaid has become unsuitable or has ceased to be available, he may require the licensee to produce his license, and may cancel the countersignature thereon:

Magistrate may cancel countersignature in certain cases.

or the Magistrate may impound the license and send it for cancellation to the Protector of Emigrants who granted the same.

Adapted Act III of 1876, s. 12, and Act V of 1877, s. 13.

29. Every Magistrate refusing to countersign a recruiter's license or cancelling the countersignature thereon shall at once report such refusal or cancellation, and the grounds of it, to the Protector of Emigrants who granted such license.

Notice to Protector of Emigrants of refusal to countersign or cancelling of countersignature.

New.

30. Whenever any Emigration Agent desires that any authority for the collection of emigrants, the payment or supervision of recruiters, or the conduct of any other proceeding connected with recruiting or the despatch of emigrants to the port of embarkation at which he is Agent, should be conferred on any person within any local area beyond the limits of such port, he may nominate the person on whom he desires that such authority should be conferred, and specify the authority which he proposes should be conferred on such nominee and the local area within which it is to be exercised.

Emigration Agent may nominate person to be Sub-Agent.

New.

31. The Protector of Emigrants shall, on receiving notice from the Emigration Agent of any such nomination, report the same, with his opinion as to the character and fitness of the nominee, to the Local Government of the place where the authority proposed to be conferred upon such nominee is to be exercised; and such Local Government shall, if satisfied as to the character and fitness of the nominee, grant him a license to exercise such authority within the local area so specified.

Power to license person so nominated.

Every person so licensed is hereinafter called a Sub-Agent.

For every such license a fee of thirty rupees shall be paid to the Protector of Emigrants.

No such license shall be in force for a longer period than one year from the date thereof; and, in case of misconduct on the part of a Sub-Agent, the Local Government granting his license may cancel the same before the expiration of the period for which it was granted.

New

32. The remuneration to be given to Sub-Agents shall not depend upon, or be regulated by, the number of emigrants collected or despatched by them, but shall be in the nature of a fixed annual salary.

Remuneration of Sub-Agent.

CHAPTER VII.

AGREEMENTS WITH EMIGRANTS.

33. Every agreement to emigrate entered into by an emigrant shall—

Execution of contracts.

(*a*) be in writing;

(*b*) be executed in triplicate on substantial paper; and

(*c*) if made within the limits of any port from which emigration is lawful, be made with the Emigration Agent at such port and executed in the presence of the Protector;

if made elsewhere, be made with a recruiter and executed in the presence of a Magistrate.

Act VII of 1871, s. 22.

No such agreement shall be of any effect until it has been attested in manner hereinafter provided.

34. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter in manner herein provided into an agreement to emigrate to any place to which emigration is lawful.

Persons of sixteen years of age may contract to emigrate.

35. Any person entering into an agreement to emigrate and being the parent or guardian of a child under the age of sixteen years and above the age of six years may, in the name of and in behalf of such child, enter into an agreement in manner herein provided binding such child to emigrate with him.

Power to contract in behalf of child or ward.

Such agreement shall bind, and be enforceable on behalf of, such child in the same way as it would have been if, being of full age, he had executed it himself, but may be rescinded by such child at any time within the thirty days next following the completion of his age of eighteen years.

36. No agreement to emigrate shall be enforceable against the emigrant entering into it unless it—

Essentials of contract.

See Act III of 1876, s. 18, and Act V of 1877, s. 14.

(*a*) is executed by the recruiter or Emigration Agent on behalf of some specified employer in the place to which the emigrant agrees to emigrate or on behalf of some employer to be specified by the Government of such place on the emigrant's arrival there;

(*b*) states the name, name of the father, caste, occupation and age of such emigrant, and the name of the village or place of which such emigrant is a resident;

(*c*) states the port of embarkation, the period of service, the nature of the labour to be performed by such emigrant, the number of days on which he shall be required to labour in each week, and the hours in each day during which he shall be bound to labour without extra remuneration;

(*d*) specifies the monthly or daily wages in money to be paid to such emigrant for such labour as aforesaid;

(*e*) states the dependents, if any, accompanying such emigrant;

(*f*) where the Government of the place to which the emigrant agrees to emigrate is bound to provide him and his dependents (if any) with a free return-passage, provides for such passage and expresses the conditions (if any) on which, and the term of service or residence, or both, after which, he will be entitled to such passage, and the terms on which he may relinquish his right to the same.

The number of days on which an emigrant shall be bound to labour in each week shall not exceed six, and the hours during which he shall be bound, without extra remuneration, to labour in each day shall not exceed nine and a half.

CHAPTER VIII.

ATTESTATION OF AGREEMENTS AND REGISTRATION OF EMIGRANTS.

Act VII of 1871, s. 27 (first clause).

37. Every recruiter or Emigration Agent who desires to engage any person to emigrate shall appear before a Magistrate or the Protector of Emigrants (as the case may be) with such person and with any persons about to emigrate as dependents of such person and shall produce the agreement prescribed by sections thirty-three and thirty-six.

Persons contracting to emigrate to appear before Magistrate.

Act VII of 1871, s. 27 (second clause), revised.

38. The Magistrate or Protector shall thereupon examine such person apart from the recruiter or Emigration Agent with reference to his agreement;

Attestation, examination and registration.

and if it appears that he is competent to enter into such agreement and understands the nature of the same, that he has not been induced to accede to the same by any coercion, undue influence, fraud, misrepresentation or mistake, that the terms thereof are in conformity with law and, when the agreement is with a recruiter, are such as, according to the statement furnished to the recruiter under section twenty-five, he was authorized to offer, shall call upon the recruiter or Emigration Agent and the emigrant to execute such agreement in his presence, and, if they execute it, shall attest such execution with his signature,

and shall register in a book to be kept for the purpose, in such form as the Local Government prescribes, the name of the recruiter or Agent, the names of the emigrant and his father, the caste, occupation, age and residence of the emigrant, the names of the persons (if any) about to emigrate as dependents of the emigrant, the depôt to which he is to proceed, and such other particulars as the Local Government may, from time to time, prescribe.

The agreement shall thereupon be deemed to be a contract.

Act VII of 1877, ss. 28, 30.

One copy of every agreement, the execution of which is attested under this section, shall be delivered to the Emigration Agent or to the recruiter for transmission to the Emigration Agent, another shall be delivered to the emigrant, and the third shall be retained by the Protector or sent by the Magistrate to him.

The Magistrate or Protector shall also, at the time he attests the execution of any agreement under this section, call upon the intending emigrant to state who, to the best of his knowledge, are the persons who, were he to die at once, would be entitled to succeed to his property, and shall record in the register any statement made by such emigrant on this point.

See Act VII of 1871, s. 27 (third clause).

39. Notwithstanding anything contained in section thirty-eight, the Magistrate or Protector shall refuse to attest the execution of any agreement if he finds—

Grounds for refusing to attest agreement.

New.

(*a*) that the emigrant entering into such agreement is a resident of a place beyond the limits of the jurisdiction of the Magistrate or of the local area to which the Protector has been appointed, and that no satisfactory explanation is offered of the reason why such agreement was not presented for attestation at such place;

New.

(*b*) that any emigrant comprised in such agreement, being such a person as, under

the Code of Criminal Procedure, might be ordered to maintain his wife or child, proposes to leave his wife or child behind him in India and has not made such provision as such Magistrate or Protector thinks suitable for the maintenance of such wife or child;

New. (*c*) that any emigrant comprised in such agreement is a married woman, and that her husband does not consent to her emigrating.

Act V of 1877, s. 19.

40. When any person appears before a Magistrate or Protector under section thirty-seven as a dependent of an emigrant, the Magistrate or Protector shall, if such person is able to give intelligent answers to questions, examine him apart from the recruiter or Emigration Agent as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

Examination of dependent.

Where the Magistrate or Protector sees reason to doubt the existence of such dependence or willingness, he may, if he thinks fit, refuse to attest the agreement unless the name of such dependent is omitted therefrom.

See Act V of 1877, s. 18, last clause.

41. Whenever the Magistrate or Protector refuses to attest under section thirty-eight the execution of any agreement he shall record his reasons for such refusal; and in order to satisfy himself whether he should or should not so refuse, he may, from time to time, adjourn the examination under section thirty-eight or section forty.

Reasons for refusing to attest agreement to be recorded.

See Act V of 1877, s. 17.

42. The Local Government may, from time to time, by notification in the official Gazette, direct that, in the case of any specified local area beyond the limits of the port of embarkation, no emigrant shall be brought before the Magistrate for the purpose of being registered under section thirty-eight until he has been examined by a competent medical officer appointed by the Local Government in this behalf, and such officer has certified that such emigrant is in a fit state of health and able in point of physical condition to proceed to the port of embarkation.

Power to direct medical examination of emigrant before leaving district.

Where any such direction is made, no Magistrate shall attest the execution of any agreement under this Act until, in respect of every emigrant comprised therein, such certificate from such medical officer as aforesaid has been produced and shewn to him.

For the examination of every such emigrant the medical officer making it shall be entitled to receive from the recruiter such fee as the Local Government may, from time to time, prescribe.

New.

43. The Protector shall not attest the execution of any agreement under section thirty-eight until the Medical Inspector has certified that every emigrant comprised in such agreement is in a fit state of health to undertake the journey to the place to which he is to emigrate.

Protector when to attest agreement.

New.

44. No recruiter shall remove or attempt to remove any emigrant to a depôt, or induce or attempt to induce him to go to a depôt or leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned, or aid him in going to any depôt, or leaving any such local limits, until such emigrant has been registered under section thirty-eight.

Recruiter when to remove intending emigrant to depôt.

45. For the attestation of every agreement under section thirty-eight the recruiter or Emigration Agent shall pay the fee specified below, that is to say:—

Fee for attestation of agreement.

	Rs.	A.
For every emigrant of the age of sixteen years and upwards contracting to labour ...	1	8
For every emigrant between the ages of six and sixteen years contracting to labour ...	1	0

See Act V of 1877, s. 31.

See Act VII of 1871, s. 31 (first clause), revised.

N.B.—The second clause of section 31, Act VII of 1871, providing for refund of registration-fee on desertion, has been omitted.

CHAPTER IX.

CONVEYANCE OF EMIGRANTS TO DEPÔTS.

46. Every emigrant shall, after he has been registered as hereinbefore provided, be conveyed with all convenient despatch to the depôt established at the port of embarkation by the Emigration Agent of the Government of the place to which such emigrant has contracted to emigrate.

Conveyance of emigrant to depôt.

See Act VII of 1871, s. 33.

Act VII of 1871, s. 32.

When any such emigrants have been registered at a place beyond the limits of such port, they shall, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself or by a competent person appointed by him with the approval of the Magistrate by whom they have been registered.

Certain emigrants to be accompanied by recruiter or other person approved of by Magistrate.

See Act VII of 1871, s. 34.

The Magistrate shall give to the person so appointed a certificate under his signature stating that he has been appointed for the journey to the depôt; and the recruiter or the person so appointed shall throughout the journey provide the emigrants with proper and sufficient food and lodging.

47. When, in the case of any emigrant, the provisions of section forty-six are not complied with, the Magistrate by whom such emigrant has been registered may order the Emigration Agent or the recruiter by whom the emigrant was recruited at once to pay such emigrant such reasonable sum as is necessary to enable him to return to the place where he resided, and may take any steps he may think necessary for sending the emigrant back to such place.

Power to order payment of expenses of emigrant when he is not conveyed to depôt.

See Act VII of 1871, s. 37, read with Act V of 1877, s. 35.

48. If the Magistrate has passed an order under section forty-seven with regard to any emigrant, any emigrant registered as a dependent of such emigrant, or any emigrant, not a dependent, who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may claim to be sent back at the expense of the Emigration Agent or recruiter with such emigrant to the place where he resided; and the Magistrate may include such expense in an order made under section forty-seven with regard to such emigrant.

Expenses of dependents and certain other persons.

49. On failure of such Emigration Agent or recruiter for twenty-four hours to comply with an order of the Magistrate for the payment of any sum ordered to be paid under section forty-seven or forty-eight, the

Failure of Emigration Agent, &c., to pay such expenses.

Magistrate may pay the same to or on behalf of the emigrant.

Every sum so paid shall be recoverable from such Emigration Agent or recruiter with interest thereon at the rate of six per cent. per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Magistrate gave such Emigration Agent or recruiter an order to pay such sum, and that the Emigration Agent or recruiter for twenty-four hours failed to comply with such order.

CHAPTER X.

PROCEDURE ON ARRIVAL AT THE DEPÔT OF EMIGRANTS FROM UP-COUNTRY.

50. The arrival at a depôt of each emigrant registered at any place beyond the limits of the port shall immediately be reported by the person in charge of such depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

Arrival at depôt to be reported.

51. The copy of the contract received by the recruiter from the Magistrate shall, as soon as conveniently may be after the arrival of the emigrant at the depôt, be shown to the Medical Inspector of Emigrants; and each emigrant comprised in such contract shall be examined by the Medical Inspector to ascertain whether he is fit, having regard to his age and state of health, to undertake the journey to the place to which he has contracted to emigrate.

Copy of contract to be shown to Medical Inspector.

Emigrant to be examined by him.

The Medical Inspector, if satisfied of his fitness, shall give a certificate to that effect to the Emigration Agent; and if not so satisfied he shall give a certificate to that effect to the Protector of Emigrants.

52. The Protector of Emigrants, on receiving the report of arrival mentioned in section fifty, shall, as soon as may be, examine in the presence of the Emigration Agent each emigrant as to the mode in which he has been treated on his journey to the depôt, and as to any other matters which the Protector of Emigrants may think it necessary to enquire into, and shall, at the same time, peruse the contract.

Duty of Protector on arrival of emigrants.

See Act VII of 1871, s. 37, read with Act V of 1877, s. 35.

If, owing to the contract not being in accordance with law, or for any other reason, further enquiry appears to him necessary, he shall at once make such enquiry.

If for any reason the Protector is unable to visit the depôt for the purposes of this section within seventy-two hours of the emigrant's arrival there, he shall at once report the circumstances for the information of the Local Government.

53. If the Medical Inspector gives a certificate of fitness under section fifty-one and in the opinion of the Protector of Emigrants there is no valid reason why the contract to emigrate should not be performed, the Protector shall countersign the copy of the contract in the possession of the emigrant.

Countersignature of copy of contract.

See Act VII of 1871, s. 36, read with Act V of 1877.

54. If the Medical Inspector of Emigrants, on making the examination required by section fifty-one, or at any subsequent time during the stay at the depôt of any emigrant registered at any place beyond the limits of the port, finds that such emigrant is or has become unfit to undertake the intended voyage, and if the Protector of Emigrants considers that such emigrant has not dishonestly represented himself as fit to undertake such voyage;

Power to order payment of expenses of return of emigrant.

Section 35, Act VII of 1871, and section 27 of Act V of 1877.

or if the Protector, on making the examination and perusing the contract as directed by section fifty-two, finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any such emigrant as makes it just to rescind the contract to emigrate;

or if the Emigration Agent refuses to fulfil the contract entered into with such emigrant,

the Protector may order the Emigration Agent at once to pay such emigrant such reasonable sum as is necessary to enable him to return to the place at which he resides and such further sum as such Protector may deem reasonable as compensation, and may take any other steps he thinks necessary for the conveyance of the emigrant to such place.

And any emigrant who from his state of health is, in the opinion of the Medical Inspector of Emigrants, unfit to undertake such return-journey shall be entitled to be fed, lodged, clothed and attended to at the depôt at the port of embarkation at the expense of the Emigration Agent, until he is reported by the Medical Inspector fit to undertake such return-journey.

Section 35, Act V of 1877.

55. When any order is made under section fifty-four with reference to any [illegible] emigrant, any emigrant registered as his dependent,

or any emigrant not a dependent who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may claim—

(1) to be conveyed at the expense of the Emigration Agent with such emigrant to the place at which he resided; and

(2) if such emigrant is unable to travel, to be lodged, fed and clothed in the depôt at the expense of the Emigration Agent until such emigrant is able to travel;

and the Protector may include such expenses in an order made under section fifty-four with respect to such emigrant.

56. If, upon the arrival at the depôt of any emigrant registered beyond the limits of the port it appears that during the journey to the depôt he has suffered any ill-treatment, or that the recruiter has failed to provide him with proper and sufficient food and lodging, the Protector of Emigrants may order the Emigration Agent to pay him a reasonable sum by way of compensation.

Compensation to emigrant for ill-treatment on journey.

Act V of 1877, s. 30.

57. On failure of such Emigration Agent for twenty-four hours to comply with an order of the Protector for the payment of any sum ordered to be paid under section fifty-four, fifty-five or fifty-six, the Protector may pay the same to, or on behalf of, the emigrant,

Failure of Emigration Agent to pay such expenses.

S. 31 of Act V of 1877. Cf. Act VII of 1871, s. 36.

The provisions of section forty-nine relating to the recovery of sums paid by the Magistrate under sections forty-seven and forty-eight shall *mutatis mutandis* apply to the recovery of sums paid by the Protector under this section.

CHAPTER XI.

EMIGRANT VESSELS.

Act VII of 1871, s. 40.

58. It shall not be lawful to receive any emigrant on board any vessel unless a license to carry emigrants in such vessel has been obtained from the Local Government. The granting or withholding any such license shall be in the discretion of the Local Government.

Emigrants not to be received on board unlicensed vessel.

The Master or owner of any vessel who desires to obtain a license to carry emigrants in such vessel shall apply in writing through the Protector of Emigrants to the Local Government for such license.

Application for license.

Every such application shall state the number of adult emigrants which, according to the rules regarding space hereinafter contained, the applicant deems the vessel capable of carrying, and the tonnage and such other particulars respecting the vessel as the Local Government may, from time to time, prescribe.

Contents of application.

Act VII of 1871, s. 40 (4).

59. The Protector of Emigrants shall cause the vessel to be surveyed by a competent person at the cost of the Master or owner, with a view to ascertain her seaworthiness and the extent and nature of her accommodation for emigrants, and to ascertain that she is properly ventilated, and is supplied with all the tackle, apparel and furniture requisite for her intended voyage.

Survey of vessel.

The Protector of Emigrants shall make a full report on the survey to the Local Government; and if such Government is of opinion that the vessel is in all respects suitable for the carrying of emigrants under this Act, it shall give to the Master of the vessel a license to carry emigrants therein specifying the number of emigrants which may be received on board.

Report after survey and license to Master.

Act VII of 1871, s. 41.

60. No license under section fifty-nine shall be granted unless—

Accommodation required on board.

(*a*) there is provided for the emigrants, either between-decks or in cabins on the upper deck, firmly secured and entirely covered in, a space devoted to their exclusive use having in every part a height of not less than six feet;

(*b*) a separate place is fitted up for a hospital;

(*c*) such arrangements are made for the separation of women (married or single) and children from the other emigrants as may be prescribed by the rules made under this Act.

Act VII of 1871, s. 41.

61. Every vessel shall contain within the space referred to in clause (*a*), section sixty, at least twelve superficial feet and seventy-two cubic feet of space for each passenger:

Rules as to space.

Provided that two emigrants under the age of ten years shall for the purposes of this section count as one only.

Act VII of 1871, s. 42 (1), (3) and (4).

62. There shall be actually laden and on board of every vessel carrying emigrants, at the time of departure of such vessel from the port at which they embark,—

Provisions, fuel and water.

(*a*) provisions and clothing for the emigrants (over and above the supply for the Master, officers and crew, and of the cabin and other passengers, if any), in such quantity and of such description and quality as may be prescribed by the rules made under this Act;

(*b*) fuel for cooking such provisions;

(*c*) a supply of water in tanks (which are to be approved by the Protector of Emigrants) to the amount of seven gallons for each emigrant for every week of the probable length of the voyage:

Provided that—

1*st*—when any vessel is to call for the purpose of filling up her tanks at any place in the course of her voyage, a supply of water at the rate hereinbefore mentioned, for every week of the probable length of the voyage to such place, shall be deemed to be a compliance with this clause; and

Supply of water for vessel calling at intermediate port.

2*nd*—when any vessel is fitted with Normandy's apparatus, or other apparatus approved by the Protector of Emigrants, for distilling sea-water, and with proper and sufficient means for working the same, a reduction shall be allowed of one-third in the quantity of water required under this section.

Supply in vessel fitted with distilling apparatus.

Act VII 1871, s. 43 (1)

63. Every such vessel shall, at the time of departure aforesaid, have actually on board, and shall carry with her, a properly qualified European or Native Surgeon, and also such compounders, interpreters, and female nurses, and such medicines, and other stores, in such quantity and of such quality as may be prescribed by rules to be from time to time made under this Act.

Surgeons, nurses, medicines and stores.

Act VII 1871, s. 44.

64. Every emigrant leaving India for any place westward of the Cape of Good Hope between the first day of March and the fifteenth day of September shall be supplied with at least one double blanket, which shall, at the time of departure aforesaid, be placed on board the vessel with his other clothing or luggage.

Extra clothing.

Every emigrant shall be allowed to make use of such double blanket so long as the vessel is outside of the tropics.

Act VII 1871, s.

65. The Protector of Emigrants and the Medical Inspector of Emigrants shall see personally that all the provisions of sections sixty-two, sixty-three and sixty-four are complied with.

Protector and Inspector of Emigrants to insure compliance with above provisions.

Act VII 1871, s. 47

66. Every Master licensed under section fifty-nine shall, upon the requisition of the Protector of Emigrants, and before any emigrant embarks on board of his vessel, execute to such Protector, in duplicate, a bond, in such form as the Local Government prescribes, binding himself and the owner of the vessel in a penal sum of ten thousand rupees to perform the duties imposed by this Act or any rule made hereunder on a Master and owner respectively.

Bond to be executed by Master.

The Protector of Emigrants shall forward one copy of such bond to the Government of the place to which the emigrants are to be conveyed (or in the case of a foreign colony to the British Consular Agent at such colony) and the other copy to the Local Government.

CHAPTER XII.

EMBARKATION AND DEPARTURE.

67. No emigrant shall embark, except with the special permission of the Protector of Emigrants, until seven days have elapsed from the date of his arrival at the depôt.

No emigrant to be embarked until he has been seven days at depôt.

Act VII of 1871, s. 46, modified.

68. No person shall emigrate to any place west of the Cape of Good Hope, in sailing-vessels between the first day of March and the thirty-first day of July, or in steam-vessels between the fifteenth day of March and the thirty-first day of July.

Time at which emigrants may leave India.

No person shall emigrate to any place during such season which the Governor General in Council may from time to time by notification in the *Gazette of India* declare to be a season during which emigration to such place is prohibited.

Explanation.—The expression "steam-vessels" in this section means vessels continuously under steam, and not vessels in which steam is only occasionally used as an auxiliary to sails.

Act VII of 1871, s. 47 clauses 3 &

69. The Protector of Emigrants shall, before the embarkation of any emigrant, ascertain whether he has or has not in his possession the copy of the contract furnished to him under

Protector to see that emigrant has copy of entry in register.

When the Protector of Emigrants is satisfied that any emigrant has not such copy in his possession, the Protector shall furnish him with another copy of such contract, and shall thereupon allow such emigrant to embark.

Act VII of 1871, s. 46.

70. The Protector of Emigrants shall explain to all emigrants prior to their embarkation the substance of the provisions of this Act, so far as they immediately affect such emigrants.

Provisions of Act to be explained.

Act VII of 1871, s. 45 (last clause 1), modified.

71. If any emigrant without sufficient cause refuses or neglects to embark when called upon by the Emigration Agent to do so, it shall not be lawful to compel such emigrant to embark; but nothing in this section shall affect the civil or criminal liabilities which such emigrant incurs by reason or in respect of such refusal or neglect.

Procedure if emigrant refuses to embark.

Act VII of 1871, s. 49, special provisions as to [illegible] that [illegible].

72. When any emigrants are about to embark on board any vessel, the Emigration Agent shall furnish the Master of the vessel with four copies of a list, specifying, as accurately as may be, the names, ages and occupations of such emigrants and the names of their respective fathers.

Emigration Agent to deliver four lists of emigrants to Master.

The Master shall not receive any emigrant on board unless he is provided with a pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant, and the name of his father, and the place to which he has contracted to emigrate, and certifying that he is in a fit state of health to undertake the voyage to such place.

Emigrant to be provided with pass.

Every emigrant shall on embarkation deliver such pass to the Master.

Emigrant to give his pass to Master.

The Master shall compare the emigrants who embark and the passes delivered by them with the list furnished by the Emigration Agent: and if the list appears to be correct and to correspond with the passes delivered and with the emigrants embarked, the Master shall sign the four copies of the list.

Master to compare pass with list.

The Protector of Emigrants shall be personally present at the embarkation of all emigrants, and shall see that the Master duly compares the list with the passes and emigrants. He shall himself also compare the list with the passes and emigrants, and shall not permit any emigrant to remain on board who has not delivered up his pass to the Master, or is not mentioned in the list.

Protector to be personally present.

Emigrant without pass not to remain on board.

Act VII of 1871, s. 49 (7).

73. Every pass delivered up under section seventy-two to the Master shall be returned by him to the emigrant by whom the same was delivered up, before such emigrant disembarks at the place to which he has contracted to emigrate.

Pass to be returned to emigrant on arrival at his place of destination.

Act VII of 1871, s.

74. When the copies of the list have been signed, the Master shall give two of such copies to the Protector of Emigrants, who, if he believes them to be correct, and shall return one copy to the Master: the other copy shall be filed in the office of the Protector of Emigrants.

Two copies of list to be given by Master to Protector of Emigrants.

Act VII of 1871, s. 50.

75. The Master shall give to the Emigration Agent the two remaining copies of the list.

Two copies of list to be given by Master to Emigration Agent—

The Emigration Agent shall thereupon sign such copies, and shall return to the Master one of the said copies, which shall, on the arrival of the vessel at the place to which the emigrants have contracted to emigrate, and previous to their disembarkation, be delivered up by the Master to such officer as may be appointed in this behalf by the Government of such place.

and signed by him, and one returned to Master; and by him to be delivered at place of destination.

Act VII of 1871, s.

76. The Protector of Emigrants shall, by every vessel which carries such emigrants, send to the Protector of Emigrants or other officer appointed in this behalf by the Government of the place to which the emigrants have contracted to emigrate, a correct and detailed list of all the emigrants embarked in such vessel, compiled from their passes and from the list signed by the Master as aforesaid.

Protector to send list of emigrants to Government of place to which they emigrate.

Act VII of 1871, s. 49 (4).

77. The Medical Inspector shall be personally present at the embarkation of all emigrants, and shall examine each emigrant to ascertain if he is in a fit state of health to undertake the voyage to the place to which he has contracted to emigrate;

Examination by Medical Inspector.

and if he finds that he is not fit to undertake such voyage, he shall inform the Protector accordingly.

The Protector may thereupon refuse to permit such emigrant to embark; and any emigrant, registered as a dependent of an emigrant whom the Protector has refused to permit to embark, or any emigrant, not a dependent, who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may, notwithstanding anything herein contained, refuse to embark.

The provisions of sections fifty-four, fifty-five and fifty-seven shall, so far as may be, apply to emigrants who under this section are not permitted to embark, and to any emigrants who may under this section refuse to embark, and to the recovery of expenses incurred under this Act in respect of them.

Emigration Agent to furnish Master with all contracts.

78. The Emigration Agent shall, after all the emigrants have embarked, furnish the Master with all the contracts made by the Emigration Agent or under his authority with such emigrants, and delivered or transmitted to him under section thirty-eight; and the Master shall, on arrival at the place to which the emigrants are to be conveyed, deliver up such contracts to such officer as may be appointed in this behalf by the Government of such place.

Act VII of 1871, s. 44.

Certificate from Protector of Emigrants and Emigration Agent.

79. Before any vessel licensed to carry emigrants clears out of any port from which emigration is lawful, the Master of such vessel shall obtain from the Protector of Emigrants at such port, and from the Emigration Agent for the place to which the emigrants are to be conveyed, certificates, under the hands of such Protector and Emigration Agent respectively, to the following effect, namely:—

that such Protector and Agent have, in respect of all the emigrants proceeding in such vessel, done all that is hereinbefore required to be done on the part of such Protector and Agent, respectively, and that all the directions for the security, well-being and protection of emigrants which are contained in this Act, or in such rules as the Governor General in Council may make under section eighty-five, have, in the case of such vessel, been complied with.

Act VII of 1871, s. 52.

Vessel sailing from Calcutta to depart within 24 hours of embarkation.

80. The Master of every vessel carrying emigrants from the port of Calcutta shall proceed on his voyage and depart with his vessel from Garden Reach within twenty-four hours after the embarkation of such of the emigrants as have first embarked.

Act VII of 1871, s. 53.

Vessels sailing from Calcutta to be towed to sea.

81. Every sailing-vessel leaving the port of Calcutta with emigrants shall proceed from Garden Reach to sea under tow of a competent steamer.

Power to send to hospital individual emigrants suffering from certain diseases on board vessels leaving Calcutta.

82. When a vessel leaves the port of Calcutta with emigrants, and during her passage down the river, and while between Garden Reach and Diamond Harbour, measles, scarlet-fever or small-pox shall appear on board, the Master shall, if so required by the Surgeon in charge of the emigrants, send to the hospital at Diamond Harbour all emigrants actually suffering from such disease, together with any emigrants registered as their dependents and any emigrant not being a dependent who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of any such emigrant and who may wish to accompany him or her, and shall at once inform the Protector of Emigrants at Calcutta of the number and names of the emigrants so sent to hospital.

The provisions of sections fifty-four, fifty-five and fifty-seven shall, so far as may be, apply to emigrants landed under this section, and to the recovery of expenses incurred in respect of them.

Power to land all emigrants when cholera appears.

New.

83. In the event of cholera in an epidemic form appearing among the emigrants on board any vessel sailing from the port of Calcutta and not having passed Diamond Harbour the Surgeon in charge of the emigrants may require the Master to land at Diamond Harbour all such emigrants.

The Master shall at once comply with such request, and shall immediately give notice of his having done so to the Protector of Emigrants at Calcutta, who shall take such action thereupon as may be prescribed by rules to be made under this Act.

Copies of Act and rules to be kept on board.

Act VII of 1871, s. 54.

84. Two copies of this Act and of all rules made hereunder and two copies of a translation of this Act and of such rules, in such language or languages as the Local Government may direct, shall be delivered by the Emigration Agent to the Master of every vessel carrying emigrants before she clears out of port, and shall be kept on board of every such vessel during the whole voyage.

One of such copies or translations shall, upon request made at any reasonable time to the Master of the vessel, be produced to any emigrant for his perusal.

CHAPTER XIII.

SUPPLEMENTARY POWERS.

Power of Governor General in Council to make rules.

Act VII of 1871, s. 55.

85. The Governor General in Council may, from time to time, make rules consistent with this Act—

(*a*) to regulate the proportion of women to be taken with male emigrants, the proportion of children to be taken with adult emigrants, and the age below which children shall not be so taken;

(*b*) to prescribe the description, quantity and quality of provisions, fuel and water to be taken by vessels carrying emigrants, the daily allowance of food and water to be issued, and the nature and amount of clothing to be supplied to each emigrant during the voyage;

(*c*) to provide for the medical care of the emigrants during their residence at the depôts and on the voyage, and to fix the number of the compounders, interpreters and female nurses to be carried, in addition to the Surgeon, for the care of the sick or weakly on board emigrant-vessels; New.

(*d*) to provide for the measures to be taken on the outbreak of any epidemic or infectious disease in the depôts or on a voyage; New.

(*e*) to prescribe the nature, quantity and quality of medicines and other stores to be carried on board emigrant-vessels;

New from here.

Act VII of 1871, s. 68.

(*f*) to provide for the ventilation and cleanliness of such vessels during their voyages, and for their being furnished with a sufficient number of life-buoys, boats, water-buckets and other appliances to be used in case of shipwreck or fire;

(*g*) to provide for a journal being kept by the Surgeon of every such vessel, recording the health of the emigrants, and his treatment of the sick, together with full explanation of the causes of every death; and to define the duties and powers of such Surgeon in respect of the emigrants committed to his care;

(*h*) to provide for the disposal of emigrants who may be landed under section eighty-three;

(*i*) and generally to provide for the security, well-being and protection of emigrants.

All such rules shall be published in the *Gazette of India*, and shall thereupon have the force of law.

Power to increase and reduce fees.

86. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, increase or reduce any fee payable under section eighteen, twenty-three, thirty-one or forty-five:

Provided as follows—

Provisoes.

such increase shall not be more than what may, in the opinion of the Governor General in Council, be sufficient to raise the total income from fees under this Act to an amount which will cover the cost of any establishment or supervision which the Governor General in Council thinks necessary to provide for the control of emigration:

[illegible] protection of Indian emigrants to such colony, the Governor General in Council may increase the fees mentioned in section forty-five in the case of such emigrants to an amount sufficient, in his opinion, to cover the cost of such special establishment or such expenditure.

CHAPTER XIV.

OFFENCES.

Act VII of 1871, ss. 72, part of s. 74 and ss. [illegible]

Making unlawful agreement;

87. Whoever, except in conformity with the provisions of this Act,

makes or attempts to make any agreement with any native of India purporting to bind him to emigrate, or

induces or assists or attempts to induce or assist any such Native to leave any place for the purpose of emigrating, or otherwise acts or is employed as a recruiter of emigrants, or

recruiting without being licensed;

receives into or detains in any place other than a place in which accommodation has been provided as mentioned in section twenty-

receiving emigrants where accommodation not duly provided.

[illegible] any person with a view to his being registered as an emigrant, or after his registration as an emigrant and prior to his departure for the depôt at the port of embarkation,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Recruiters removing, &c., unregistered emigrants;

88. Whoever being a recruiter duly licensed under this Act,

removes, or attempts to remove, any emigrant to a depôt, until he has been registered under section thirty-eight, or induces or attempts to induce him to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned until he has been so registered, or aids or attempts to aid him in leaving any such local limits or going to any depôt until he has been so registered, or

not supplying proper lodging, food, &c.

fails to provide any emigrant whom he has engaged, and who is registered under this Act, with suitable lodging and food or otherwise ill-treats such emigrant on his journey to the depôt,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Fraudulently inducing Native to emigrate.

Act VII of 1871, s. 73, para. 3; enhanced penalty of Act of 1877, s. 40, adopted. New.

89. Whoever, by means of intoxication, coercion, fraud or misrepresentation, causes or induces, or attempts to cause or induce, any native of India to emigrate, or to enter into any agreement to emigrate, or to leave any place with a view to emigrating, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both; and any Police-officer may arrest without warrant any person committing an offence under this section.

Act VII of 1871, s. 74.

90. Whoever, not being a Sub-Agent licensed [illegible]

[illegible] punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

False representation of Government authority.

Act VII of 1871, s. 74.

91. Whoever, without lawful authority, issues any written order to the Police to assist him or any other person to procure emigrants, or falsely represents that such emigrants are required by the Government or are to be engaged on behalf of the Government, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Receiving emigrants on board in contravention of Act.

92. Any Master who knowingly receives on board his vessel any emigrant who has not registered [illegible] with the provisions of this Act, so far as they are binding upon him,

any Master not licensed under section fifty-nine who knowingly receives any emigrant on board his vessel, and

any Master licensed as aforesaid who knowingly receives on board his vessel any emigrant in excess of the number specified in his license,

shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees for each emigrant so received, or with both; and the vessel, her tackle, apparel and furniture, may be declared by the Court before which such Master is tried to be forfeited to Her Majesty.

Act VII of 1871, s. 79.

Fraudulent acts on part of Master whereby certificate becomes inapplicable to vessel.

93. Any Master licensed under section fifty-nine who fraudulently does, or suffers to be done, any act or thing whereby such license becomes inapplicable to the altered state of the vessel or other matter to which such license relates, shall be punished with fine which may extend to five thousand rupees;

and he may also be sued on any bond which he may have executed under section sixty-six.

Non-compliance with sections 62 to 64.

94. Any Master of a vessel carrying emigrants who clears or attempts to clear such vessel outwards when any of the provisions of sections sixty-two, sixty-three and sixty-four have not been complied with in respect thereof shall be punished with fine which may extend to four thousand rupees.

Act VII of 1871, s. 77, revised with Act V of 1877, s. 43.

Master not complying with sections 72, 74 and 75.

95. Any Master who receives on board his vessel any emigrants and fails to comply with the requirements of sections seventy-two, seventy-four and seventy-five in respect of such emigrants shall be punished with fine which may extend to two hundred rupees for each emigrant so received on board.

Act VII of 1871, s. 78.

Master taking on board, after clearance, emigrants not entered in list.

Any Master who, having cleared his vessel, takes on board any emigrant not entered in the list mentioned in section seventy-two, or not furnished with a pass required by the said section, shall be punished with fine which may extend to two hundred rupees for each emigrant so taken.

Act V of 1877, s. 44.

Landing emigrant at other than specified place.

96. Any Master landing any emigrant at any place other than the place for which he has been shipped by the Emigration Agent shall be punished for every emigrant so landed with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both, unless such landing has been caused by stress of weather or unavoidable accident, or has taken place under the circumstances mentioned in sections eighty-two and eighty-three.

Act VII of 1871, s. 80.

Proceeding to sea without steam.

97. Any Master of a sailing vessel leaving the port of Calcutta with emigrants on board who, without reasonable excuse, causes or allows his vessel to go below Garden Reach without being in tow of a competent steamer,

or does not leave Garden Reach with his vessel within the time prescribed in section eighty,

shall be punished with fine which may extend to one thousand rupees.

Act III of 1876, s. 23.

Emigrant deserting or refusing to proceed to depôt after registration.

98. Any person who, having been registered by a Magistrate under section thirty-eight, deserts before arrival at the depôt, or refuses without reasonable cause to proceed to the depôt, shall be punished with fine which may extend to twenty rupees or to the cost incurred in contracting with and registering and conveying him to the depôt, whichever is greater, and, in default of payment of such fine, with imprisonment which may extend to one month.

Every fine levied under the provisions of this section may, in the discretion of the convicting Magistrate, be paid to the Emigration Agent, Sub-Agent or recruiter by whom such cost was incurred.

No prosecution under this section shall be instituted except on complaint made by or at the instance of a Protector of Emigrants or with his sanction; and such sanction shall not be given if the Protector sees reason to believe that the accused person or other intending emigrants accompanying him has or have been ill-treated, deceived or defrauded by the recruiter or any person under his control.

Registered emigrant deserting from depôt or failing to embark.

99. Any emigrant who, having been registered as aforesaid,

deserts from the depôt,

or, without reasonable cause, refuses or neglects to embark when called upon to do so by the Emigration Agent,

shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to fifty rupees or to double the amount of the expense incurred in contracting with, registering and conveying him to the depôt, and maintaining him therein, or with both.

See Act VII of 1871, s. 45, second clause.

No prosecution under this section shall be instituted except by the Emigration Agent with the sanction of the Protector; and such sanction shall not be given if, in the opinion of the Protector, the emigrant has suffered any ill-treatment or neglect in the depôt or on the journey thither.

Embarking emigrant contrary to section 67.

100. Any person who causes, and any Emigration Agent or Master who knowingly permits, any emigrant to embark contrary to the provisions of section sixty-seven, shall be punished with fine which may extend to two hundred rupees for each emigrant so embarked.

Abetment.

101. Whoever abets within the meaning of the Indian Penal Code any offence against this Act shall be deemed to have committed such offence.

Prosecutions instituted.

102. All prosecutions under sections ninety-two to ninety-seven both inclusive, or under section one hundred, shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government.

See Act VII of 1871, s. 82.

Customs-officers may search and detain for purposes of Act.

103. All the powers for the time being conferred by law on officers of customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention of offences against this Act.

Act VII 1871, s. 81.

CHAPTER XV.

MISCELLANEOUS.

Suits against Emigration Agent for breach of duty.

104. Whenever an Emigration Agent is chargeable with a breach of any duty to an emigrant arising from any contract with such emigrant or imposed by this Act or the rules made hereunder, the Protector of Emigrants may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of compensation for such breach.

Sections V of [illegible] and [illegible] two clauses [illegible] s. 37 of [illegible] VII of 1871.

In awarding compensation under this section, all sums ordered to be paid under sections forty-seven and fifty-four shall be taken into consideration.

Power to determine probable lengths of voyages for purposes of Act.

105. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, determine what shall be held to be, for the purposes of this Act, the probable length of the voyages by sailing-vessels and vessels using steam-power, respectively, from any port from which emigration is for the time being lawful to any place to which emigration is for the time being lawful.

Reference to Schedule III.

Until otherwise so determined under this section, the probable length of the voyage by sailing-vessels from the ports mentioned in the third schedule hereto annexed to the other places mentioned in the said schedule shall be deemed to be the lengths stated in the said schedule.

Power to extend Act No. V of 1877 to other parts of British India.

106. The Governor General in Council may by a notification in the *Gazette of India* extend Act No. V of 1877 (the Straits Settlements Emigration Act 1877) to the whole or any part of British India other than Madras.

SCHEDULE I.

I.—The British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji.

II.—The French Colonies of Réunion, Martinique, Guadeloupe and its dependencies, and Guiana.

III.—The Netherlands Colony of Dutch Guiana.

IV.—The Danish Colony of St. Croix.

SCHEDULE II.

(*See section* 23.)

FORM OF RECRUITER'S LICENSE.

Office of the Protector of Emigrants at the Port of

A. B., described in the descriptive roll annexed, is hereby licensed under the Indian Emigration Act, 1881, to be a recruiter of labourers for [*insert the place for which the recruiter is licensed to act*] in [*here name the local limits within which the recruiter is licensed to act*].

This license will be in force until the day of , unless previously cancelled.

(*Signed*) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village, local sub-division (tahsil, taluq, &c.) and district to which he belongs.

SCHEDULE III.

(*See section* 105).

PROBABLE LENGTHS OF VOYAGES UNDER THIS ACT, FROM CALCUTTA—

To Mauritius and Réunion.	From the month of April to the month of October, both inclusive, ten weeks; and from the month of November to the month of March, both inclusive, eight weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.	Twenty weeks.
To Natal ...	Twelve weeks.
To Fiji ...	Eighteen weeks.

FROM MADRAS—

To Mauritius and Réunion.		From the month of April to the month of October, both inclusive, seven weeks; and from the month of November to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.		Nineteen weeks.
To Natal	...	Ten weeks.
To Fiji	...	Seventeen weeks.

FROM BOMBAY—

To Mauritius and Réunion.		From the month of April to the month of September, both inclusive, five weeks; and from the month of October to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.		Nineteen weeks.
To Natal	...	Ten weeks.
To Fiji	...	Seventeen weeks.

STATEMENT OF OBJECTS AND REASONS.

NUMEROUS suggestions for the amendment of the Indian Emigration Act, 1871, have from time to time been received by the Government. Many of these which it appears desirable to adopt deal with minor and, comparatively speaking, unimportant points; but some propose substantial changes which would materially alter the working of the existing law. It has, moreover, been found that the form and arrangement of the Act are susceptible of improvement. Under these circumstances, it has been thought advisable to repeal the Act, and re-enact it with all the requisite amendments. Of these amendments the more important are the following.

2. In the preliminary chapter "emigrate," "emigrant" and "emigration" have been so defined as to cover not only persons leaving India under a contract to labour, but also dependents of such persons. It is obvious that, for all purposes of the control of recruiters and depôts, the regulation of emigrant vessels, &c., it is as necessary to take count of dependents as of the persons who contract to labour.

3. Section 5, which corresponds to section 26 of the Act of 1871, has been amplified so as to give the Governor General in Council power to establish ports other than those of the three Presidency-towns as ports of embarkation.

4. In a recent correspondence it has been brought to notice that the effect of the Contract Act of 1872 has been to make it impossible for persons under the legal age of majority (in most cases 18) to engage to emigrate. The limit of sixteen years at or above which an emigrant may himself enter into a contract to emigrate has been adopted in sections 34 and 35 of the Bill from the Bengal Labour Districts Emigration Act (Bengal Act VII of 1873); and it has been provided that minors below that age and above the age of six years may contract through their guardians, power being reserved to the minor to rescind the contract at any time within the thirty days next following the completion of his age of eighteen years.

5. Section 33 requires all agreements to emigrate to be in writing, and, if entered into within the limits of any port from which emigration is lawful, to be made with the Emigration Agent at such port, and executed in the presence of the Protector; if entered into elsewhere, to be made with a recruiter and executed in the presence of a Magistrate. Section 36 lays down what such agreements must contain. At present, there is much confusion in the law as to what constitutes the contract to emigrate; and it is not absolutely necessary that any terms of service should be settled before the emigrant leaves India. Most, if not all, colonies have already introduced written contracts, so that there will be no hardship in requiring their general use; the conventions with France and Holland expressly stipulate that a written contract must first be executed in India, and there will thus be no difficulty with those powers. The requirement of a contract, moreover, marks distinctly the stage at which an emigrant becomes liable for breach of contract—a point which under the present law is somewhat uncertain. Lastly, the provision exists (in substance) in the Burma and Straits Settlements Emigration Laws. The material stipulations mentioned in section 36 are all actually adopted by the colonies which receive Indian emigrants.

6. The remaining amendments are for the most part in matters of detail, and may be shortly stated as follows.

7. For the present definition of Magistrate and section 85 of the existing Act, the definition in Act V of 1877 (The Straits Settlements Emigration Act, 1877), which allows of the appointment of any person as a Magistrate for the purposes of the Act, has been substituted.

8. *Chapter II.—Ports from which, and places to which, Emigration is lawful.*—This is a new chapter, which brings together under one head, in an amended form, the provisions of sections 23 to 26 and sections 57 to 61 of the Act of 1871.

9. *Sections 7 to 10.*—In the present law sections 57 and 61 overlap, and one of them is clearly unnecessary. The opportunity has accordingly been taken to re-draft the sections, amalgamating them and specifying more clearly the reasons for which emigration may be suspended. Excessive mortality, neglect to enforce in the colony the contracts made in India and omission to furnish the Government of India with the information necessary to enable it to judge how Indian immigrants are treated have been added to the reasons mentioned in sections 57 and 61 of the present Act. This last is in accordance with the recommendation of Sir G. Campbell.

10. *Section* 8 defines more clearly the extraordinary power which, under section 61 of the present Act, can be exercised by the Local Government on a pressing emergency; and this power has been restricted to a single case—the outbreak of plague or other epidemic disease dangerous to life in the colony.

11. *Chapter III.—Emigration Agents.*—No change has been made in this chapter, which corresponds with Part II of the present Act, except a slight amendment of section 4 of the present law, defining the effect of the notification of appointment of an Emigration Agent by the Local Government and giving that Government power to withdraw its approval of the appointment of such Agent.

12. *Chapter IV.—Protectors of Emigrants and Medical Inspectors.*—The wording of this chapter, which corresponds with a portion of Part III of the present Act, has been revised, and power has been given to the Local Government to appoint, with the previous sanction of the Governor General in Council, Protectors of Emigrants for local areas beyond the territories subject to its administration.

13. *Chapter V.—Emigration Depôts.*—This chapter corresponds with a portion of Part III of the present Act; but the second clauses of sections 18 and 21, which are based on Act III of 1876, section 25, are new.

14. *Chapter VI.—Recruiters and Sub-Agents of Emigration.*—Several modifications and additions have been made in the portion of this chapter relating to recruiters, all of which have been strongly urged on the attention of the Government of India at various times, and the expediency of most of which has already been recognized in Acts III of 1876 and V of 1877. The first of these is the requirement in section 23 that the local area within which the recruiter is to work shall be specified in the license: this is taken from Act V of 1877, section 12. The next is the omission of section 20 of the present Act, which requires every recruiter to wear a badge. The badge has been objected to by persons visiting the recruiter, in the eyes of the people, with [illegible]. It is clearly necessary, on the other hand, that every recruiter should be furnished with an authentic statement of the terms he is authorized to offer; and section 25 of the Bill accordingly requires that he should be furnished with such a statement. The next amendment calling for notice is in the second paragraph of section 26. At present, the Magistrate has no option in countersigning a recruiter's license, but must add his signature, if the period of the license is unexpired; it is obvious that he should refuse to do so if the recruiter bears a bad character. At present, the Protector is required, under executive instructions, to satisfy himself, by enquiry from the Magistrate of the district where the recruiter is known, that there is nothing against him before granting the license; but this is a circuitous method of procedure, and often leads to great delay. The principle of this amendment has already been fully admitted in Acts III of 1876, section 12, and V of 1877, section 13, from which it is borrowed. The other provisions of this paragraph, and the provisions of section 27 as to the regulation of places of accommodation to be provided in the recruiting districts for intending emigrants, are also new. At the places referred to many abuses are practised in connection with recruiting, and the necessity of supervising such places has several times been pressed on the Government of India as urgently necessary. Sections 28 and 29 are also new. They are the complement of section 26, and are taken from Acts III of 1876, section 12, and V of 1877, section 13. Section 28 empowers the Magistrate, under certain circumstances, to cancel his countersignature or to impound the license and send it to the Protector for cancellation, and section 29 requires all refusals and cancellations of countersignature by Magistrates to be at once reported to the Protector.

15. The last three sections of this chapter (30 to 32), relating to Sub-Agents, are new, and provide some much-needed clauses for the control of the local agency through which it is the practice of Emigration Agents to conduct recruiting operations. All Sub-Agents must be licensed by the Local Government; and the license, for which a fee of Rs. 30 (double the fee for a recruiter's license) is fixed, may be revoked on proof of misconduct. It is further provided that the remuneration of Sub-Agents must, like that of Emigration Agents (under section 5 of the present Act), be a fixed sum, and not in the form of head-money.

16. *Chapter VII.—Agreements with Emigrants.*—The provisions of this chapter are new, and make certain important additions to the existing law.

17. *Chapter VIII.—Attestation of Agreements and Registration of Emigrants.*—In this chapter, which corresponds with Part VI of the present Act, modifications have been introduced—

(1) to provide for the agreement with the emigrant being executed before and attested by the Magistrate or the Protector (section 38);

(2) to alter the particulars required to be entered in the register (section 38);

(3) to state more clearly the reasons for which a registering officer may refuse to attest a contract (section 39);

(4) to provide for the examination of dependents as to their dependence upon the contracting emigrants and as to their willingness to accompany such emigrants (section 40);

(5) to provide for a medical examination of intending emigrants, where necessary, previous to their being registered under section 38 (section 42);

(6) to revise the table of fees (section 45).

18. The effect of the first of these amendments will be to bind the emigrant more closely, and so place an obstacle in the way of his desertion. On the other hand, it will give the emigrant, if rejected by the Agent, a claim which can be enforced in the Courts on his behalf by the Protector (section 104).

19. The second matter is dealt with by adding to the particulars at present required the following:—

(*a*) the name of the recruiter or agent to whom the emigrant has been engaged;

(*b*) the caste and occupation of the emigrant; and

(*c*) the persons who, if he were to die at once, would be entitled to succeed to his property (so that any savings he may have collected in the colony may be duly delivered).

On the other hand, as a copy of the contract is to be placed on record in the Protector's office, the rate of wages and period of service will no longer be entered in the register.

20. As regards the third matter, power has been given, in accordance with the recommendation of the Government of the North-Western Provinces, to refuse attestation (in the absence of sufficient explanation) when the emigrant is a resident of a place beyond the jurisdiction of the Magistrate before whom he appears. This is a necessary precaution, as it is common for unscrupulous recruiters to convey intending emigrants long distances from their homes, to involve them in debt for maintenance during their journey, and [illegible] temptation, and at the same time deprive them of the power [illegible] that an emigrant whose registration is refused by one Magistrate [illegible] next district, where it is hoped that the officer will be more compliant. Power has also been given to refuse registration of a person who, if he quits his home, will leave his family destitute, and of a married woman without the consent of her husband.

21. The fourth point has been provided for as in Act V of 1877, section 19.

22. As regards the fifth point, it is not intended that the power to order a medical examination of an emigrant recruited in a district beyond the port of embarkation shall be universally enforced. The examination is only to be directed to testing the emigrant's fitness to undertake the journey to the depôt and not his fitness to labour, for which the Emigration Agent is responsible. It will only be necessary to require a medical examination in special cases; as, for instance, when the condition of the emigrating class is reduced by famine, or when the distance to be travelled to the depôt is great.

23. The fees fixed by section 31 of the present Act can be taken, under the definition of "emigrant" and the exception of the Contract Act, only for adult emigrants. It seems desirable to require a fee for the registration of every contracting emigrant, allowing dependents who do not contract, and are only entered in the register, to be registered without a fee. This matter recently formed the subject of correspondence with Local Governments, and the scale adopted is generally in accordance with their recommendations. The present provision for the refund of the fee on desertion has, in accordance with the precedents of Acts III of 1876 and V of 1877 and the recommendation of the Government of Bengal, been omitted. The fee is a payment for the work of registration, and that work is not affected by the subsequent desertion of the emigrant.

24. *Chapter IX.—Conveyance of Emigrants to Depôts.*—In this chapter a provision has been added which enables the Magistrate to order the Emigration Agent or recruiter to pay such sum as is necessary to enable an emigrant, who has been rejected before arriving at the port of embarkation, or the dependent of such emigrant, to return to his home.

25. *Chapter X.—Procedure on arrival at the Depôt of Emigrants from Up-country.*—The provisions of this chapter have been re-arranged and revised, the corresponding provisions of Act V of 1877 being generally followed. The operation of the chapter has been expressly restricted to the case of emigrants from up-country, for whom alone it appears to be intended. Section 51 as amended expresses what has always been understood by the Government of India to be the responsibility of its officers in respect of the fitness of emigrants to emigrate: fitness for labour and life in the colony is a matter for which the Emigration Agent is responsible. Sections 55 and 56 have been adopted with some modifications from Act V of 1877, sections 28, 29 and 30.

26. *Chapter XI.—Emigrant Vessels.*—The amendments in this chapter, which corresponds with Part IX of the present Act, are slight. There is a change in the wording of paragraph 3 of section 58 and some alterations in the dimensions specified in section 60. The principal differences, as compared with the present law, are—(1) that the height of the accommodation for emigrants is raised from 5½ to 6 feet; (2) that *all* children under ten, instead of only those from one to ten years of age, are counted at the rate of two to one adult; and (3), that the space required for each child under ten is fixed at half that required for an adult, instead of, as now, two-thirds for children between two and ten. These changes were recommended by the Government of Bengal in 1873, and are required chiefly to improve the accommodation for infants, among whom much mortality occasionally occurs. "Compounders, interpreters and female nurses" have been added in section 63 also, in accordance with the recommendation of the Government of Bengal.

27. *Chapter XII.—Embarkation and Departure.*—Section 67 is in accordance with a recommendation made by the Protector of Emigrants at Calcutta, who considers it a precaution necessary "not only to afford the opportunity of ascertaining the freedom of emigrants from latent and communicable diseases which have distinct periods of incubation, but to give such as are ill-nourished and have been recruited in famine-stricken districts some time to rest and recover themselves after their journey, and prior to undertaking what proves in all cases a trying voyage to Indian emigrants generally."

28. Section 68 embodies the present views of the Government of India regarding the seasons at which embarkation should be allowed. This matter has been the subject of much discussion. The conventions allow the French and Dutch colonies a longer period than the Act allows the corresponding British colonies; and, in the case of the latter, it has been represented that even the period allowed by the Act is too long, since emigrants shipped late in the season for the West Indies arrive there at a very unhealthy season of the year, and are liable to great mortality in consequence.

When the provisions of the existing law were framed, the embarkation seasons were settled with reference to one point only, *viz.*, the necessity for avoiding the stormy weather encountered in the neighbourhood of the Cape of Good Hope during the Antarctic winter; consequently no impediment was offered to the shipment of emigrants at any time of the year for colonies east of the Cape. But hurricanes prevail in the neighbourhood of Réunion between the months of November and April; and they are also prevalent in the Fiji Islands during the same season. Moreover, the necessity for landing emigrants in their place of destination at a healthy season of the year is another consideration which makes it necessary carefully to regulate the period of despatch.

[illegible] Cape of Good Hope.

The present limits, the 31st July to the 1st March, for places west of the Cape of Good Hope, however, have been retained as a maximum; and the provision in the present Act (section 46, last clause) permitting departure for such places on an emergency up to the 1st April has been struck out. Cases of loss of emigrant vessels allowed to be despatched after the 1st March, as well as heavy mortality during such voyages, have occurred, and it is thought inexpedient to continue the concession.

The special privilege of carrying emigrants at any time of the year now enjoyed by steamers has also been done away with, as being inconsistent with the regulation of the season for departure with reference to that of arrival in the colony; but as a concession to the superiority of such vessels over sailing vessels, the time within which they may depart for places west of the Cape of Good Hope is extended from the 1st to the 15th March.

29. The penalty clause in section 45 of the present Act, to which section 71 of the Bill corresponds, has been removed to its proper place in chapter XIV (section 99).

In section 72 the number of copies of the list has been reduced from five to four, which, according to the Protector of Emigrants at Calcutta, are all that are required.

Section 75, requiring the Emigration Agent to furnish the Master with the contracts, is new, but needs no comment.

30. Sections 83 and 84 are new. They express the substance of the arrangements made in a correspondence which passed in 1877 regarding the action which should be taken on the occurrence of cases of an infectious disease, or an outbreak of cholera in an epidemic form, on board an emigrant vessel proceeding down the Hugli.

31. Section 85 of the present Act has been omitted, as no emigration has ever gone on to Seychelles, and the colony was included in that Act by a mistake.

32. *Chapter XIII.—Supplementary Powers.*—In section 85 a few additions have been made to the matters regarding which rules may be framed (clauses *c*, *d*, *f*, *g* and *h*), and the proviso authorizing the Local Government to permit the despatch of a vessel with less than the prescribed proportion of women has been struck out.

33. Section 86 relates to fees, and modifies section 62 of the present Act. The object of levying fees is to maintain therefrom the necessary protective establishments in India; such fees should accordingly be just sufficient to cover the cost of such establishments, neither more nor

less. It may sometimes happen (more especially, as at present, in the case of foreign colonies) that the Government of India has to meet in respect of some particular colony a special expenditure, which it would be unfair to cast (as is now done) on the income from fees contributed by all colonies; a proviso has accordingly been added enabling such expenditure to be met by enhanced fees on emigration to the particular colony in respect of which it is incurred.

34. *Chapter XIV.—Offences.*—This part has been generally redrawn. The penalties provided in the present Act, sections 72 to 75, are merely fine extending to 500 rupees. It appears necessary to add imprisonment, as in Act V of 1877.

35. *Section* 90 has been introduced to cover the case of unlicensed persons acting as Sub-Agents.

36. *Section* 96 is new; it has been adopted from Act V of 1877, section 44.

37. *Section* 98 is also new; it provides for the punishment of emigrants who desert after a contract has been duly entered into with the recruiter before a Magistrate. The present law provides no punishment for this offence, the only liability being to a civil suit for breach of contract—a proceeding which is, of course, useless in most cases of the kind. There is no doubt that, in view of the class of men who work as recruiters and the many risks of deception and ill-treatment to which intending emigrants are exposed at their hands, it is necessary to guard the power to inflict a penalty for desertion in such cases most carefully. Still cases have arisen, and may easily arise, of impudent deception on the part of persons who profess willingness to emigrate, and under such profession obtain board and lodging in the Mufassal, and free conveyance to the port of embarkation, where they desert or refuse to emigrate. To meet such cases, the section has been devised, and it has been so drawn as to require the sanction of the Protector of Emigrants to every prosecution instituted under it.

38. *Section* 99 has been substituted for the second clause of section 45 of the present Act, which clause, it may here be observed, is practically inoperative in Calcutta, because it requires the complaint to be laid before a Magistrate of Police in a Presidency-town, and the depôts are situated outside the limits of Calcutta, and therefore outside of the local jurisdiction of such Magistrates. The penalty, instead of being stated by reference to section 492 of the Penal Code, is mentioned in express terms; and the sanction of the Protector to a prosecution under the section is, as in section 98, required.

39. *Section* 102 is an amendment of section 82 of Act VII of 1871. At present special authority is required to institute prosecutions for all offences under the existing Act; there seems to be no good reason why such sanction should be required in the case of the offences mentioned in sections 87 to 91.

40. *Chapter XV.—Miscellaneous.*—Section 105 corresponds with section 83 of the present Act, which has been re-drawn to admit of the probable length of voyages being modified from time to time as may be found necessary on the receipt of fuller information, or the establishment of improved means of communication. Section 84 of the present Act is incorporated with section 105.

41. A new form of recruiter's license (chiefly taken from Act V of 1877) has been substituted for the form in Schedule II of the present Act.

42. In the third schedule of the Bill opportunity has been taken to correct a clerical error as to the length of the voyage from Calcutta to French Guiana. In section 88, Act VII of 1871, twenty-six weeks is said to be the length of this voyage, whereas it should be twenty weeks.

43. The "special provisions as to French colonies" (Part XII, sections 63—70 of the present Act) have been omitted as unnecessary, it being considered that all emigration, whether to British or Foreign colonies, should be conducted on one system. It may be observed that no such special provisions have been found necessary in the case of emigration to Surinam, which has been carried on under a convention with the Netherlands Government similar to that with France. The convention with France is now about to be amended, and if in its amended form it should be found to include any points requiring a deviation in matters of detail from the general procedure of the Bill, such points, together with the question of the adaptation of the Bill to emigration from French ports, can be left for consideration to the Select Committee to which it is proposed to refer the Bill.

SIMLA;
The 16th July, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, AUGUST 6, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making laws and regulations on the 30th July, 1881, and was referred to a Select Committee:—

No. 15 OF 1881.

THE INDIAN EMIGRATION BILL, 1881.

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A Bill to amend the law relating to the Emigration of Natives of India.

Preamble. WHEREAS it is expedient to amend the law relating to the emigration of natives of India; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title. Commencement. 1. This Act may be called "The Indian Emigration Act, 1881"; and shall come into force at once. Act VII of 1871, s. 1.

Local extent. It extends to the whole of British India;

Exemption of certain vessels. But nothing in this Act or in any rule made hereunder shall apply to any vessel belonging to or hired by Her Majesty or the Secretary of State for India in Council. Act VII of 1871, s. 36

Repeal of Acts. 2. The Indian Emigration Act, 1871, and Act No. XIV of 1872 (*to exempt the Straits Settlements from the Indian Emigration Act, 1871*) are hereby repealed. Act VII of 1871, s. 2.

Notifications, &c., under Act VII of 1871. All notifications issued, contracts entered into, rules and appointments made and licenses granted under the former Act and now in force shall (so far as they are consistent herewith) be deemed to have been respectively issued, entered into, made and granted under this Act.

3. In this Act, unless there is something [illegible] Act VII of [illegible]

"Emigrate;" "Emigrate" denotes the departure by sea out of British India of a native of India under a contract to labour for hire otherwise than as a menial servant in some country beyond the limits of India, other than the island of Ceylon or the Straits Settlements, and it also denotes the departure by sea out of British India of dependents of persons so departing.

"Emigrant"; "Emigrant" means any native of India emigrating, or intending to emigrate, or who has emigrated, within the meaning of the above definition: and

"Emigration"; "Emigration" means the act of emigrating within the meaning of the above definition:

"Magistrate"; "Magistrate" means a Magistrate of a district, [illegible] Act V of 1879, s. 4. a Magistrate of a division of a district, or any other person appointed by the Local Government to perform the functions of a Magistrate under this Act;

"Vessel"; "Vessel" includes anything made for the conveyance by water of human beings or property: Act VII of 1871, s. 3.

"Master"; "Master" means any person (except a Pilot or Harbour Master) having for the time being the charge or control of a vessel. New.

Words to be understood as defined in Contract Act. And all words defined in the Indian Contract Act, 1872, and used in this Act shall have the meanings respectively assigned to them by that Act.

CHAPTER II.

PORTS FROM WHICH, AND PLACES TO WHICH, EMIGRATION IS LAWFUL.

New.

4. No person shall emigrate except from such ports and to such places as under this Act and the notifications issued hereunder are for the time being ports from which and places to which emigration is lawful.

Emigration unlawful except from and to certain ports and places.

Act VII of 1871, s. 26, amended with Act V of 1877, s. 3.

5. Emigration shall be lawful from the ports of Calcutta, Madras and Bombay, and from such other ports as the Governor General in Council may, from time to time, by a notification in the *Gazette of India*, declare to be ports from which emigration under this Act shall be lawful.

From what ports emigration lawful.

The Governor General in Council may at any time, by a like notification, revoke any notification issued under this section.

The Local Government may, from time to time, by notification in the official Gazette, fix for the purposes of this Act the limits of any port from which emigration is lawful.

Act VII of 1871, s. 23.

Act VII of 1871, s. 24.

6. Emigration shall be lawful to the places specified in the first schedule hereto annexed and to such other places as the Governor General in Council may from time to time, by a notification in the *Gazette of India*, declare to be places to which emigration under this Act shall be lawful:

To what places emigration lawful.

Provided that every such notification shall contain a declaration that the Governor General in Council has been duly certified that the Government of the place to which the notification refers has made such laws and other provisions as the Governor General in Council thinks sufficient for the protection of emigrants to such place during their residence therein.

Act VII of 1871, ss. 57, 58 & 61, redrawn and amalgamated.

7. Whenever the Governor General in Council has reason to believe that any of the grounds, hereinafter mentioned, for prohibiting emigration to any place to which emigration is lawful exists, he may, by a notification published in the *Gazette of India*, declare that emigration to such place shall cease to be lawful from a day specified in such notification; and from such day emigration to such place shall accordingly cease to be lawful.

Power to prohibit emigration to place to which it is lawful.

The said grounds are—

(*a*) that the plague or any other epidemic disease dangerous to human life has broken out in such place;

New.

(*b*) that the mortality among emigrants in such place is excessive;

(*c*) that proper measures have not been taken for the protection of emigrants immediately upon their arrival in such place, or during their residence therein;

(*d*) that the contracts made with emigrants, as such, before their departure from India are not duly enforced by the Government of such place; and

(*e*) that the Governor General in Council, having, either directly or through the Secretary of State for India in Council, addressed the Government of such place with a view to obtain information regarding the condition or treatment of emigrants in such place, has not within a reasonable time received such information.

A new section taken from s. 61 of Act VII of 1871.

8. Whenever the Local Government has reason to believe that, in any place to which emigration is lawful, the plague or other epidemic disease dangerous to human life has broken out, and that emigrants, if allowed to emigrate to such place, would be exposed to serious risk of life on arrival there, it may, by notification published in the official Gazette, declare that emigration to such place from any port in the territories administered by such Local Government shall cease to be lawful pending a reference to the Governor General in Council.

Power to suspend emigration pending reference to Governor General in Council.

The Local Government shall at once report the publication of such notification, with the reasons for the same, to the Governor General in Council, who shall thereupon publish a notification in the *Gazette of India* confirming or cancelling the notification so published by the Local Government.

Act VII of 1871, s. 60, redrawn.

9. Whenever the Governor General in Council is satisfied that the ground on which a notification has been published by him under section seven, prohibiting emigration to any place, or under section eight, confirming such a prohibition, has ceased to exist, he may, by a notification published in the *Gazette of India*, declare that emigration to such place shall again be lawful from a day to be specified in such notification.

Revocation of prohibition.

Act VII of 1871, s. 62.

10. The publication of a notification under section seven, section eight or section nine shall not affect any act done, offence committed or proceedings commenced before such publication.

Notifications under sections 7, 8 and 9 not to affect prior acts, &c.

CHAPTER III.

EMIGRATION AGENTS.

Act VII of 1871, s. 4.

11. The Government of every place to which emigration is lawful may, from time to time, appoint a person to be Emigration Agent in any port from which emigration is lawful, and may suspend or remove any person so appointed.

Appointment of Emigration Agents.

No such appointment shall take effect until it has received the approval of the Local Government, to be declared by a notification in the official Gazette;

New.

and the Local Government may, at any time, if it thinks fit, by a like notification revoke its approval of the appointment of any person under this section; and from the date of such notification such person shall cease to be an Emigration Agent.

Act VII 1871, s. 8.

12. The remuneration to be given to Emigration Agents shall not depend upon, or be regulated by, the number of emigrants sent by such Agents, but shall be in the nature of a fixed annual salary.

Remuneration of Agents.

CHAPTER IV.

PROTECTORS OF EMIGRANTS AND MEDICAL INSPECTORS.

Act VII of 1871, s. 6, and Act V of 1877, s. 5.

13. The Local Government shall from time to time appoint Protectors of Emigrants for such local areas whether within the territories administered by such Government, or by any other Local Government, as it thinks fit:

Appointment of Protectors of Emigrants.

New.

Provided that the Local Government shall not, except with the previous sanction of the Governor General in Council, appoint a Protector of Emigrants for any local area within the territories administered by any other Local Government.

Every Protector of Emigrants may be suspended or removed by the Local Government which appointed him.

Act VII of 1871, s. 8, and Act III of 1876, s. 6.

14. Every Protector of Emigrants, in addition to the special duties hereinafter assigned to him, shall—

General duties of Protector.

(*a*) protect and aid with his advice all emigrants;

(*b*) cause, so far as he can, all provisions of this Act to be complied with;

(*c*) inspect, on arrival, all vessels bringing return-emigrants to the port at which he is Protector;

(*d*) enquire into the treatment received by such return-emigrants both during the period of their service in the place to which they emigrated, and also during the return voyage, and report thereon to the Local Government;

(*e*) aid and advise such return-emigrants so far as he reasonably can.

Act VII of 1871, s. 9, and Act III of 1876, s. 4, para. 2.

15. The Local Government shall from time to time appoint a Medical Inspector of Emigrants at each port from which emigration is lawful, and may suspend or remove him.

Appointment of Medical Inspector.

Act VII of 1871, s. 15, revised.

16. Every Emigration Agent, and all persons in charge of, or employed in, any depôt established under this Act, or any vessel the Master of which is licensed to carry emigrants as hereinafter provided, shall give the Protector of Emigrants and the Medical Inspector of Emigrants every facility for making such inspections, examinations and surveys as are required by this Act, or as such officers may deem necessary or proper, and shall afford them all such information as they may reasonably require.

Protector and Medical Inspector to have facilities for inspection.

CHAPTER V.

EMIGRATION DEPÔTS.

Act VII of 1871, s. 10.

17. Every Emigration Agent shall establish at the port for which he is appointed a suitable depôt for the reception and lodging of emigrants previous to embarkation for the place for which he is Emigration Agent, and shall provide all necessary food and clothing for all emigrants during their stay at such depôt.

Depôts to be established at ports of embarkation.

Act VII of 1871, s. 11.

18. No such depôt shall be used for the reception and lodging of emigrants until it has been inspected and approved of by the Protector of Emigrants and the Medical Inspector of Emigrants, and a license for the use thereof has been granted by such Protector.

Licensing of depôts.

No depôt shall be licensed unless sufficient provision has, in the opinion of such Protector and Medical Inspector, been made therein for treating the sick.

For every such license there shall be paid to the Protector by the Emigration Agent a fee of fifteen rupees.

No such license shall be granted for a longer period than one year from the date thereof;

and any such license may at any time be cancelled by the Protector of Emigrants, if he considers that the depôt for which it was granted is unhealthy, or has in any respect become unsuitable for the purpose for which it was established, or if the Emigration Agent fails to comply with any of the requirements of this Act or of the rules made hereunder.

Act VII of 1871, s. 12.

19. The Protector of Emigrants and the Medical Inspector shall, from time to time, and at least once in every week during which any emigrants may be kept in any depôt at the port for which they are Protector and Medical Inspector respectively, inspect the emigrants in such depôt, and examine the state of the depôt and the manner in which the emigrants therein are lodged, fed, clothed and otherwise provided for and attended to.

Inspection by Protector and Medical Inspector.

Act VII of 1871, s. 13.

20. The Medical Inspector shall report to the Protector of Emigrants any circumstance that may come to his knowledge showing that any depôt is not suitable for its purpose, or that the emigrants lodged therein are treated with any oppression or neglect.

Report by Medical Inspector.

See Act III of 1876, s. 25.

21. The Medical Inspector may, if he thinks fit, direct any emigrant suffering from any disease likely to be dangerous to his neighbours to be isolated or excluded from the depôt.

Treatment of emigrant suffering from disease.

Any person so suffering may, if the Medical Inspector thinks fit, be removed to a proper hospital for treatment at the expense of the Emigration Agent; and the expenses of his removal and treatment in such hospital shall be recoverable from the Emigration Agent by the Protector of Emigrants together with interest thereon at the rate of six per cent. per annum from the date of payment.

CHAPTER VI.

RECRUITERS AND SUB-AGENTS OF EMIGRATION.

Act VII of 1871, s. 16, revised.

22. The Protector of Emigrants at each of the ports from which emigration is lawful shall, on the application of the Emigration Agent for any place to which emigration is lawful, grant licenses to so many fit persons as to such Protector seems necessary, to be recruiters of emigrants for such place as he thinks fit, within the whole or any specified part of the local area for which such Protector has been appointed;

Protector of Emigrants to license recruiters.

and, except as hereinafter provided, no person not possessing such a license shall enter into or attempt to enter into any agreement with any person purporting to bind him to emigrate, or shall induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or shall act or be employed in any other respect as a recruiter of emigrants.

See Act III of 1876, s. 10.

23. Every license granted to a recruiter under section twenty-two shall specify the particular place for which, and the local area within which, the holder is licensed to recruit, and may be in the form set forth in the second schedule hereto annexed.

Form of license.

Act VII of 1871, s. 19.

Fee for license.

For every such license there shall be paid to the Protector of Emigrants a fee of fifteen rupees.

Act VII of 1871, s. 18, revised.

Period for which license to remain in force.

24. No such license shall be in force for a longer period than one year from the date thereof; and, in case of misconduct on the part of the licensee, the Protector of Emigrants granting any such license may, before the expiration of the period for which it was granted, cancel the same.

New.

Recruiter to be furnished with statement of terms of contract he is authorized to offer.

25. Every recruiter shall be furnished by the Emigration Agent on whose application he was licensed, with a written or printed statement, under the hand of such Agent, of the terms of contract which he is authorized to offer on behalf of such Agent to intending emigrants.

Such statement shall be both in English and in the vernacular language or languages of the local area to which the recruiter's license extends.

The recruiter shall be bound to produce such statement for the information of any person whom he may invite to emigrate, or when called upon by any Magistrate before whom any such person may be brought for registration as hereinafter provided.

Act VII of 1871, s. 21, revised.

Countersignature of recruiter's license.

26. No recruiter shall, in any local area beyond the limits of a port from which emigration is lawful, enter, or attempt to enter, into any agreement with any person purporting to bind him to emigrate, or shall induce or assist, or attempt to induce or assist, any person to leave any place for the purpose of emigrating, or shall act or be employed in any other respect as a recruiter of emigrants, unless his license bears the countersignature of a Magistrate having jurisdiction throughout such local area.

Act III of 1876, s. 12, and Act V of 1877, s. 13.

New.

No such Magistrate shall countersign a recruiter's license unless and until he has satisfied himself, by such enquiry as he thinks fit, that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act, and that sufficient and proper accommodation has been provided in a suitable place and is available for such intending emigrants as may be collected by such recruiter pending their removal to the depôt at the port of embarkation.

New.

Magistrate to supervise accommodation.

27. Every Magistrate shall have, for the supervision, management and regulation of the premises where such accommodation is provided, the same powers as are by this Act conferred on a Protector of Emigrants in respect of depôts at the port of embarkation.

The premises where such accommodation is provided shall have a board fixed in some conspicuous position, specifying the purpose for which the premises are used.

Any Magistrate may authorize any Magistrate subordinate to him or any officer of Police above the rank of Sub-Inspector to visit and inspect such places at any time; and all recruiters or other persons in charge of such places shall afford such subordinate Magistrates and officers of Police every facility for making such visits and inspections.

Act III of 1876, s. 12, and Act V of 1877, s. 13.

Magistrate may cancel countersignature in certain cases.

28. If any Magistrate who has countersigned a recruiter's license afterwards finds reason to think that the licensee is, by character or from any other cause, unfitted to be a recruiter under this Act, or that the accommodation provided for the emigrants as aforesaid has become unsuitable or has ceased to be available, he may require the licensee to produce his license, and may cancel the countersignature thereon:

or the Magistrate may impound the license and send it for cancellation to the Protector of Emigrants who granted the same.

Adapted Act III of 1876, s. 12, and Act V of 1877, s. 13.

Notice to Protector of Emigrants of refusal to countersign or cancelling of countersignature.

29. Every Magistrate refusing to countersign a recruiter's license or cancelling the countersignature thereon shall at once report such refusal or cancellation, and the grounds of it, to the Protector of Emigrants who granted such license.

New.

Emigration Agent may nominate person to be Sub-Agent.

30. Whenever any Emigration Agent desires that any authority for the collection of emigrants, the payment or supervision of recruiters, or the conduct of any other proceeding connected with recruiting or the despatch of emigrants to the port of embarkation at which he is Agent, should be conferred on any person within any local area beyond the limits of such port, he may nominate the person on whom he desires that such authority should be conferred, and specify the authority which he proposes should be conferred on such nominee and the local area within which it is to be exercised.

New.

Power to license person so nominated.

31. The Protector of Emigrants shall, on receiving notice from the Emigration Agent of any such nomination, report the same, with his opinion as to the character and fitness of the nominee, to the Local Government of the place where the authority proposed to be conferred upon such nominee is to be exercised; and such Local Government shall, if satisfied as to the character and fitness of the nominee, grant him a license to exercise such authority within the local area so specified.

Every person so licensed is hereinafter called a Sub-Agent.

For every such license a fee of thirty rupees shall be paid to the Protector of Emigrants.

No such license shall be in force for a longer period than one year from the date thereof; and, in case of misconduct on the part of a Sub-Agent, the Local Government granting his license may cancel the same before the expiration of the period for which it was granted.

New

Remuneration of Sub-Agent.

32. The remuneration to be given to Sub-Agents shall not depend upon, or be regulated by, the number of emigrants collected or despatched by them, but shall be in the nature of a fixed annual salary.

CHAPTER VII.

AGREEMENTS WITH EMIGRANTS.

Execution of contracts.

33. Every agreement to emigrate entered into by an emigrant shall—

(*a*) be in writing;

(*b*) be executed in triplicate on substantial paper; and

(*c*) if made within the limits of any port from which emigration is lawful, be made with the Emigration Agent at such port and executed in the presence of the Protector;

if made elsewhere, be made with a recruiter and executed in the presence of a Magistrate.

Act VII of 1871, s. 22.

No such agreement shall be of any effect until it has been attested in manner hereinafter provided.

Persons of sixteen years of age may contract to emigrate.

34. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter in manner herein provided into an agreement to emigrate to any place to which emigration is lawful.

Power to contract in behalf of child or ward.

35. Any person entering into an agreement to emigrate and being the parent or guardian of a child under the age of sixteen years and above the age of six years may, in the name of and in behalf of such child, enter into an agreement in manner herein provided binding such child to emigrate with him.

Such agreement shall bind, and be enforceable on behalf of, such child in the same way as it would have been if, being of full age, he had executed it himself, but may be rescinded by such child at any time within the thirty days next following the completion of his age of eighteen years.

Essentials of contract.

36. No agreement to emigrate shall be enforceable unless it—

See Act III of 1876, s. 12, and Act V of 1877, s. 14.

(*a*) is executed by the recruiter or Emigration Agent on behalf of some specified employer in the place to which the emigrant agrees to emigrate or on behalf of some employer to be specified by the Government of such place on the emigrant's arrival there;

(*b*) states the name, name of the father, caste, occupation and age of such emigrant, and the name of the village or place of which such emigrant is a resident;

(*c*) states the port of embarkation, the period of service, the nature of the labour to be performed by such emigrant, the number of days on which he shall be required to labour in each week, and the hours in each day during which he shall be bound to labour without extra remuneration;

(*d*) specifies the monthly or daily wages in money to be paid to such emigrant for such labour as aforesaid;

(*e*) states the dependents, if any, accompanying such emigrant;

(*f*) where the Government of the place to which the emigrant agrees to emigrate is bound to provide him and his dependents (if any) with a free return-passage, provides for such passage and expresses the conditions (if any) on which, and the term of service or residence, or both, after which, he will be entitled to such passage, and the terms on which he may relinquish his right to the same.

The number of days on which an emigrant shall be bound to labour in each week shall not exceed six, and the hours during which he shall be bound, without extra remuneration, to labour in each day shall not exceed nine and a half.

CHAPTER VIII.

ATTESTATION OF AGREEMENTS AND REGISTRATION OF EMIGRANTS.

Act VII of 1871, s. 27 (first clause).

Persons contracting to emigrate to appear before Magistrate.

37. Every recruiter or Emigration Agent who desires to engage any person to emigrate shall appear before a Magistrate or the Protector of Emigrants (as the case may be) with such person and with any persons about to emigrate as dependents of such person and shall produce the agreement prescribed by sections thirty-three and thirty-six.

Act VII of 1871, s. 27 (second clause), revised.

Attestation, examination and registration.

38. The Magistrate or Protector shall thereupon examine such person apart from the recruiter or Emigration Agent with reference to his agreement;

and if it appears that he is competent to enter into such agreement and understands the nature of the same, that he has not been induced to accede to the same by any coercion, undue influence, fraud, misrepresentation or mistake, that the terms thereof are in conformity with law and, when the agreement is with a recruiter, are such as, according to the statement furnished to the recruiter under section twenty-five, he was authorized to offer, shall call upon the recruiter or Emigration Agent and the emigrant to execute such agreement in his presence, and, if they execute it, shall attest such execution with his signature,

and shall register in a book to be kept for the purpose, in such form as the Local Government prescribes, the name of the recruiter or Agent, the names of the emigrant and his father, the caste, occupation, age and residence of the emigrant, the names of the persons (if any) about to emigrate as dependents of the emigrant, the depôt to which he is to proceed, and such other particulars as the Local Government may, from time to time, prescribe.

The agreement shall thereupon be deemed to be a contract.

Act VII of 1877, ss. 28, 30.

One copy of every agreement, the execution of which is attested under this section, shall be delivered to the Emigration Agent or to the recruiter for transmission to the Emigration Agent, another shall be delivered to the emigrant, and the third shall be retained by the Protector or sent by the Magistrate to him.

The Magistrate or Protector shall also, at the time he attests the execution of any agreement under this section, call upon the intending emigrant to state who, to the best of his knowledge, are the persons who, were he to die at once, would be entitled to succeed to his property, and shall record in the register any statement made by such emigrant on this point.

See Act VII of 1871, s. 27 (third clause).

Grounds for refusing to attest agreement.

39. Notwithstanding anything contained in section thirty-eight, the Magistrate or Protector shall refuse to attest the execution of any agreement if he finds—

New.

(*a*) that the emigrant entering into such agreement is a resident of a place beyond the limits of the jurisdiction of the Magistrate or of the local area to which the Protector has been appointed, and that no satisfactory explanation is offered of the reason why such agreement was not presented for attestation at such place;

New.

(*b*) that any emigrant comprised in such agreement, being such a person as, under

the Code of Criminal Procedure, might be ordered to maintain his wife or child, proposes to leave his wife or child behind him in India and has not made such provision as such Magistrate or Protector thinks suitable for the maintenance of such wife or child;

New. (*c*) that any emigrant comprised in such agreement is a married woman, and that her husband does not consent to her emigrating.

Act V of 1877, s. 19.

40. When any person appears before a Magistrate or Protector under section thirty-seven as a dependent of an emigrant, the Magistrate or Protector shall, if such person is able to give intelligent answers to questions, examine him apart from the recruiter or Emigration Agent as to his dependence upon the emigrant whom he is about to accompany, and as to his willingness to accompany such emigrant.

Examination of dependent.

Where the Magistrate or Protector sees reason to doubt the existence of such dependence or willingness, he may, if he thinks fit, refuse to attest the agreement unless the name of such dependent is omitted therefrom.

See Act V of 1877, s. 18, last clause.

41. Whenever the Magistrate or Protector refuses to attest under section thirty-eight the execution of any agreement he shall record his reasons for such refusal; and in order to satisfy himself whether he should or should not so refuse, he may, from time to time, adjourn the examination under section thirty-eight or section forty.

Reasons for refusing to attest agreement to be recorded.

See Act V of 1877, s. 17.

42. The Local Government may, from time to time, by notification in the official Gazette, direct that, in the case of any specified local area beyond the limits of the port of embarkation, no emigrant shall be brought before the Magistrate for the purpose of being registered under section thirty-eight until he has been examined by a competent medical officer appointed by the Local Government in this behalf, and such officer has certified that such emigrant is in a fit state of health and able in point of physical condition to proceed to the port of embarkation.

Power to direct medical examination of emigrant before leaving district.

Where any such direction is made, no Magistrate shall attest the execution of any agreement under this Act until, in respect of every emigrant comprised therein, such certificate from such medical officer as aforesaid has been produced and shewn to him.

For the examination of every such emigrant the medical officer making it shall be entitled to receive from the recruiter such fee as the Local Government may, from time to time, prescribe.

43. The Protector shall not attest the execution of any agreement under section thirty-eight until the Medical Inspector has certified that every emigrant comprised in such agreement is in a fit state of health to undertake the journey to the place to which he is to emigrate.

Protector when to attest agreement.

44. No recruiter shall remove or attempt to remove any emigrant to a depôt, or induce or attempt to induce him to go to a depôt or leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned, or aid him in going to any depôt, or leaving any such local limits, until such emigrant has been registered under section thirty-eight.

Recruiter when to remove intending emigrant to depôt.

45. For the attestation of every agreement under section thirty-eight the recruiter or Emigration Agent shall pay the fee specified below, that is to say:—

See Act V of 1877, s. 31.

Fee for attestation of agreement.

	Rs.	A.
For every emigrant of the age of sixteen years and upwards contracting to labour	1	8
For every emigrant between the ages of six and sixteen years contracting to labour ...	1	0

See Act VII of 1871, s. 31 (first clause), revised.

N.B.—The second clause of section 31, Act VII of 1871, providing for refund of registration-fee on desertion, has been omitted.

CHAPTER IX.

CONVEYANCE OF EMIGRANTS TO DEPÔTS.

Act VII of 1871, s. 32.

46. Every emigrant shall, after he has been registered as hereinbefore provided, be conveyed with all convenient despatch to the depôt established at the port of embarkation by the Emigration Agent of the Government of the place to which such emigrant has contracted to emigrate.

Conveyance of emigrant to depôt.

When any such emigrants have been registered at a place beyond the limits of such port, they shall, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself or by a competent person appointed by him with the approval of the Magistrate by whom they have been registered.

Certain emigrants to be accompanied by recruiter or other person approved of by Magistrate.

The Magistrate shall give to the person so appointed a certificate under his signature stating that he has been appointed for the journey to the depôt; and the recruiter or the person so appointed shall throughout the journey provide the emigrants with proper and sufficient food and lodging.

47. When, in the case of any emigrant, the provisions of section forty-six are not complied with, the Magistrate by whom such emigrant has been registered may order the Emigration Agent or the recruiter by whom the emigrant was recruited at once to pay such emigrant such reasonable sum as is necessary to enable him to return to the place where he resided, and may take any steps he may think necessary for sending the emigrant back to such place.

Power to order payment of expenses of emigrant when he is not conveyed to depôt.

48. If the Magistrate has passed an order under section forty-seven with regard to any emigrant, any emigrant registered as a dependent of such emigrant, or any emigrant, not a dependent, who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may claim to be sent back at the expense of the Emigration Agent or recruiter with such emigrant to the place where he resided; and the Magistrate may include such expense in an order made under section forty-seven with regard to such emigrant.

Expenses of dependents and certain other persons.

49. On failure of such Emigration Agent or recruiter for twenty-four hours to comply with an order of the Magistrate for the payment of any sum ordered to be paid under section forty-seven or forty-eight, the

Failure of Emigration Agent, &c., to pay such expenses.

Magistrate may pay the same to or on behalf of the emigrant.

Every sum so paid shall be recoverable from such Emigration Agent or recruiter with interest thereon at the rate of six per cent. per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Magistrate gave such Emigration Agent or recruiter an order to pay such sum, and that the Emigration Agent or recruiter for twenty-four hours failed to comply with such order.

CHAPTER X.

PROCEDURE ON ARRIVAL AT THE DEPÔT OF EMIGRANTS FROM UP-COUNTRY.

Act VII of 1871, s. 33.

Arrival at depôt to be reported.

50. The arrival at a depôt of each emigrant registered at any place beyond the limits of the port shall immediately be reported by the person in charge of such depôt to the Emigration Agent, and by such Agent to the Protector of Emigrants.

Act VII of 1871, s. 34.

Copy of contract to be shown to Medical Inspector.

Emigrant to be examined by him.

51. The copy of the contract received by the recruiter from the Magistrate shall, as soon as conveniently may be after the arrival of the emigrant at the depôt, be shown to the Medical Inspector of Emigrants; and each emigrant comprised in such contract shall be examined by the Medical Inspector to ascertain whether he is fit, having regard to his age and state of health, to undertake the journey to the place to which he has contracted to emigrate.

The Medical Inspector, if satisfied of his fitness, shall give a certificate to that effect to the Emigration Agent; and if not so satisfied he shall give a certificate to that effect to the Protector of Emigrants.

Act VII of 1871, s. 37, revised with Act V of 1877, s. 25.

Duty of Protector on arrival of emigrants.

52. The Protector of Emigrants, on receiving the report of arrival mentioned in section fifty, shall, as soon as may be, examine in the presence of the Emigration Agent each emigrant as to the mode in which he has been treated on his journey to the depôt, and as to any other matters which the Protector of Emigrants may think it necessary to enquire into, and shall, at the same time, peruse the contract.

If, owing to the contract not being in accordance with law, or for any other reason, further enquiry appears to him necessary, he shall at once make such enquiry.

If for any reason the Protector is unable to visit the depôt for the purposes of this section within seventy-two hours of the emigrant's arrival there, he shall at once report the circumstances for the information of the Local Government.

Act VII of 1871, s. 38, revised with s. 26, Act V of 1877.

Countersignature of copy of contract.

53. If the Medical Inspector gives a certificate of fitness under section fifty-one and in the opinion of the Protector of Emigrants there is no valid reason why the contract to emigrate should not be performed, the Protector shall countersign the copy of the contract in the possession of the emigrant.

Section 35, Act VII of 1871, and section 27 of Act V of 1877.

Power to order payment of expenses of return of emigrant.

54. If the Medical Inspector of Emigrants, on making the examination required by section fifty-one, or at any subsequent time during the stay at the depôt of any emigrant registered at any place beyond the limits of the port, finds that such emigrant is or has become unfit to undertake the intended voyage, and if the Protector of Emigrants considers that such emigrant has not dishonestly represented himself as fit to undertake such voyage;

or if the Protector, on making the examination and perusing the contract as directed by section fifty-two, finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any such emigrant as makes it just to rescind the contract to emigrate;

or if the Emigration Agent refuses to fulfil the contract entered into with such emigrant,

the Protector may order the Emigration Agent at once to pay such emigrant such reasonable sum as is necessary to enable him to return to the place at which he resides and such further sum as such Protector may deem reasonable as compensation, and may take any other steps he thinks necessary for the conveyance of the emigrant to such place.

And any emigrant who from his state of health is, in the opinion of the Medical Inspector of Emigrants, unfit to undertake such return-journey shall be entitled to be fed, lodged, clothed and attended to at the depôt at the port of embarkation at the expense of the Emigration Agent, until he is reported by the Medical Inspector fit to undertake such return-journey.

Section 28 of Act V of 1877.

Like expenses of dependents and relatives.

55. When any order is made under section fifty-four with reference to any emigrant, any emigrant registered as his dependent,

or any emigrant not a dependent who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may claim—

(1) to be conveyed at the expense of the Emigration Agent with such emigrant to the place at which he resided; and

(2) if such emigrant is unable to travel, to be lodged, fed and clothed in the depôt at the expense of the Emigration Agent until such emigrant is able to travel;

and the Protector may include such expenses in an order made under section fifty-four with respect to such emigrant.

Act V of 1877, s. 30.

Compensation to emigrant for ill-treatment on journey.

56. If, upon the arrival at the depôt of any emigrant registered beyond the limits of the port it appears that during the journey to the depôt he has suffered any ill-treatment, or that the recruiter has failed to provide him with proper and sufficient food and lodging, the Protector of Emigrants may order the Emigration Agent to pay him a reasonable sum by way of compensation.

S. 31 of Act V of 1877. Cf. Act VII of 1871, s. 36.

Failure of Emigration Agent to pay such expenses.

57. On failure of such Emigration Agent for twenty-four hours to comply with an order of the Protector for the payment of any sum ordered to be paid under section fifty-four, fifty-five or fifty-six, the Protector may pay the same to, or on behalf of, the emigrant.

... such local limits, until such ... under section forty-seven or forty-eight, the

The provisions of section forty-nine relating to the recovery of sums paid by the Magistrate under sections forty-seven and forty-eight shall *mutatis mutandis* apply to the recovery of sums paid by the Protector under this section.

CHAPTER XI.

EMIGRANT VESSELS.

Act VII of 1871, s. 40.

58. It shall not be lawful to receive any emigrant on board any vessel unless a license to carry emigrants in such vessel has been obtained from the Local Government. The granting or withholding any such license shall be in the discretion of the Local Government.

Emigrants not to be received on board unlicensed vessel.

The Master or owner of any vessel who desires to obtain a license to carry emigrants in such vessel shall apply in writing through the Protector of Emigrants to the Local Government for such license.

Application for license.

Every such application shall state the number of adult emigrants which, according to the rules regarding space hereinafter contained, the applicant deems the vessel capable of carrying, and the tonnage and such other particulars respecting the vessel as the Local Government may, from time to time, prescribe.

Contents of application.

Act VII of 1871, s. 40 (4).

59. The Protector of Emigrants shall cause the vessel to be surveyed by a competent person at the cost of the Master or owner, with a view to ascertain her seaworthiness and the extent and nature of her accommodation for emigrants, and to ascertain that she is properly ventilated, and is supplied with all the tackle, apparel and furniture requisite for her intended voyage.

Survey of vessel.

The Protector of Emigrants shall make a full report on the survey to the Local Government; and if such Government is of opinion that the vessel is in all respects suitable for the carrying of emigrants under this Act, it shall give to the Master of the vessel a license to carry emigrants therein specifying the number of emigrants which may be received on board.

Report after survey and license to Master.

Act VII of 1871, s. 41.

60. No license under section fifty-nine shall be granted unless—

Accommodation required on board.

(*a*) there is provided for the emigrants, either between-decks or in cabins on the upper deck, firmly secured and entirely covered in, a space devoted to their exclusive use having in every part a height of not less than six feet;

(*b*) a separate place is fitted up for a hospital;

(*c*) such arrangements are made for the separation of women (married or single) and children from the other emigrants as may be prescribed by the rules made under this Act.

Act VII of 1871, s. 41.

61. Every vessel shall contain within the space referred to in clause (*a*), section sixty, at least twelve superficial feet and seventy-two cubic feet of space for each passenger:

Rules as to space.

Provided that two emigrants under the age of ten years shall for the purposes of this section count as one only.

Act VII of 1871, s. 42 (1), (3) and (4).

62. There shall be actually laden and on board of every vessel carrying emigrants, at the time of departure of such vessel from the port at which they embark,—

Provisions, fuel and water.

(*a*) provisions and clothing for the emigrants (over and above the supply for the Master, officers and crew, and of the cabin and other passengers, if any), in such quantity and of such description and quality as may be prescribed by the rules made under this Act;

(*b*) fuel for cooking such provisions;

(*c*) a supply of water in tanks (which are to be approved by the Protector of Emigrants) to the amount of seven gallons for each emigrant for every week of the probable length of the voyage:

Provided that—

1*st*—when any vessel is to call for the purpose of filling up her tanks at any place in the course of her voyage, a supply of water at the rate hereinbefore mentioned, for every week of the probable length of the voyage to such place, shall be deemed to be a compliance with this clause; and

Supply of water for vessel calling at intermediate port.

2*nd*—when any vessel is fitted with Normandy's apparatus, or other apparatus approved by the Protector of Emigrants, for distilling sea-water, and with proper and sufficient means for working the same, a reduction shall be allowed of one-third in the quantity of water required under this section.

Supply in vessel fitted with distilling apparatus.

Act VII of 1871, s. 42 (2).

63. Every such vessel shall, at the time of departure aforesaid, have actually on board, and shall carry with her, a properly qualified European or Native Surgeon, and also such compounders, interpreters, and female nurses, and such medicines, and other stores, in such quantity and of such quality as may be prescribed by rules to be from time to time made under this Act.

Surgeons, nurses, medicines and stores.

Act VII of 1871, s. 43.

64. Every emigrant leaving India for any place westward of the Cape of Good Hope between the first day of March and the fifteenth day of September shall be supplied with at least one double blanket, which shall, at the time of departure aforesaid, be placed on board the vessel with his other clothing or luggage.

Extra clothing.

Every emigrant shall be allowed to make use of such double blanket so long as the vessel is outside of the tropics.

Act VII of 1871, s. 44 (5).

65. The Protector of Emigrants and the Medical Inspector of Emigrants shall see personally that all the provisions of sections sixty-two, sixty-three and sixty-four are complied with.

Protector and Inspector of Emigrants to insure compliance with above provisions.

Act VII of 1871, s. 40 (6).

66. Every Master licensed under section fifty-nine shall, upon the requisition of the Protector of Emigrants, and before any emigrant embarks on board of his vessel, execute to such Protector, in duplicate, a bond, in such form as the Local Government prescribes, binding himself and the owner of the vessel in a penal sum of ten thousand rupees to perform the duties imposed by this Act or any rule made hereunder on a Master and owner respectively.

Bond to be executed by Master.

The Protector of Emigrants shall forward one copy of such bond to the Government of the place to which the emigrants are to be conveyed (or in the case of a foreign colony to the British Consular Agent at such colony) and the other copy to the Local Government.

CHAPTER XII.

EMBARKATION AND DEPARTURE.

New.

67. No emigrant shall embark, except with the special permission of the Protector of Emigrants, until seven days have elapsed from the date of his arrival at the depôt.

No emigrant to be embarked until he has been seven days at depôt.

Act VII of 1871, s. 46, modified.

68. No person shall emigrate to any place west of the Cape of Good Hope, in sailing-vessels between the first day of March and the thirty-first day of July, or in steam-vessels between the fifteenth day of March and the thirty-first day of July.

Time at which emigrants may leave India.

No person shall emigrate to any place during any season which the Governor General in Council may from time to time by notification in the *Gazette of India* declare to be a season during which emigration to such place is prohibited.

Explanation.—The expression "steam-vessels" in this section means vessels continuously under steam, and not vessels in which steam is only occasionally used as an auxiliary to sails.

Act VII of 1871, s. 47 (clauses 3 & 4).

69. The Protector of Emigrants shall, before the embarkation of any emigrant, ascertain whether he has or has not in his possession the copy of the contract furnished to him under section thirty-eight.

Protector to see that emigrant has copy of entry in register.

When the Protector of Emigrants is satisfied that any emigrant has not such copy in his possession, the Protector shall furnish him with another copy of such contract, and shall thereupon allow such emigrant to embark.

Act VII of 1871, s. 48.

70. The Protector of Emigrants shall explain to all emigrants prior to their embarkation the substance of the provisions of this Act, so far as they immediately affect such emigrants.

Provisions of Act to be explained.

Act VII of 1871, s. 45 (clause 1), revised.

71. If any emigrant without sufficient cause refuses or neglects to embark when called upon by the Emigration Agent to do so, it shall not be lawful to compel such emigrant to embark; but nothing in this section shall affect the civil or criminal liabilities which such emigrant incurs by reason or in respect of such refusal or neglect.

Procedure if emigrant refuses to embark.

Act VII of 1871, s. 49. Original specifies five copies; four are all that are needed.

72. When any emigrants are about to embark on board any vessel, the Emigration Agent shall furnish the Master of the vessel with four copies of a list, specifying, as accurately as may be, the names, ages and occupations of such emigrants and the names of their respective fathers.

Emigration Agent to deliver four lists of emigrants to Master.

The Master shall not receive any emigrant on board unless he is provided with a pass signed by the Emigration Agent, and countersigned by the Protector, stating the name and the age of the emigrant, the name of his father, and the place to which he has contracted to emigrate, and certifying that he is in a fit state of health to undertake the voyage to such place.

Emigrant to be provided with pass.

Every emigrant shall on embarkation deliver such pass to the Master.

Emigrant to give his pass to Master.

The Master shall compare the emigrants who embark and the passes delivered by them with the list furnished by the Emigration Agent: and if the list appears to be correct and to correspond with the passes delivered and with the emigrants embarked, the Master shall sign the four copies of the list.

Master to compare pass with list.

The Protector of Emigrants shall be personally present at the embarkation of all emigrants, and shall see that the Master duly compares the list with the passes and emigrants. He shall himself also compare the list with the passes and emigrants, and shall not permit any emigrant to remain on board who has not delivered up his pass to the Master, or is not mentioned in the list.

Protector to be personally present.

Emigrant without pass not to remain on board.

Act VII of 1871, s. 49 (7)

73. Every pass delivered up under section seventy-two to the Master shall be returned by him to the emigrant by whom the same was delivered up, before such emigrant disembarks at the place to which he has contracted to emigrate.

Pass to be returned to emigrant on arrival at his place of destination.

Act VII of 1871, s. 49 (5)

74. When the copies of the list have been signed, the Master shall give two of such copies to the Protector of Emigrants, who shall sign such copies if he believes them to be correct, and shall return one copy to the Master: the other copy shall be filed in the office of the Protector of Emigrants.

Two copies of list to be given by Master to Protector, signed by him and one returned to Master.

Act VII of 1871, s. 50.

75. The Master shall give to the Emigration Agent the two remaining copies of the list.

Two copies of list to be given by Master to Emigration Agent—

The Emigration Agent shall thereupon sign such copies, and shall return to the Master one of the said copies, which shall, on the arrival of the vessel at the place to which the emigrants have contracted to emigrate, and previous to their disembarkation, be delivered up by the Master to such officer as may be appointed in this behalf by the Government of such place.

and signed by him, and one returned to Master; and by him to be delivered at place of destination.

Act VII of 1871, s. 51.

76. The Protector of Emigrants shall, by every vessel which carries emigrants, send to the Protector of Emigrants or other officer appointed in this behalf by the Government of the place to which the emigrants have contracted to emigrate, a correct and detailed list of all the emigrants embarked in such vessel, compiled from their passes and from the list signed by the Master as aforesaid.

Protector to send list of emigrants to Government of place to which they emigrate.

Act VII of 1871, s. 49 (4).

77. The Medical Inspector shall be personally present at the embarkation of all emigrants, and shall examine each emigrant to ascertain if he is in a fit state of health to undertake the voyage to the place to which he has contracted to emigrate;

Examination by Medical Inspector.

and if he finds that he is not fit to undertake such voyage, he shall inform the Protector accordingly.

The Protector may thereupon refuse to permit such emigrant to embark; and any emigrant, registered as a dependent of an emigrant whom the Protector has refused to permit to embark, or any emigrant, not a dependent, who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of such emigrant, may, notwithstanding anything herein contained, refuse to embark.

The provisions of sections fifty-four, fifty-five and fifty-seven shall, so far as may be, apply to emigrants who under this section are not permitted to embark, and to any emigrants who may under this section refuse to embark, and to the recovery of expenses incurred under this Act in respect of them.

Emigration Agent to furnish Master with all contracts.

78. The Emigration Agent shall, after all the emigrants have embarked, furnish the Master with all the contracts made by the Emigration Agent or under his authority with such emigrants, and delivered or transmitted to him under section thirty-eight; and the Master shall, on arrival at the place to which the emigrants are to be conveyed, deliver up such contracts to such officer as may be appointed in this behalf by the Government of such place.

Act VII of 1871, s. 44.

Certificate from Protector of Emigrants and Emigration Agent.

79. Before any vessel licensed to carry emigrants clears out of any port from which emigration is lawful, the Master of such vessel shall obtain from the Protector of Emigrants at such port, and from the Emigration Agent for the place to which the emigrants are to be conveyed, certificates, under the hands of such Protector and Emigration Agent respectively, to the following effect, namely:—

that such Protector and Agent have, in respect of all the emigrants proceeding in such vessel, done all that is hereinbefore required to be done on the part of such Protector and Agent, respectively, and that all the directions for the security, well-being and protection of emigrants which are contained in this Act, or in such rules as the Governor General in Council may make under section eighty-five, have, in the case of such vessel, been complied with.

Act VII of 1871, s. 52.

Vessel sailing from Calcutta to depart within 24 hours of embarkation.

80. The Master of every vessel carrying emigrants from the port of Calcutta shall proceed on his voyage and depart with his vessel from Garden Reach within twenty-four hours after the embarkation of such of the emigrants as have first embarked.

Act VII of 1871, s. 53.

Vessels sailing from Calcutta to be towed to sea.

81. Every sailing-vessel leaving the port of Calcutta with emigrants shall proceed from Garden Reach to sea under tow of a competent steamer.

Power to send to hospital individual emigrants suffering from certain diseases on board vessels leaving Calcutta.

82. When a vessel leaves the port of Calcutta with emigrants, and during her passage down the river, and while between Garden Reach and Diamond Harbour, measles, scarlet-fever or small-pox shall appear on board, the Master shall, if so required by the Surgeon in charge of the emigrants, send to the hospital at Diamond Harbour all emigrants actually suffering from such disease, together with any emigrants registered as their dependents and any emigrant not being a dependent who may be the father, mother, wife, husband, son, daughter, brother, sister, guardian or ward of any such emigrant and who may wish to accompany him or her, and shall at once inform the Protector of Emigrants at Calcutta of the number and names of the emigrants so sent to hospital.

The provisions of sections fifty-four, fifty-five and fifty-seven shall, so far as may be, apply to emigrants landed under this section, and to the recovery of expenses incurred in respect of them.

Power to land all emigrants when cholera appears.

New.

83. In the event of cholera in an epidemic form appearing among the emigrants on board any vessel sailing from the port of Calcutta and not having passed Diamond Harbour the Surgeon in charge of the emigrants may require the Master to land at Diamond Harbour all such emigrants.

The Master shall at once comply with such request, and shall immediately give notice of his having done so to the Protector of Emigrants at Calcutta, who shall take such action thereupon as may be prescribed by rules to be made under this Act.

Copies of Act and rules to be kept on board.

Act VII of 1871, s. 54.

84. Two copies of this Act and of all rules made hereunder and two copies of a translation of this Act and of such rules, in such language or languages as the Local Government may direct, shall be delivered by the Emigration Agent to the Master of every vessel carrying emigrants before she clears out of port, and shall be kept on board of every such vessel during the whole voyage.

One of such copies or translations shall, upon request made at any reasonable time to the Master of the vessel, be produced to any emigrant for his perusal.

CHAPTER XIII.

SUPPLEMENTARY POWERS.

Power of Governor General in Council to make rules.

Act VII of 1871, s. 56.

85. The Governor General in Council may, from time to time, make rules consistent with this Act—

(*a*) to regulate the proportion of women to be taken with male emigrants, the proportion of children to be taken with adult emigrants, and the age below which children shall not be so taken;

(*b*) to prescribe the description, quantity and quality of provisions, fuel and water to be taken by vessels carrying emigrants, the daily allowance of food and water to be issued, and the nature and amount of clothing to be supplied to each emigrant during the voyage;

(*c*) to provide for the medical care of the emigrants during their residence at the depôts and on the voyage, and to fix the number of the compounders, interpreters and female nurses to be carried, in addition to the Surgeon, for the care of the sick or weakly on board emigrant-vessels; New.

(*d*) to provide for the measures to be taken on the outbreak of any epidemic or infectious disease in the depôts or on a voyage; New.

(*e*) to prescribe the nature, quantity and quality of medicines and other stores to be carried on board emigrant-vessels;

New.

(*f*) to provide for the ventilation and cleanliness of such vessels during their voyages, and for their being furnished with a sufficient number of life-buoys, boats, water-buckets and other appliances to be used in case of shipwreck or fire;

New from here.

(*g*) to provide for a journal being kept by the Surgeon of every such vessel, recording the health of the emigrants, and his treatment of the sick, together with full explanation of the causes of every death; and to define the duties and powers of such Surgeon in respect of the emigrants committed to his care;

(*h*) to provide for the disposal of emigrants who may be landed under section eighty-three;

(*i*) and generally to provide for the security, well-being and protection of emigrants.

All such rules shall be published in the *Gazette of India*, and shall thereupon have the force of law.

Act VII of 1871, s. 62.

Power to increase and reduce fees.

86. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, increase or reduce any fee payable under section eighteen, twenty-three, thirty-one or forty-five:

Provided as follows—

Provisoes.

such increase shall not be more than what may, in the opinion of the Governor General in Council, be sufficient to raise the total income from fees under this Act to an amount which will cover the cost of any establishment or supervision which the Governor General in Council thinks necessary to provide for the control of emigration:

if it appears to the Governor General in Council expedient to provide, in the case of any colony, any special establishment or expenditure for the protection of Indian emigrants to such colony, the Governor General in Council may increase the fees mentioned in section forty-five in the case of such emigrants to an amount sufficient, in his opinion, to cover the cost of such special establishment or such expenditure.

CHAPTER XIV.

OFFENCES.

Act VII of 1871, ss. 71, 72, part of s. 73, and s. 74 recast and revised.

Making unlawful agreement;

87. Whoever, except in conformity with the provisions of this Act,

makes or attempts to make any agreement with any native of India purporting to bind him to emigrate, or

recruiting without being licensed;

induces or assists or attempts to induce or assist any such Native to leave any place for the purpose of emigrating, or otherwise acts or is employed as a recruiter of emigrants, or

receiving emigrants in place where accommodation not duly provided.

receives into or detains in any place other than a place in which accommodation has been provided as mentioned in section twenty-six any person with a view to his being registered as an emigrant, or after his registration as an emigrant and prior to his departure for the depôt at the port of embarkation,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Recruiters removing, &c., unregistered emigrants;

88. Whoever being a recruiter duly licensed under this Act,

removes, or attempts to remove, any emigrant to a depôt, until he has been registered under section thirty-eight, or induces or attempts to induce him to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned until he has been so registered, or aids or attempts to aid him in leaving any such local limits or going to any depôt until he has been so registered, or

not supplying proper lodging, food, &c.

fails to provide any emigrant whom he has engaged, and who is registered under this Act, with suitable lodging and food or otherwise ill-treats such emigrant on his journey to the depôt,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Fraudulently inducing Native to emigrate.

Act VII of 1871, s. 73, para. 3; enhanced penalty of Act V of 1877, s. 40, adopted. New.

89. Whoever, by means of intoxication, coercion, fraud or misrepresentation, causes or induces, or attempts to cause or induce, any native of India to emigrate, or to enter into any agreement to emigrate, or to leave any place with a view to emigrating, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both; and any Police-officer may arrest without warrant any person committing an offence under this section.

Acting as Sub-Agent without being licensed.

Act VII of 1871, s. 76.

90. Whoever, not being a Sub-Agent licensed under section thirty-one, acts as such Sub-Agent shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

False representation of Government authority.

Act VII of 1871, s. 76.

91. Whoever, without lawful authority, issues any written order to the Police to assist him or any other person to procure emigrants, or falsely represents that such emigrants are required by the Government or are to be engaged on behalf of the Government, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Receiving emigrants on board in contravention of Act.

92. Any Master who knowingly receives on board his vessel any emigrant who has not complied with the provisions of this Act, so far as they are binding upon him,

any Master not licensed under section fifty-nine who knowingly receives any emigrant on board his vessel, and

any Master licensed as aforesaid who knowingly receives on board his vessel any emigrant in excess of the number specified in his license,

shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees for each emigrant so received, or with both; and the vessel, her tackle, apparel and furniture, may be declared by the Court before which such Master is tried to be forfeited to Her Majesty.

Act VII of 1871, s. 79.

Fraudulent acts on part of Master whereby certificate becomes inapplicable to vessel.

93. Any Master licensed under section fifty-nine who fraudulently does, or suffers to be done, any act or thing whereby such license becomes inapplicable to the altered state of the vessel or other matter to which such license relates, shall be punished with fine which may extend to five thousand rupees;

and he may also be sued on any bond which he may have executed under section sixty-six.

Non-compliance with sections 62 to 64.

94. Any Master of a vessel carrying emigrants who clears or attempts to clear such vessel outwards when any of the provisions of sections sixty-two, sixty-three and sixty-four have not been complied with in respect thereof shall be punished with fine which may extend to four thousand rupees.

Act VII of 1871, s. 77, revised with Act V of 1877, s. 43.

Master not complying with sections 72, 74 and 75.

95. Any Master who receives on board his vessel any emigrants and fails to comply with the requirements of sections seventy-two, seventy-four and seventy-five in respect of such emigrants shall be punished with fine which may extend to two hundred rupees for each emigrant so received on board.

Act VII of 1871, s. 78.

Master taking on board, after clearance, emigrants not entered in list.

Any Master who, having cleared his vessel, takes on board any emigrant not entered in the list mentioned in section seventy-two, or not furnished with a pass required by the said section, shall be punished with fine which may extend to two hundred rupees for each emigrant so taken.

Act V of 1877, s. 44.

Landing emigrant at other than specified place.

96. Any Master landing any emigrant at any place other than the place for which he has been shipped by the Emigration Agent shall be punished for every emigrant so landed with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both, unless such landing has been caused by stress of weather or unavoidable accident, or has taken place under the circumstances mentioned in sections eighty-two and eighty-three.

Act VII of 1871, s. 80.

Proceeding to sea without steam.

97. Any Master of a sailing vessel leaving the port of Calcutta with emigrants on board who, without reasonable excuse, causes or allows his vessel to go below Garden Reach without being in tow of a competent steamer,

or does not leave Garden Reach with his vessel within the time prescribed in section eighty,

shall be punished with fine which may extend to one thousand rupees.

See Act III of 1876, s. 33.

Emigrant deserting or refusing to proceed to depôt after registration.

98. Any person who, having been registered by a Magistrate under section thirty-eight, deserts before arrival at the depôt, or refuses without reasonable cause to proceed to the depôt, shall be punished with fine which may extend to twenty rupees or to the cost incurred in contracting with and registering and conveying him to the depôt, whichever is greater, and, in default of payment of such fine, with imprisonment which may extend to one month.

Every fine levied under the provisions of this section may, in the discretion of the convicting Magistrate, be paid to the Emigration Agent, Sub-Agent or recruiter by whom such cost was incurred.

No prosecution under this section shall be instituted except on complaint made by or at the instance of a Protector of Emigrants or with his sanction; and such sanction shall not be given if the Protector sees reason to believe that the accused person or other intending emigrants accompanying him has or have been ill-treated, deceived or defrauded by the recruiter or any person under his control.

Registered emigrant deserting from depôt or failing to embark.

99. Any emigrant who, having been registered as aforesaid, See Act VII of 1871, s. 45, second clause.

deserts from the depôt,

or, without reasonable cause, refuses or neglects to embark when called upon to do so by the Emigration Agent,

shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to fifty rupees or to double the amount of the expense incurred in contracting with, registering and conveying him to the depôt, and maintaining him therein, or with both.

No prosecution under this section shall be instituted except by the Emigration Agent with the sanction of the Protector; and such sanction shall not be given if, in the opinion of the Protector, the emigrant has suffered any ill-treatment or neglect in the depôt or on the journey thither.

Embarking emigrant contrary to section 67.

100. Any person who causes, and any Emigration Agent or Master who knowingly permits, any emigrant to embark contrary to the provisions of section sixty-seven, shall be punished with fine which may extend to two hundred rupees for each emigrant so embarked.

Abetment.

101. Whoever abets within the meaning of the Indian Penal Code any offence against this Act shall be deemed to have committed such offence.

Prosecutions instituted.

102. All prosecutions under sections ninety-two to ninety-seven both inclusive, or under section one hundred, shall be instituted by the Emigration Agent, or by the Protector of Emigrants, or by an officer appointed for the purpose by the Local Government. See Act VII of 1871, s. 82.

Customs-officers may search and detain for purposes of Act.

103. All the powers for the time being conferred by law on officers of sea-customs in regard to the searching and detention of vessels, or otherwise, for the prevention of smuggling on board thereof, may be exercised by such officers for the prevention of offences against this Act. Act VII of 1871, s. 81.

CHAPTER XV.

MISCELLANEOUS.

Suits against Emigration Agent for breach of duty.

104. Whenever an Emigration Agent is chargeable with a breach of any duty to an emigrant arising from any contract with such emigrant or imposed by this Act or the rules made hereunder, the Protector of Emigrants may, if he thinks fit, institute a suit on behalf of the emigrant against the Emigration Agent for the recovery of compensation for such breach. See s. 32 of Act V of 1877, and the last two clauses of s. 37 of Act VII of 1871.

In awarding compensation under this section, all sums ordered to be paid under sections forty-seven and fifty-four shall be taken into consideration.

Act VII of 1871, s. 83.

Power to determine probable lengths of voyages for purposes of Act.

105. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, determine what shall be held to be, for the purposes of this Act, the probable length of the voyages by sailing-vessels and vessels using steam-power, respectively, from any port from which emigration is for the time being lawful to any place to which emigration is for the time being lawful.

Reference to Schedule III.

Until otherwise so determined under this section, the probable length of the voyage by sailing-vessels from the ports mentioned in the third schedule hereto annexed to the other places mentioned in the said schedule shall be deemed to be the lengths stated in the said schedule.

Power to extend Act No. V of 1877 to other parts of British India.

106. The Governor General in Council may by a notification in the *Gazette of India* extend Act No. V of 1877 (the Straits Settlements Emigration Act 1877) to the whole or any part of British India other than Madras.

SCHEDULE I.

(See section 6.)

PLACES TO WHICH EMIGRATION IS LAWFUL.

I.—The British Colonies of Mauritius, Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, Natal, St. Kitts, Nevis and Fiji.

II.—The French Colonies of Réunion, Martinique, Guadeloupe and its dependencies, and Guiana.

III.—The Netherlands Colony of Dutch Guiana.

IV.—The Danish Colony of St. Croix.

SCHEDULE II.

(See section 23.)

FORM OF RECRUITER'S LICENSE.

Act VII of 1871, second schedule, and Act V of 1877, first schedule.

OFFICE of the Protector of Emigrants at the Port of

A. B., described in the descriptive roll annexed, is hereby licensed under the Indian Emigration Act, 1881, to be a recruiter of labourers for [*here state the place for which the recruiter is licensed to recruit*] in [*here name the local limits within which the recruiter is licensed to act*].

This license will be in force until the day of , unless previously cancelled.

(*Signed*) *C. D.*,
Protector of Emigrants.

Dated the day of

Descriptive Roll.

Name.	Father's name.	Age. Years.	Age. Months.	Caste.	Colour.	Height. Feet.	Height. Inches.	Distinguishing marks.	Name of village, local sub-division (tahsil, taluq, &c.) and district to which he belongs.

SCHEDULE III.

(See section 105).

PROBABLE LENGTHS OF VOYAGES UNDER THIS ACT.

FROM CALCUTTA—

To Mauritius and Réunion.	From the month of April to the month of October, both inclusive, ten weeks; and from the month of November to the month of March, both inclusive, eight weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.	Twenty weeks.
To Natal ...	Twelve weeks.
To Fiji ...	Eighteen weeks.

FROM MADRAS—

To Mauritius and Réunion.		From the month of April to the month of October, both inclusive, seven weeks; and from the month of November to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.		Nineteen weeks.
To Natal	...	Ten weeks.
To Fiji	...	Seventeen weeks.

FROM BOMBAY—

To Mauritius and Réunion.		From the month of April to the month of September, both inclusive, five weeks; and from the month of October to the month of March, both inclusive, six weeks.
To Jamaica, British Guiana, Trinidad, St. Lucia, Grenada, St. Vincent, St. Kitts, Nevis, St. Croix, French Guiana, Martinique, Guadeloupe and its dependencies, and Surinam.		Nineteen weeks.
To Natal	...	Ten weeks.
To Fiji	...	Seventeen weeks.

STATEMENT OF OBJECTS AND REASONS.

NUMEROUS suggestions for the amendment of the Indian Emigration Act, 1871, have from time to time been received by the Government. Many of these which it appears desirable to adopt deal with minor and, comparatively speaking, unimportant points; but some propose substantial changes which would materially alter the working of the existing law. It has, moreover, been found that the form and arrangement of the Act are susceptible of improvement. Under these circumstances, it has been thought advisable to repeal the Act, and re-enact it with all the requisite amendments. Of these amendments the more important are the following.

2. In the preliminary chapter "emigrate," "emigrant" and "emigration" have been so defined as to cover not only persons leaving India under a contract to labour, but also dependents of such persons. It is obvious that, for all purposes of the control of recruiters and depôts, the regulation of emigrant vessels, &c., it is as necessary to take count of dependents as of the persons who contract to labour.

3. Section 5, which corresponds to section 26 of the Act of 1871, has been amplified so as to give the Governor General in Council power to establish ports other than those of the three Presidency-towns as ports of embarkation.

4. In a recent correspondence it has been brought to notice that the effect of the Contract Act of 1872 has been to make it impossible for persons under the legal age of majority (in most cases 18) to engage to emigrate. The limit of sixteen years at or above which an emigrant may himself enter into a contract to emigrate has been adopted in sections 34 and 35 of the Bill from the Bengal Labour Districts Emigration Act (Bengal Act VII of 1873); and it has been provided that minors below that age and above the age of six years may contract through their guardians, power being reserved to the minor to rescind the contract at any time within the thirty days next following the completion of his age of eighteen years.

5. Section 33 requires all agreements to emigrate to be in writing, and, if entered into within the limits of any port from which emigration is lawful, to be made with the Emigration Agent at such port, and executed in the presence of the Protector; if entered into elsewhere, to be made with a recruiter and executed in the presence of a Magistrate. Section 36 lays down what such agreements must contain. At present, there is much confusion in the law as to what constitutes the contract to emigrate; and it is not absolutely necessary that any terms of service should be settled before the emigrant leaves India. Most, if not all, colonies have already introduced written contracts, so that there will be no hardship in requiring their general use; the conventions with France and Holland expressly stipulate that a written contract must first be executed in India, and there will thus be no difficulty with those powers. The requirement of a contract, moreover, marks distinctly the stage at which an emigrant becomes liable for breach of contract—a point which under the present law is somewhat uncertain. Lastly, the provision exists (in substance) in the Burma and Straits Settlements Emigration Laws. The material stipulations mentioned in section 36 are all actually adopted by the colonies which receive Indian emigrants.

6. The remaining amendments are for the most part in matters of detail, and may be shortly stated as follows.

7. For the present definition of Magistrate and section 85 of the existing Act, the definition in Act V of 1877 (The Straits Settlements Emigration Act, 1877), which allows of the appointment of any person as a Magistrate for the purposes of the Act, has been substituted.

8. *Chapter II.—Ports from which, and places to which, Emigration is lawful.*—This is a new chapter, which brings together under one head, in an amended form, the provisions of sections 23 to 26 and sections 57 to 61 of the Act of 1871.

9. *Sections 7 to 10.*—In the present law sections 57 and 61 overlap, and one of them is clearly unnecessary. The opportunity has accordingly been taken to re-draft the sections, amalgamating them and specifying more clearly the reasons for which emigration may be suspended. Excessive mortality, neglect to enforce in the colony the contracts made in India and omission to furnish the Government of India with the information necessary to enable it to judge how Indian immigrants are treated have been added to the reasons mentioned in sections 57 and 61 of the present Act. This last is in accordance with the recommendation of Sir G. Campbell.

10. *Section 8* defines more clearly the extraordinary power which, under section 61 of the present Act, can be exercised by the Local Government on a pressing emergency; and this power has been restricted to a single case—the outbreak of plague or other epidemic disease dangerous to life in the colony.

11. *Chapter III.—Emigration Agents.*—No change has been made in this chapter, which corresponds with Part II of the present Act, except a slight amendment of section 4 of the present law, defining the effect of the notification of appointment of an Emigration Agent by the Local Government and giving that Government power to withdraw its approval of the appointment of such Agent.

12. *Chapter IV.—Protectors of Emigrants and Medical Inspectors.*—The wording of this chapter, which corresponds with a portion of Part III of the present Act, has been revised, and power has been given to the Local Government to appoint, with the previous sanction of the Governor General in Council, Protectors of Emigrants for local areas beyond the territories subject to its administration.

13. *Chapter V.—Emigration Depôts.*—This chapter corresponds with a portion of Part III of the present Act; but the second clauses of sections 18 and 21, which are based on Act III of 1876, section 25, are new.

14. *Chapter VI.—Recruiters and Sub-Agents of Emigration.*—Several modifications and additions have been made in the portion of this chapter relating to recruiters, all of which have been strongly urged on the attention of the Government of India at various times, and the expediency of most of which has already been recognized in Acts III of 1876 and V of 1877. The first of these is the requirement in section 23 that the local area within which the recruiter is to work shall be specified in the license; this is taken from Act V of 1877, section 12. The next is the omission of section 20 of the present Act, which requires every recruiter to wear a badge. The badge has been objected to by many authorities, as investing the recruiter, in the eyes of the people, with the appearance of a Government *chaprási*. It is clearly necessary, on the other hand, that every recruiter should be furnished with an authentic statement of the terms he is authorized to offer; and section 25 of the Bill accordingly requires that he should be furnished with such a statement. The next amendment calling for notice is in the second paragraph of section 26. At present, the Magistrate has no option in countersigning a recruiter's license, but must add his signature, if the period of the license is unexpired; it is obvious that he should refuse to do so if the recruiter bears a bad character. At present, the Protector is required, under executive instructions, to satisfy himself, by enquiry from the Magistrate of the district where the recruiter is known, that there is nothing against him before granting the license; but this is a circuitous method of procedure, and often leads to great delay. The principle of this amendment has already been fully admitted in Acts III of 1876, section 12, and V of 1877, section 13, from which it is borrowed. The other provisions of this paragraph, and the provisions of section 27 as to the regulation of places of accommodation to be provided in the recruiting districts for intending emigrants, are also new. At the places referred to many abuses are practised in connection with recruiting, and the necessity of supervising such places has several times been pressed on the Government of India as urgently necessary. Sections 28 and 29 are also new. They are the complement of section 26, and are taken from Acts III of 1876, section 12, and V of 1877, section 13. Section 28 empowers the Magistrate, under certain circumstances, to cancel his countersignature or to impound the license and send it to the Protector for cancellation; and section 29 requires all refusals and cancellations of countersignature by Magistrates to be at once reported to the Protector.

15. The last three sections of this chapter (30 to 32), relating to Sub-Agents, are new, and provide some much-needed clauses for the control of the local agency through which it is the practice of Emigration Agents to conduct recruiting operations. All Sub-Agents must be licensed by the Local Government; and the license, for which a fee of Rs. 30 (double that for a recruiter's license) is fixed, may be revoked on proof of misconduct. It is further provided that the remuneration of Sub-Agents must, like that of Emigration Agents (under section 5 of the present Act), be a fixed sum, and not in the form of head-money.

16. *Chapter VII.—Agreements with Emigrants.*—The provisions of this chapter are new, and make certain important additions to the existing law.

17. *Chapter VIII.—Attestation of Agreements and Registration of Emigrants.*—In this chapter, which corresponds with Part VI of the present Act, modifications have been introduced—

(1) to provide for the agreement with the emigrant being executed before and attested by the Magistrate or the Protector (section 38);

(2) to alter the particulars required to be entered in the register (section 38);

(3) to state more clearly the reasons for which a registering officer may refuse to attest a contract (section 39);

(4) to provide for the examination of dependents as to their dependence upon the contracting emigrants and as to their willingness to accompany such emigrants (section 40);

(5) to provide for a medical examination of intending emigrants, where necessary, previous to their being registered under section 38 (section 42);

(6) to revise the table of fees (section 45).

18. The effect of the first of these amendments will be to bind the emigrant more closely, and so place an obstacle in the way of his desertion. On the other hand, it will give the emigrant, if rejected by the Agent, a claim which can be enforced in the Courts on his behalf by the Protector (section 104).

19. The second matter is dealt with by adding to the particulars at present required the following:—

(*a*) the name of the recruiter or agent to whom the emigrant has been engaged;

(*b*) the caste and occupation of the emigrant; and

(*c*) the persons who, if he were to die at once, would be entitled to succeed to his property (so that any savings he may have collected in the colony may be duly delivered).

On the other hand, as a copy of the contract is to be placed on record in the Protector's office, the rate of wages and period of service will no longer be entered in the register.

20. As regards the third matter, power has been given, in accordance with the recommendation of the Government of the North-Western Provinces, to refuse attestation (in the absence of sufficient explanation) when the emigrant is a resident of a place beyond the jurisdiction of the Magistrate before whom he appears. This is a necessary precaution, as it is common for unscrupulous recruiters to convey intending emigrants long distances from their homes, to involve them in debt for maintenance during their journey, and thus to remove the temptation, and at the same time deprive them of the power, to return. It also often happens that an emigrant whose registration is refused by one Magistrate is taken before another in the next district, where it is hoped that the officer will be more compliant. Power has also been given to refuse registration of a person who, if he quits his home, will leave his family destitute, and of a married woman without the consent of her husband.

21. The fourth point has been provided for as in Act V of 1877, section 19.

22. As regards the fifth point, it is not intended that the power to order a medical examination of an emigrant recruited in a district beyond the port of embarkation shall be universally enforced. The examination is only to be directed to testing the emigrant's fitness to undertake the journey to the depôt and not his fitness to labour, for which the Emigration Agent is responsible. It will only be necessary to require a medical examination in special cases, as, for instance, when the condition of the emigrating class is reduced by famine, or when the distance to be travelled to the depôt is great.

23. The fees fixed by section 31 of the present Act can be taken, under the definition of "emigrant" and the operation of the Contract Act, only for adult emigrants. It seems desirable to require a fee for the registration of every contracting emigrant, allowing dependents who do not contract, and are only entered in the register, to be registered without a fee. This matter recently formed the subject of correspondence with Local Governments, and the scale adopted is generally in accordance with their recommendations. The present provision for the refund of the fee on desertion has, in accordance with the precedents of Acts III of 1876 and V of 1877 and the recommendation of the Government of Bengal, been omitted. The fee is a payment for the work of registration, and that work is not affected by the subsequent desertion of the emigrant.

24. *Chapter IX.—Conveyance of Emigrants to Depôts.*—In this chapter a provision has been added which enables the Magistrate to order the Emigration Agent or recruiter to pay such sum as is necessary to enable an emigrant, who has been rejected before arriving at the port of embarkation, or the dependent of such emigrant, to return to his home.

25. *Chapter X.—Procedure on arrival at the Depôt of Emigrants from Up-country.*—The provisions of this chapter have been re-arranged and revised, the corresponding provisions of Act V of 1877 being generally followed. The operation of the chapter has been expressly restricted to the case of emigrants from up-country, for whom alone it appears to be intended. Section 51 as amended expresses what has always been understood by the Government of India to be the responsibility of its officers in respect of the fitness of emigrants to emigrate: fitness for labour and life in the colony is a matter for which the Emigration Agent is responsible. Sections 55 and 56 have been adopted with some modifications from Act V of 1877, sections 28, 29 and 30.

26. *Chapter XI.—Emigrant Vessels.*—The amendments in this chapter, which corresponds with Part IX of the present Act, are slight. There is a change in the wording of paragraph 3 of section 58 and some alterations in the dimensions specified in section 60. The principal differences, as compared with the present law, are—(1) that the height of the accommodation for emigrants is raised from 5½ to 6 feet; (2) that *all* children under ten, instead of only those from one to ten years of age, are counted at the rate of two to one adult; and (3), that the space required for each child under ten is fixed at half that required for an adult, instead of, as now, two-thirds for children between two and ten. These changes were recommended by the Government of Bengal in 1873, and are required chiefly to improve the accommodation for infants, among whom much mortality occasionally occurs. "Compounders, interpreters and female nurses" have been added in section 63 also, in accordance with the recommendation of the Government of Bengal.

27. *Chapter XII.—Embarkation and Departure.*—Section 67 is in accordance with a recommendation made by the Protector of Emigrants at Calcutta, who considers it a precaution necessary "not only to afford the opportunity of ascertaining the freedom of emigrants from latent and communicable diseases which have distinct periods of incubation, but to give such as are ill-nourished and have been recruited in famine-stricken districts some time to rest and recover themselves after their journey, and prior to undertaking what proves in all cases a trying voyage to Indian emigrants generally."

28. Section 68 embodies the present views of the Government of India regarding the seasons at which embarkation should be allowed. This matter has been the subject of much discussion. The conventions allow the French and Dutch colonies a longer period than the Act allows the corresponding British colonies; and, in the case of the latter, it has been represented that even the period allowed by the Act is too long, since emigrants shipped late in the season for the West Indies arrive there at a very unhealthy season of the year, and are liable to great mortality in consequence.

When the provisions of the existing law were framed, the embarkation seasons were settled with reference to one point only, *viz.*, the necessity for avoiding the stormy weather encountered in the neighbourhood of the Cape of Good Hope during the Antarctic winter; consequently no impediment was offered to the shipment of emigrants at any time of the year for colonies east of the Cape. But hurricanes prevail in the neighbourhood of Réunion between the months of November and April; and they are also prevalent in the Fiji Islands during the same season. Moreover, the necessity for landing emigrants in their place of destination at a healthy season of the year is another consideration which makes it necessary carefully to regulate the period of despatch.

In the Bill, therefore, power has been taken to enable the Governor General in Council to regulate the departure of all emigrant vessels, whether bound for places to the east or west of the Cape of Good Hope.

The present limits, the 31st July to the 1st March, for places west of the Cape of Good Hope, however, have been retained as a maximum; and the provision in the present Act (section 46, last clause) permitting departure for such places on an emergency up to the 1st April has been struck out. Cases of loss of emigrant vessels allowed to be despatched after the 1st March, as well as heavy mortality during such voyages, have occurred, and it is thought inexpedient to continue the concession.

The special privilege of carrying emigrants at any time of the year now enjoyed by steamers has also been done away with, as being inconsistent with the regulation of the season for departure with reference to that of arrival in the colony; but as a concession to the superiority of such vessels over sailing vessels, the time within which they may depart for places west of the Cape of Good Hope is extended from the 1st to the 15th March.

29. The penalty clause in section 45 of the present Act, to which section 71 of the Bill corresponds, has been removed to its proper place in chapter XIV (section 99).

In section 72 the number of copies of the list has been reduced from five to four, which, according to the Protector of Emigrants at Calcutta, are all that are required.

Section 78, requiring the Emigration Agent to furnish the Master with the contracts, is new, but needs no comment.

30. Sections 82 and 83 are new. They express the substance of the conclusions come to in a correspondence which passed in 1877 regarding the action which should be taken on the occurrence of cases of an infectious disease, or an outbreak of cholera in an epidemic form, on board an emigrant vessel proceeding down the Hugli.

31. Section 55 of the present Act has been omitted, as no emigration has ever gone on to Seychelles, and the colony was included in that Act by a mistake.

32. *Chapter XIII.—Supplementary Powers.*—In section 85 a few additions have been made to the matters regarding which rules may be framed (clauses *c*, *d*, *f*, *g* and *h*), and the proviso authorizing the Local Government to permit the despatch of a vessel with less than the prescribed proportion of women has been struck out.

33. Section 86 relates to fees, and modifies section 62 of the present Act. The object of levying fees is to maintain therefrom the necessary protective establishments in India; such fees should accordingly be just sufficient to cover the cost of such establishments, neither more nor

less. It may sometimes happen (more especially, as at present, in the case of foreign colonies) that the Government of India has to meet in respect of some particular colony a special expenditure, which it would be unfair to cast (as is now done) on the income from fees contributed by all colonies; a proviso has accordingly been added enabling such expenditure to be met by enhanced fees on emigration to the particular colony in respect of which it is incurred.

34. *Chapter XIV.—Offences.*—This part has been generally redrawn. The penalties provided in the present Act, sections 72 to 75, are merely fine extending to 500 rupees. It appears necessary to add imprisonment, as in Act V of 1877.

35. *Section* 90 has been introduced to cover the case of unlicensed persons acting as Sub-Agents.

36. *Section* 96 is new; it has been adopted from Act V of 1877, section 44.

37. *Section* 98 is also new; it provides for the punishment of emigrants who desert after a contract has been duly entered into with the recruiter before a Magistrate. The present law provides no punishment for this offence, the only liability being to a civil suit for breach of contract—a proceeding which is, of course, useless in most cases of the kind. There is no doubt that, in view of the class of men who work as recruiters and the many risks of deception and ill-treatment to which intending emigrants are exposed at their hands, it is necessary to guard the power to inflict a penalty for desertion in such cases most carefully. Still cases have arisen, and may easily arise, of impudent deception on the part of persons who profess willingness to emigrate, and under such profession obtain board and lodging in the Mufassal, and free conveyance to the port of embarkation, where they desert or refuse to emigrate. To meet such cases, the section has been devised, and it has been so drawn as to require the sanction of the Protector of Emigrants to every prosecution instituted under it.

38. *Section* 99 has been substituted for the second clause of section 45 of the present Act, which clause, it may here be observed, is practically inoperative in Calcutta, because it requires the complaint to be laid before a Magistrate of Police in a Presidency-town, and the depôts are situated outside the limits of Calcutta, and therefore outside of the local jurisdiction of such Magistrates. The penalty, instead of being stated by reference to section 492 of the Penal Code, is mentioned in express terms; and the sanction of the Protector to a prosecution under the section is, as in section 98, required.

39. *Section* 102 is an amendment of section 82 of Act VII of 1871. At present special authority is required to institute prosecutions for all offences under the existing Act; there seems to be no good reason why such sanction should be required in the case of the offences mentioned in sections 87 to 91.

40. *Chapter XV.—Miscellaneous.*—Section 105 corresponds with section 88 of the present Act, which has been re-drawn to admit of the probable length of voyages being modified from time to time as may be found necessary on the receipt of fuller information, or the establishment of improved means of communication. Section 84 of the present Act is incorporated with section 105.

41. A new form of recruiter's license (chiefly taken from Act V of 1877) has been substituted for the form in Schedule II of the present Act.

42. In the third schedule of the Bill opportunity has been taken to correct a clerical error as to the length of the voyage from Calcutta to French Guiana. In section 83, Act VII of 1871, twenty-six weeks is said to be the length of this voyage, whereas it should be twenty weeks.

43. The "special provisions as to French colonies" (Part XII, sections 63—70 of the present Act) have been omitted as unnecessary, it being considered that all emigration, whether to British or Foreign colonies, should be conducted on one system. It may be observed that no such special provisions have been found necessary in the case of emigration to Surinam, which has been carried on under a convention with the Netherlands Government similar to that with France. The convention with France is now about to be amended, and if in its amended form it should be found to include any points requiring a deviation in matters of detail from the general procedure of the Bill, such points, together with the question of the adaptation of the Bill to emigration from French ports, can be left for consideration to the Select Committee to which it is proposed to refer the Bill.

SIMLA;
The 16th July, 1881.

WHITLEY STOKES,

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 3, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st August, 1881, and was referred to a Select Committee:—

No. 16 OF 1881.

THE COURT-FEES' BILL, 1881.

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A Bill to amend the law relating to Court-fees.

CHAPTER I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Court-Fees' Act, 1882."

Extent of Act. It extends to the whole of British India;

Commencement of Act. And it shall come into force on the first day of April, 1882.

Repeal of enactments. **2.** On and after that day, the Acts specified in the fourth schedule hereto annexed shall be repealed to the extent specified in the third column of the same schedule. But all rules made and all notifications published under any such Act and then in force shall, so far as they are consistent with this Act, be deemed to have been respectively made and published hereunder. And all references made in Acts or Regulations passed before the first day of April, 1882, to the Court-Fees' Act, 1870, shall be deemed to be made to this Act.

CHAPTER II.

FEES IN THE HIGH COURTS AND IN THE COURTS OF SMALL CAUSES AT THE PRESIDENCY-TOWNS.

Act VII of 1870, s. 3. Levy of fees in High Courts on their original sides. **3.** The fees payable for the time being to the clerks and officers (other than the sheriffs and attorneys) of the High Courts established by Letters Patent,

or chargeable in each of such Courts under number ten of the first, and numbers seven, twelve, fourteen, seventeen, twenty-one and twenty-two of the second, schedule to this Act annexed;

Levy of fees in Presidency Small Cause Courts. and the fees for the time being chargeable in the Courts of Small Causes at the Presidency Towns and their several offices;

shall be collected in manner hereinafter appearing.

Act VII of 1870, s. Fees on documents filed, &c., in High Courts in their extraordinary jurisdiction; **4.** No document of any of the kinds specified in the first or second schedule to this Act annexed as chargeable with fees shall be filed, exhibited or recorded

in, or shall be received or furnished by, any of the said High Courts in any case coming before such Court in the exercise of its extraordinary original civil jurisdiction;

or in the exercise of its extraordinary original criminal jurisdiction;

in their appellate jurisdiction; or in the exercise of its jurisdiction as regards appeals from the judgment of two or more Judges of the said Court, or of a Division Court;

or in the exercise of its jurisdiction as regards appeals from the Courts subject to its superintendence;

as Courts of reference and revision. or in the exercise of its jurisdiction as a Court of reference or revision;

unless in respect of such document there has been paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

Act VII of 1870, s. 5. Procedure in case of difference as to necessity or amount of fee. **5.** When any difference arises between the officer whose duty it is to see that any fee is paid under this chapter and any suitor or legal practitioner as to the necessity of paying a fee or the amount thereof, the question shall, when the difference arises in any of the said High Courts, be referred to the taxing-officer, whose decision thereon shall be final; except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Justice of such High Court, or of such Judge of the High Court as the Chief Justice shall appoint either generally or specially in this behalf.

When any such difference arises in any of the said Courts of Small Causes, the question shall be referred to the Clerk of the Court, whose decision thereon shall be final, except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Judge of such Court.

The Chief Justice shall declare who shall be taxing-officer within the meaning of the first paragraph of this section.

CHAPTER III.

FEES IN OTHER COURTS AND IN PUBLIC OFFICES.

Act VII of 1870. s. 6. Fees on documents filed, &c., in other Courts or in public offices. **6.** Except in the Courts hereinbefore mentioned, no document of any of the kinds specified as chargeable in the first or second schedule to this Act annexed shall be filed, exhibited or recorded in any Court of justice, or shall be received by any public officer, or granted under his seal or signature, unless in respect of such document there has been paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

Stamp Bill of 1877, s. 58.

Act VII of 1870, s. 7. Computation of fees payable in certain suits, **7.** The amount of fee payable under this Act in the suits next hereinafter mentioned shall be computed as follows:—

for money: i. In suits for money (including suits for damages or compensation, or arrears of maintenance, of annuities, or of other sums payable periodically)—according to the amount claimed:

for maintenance and annuities: ii. In suits for maintenance and annuities or other sums payable periodically—according to the value of the subject-matter of the suit; and such value shall be deemed to be ten times the amount claimed to be payable for one year:

for other moveable property having a market-value: iii. In suits for moveable property other than money, where the subject-matter has a market-value—according to such value at the date of presenting the plaint:

iv. In suits—

for moveable property of no market-value: (*a*) for moveable property where the subject-matter has no market-value, as, for instance, in the case of documents relating to title,

to enforce a right to share in joint family property: (*b*) to enforce a right to share in any property on the ground that it is joint family property,

for a declaratory decree: (*c*) to obtain a declaratory decree or order where consequent relief is prayed,

for an injunction: (*d*) to obtain an injunction,

for easements: (*e*) for a right to some benefit (not herein otherwise provided for) to arise out of land, and

for accounts: (*f*) for accounts—

according to the amount at which the relief sought is valued in the plaint or memorandum of appeal;

for possession of land, houses and gardens: **v. In suits for the possession of land, houses and gardens**—according to the value of the subject-matter; and such value shall be deemed to be—

where the subject-matter is land, and—

(*a*) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government,

or forms part of such an estate and is recorded in the Collector's register as separately assessed with such revenue,

and such revenue is permanently settled—

ten times the revenue so payable:

(*b*) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government, or forms part of such estate and is recorded as aforesaid;

and such revenue is settled, but not permanently—

five times the revenue so payable:

(*c*) where the land pays no such revenue, or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue,

and net profits have arisen from the land during the year next before the date of presenting the plaint—

fifteen times such net profits:

but where no such net profits have arisen therefrom—the amount at which the Court shall estimate the land with reference to the value of similar land in the neighbourhood:

(*d*) where the land forms part of an estate paying revenue to Government, but is not a definite share of such estate and is not separately assessed as abovementioned—the market-value of the land:

Provided that, in the territories administered by the Governor of Bombay in Council, the value of the land shall be deemed to be—

Proviso as to Bombay Presidency.

(1) where the land is held on settlement for a period not exceeding thirty years and pays the full assessment to Government—a sum equal to five times the survey-assessment;

(2) where the land is held on a permanent settlement, or on a settlement for any period exceeding thirty years, and pays the full assessment to Government—a sum equal to ten times the survey-assessment; and

(3) where the whole or any part of the annual survey-assessment is remitted—a sum computed under clause (1) or clause (2) of this proviso, as the case may be, in addition to ten times the assessment, or the portion of assessment, so remitted.

Explanation.—The word "estate," as used in this paragraph, means any land subject to the payment of revenue, for which the proprietor or a farmer or raiyat shall have executed a separate engagement to Government, or which, in the absence of such engagement, shall have been separately assessed with revenue;

(*e*) Where the subject-matter is a house or garden—according to the market-value of the house or garden:

for houses and gardens:

vi. In suits to enforce a right of pre-emption—according to the value (computed in accordance with paragraph v of this section) of the land, house or garden in respect of which the right is claimed:

to enforce a right of pre-emption:

vii. In suits for the interest of an assignee of land-revenue—fifteen times his net profits as such for the year next before the date of presenting the plaint:

for interest of assignee of land-revenue:

viii. In suits to set aside an attachment of land or of an interest in land or revenue—according to the amount for which the land or interest was attached:

to set aside an attachment:

Provided that, where such amount exceeds the value of the land or interest, the amount of fee shall be computed as if the suit were for the possession of such land or interest:

ix. In suits against a mortgagee or incumbrancer for the recovery of the property mortgaged, or to have the instrument of charge cancelled,

to redeem:

Stamp Bill of 1877, s. 56, in.

and in suits by a mortgagee to foreclose the mortgage,

to foreclose:

or, where the mortgage is made by conditional sale, to have the sale declared absolute—

according to the principal money expressed to be secured by the instrument of mortgage or charge:

for specific performance:

x. In suits for specific performance—

(*a*) of a contract of sale—according to the amount of the consideration:

(*b*) of a contract of mortgage—according to the amount agreed to be secured:

(*c*) of a contract of lease—according to the aggregate amount of the fine or premium (if any) and of the rent agreed to be paid during the first year of the term:

(*d*) of an award—according to the amount or value of the property in dispute:

between landlord and tenant.

xi. In the following suits between landlord and tenant (namely):—

(*a*) for the delivery by a tenant of the counterpart of a lease,

(*b*) for the delivery by a landlord of a lease,

(*c*) to contest a notice of ejectment,

(*d*) to recover the occupancy of land from which a tenant has been illegally ejected by the landlord—

according to the amount of the rent of the land to which the suit refers, payable for the year next before the date of presenting the plaint;

(*e*) to enhance the rent of a tenant having a right of occupancy,

Stamp Bill of 1877, s. 56, XI.

(*f*) for abatement of rent—

five times the amount by which the rent is sought to be enhanced or abated.

The plaint or memorandum of appeal in every suit or appeal mentioned in this section shall state the amount or value with reference to which the fee payable in respect of such plaint or memorandum is to be computed.

Stamp Bill of 1877, s. 56, last clause.

8. The amount of fee payable under this Act on a memorandum of appeal against an order relating to compensation under any law for the time being in force for the acquisition of land for public purposes shall be computed according to the difference between the amount awarded and the amount claimed by the appellant.

Act VII of 1870, s. 8.

Fee on memorandum of appeal against order relating to compensation.

9. If the Court sees reason to think that the annual net profits or the market-value of any such land, house or garden as is mentioned in section seven, paragraphs v and vi, have or has been wrongly estimated, the Court may, for the purpose of computing the fee payable in any suit therein mentioned, issue a commission to any proper person directing him to make such local or other investigation as may be necessary, and to report thereon to the Court.

Act VII of 1870, s. 9.

Power to ascertain net profits or market-value.

10. If in the result of any such investigation the Court finds that the net profits or market-value have or has been wrongly estimated, the Court, if the estimation has been excessive, may in its discretion refund the excess paid as such fee; but if the estimation has been insufficient, the Court shall require the plaintiff to pay so much additional fee as would have been payable had the said market-value or net profits been rightly estimated:

Act VII of 1870, s. 10.

Procedure where net profits or market-value wrongly estimated.

In such case the suit shall be stayed until the additional fee is paid. If the additional fee is not

paid within such time as the Court shall fix, the suit shall be dismissed.

Act VII of 1870, s. 11.

11. In suits for mesne profits or for immoveable property and mesne profits, or for an account, if the profits or amount decreed are or is in excess of the profits claimed or the amount at which the plaintiff valued the relief sought, the decree shall not be executed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits or amount so decreed has been paid to the proper officer.

Procedure in suits for mesne profits or account when amount decreed exceeds amount claimed.

Where the amount of mesne profits is left to be ascertained in the course of the execution of the decree, if the profits so ascertained exceed the profits claimed, the further execution of the decree shall be stayed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits so ascertained has been paid. If the additional fee is not paid within such time as the Court shall fix, the application for the execution of the decree shall be dismissed.

Act VII of 1870, s. 12. The words "and such decision shall be final as between the parties to the suit" are omitted.

12. Every question relating to valuation for the purpose of determining the amount of any fee chargeable under this chapter on a plaint or memorandum of appeal shall be decided by the Court in which such plaint or memorandum, as the case may be, is filed.

Decision of questions as to valuation.

See *Narayan Mádhávrao Náth* v. *Collector of Thána*, I. L. R. II, Bo. 145.

When any suit or appeal in which any such question arises comes before a Court of appeal, reference or revision, if such Court considers that the said question has been wrongly decided, to the detriment of the revenue, it shall require the party by whom such fee has been paid to pay so much additional fee as would have been payable had the question been rightly decided, and the provisions of the second paragraph of section ten shall apply.

Act VII of 1870, s. 13.

13. If a plaint or appeal which has been rejected by the lower Court on any of the grounds mentioned in the Code of Civil Procedure is ordered to be received, or if a suit is remanded in appeal, on any of the grounds mentioned in section 562 of the same Code, for a second decision by the lower Court, the Appellate Court shall grant to the appellant a certificate, authorizing him to receive back from the Collector the full amount of fee paid on the memorandum of appeal:

Refund of fee paid on memorandum of appeal.

Provided that, if, in the case of a remand in appeal, the order of remand does not cover the whole of the subject-matter of the suit, the certificate so granted shall not authorize the appellant to receive back more than so much fee as would have been originally payable on the part or parts of such subject-matter in respect whereof the suit has been remanded.

Act VII of 1870, s. 14.

14. Where an application for a review of judgment is presented on or after the ninetieth day from the date of the decree, the Court, unless the delay was caused by the applicant's laches, may, in its discretion, grant him a certificate authorizing him to receive back from the Collector so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day.

Refund of fee on application for review of judgment.

Act VII of 1870, s. 15.

15. Where an application for a review of judgment is admitted, and on the rehearing the Court reverses or modifies its former decision on the ground of mistake in law or fact, the applicant shall be entitled to a certificate from the Court authorizing him to receive back from the Collector the fee paid on the application.

Refund where Court reverses or modifies its former decision on ground of mistake.

Stamp Bill of 1877, s. 83.

But nothing in the former part of this section shall entitle the applicant to such certificate where the reversal or modification is due, wholly or in part, to fresh evidence which might have been produced at the original hearing.

Act VII of 1870, s. 16.

16. When any appeal is presented to a Civil Court, not against the whole of a decision, but only against so much thereof as relates to a portion of the subject-matter of the suit, and, on the hearing of such appeal, the respondent takes, under section 561 of the Code of Civil Procedure, an objection to any part of the said decision other than the part appealed against, the Court shall not hear such objection until the respondent has paid the additional fee which would have been payable had the appeal comprised the part of the decision so objected to.

Additional fee where respondent takes objection to unappealed part of decree.

Mul Chund v. *Shib Charan Lal and others*, I. L. R. II All., p. 676.

Act VII of 1870, s. 17.

17. Where a suit comprises two or more distinct causes of action the plaint or memorandum of appeal shall be chargeable with the aggregate amount of the fees to which the plaints or memoranda of appeal in suits comprising separately each of such causes of action would be liable under this Act.

Multifarious suits.

Nothing in the former part of this section shall apply to suits for the price of goods sold and delivered, or shall be deemed to affect the power conferred by the Code of Civil Procedure, section 45.

Act VII of 1870, s. 18.

18. When the first or only examination of a person who complains of the offence of wrongful confinement, or of wrongful restraint, or of any offence other than an offence for which police-officers may arrest without a warrant, and who has not already presented a petition on which a fee has been levied under this Act, is reduced to writing under the provisions of the Code of Criminal Procedure, the complainant shall pay a fee of eight annas, unless the Court thinks fit to remit such payment.

Written examinations of complainants.

Act VII of 1870, s. 19.

19. Nothing contained in this Act shall render the documents specified in the third schedule hereunto annexed chargeable with any fee.

Exemption of certain documents.

CHAPTER IV.

PROBATES, LETTERS OF ADMINISTRATION AND CERTIFICATES.

Act XIII of 1875, s. 6.

20. Where any person on applying for the probate of a will or letters of administration has estimated the property of the deceased to be of greater value than the same has afterwards proved to be, and has consequently paid too high a Court-fee thereon, if

Relief where too high a Court-fee has been paid on probate or letters of administration.

within six months after the true value of the property has been ascertained, such person produces the probate or letters to the Chief Controlling Revenue Authority of the province in which the probate or letters has or have been granted,

and delivers to such Authority a particular inventory and valuation of the property of the deceased, verified by affidavit or affirmation,

and if such Authority is satisfied that a greater fee was paid on the probate or letters than the law required,

the said Authority may—

(*a*) cancel the stamp on the probate or letters, if such stamp has not been already cancelled;

(*b*) substitute another stamp for denoting the Court-fee which should have been paid thereon; and

(*c*) make an allowance for the difference between them as in the case of spoiled stamps, or repay the same in money, at his discretion.

Act XIII of 1875, s. 6.

Relief where debts due from a deceased person have been paid out of his estate.

21. Whenever it is proved to the satisfaction of such Authority that an executor or administrator has paid debts due from the deceased to such an amount as, being deducted out of the amount or value of the estate, reduces the same to a sum which, if it had been the whole gross amount or value of the estate, would have occasioned a less Court-fee to be paid on the probate or letters of administration granted in respect of such estate than has been actually paid thereon under this Act,

such Authority may return the difference, provided the same be claimed within three years after the date of such probate or letters.

But whenever, by reason of any legal proceeding, the debts due from the deceased have not been ascertained and paid, or his effects have not been recovered and made available, and in consequence thereof the executor or administrator is prevented from claiming the return of such difference within the said term of three years, the said Authority may allow such further time for making the claim as may appear to be reasonable under the circumstances.

Ibid.

Relief in case of several grants.

22. Whenever a grant of probate or letters of administration has been or is made in respect of the whole of the property belonging to an estate, and the full fee chargeable under this Act has been or is paid thereon, no fee shall be chargeable hereunder when a like grant is made in respect of the whole or any part of the same property belonging to the same estate;

Whenever such a grant has been or is made in respect of any property forming part of an estate, the amount of fees then actually paid under this Act shall be deducted when a like grant is made in respect of property belonging to the same estate, identical with or including the property to which the former grant relates.

Probates declared valid as to trust-property though not covered by Court-fee.

23. The probate of the will, or the letters of administration of the effects, of any person deceased heretofore or hereafter granted shall be deemed valid and available by his executors or administrators for recovering, transferring or assigning any moveable or immoveable property whereof or whereto the deceased was possessed or entitled, either wholly or partially as a trustee, notwithstanding the amount or value of such property is not included in the amount or value of the estate in respect of which a Court-fee was paid on such probate or letters of administration.

Act XIII of 1875, s. 6.

Provision for case where too low a Court-fee has been paid on probates, &c.

24. Where any person on applying for probate or letters of administration has estimated the estate of the deceased to be of less value than the same has afterwards proved to be, and has in consequence paid too low a Court-fee thereon, the Chief Controlling Revenue Authority of the province in which the probate or letters has or have been granted may, on the value of the estate of the deceased being verified by affidavit or affirmation, cause the probate or letters of administration to be duly stamped on payment of the full Court-fee which ought to have been originally paid thereon in respect of such value and of the further penalty, if the probate or letters is or are produced within one year from the date of the grant, of five times, or if it or they is or are produced after one year from such date, of twenty times, such proper Court-fee, without any deduction of the Court-fee originally paid on such probate or letters:

Provided that, if the application be made within six months after the ascertainment of the true value of the estate and the discovery that too low a Court-fee was at first paid on the probate or letters, and if the said Authority is satisfied that such fee was paid in consequence of a mistake or of its not being known at the time that some particular part of the estate belonged to the deceased, and without any intention of fraud or to delay the payment of the proper Court-fee, the said Authority may remit the said penalty, and cause the probate or letters to be duly stamped on payment only of the sum wanting to make up the fee which should have been at first paid thereon.

Ibid.

Administrator to give proper security before letters stamped under section 24.

25. In case of letters of administration on which too low a Court-fee has been paid at first, the said Authority shall not cause the same to be duly stamped in manner aforesaid until the Administrator has given such security to the Court by which the letters of administration have been granted as ought by law to have been given on the granting thereof in case the full value of the estate of the deceased had been then ascertained.

Ibid.

Executors, &c., not paying full Court-fee on probates, &c., within six months after discovery of underpayment.

26. Where too low a Court-fee has been paid on any probate or letters of administration in consequence of any mistake, or of its not being known at the time that some particular part of the estate belonged to the deceased, if any executor or administrator acting under such probate or letters does not, within six months after the discovery of the mistake or of any effects not known at the time to have belonged to the deceased, apply to the said Authority and pay what is wanting to make up the Court-fee which ought to have been paid at first on such probate or letters, he shall forfeit the sum of one thousand rupees and also a further sum at the rate of ten rupees per cent. on the amount of the sum wanting to make up the proper Court-fee.

Act XIII of 1875, s. 6. Stamp Bill of 1877, s. 76.

This chapter applied to certificates under Act XL of 1858 and other Acts.

27. The provisions of this chapter shall, *mutatis mutandis*, apply to certificates and to the holders of certificates granted under—

Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*, or

Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*), or

Act No. XX of 1864 (*for making better provision for the care of the persons and property of Minors in the Presidency of Bombay*), or

Bombay Regulation VIII of 1827 (*to provide for the formal recognition of Heirs, Executors and Administrators, and for the appointment of Administrators and Managers of property by the Courts*).

Act VII of 1870, Sch. I, 12, Note.

Statement of property realized under certificate to be filed.

28. The person to whom any such certificate is granted, or his representative, shall after the expiration of twelve months from the date of such certificate and thereafter whenever the Court granting such certificate requires him so to do, file a statement on oath of all property recovered or realized by him under such certificate.

If the property so recovered or realized exceed the amount of debts or other property as sworn to by the person to whom the certificate is granted, the Court may cancel the same and order such person to take out a fresh certificate and pay the fee prescribed by this Act for such excess.

In default of filing such statement within the time allowed, the Court may cancel the certificate.

Govindappah v. Kondappah Sástralu, VI Madras Rep., p. 181.

A certificate which has become liable to cancellation under any of the provisions of this section shall remain in force until it is actually cancelled.

CHAPTER V.

PROCESS FEES.

Act VII of 1870, s. 20.

Rules as to costs of processes.

29. The High Court may, from time to time, make rules as to the following matters:—

(*a*) the fees chargeable for serving and executing processes issued by such Court in its appellate jurisdiction, and by the other Civil and Revenue Courts established within the local limits of such jurisdiction:

(*b*) the fees chargeable for serving and executing processes issued by the Criminal Courts established within such limits in the case of offences other than offences for which police-officers may arrest without a warrant; and

(*c*) the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes.

The High Court may from time to time alter and add to the rules so made.

Confirmation and publication of rules.

All such rules, alterations and additions shall, after being confirmed by the Local Government, and sanctioned by the Governor General in Council, be published in the local official Gazette, and shall thereupon have the force of law.

Act VII of 1870, s. 21.

Tables of process-fees.

30. A table in the English and vernacular languages, showing the fees chargeable for such service and execution, shall be exposed to view in a conspicuous part of each court.

Act VII of 1870, s. 22.

Number of peons in District and subordinate Courts.

31. Subject to rules to be made by the High Court and approved by the Local Government and the Governor General in Council,

every District Judge and every Magistrate of a District may from time to time fix the number of peons necessary to be employed for the service and execution of processes issued out of his Court and each of the Courts subordinate thereto,

and for the purposes of this section, every Court of Small Causes established under Act No. XI of 1865 (*to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature*) shall be deemed to be subordinate to the Court of the District Judge.

Number of peons in mufassal Small Cause Courts.

Act VII of 1870, s. 23.

Number of peons in Revenue Courts.

32. Subject to rules to be framed by the Chief Controlling Revenue Authority and approved by the Local Government and the Governor General in Council, every officer performing the functions of a Collector of a District may from time to time fix the number of peons necessary to be employed for the service and execution of processes issued out of his Court or the Courts subordinate to him.

Act VII of 1870, s. 24.

Costs of process served under this chapter to be costs under Civil Procedure Code.

33. The costs of every process served or executed under this chapter, shall be held to be costs within the meaning of the Code of Civil Procedure.

CHAPTER VI.

OF THE MODE OF LEVYING FEES.

Act VII of 1870, s. 25. Conf. Act I of 1879, s. 9.

Collection of fees by stamps.

34. All fees referred to in section three or chargeable under this Act shall be collected by stamps.

Act VII of 1870, s. 26.

Stamps to be impressed or adhesive.

35. The stamps used to denote any fee chargeable under this Act shall be impressed or adhesive, or partly impressed and partly adhesive, as the Governor General in Council may, by notification in the *Gazette of India*, from time to time direct.

Act VII of 1870, s. 27.

Rules for supply, sale number, renewal and keeping accounts of stamps.

36. The Local Government may, from time to time, make rules for regulating—

(*a*) the supply and sale of stamps to be used under this Act, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons,

Mr. Cockell's note, para. 55; Act I of 1879, s. 55.

(*b*) the number of stamps to be used for denoting any fee chargeable under this Act,

Act VII of 1870, s. 27.

(*c*) the renewal of damaged or spoiled stamps, and

(*d*) the keeping accounts of all stamps used under this Act:

Provided that, in the case of stamps used under section three in a High Court, such rules shall be made with the concurrence of the Chief Justice of such Court.

All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

Act VII of 1870, s. 28.

37. Stamping documents inadvertently received. No document which ought to bear a stamp under this Act shall be of any validity unless and until it is properly stamped.

But if any such document is through mistake or inadvertence received, filed or used in any Court or office without being properly stamped, the presiding Judge or the head of the office, as the case may be, or in the case of a High Court, any Judge of such Court, may, if he thinks fit, order that such document be stamped as he may direct; and on such document being stamped accordingly, the same and every proceeding relative thereto shall be as valid as if it had been properly stamped in the first instance.

Act. VII of 1870, s. 29, modified as n Stamp Bill of 1877, s. 55.

38. Amended document. Where any such document is amended in order merely to correct a mistake and to make it conform to the original intention of the parties, and the duty with which it is chargeable is not thereby increased, it shall not be necessary to impose a fresh stamp.

Act VII of 1870, s. 30.

39. Cancellation of stamp. No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

Mr. Cockerell's note, para. 55.

The Local Government may from time to time, with the previous sanction of the Governor General in Council, make rules for regulating the mode of cancelling stamps and the persons by whom such cancellation is to be effected.

Such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

CHAPTER VII.

CRIMINAL OFFENCES AND PROCEDURE.

Mr. Cockerell's note, paras 55, 56, and Act I of 1879, s. 63.

40. Failing to file statement on oath under section twenty-eight. Whoever, being bound to file a statement on oath under the provisions of section twenty-eight, fails or neglects to file such statement within the time mentioned in that section, or, when required by an order of the Court to file such statement, within the time which may be specified in such order, shall be punished with fine which may extend to one thousand rupees.

Act I of 1879, s. 68.

41. Penalty for breach of rule relating to sale of stamps and for unauthorized sale. Any person appointed to sell stamps who disobeys any rule made under section thirty-six, and any person not so appointed who sells or offers for sale any stamp, shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

New.

42. Fraudulent possession of used and cancelled stamp. Whoever, fraudulently or with intent to cause loss to Government, has in his possession any adhesive stamp which has been used and cancelled under this Act and has been removed from the document to which it was affixed, shall be punished, in addition to any other penalty to which he may be liable, with fine which may extend to five hundred rupees.

Act I of 1879, s. 69.

43. Institution and conduct of prosecution. No prosecution in respect of any offence punishable hereunder shall be instituted without the sanction of the Collector or such other officer as the Local Government generally, or the Collector specially, authorizes in that behalf.

The Chief Controlling Revenue Authority, or any officer authorized by it in this behalf, may stay any such prosecution or compound any such offence.

Act 1 of 1879, s. 72.

44. Operation of other laws not barred. Nothing herein contained shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act, or the rules made hereunder:

Provided that no person shall be punished twice for the same offence.

CHAPTER VIII.

MISCELLANEOUS.

Act VII of 1870, s. 36.

45. Saving of certain fees to certain officers of High Courts. Nothing in this Act applies to the commission payable to the Accountant General of the High Court at Fort William, or to the fees which any officer of a High Court is allowed to receive in addition to a fixed salary.

Act VII of 1870, s. 31.

46. Repayment of fees paid on applications to Criminal Courts. Whenever an application or petition containing a complaint or charge of an offence other than an offence for which police-officers may arrest without warrant is presented to a criminal Court, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay to the complainant the fee paid on such application or petition.

In the case mentioned in section eighteen the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay to the complainant the fee, if any, paid by the latter for the examination.

When the complainant has paid fees for serving processes in either of the cases mentioned in the first and second paragraphs of this section, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay such fees to the complainant.

All fees ordered to be repaid under this section may be recovered as if they were fines imposed by the Court.

Act VII of 1870, s. 33.

47. Admission in criminal cases of documents for which proper fee has not been paid. Whenever the filing or exhibition in a Criminal Court of a document in respect of which the proper fee has not been paid is, in the opinion of the presiding Judge, necessary to prevent a failure of justice, nothing contained in section four or section six shall be deemed to prohibit such filing or exhibition.

Act I of 1879, s. 54.

48. Allowance for stamps not required for use. When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Collector shall repay to such person the value of such stamp in money, deducting one anna for each rupee or portion of a rupee, upon such person delivering up the same to be cancelled, and proving to the Collector's satisfaction that it was purchased by such person in good faith with intention to use it, and that he has paid the full price thereof, and that it was so purchased within the period of six months next preceding the date on which it is so delivered.

Act I of 1879, s. 8.

49. Power to reduce or remit fees. The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*a*) reduce or remit, whether prospectively or retrospectively, in the whole or in any part of British India, all or any of the fees chargeable under this Act in respect of any documents or any particular class of documents, or any of the documents belonging to such class, when filed, exhibited or recorded in any Court, or in any specified Court of justice, or when received from, or furnished or granted under his seal or signature to, any particular class of persons by any public officer, and

(*b*) cancel or vary such order to the extent of the powers hereby given.

SCHEDULE I.

Ad valorem fees.

Number.		Proper Fee.
Act VII of 1870, Sch. I, 1.	When the amount or value of the subject-matter in dispute does not exceed five rupees ...	Six annas.
Ditto.	When such amount or value exceeds five rupees,—For every five rupees or part thereof in excess of five rupees, up to one hundred rupees ...	Six annas.
Ditto.	When such amount or value exceeds one hundred rupees—For every ten rupees or part thereof in excess of one hundred rupees, up to one thousand rupees ...	Twelve annas.
Ditto.	When such amount or value exceeds one thousand rupees—For every one hundred rupees or part thereof in excess of one thousand rupees, up to five thousand rupees ...	Five rupees.
1. Plaint or memorandum of appeal (not otherwise provided for in this Act) presented to any Civil or Revenue Court, except those mentioned in section three.*	When such amount or value exceeds five thousand rupees—For every five hundred rupees or part thereof in excess of five thousand rupees, up to ten thousand rupees ...	Twenty-five rupees.
Mr. Cockerell's note, para. 54.	When such amount or value exceeds ten thousand rupees—For every one thousand rupees or part thereof in excess of ten thousand rupees, up to twenty-five thousand rupees ...	Twenty-five rupees.
Ditto.	When such amount or value exceeds twenty-five thousand rupees—For every five thousand rupees or part thereof in excess of twenty-five thousand rupees up to fifty thousand rupees ...	One hundred rupees.

* To ascertain the proper fee leviable on the institution of a suit or the presentation of an appeal, see the table annexed to this schedule.

SCHEDULE I—*continued.*

Ad valorem fees.

Number.		Proper fee.
1. Plaint, &c.—*continued.*	When such amount or value exceeds fifty thousand rupees—For every twenty-five thousand rupees or part thereof in excess of fifty thousand rupees, up to four hundred thousand rupees ...	Mr. Cockerell's note, para. 54. One hundred rupees.
	When such amount or value exceeds four hundred thousand rupees—For every fifty thousand rupees or part thereof in excess of four hundred thousand rupees:	Ditto. One hundred rupees.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be three thousand rupees.	Act VII of 1870, Sch. I, 1.
2. Plaint in a suit for possession under the Specific Relief Act, 1877, section nine.	.....	A fee of one-half the amount prescribed in the foregoing scale. Notification, Financial Department, No. 2127, dated 27th July, 1877.
3. Application for review of judgment, if presented on or after the ninetieth day from the date of the decree.	.....	The fee leviable on the plaint or memorandum of appeal. Act VII of 1870, Sch. I, 1.
4. Application for review of judgment if presented before the ninetieth day from the date of the decree.	.....	One-half of the fee leviable on the plaint or memorandum of appeal. Act VII of 1870, Sch. I, 1.
5. An authenticated copy or translation of a judgment or order not being, or having the force of, a decree.	When such judgment or order is passed by any Civil Court other than a High Court, or by the presiding officer of any Revenue Court or office, or by any other judicial or executive authority—	Act VII of 1870, Sch. I, 6.
	(*a*) If the amount or value of the subject-matter is fifty or less than fifty rupees	Four annas.
	(*b*) If such amount or value exceeds fifty rupees ...	Eight annas.
	When such judgment or order is passed by a High Court ...	One rupee.

SCHEDULE I—*continued.*

Ad valorem fees.

Number.		Proper fee.
Act VII of 1870, Sch. I, 7. 6. An authenticated copy of a decree or order having the force of a decree.	When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court—	
	(*a*) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees ...	Eight annas.
	(*b*) If such amount or value exceeds fifty rupees ...	One rupee.
	When such decree or order is made by a High Court ...	Four rupees.
Act VII of 1870, Sch. I, 8. 7. An authenticated copy of any document liable to stamp-duty under the Indian Stamp Act, 1879, when left by any party to a suit or proceeding in place of the original withdrawn.	(*a*) When the stamp-duty chargeable on the original does not exceed eight annas.	The amount of the duty chargeable on the original.
	(*b*) In any other case	Eight annas.
Act VII of 1870, Sch. I, 9. 8. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office, or from the office of any chief officer charged with the executive administration of a Division.	For every three hundred and sixty words or fraction of three hundred and sixty words ...	Eight annas.
Act VII of 1870, Sch. I, 10. 9. Certificate of administration granted under Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*), or under Act No. XX of 1864 (*for making better provision for the care of the persons and property of Minors in the Presidency of Bombay*).	If the amount or value of the property in respect to which such certificate is granted does not exceed five hundred rupees ...	Five rupees.
	If such amount or value exceeds five hundred rupees, but not one thousand rupees ...	Ten rupees.
	And for every one thousand rupees, or part thereof, in excess of one thousand rupees ...	Five rupees.

SCHEDULE I—*concluded.*

Ad valorem fees.

Number.		Proper fee.
10. Probate of a will or letters of administration with or without will annexed. 11. Certificate granted under Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*), or under Bombay Regulation VIII of 1827 (*to provide for the formal recognition of Heirs, Executors and Administrators, and for the appointment of Administrators and Managers of Property by the Courts*).	If the amount or value of the property in respect of which the probate or letters or certificate shall be granted exceeds one thousand rupees.	Two per centum on such amount or value: Provided that when, after a certificate has been granted as aforesaid in respect of any estate, probate or letters of administration is or are granted in respect of the same estate, the fee payable in respect of such latter grant shall be reduced by the amount of the fee paid in respect of the former grant.

Act VII of 1870, Sch. I, 11.

Act VII of 1870, Sch. 1, 12.

Act V of 1881, s. 153.

Table of rates of ad valorem fees leviable on the institution of suits or presentation of appeals.

Act VII, 1870, table annexed to Sch. I: with modifications.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
...	5	0 6 0
5	10	0 12 0
10	15	1 2 0
15	20	1 8 0
20	25	1 14 0
25	30	2 4 0
30	35	2 10 0
35	40	3 0 0
40	45	3 6 0
45	50	3 12 0
50	55	4 2 0
55	60	4 8 0
60	65	4 14 0
65	70	5 4 0
70	75	5 10 0
75	80	6 0 0
80	85	6 6 0
85	90	6 12 0
90	95	7 2 0
95	100	7 8 0
100	110	8 4 0
110	120	9 0 0
120	130	9 12 0
130	140	10 8 0

Table of rates of ad valorem fees, &c.—continued.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
140	150	11 4 0
150	160	12 0 0
160	170	12 12 0
170	180	13 8 0
180	190	14 4 0
190	200	15 0 0
200	210	15 12 0
210	220	16 8 0
220	230	17 4 0
230	240	18 0 0
240	250	18 12 0
250	260	19 8 0
260	270	20 4 0
270	280	21 0 0
280	290	21 12 0
290	300	22 8 0
300	310	23 4 0
310	320	24 0 0
320	330	24 12 0
330	340	25 8 0
340	350	26 4 0
350	360	27 0 0
360	370	27 12 0
370	380	28 8 0
380	390	29 4 0
390	400	30 0 0
400	410	30 12 0
410	420	31 8 0
420	430	32 4 0
430	440	33 0 0
440	450	33 12 0
450	460	34 8 0
460	470	35 4 0
470	480	36 0 0
480	490	36 12 0
490	500	37 8 0
500	510	38 4 0
510	520	39 0 0
520	530	39 12 0
530	540	40 8 0
540	550	41 4 0
550	560	42 0 0
560	570	42 12 0
570	580	43 8 0
580	590	44 4 0
590	600	45 0 0
600	610	45 12 0
610	620	46 8 0
620	630	47 4 0
630	640	48 0 0
640	650	48 12 0
650	660	49 8 0
660	670	50 4 0
670	680	51 0 0
680	690	51 12 0
690	700	52 8 0
700	710	53 4 0
710	720	54 0 0
720	730	54 12 0
730	740	55 8 0
740	750	56 4 0
750	760	57 0 0
760	770	57 12 0
770	780	58 8 0
780	790	59 4 0
790	800	60 0 0
800	810	60 12 0
810	820	61 8 0
820	830	62 4 0

Table of rates of ad valorem fees, &c.—continued.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
830	840	63 0 0
840	850	63 12 0
850	860	64 8 0
860	870	65 4 0
870	880	66 0 0
880	890	66 12 0
890	900	67 8 0
900	910	68 4 0
910	920	69 0 0
920	930	69 12 0
930	940	70 8 0
940	950	71 4 0
950	960	72 0 0
960	970	72 12 0
970	980	73 8 0
980	990	74 4 0
990	1,000	75 0 0
1,000	1,100	80 0 0
1,100	1,200	85 0 0
1,200	1,300	90 0 0
1,300	1,400	95 0 0
1,400	1,500	100 0 0
1,500	1,600	105 0 0
1,600	1,700	110 0 0
1,700	1,800	115 0 0
1,800	1,900	120 0 0
1,900	2,000	125 0 0
2,000	2,100	130 0 0
2,100	2,200	135 0 0
2,200	2,300	140 0 0
2,300	2,400	145 0 0
2,400	2,500	150 0 0
2,500	2,600	155 0 0
2,600	2,700	160 0 0
2,700	2,800	165 0 0
2,800	2,900	170 0 0
2,900	3,000	175 0 0
3,000	3,100	180 0 0
3,100	3,200	185 0 0
3,200	3,300	190 0 0
3,300	3,400	195 0 0
3,400	3,500	200 0 0
3,500	3,600	205 0 0
3,600	3,700	210 0 0
3,700	3,800	215 0 0
3,800	3,900	220 0 0
3,900	4,000	225 0 0
4,000	4,100	230 0 0
4,100	4,200	235 0 0
4,200	4,300	240 0 0
4,300	4,400	245 0 0
4,400	4,500	250 0 0
4,500	4,600	255 0 0
4,600	4,700	260 0 0
4,700	4,800	265 0 0
4,800	4,900	270 0 0
4,900	5,000	275 0 0
5,000	5,500	300 0 0
5,500	6,000	325 0 0
6,000	6,500	350 0 0
6,500	7,000	375 0 0
7,000	7,500	400 0 0
7,500	8,000	425 0 0
8,000	8,500	450 0 0
8,500	9,000	475 0 0
9,000	9,500	500 0 0
9,500	10,000	525 0 0
10,000	11,000	550 0 0
11,000	12,000	575 0 0

Table of rates of ad valorem fees, &c.—concluded.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
12,000	13,000	600 0 0
13,000	14,000	625 0 0
14,000	15,000	650 0 0
15,000	16,000	675 0 0
16,000	17,000	700 0 0
17,000	18,000	725 0 0
18,000	19,000	750 0 0
19,000	20,000	775 0 0
20,000	21,000	800 0 0
21,000	22,000	825 0 0
22,000	23,000	850 0 0
23,000	24,000	875 0 0
24,000	25,000	900 0 0
25,000	30,000	1,000 0 0
30,000	35,000	1,100 0 0
35,000	40,000	1,200 0 0
40,000	45,000	1,300 0 0
45,000	50,000	1,400 0 0
50,000	75,000	1,500 0 0
75,000	1,00,000	1,600 0 0
1,00,000	1,25,000	1,700 0 0
1,25,000	1,50,000	1,800 0 0
1,50,000	1,75,000	1,900 0 0
1,75,000	2,00,000	2,000 0 0
2,00,000	2,25,000	2,100 0 0
2,25,000	2,50,000	2,200 0 0
2,50,000	2,75,000	2,300 0 0
2,75,000	3,00,000	2,400 0 0
3,00,000	3,25,000	2,500 0 0
3,25,000	3,50,000	2,600 0 0
3,50,000	3,75,000	2,700 0 0
3,75,000	4,00,000	2,800 0 0
4,00,000	4,50,000	2,900 0 0
4,50,000	.....	3,000 0 0

SCHEDULE II.

Fixed Fees.

Number.		Proper fee.
Act VII of 1870, Sch. II, 1.	1. Application or petition.	
	(*a*) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings;	One anna.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper fee.
Act VII of 1870, Sch. II, 1.	1. Application or petition—(*continued*).	
	or when presented to any officer of land revenue by any person holding temporarily-settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement;	
	or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement;	
	or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Cantonment Magistrate sitting as a Court of Civil Judicature under Act No. III of 1859, or to any Court of Small Causes constituted under Act No. XI of 1865, or under Act No. VI of 1871, section twenty-nine, or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees;	One anna.
	or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record in such Court or Office;	

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper fee.
New	1. Application or petition—(*continued*).	
	or when presented to a Collector for the purpose of obtaining the renewal or refund of value of stamps spoiled or not required for use.	One anna.
Act VII of 1870, Sch. II, 1.	(*b*) When containing a complaint or charge of any offence other than an offence for which police-officers may, under the Criminal Procedure Code, arrest without warrant, and presented to any Criminal Court;	
	or when presented to a Civil, Criminal or Revenue Court, or to a Collector, or any revenue officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity, and not otherwise provided for by this Act;	Eight annas.
	or to deposit in Court revenue or rent;	
	or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.	
	(*c*) When presented to a Chief Commissioner or other chief controlling revenue or executive authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a Division and not otherwise provided for by this Act ...	One rupee.
	(*d*) When presented to a High Court	Two rupees.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper Fee.	
	2. Application for leave to sue as a pauper ...	Eight annas.	Act VII of 1870, Sch. II, 2.
	3. Application for leave to appeal as a pauper ...		
	(*a*) When presented to a District Court.	One rupee.	Act VII of 1870, Sch. II, 3.
	(*b*) When presented to a Commissioner or a High Court.	Two rupees.	
	4. Plaint or memorandum of appeal in a suit to obtain possession under Act No. XVI of 1838, or the Mamlatdárs' Courts Act, Bombay Act No. III of 1876 ...		Act VII of 1870, Sch. II, 4.
	5. Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy ...		Act VII of 1870, Sch. II, 5.
	6. Bail-bond or other instrument of obligation not otherwise provided for by this Act, when given by the direction of any court or executive authority ...	Eight annas.	Act VII of 1870, Sch. II, 6.
	7. Undertaking under section forty-nine of the Indian Divorce Act ...		Act VII of 1870, Sch. II, 7.
	8. Petition of objection to assessment under the Northern India License Act, 1878	When presented to a Collector—	
		(*a*) By a person charged under class III	One anna.
		(*b*) By a person charged under class II	Four annas.
		(*c*) By a person charged under class I	Eight annas.
	9. Application for revision under the Northern India License Act, 1878, section 15 ...	...	One rupee.
	10. Mukhtárnáma, vakálatnáma or document empowering an Advocate of a High Court to act ...	When presented for the conduct of any one case—	
		(*a*) to any Civil or Criminal Court other than a High Court, or to any Revenue Court, or to any Collector or Magistrate, or other executive officer, except such as are mentioned in clauses (*b*) and (*c*) of this Number ...	Eight annas.

New. Notification, Financial Department, No. 1465, dated 5th July, 1878. Act VII of 1870, Sch. II, 10.

SCHEDULE II—*continued.*

Fixed Fees.

	Number.		Proper Fee.
Act VII of 1870, Sch. II, 10.	10. Mukhtárnáma, &c.—*contd.*	(*b*) to a Commissioner of Revenue, Circuit or Customs, or to any officer charged with the executive administration of a Division, not being the chief revenue or executive authority ...	One rupee.
		(*c*) to a High Court, Chief Commissioner, Board of Revenue, or other chief controlling revenue or executive authority ...	Two rupees.
Act VII of 1870, Sch. II, 11.	11. Memorandum of appeal when the appeal is not from an order rejecting a plaint or from a decree or an order having the force of a decree, and is presented—	(*a*) to any Civil Court other than a High Court, or to any Revenue Court or executive officer other than the High Court or chief controlling revenue or executive authority ...	Eight annas.
		(*b*) to a High Court or Chief Commissioner, or other chief controlling executive or revenue authority ...	Two rupees.
	12. Caveat ...		
	13. Application under Act No. X of 1859, section twenty-six, or Bengal Act No. VI of 1862, section nine, or Bengal Act No. VIII of 1869, section thirty-seven.	... ...	Five rupees.
Act VII of 1870, Sch. II, ss. 13 to 15.	14. Petition in a suit under the Native Converts' Marriage Dissolution Act, 1866.		
See Stamp Act of 1877, Sch. V, 25.	15. Plaint or memorandum of appeal in a suit (other than a suit or proceeding under the Indian Divorce Act) for the restitution of conjugal rights.		

SCHEDULE II—*continued.*

Fixed fees.

Number.		Proper Fee.	
16. Petition under the European British Minors Act, 1874, section five ...	.....	Five rupees.	New.
17. Administration-bond, including a bond given under the Probate and Administration Act, 1881, section 8 ...	.....	Eight rupees.	Act VII of 1870, Sh. II, 16. See III Madras H. C. R., p. 10.
18. Plaint or memorandum of appeal in each of the following suits:— (i) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court: (ii) to alter or cancel any entry in a register of the names of proprietors of revenue-paying estates: (iii) to set aside an award: (iv) to set aside an adoption: (v) to obtain a declaratory decree where no consequential relief is prayed: (vi) every other suit where it is not possible to estimate at a money-value the subject-matter in dispute, and which is not otherwise provided for by this Act ...	.....	Ten rupees.	Act VII of 1870, Sch. II, 17.
19. Application under section five hundred and twenty-three of the Code of Civil Procedure ...			Act VII of 1870, Sch. II, 18.
20. Agreement under section five hundred and twenty-seven of the same Code ...			Act VII of 1870, Sch. II, 19.
21. Every petition under the Indian Divorce Act, except petitions under section forty-four of the same Act, and every memorandum of appeal under section fifty-five of the same Act ...	.....	Twenty rupees.	Act VII of 1870, Sch. II, 20.
22. Plaint or memorandum of appeal under the Pársi Marriage and Divorce Act, 1865	.....	Twenty rupees.	Act VII of 1870, Sch. II, 21.

SCHEDULE III.

Exemptions from Court-fees.

1. Application in writing—

Act VII of 1870, s. 19, cl. 9.
(*a*) Or petition, to a Collector or other officer making a settlement of land-revenue, or to a Board of Revenue, or a Commissioner of Revenue, relating to matters connected with the assessment of land, or the ascertainment of rights thereto or interests therein, if presented previous to the final confirmation of such settlement;

Act VII of 1870, s. 19, cl. 10.
(*b*) Relating to a supply, for irrigation, of water belonging to Government;

Act VII of 1870, s. 19, cl. 11.
(*c*) For leave to extend cultivation, or to relinquish land, when presented to an officer of land-revenue by a person holding, under direct engagement with Government, land of which the revenue is settled but not permanently;

Act VII of 1870, s. 19, cl. 12.
(*d*) For service of notice of relinquishment of land or of enhancement of rent;

Act VII of 1870, s. 19, cl. 16.
(*e*) Or petition, containing any charge or information respecting any offence, when presented, made or laid to or before a police-officer, or to or before the heads of villages or the village-police in the territories respectively subject to the Governors in Council of Madras and Bombay;

Act VII of 1870, s. 19, cl. 20.
(*f*) For permission to cut timber in Government forests, or otherwise relating to such forests;

Act VII of 1870, s. 19, cl. 22.
(*g*) For compensation under any law for the time being in force relating to the acquisition of property for public purposes;

Notification, Financial Department, No. 1393, dated 20th February, 1874.
(*h*) Relating exclusively to the purchase of salt the property of Government;

Act VII of 1870, s. 19, cl. 20. Notification, Financial Department, No. 669, dated 21st May, 1881.
(*i*) For the payment of money due by Government to the applicant;

(*j*) Or petition, to a Chief Commissioner, when such application or petition is accompanied by a petition to the Government of India and contains merely a request that such petition may be forwarded to the Government of India.

Notification, Financial Department, No. [illegible], dated [illegible] April, 1872.
2. Authenticated copy—

(*a*) Of a final sentence or order passed by a criminal Court, which parties desirous of appealing from such sentence or order are required by section 275 of the Code of Criminal Procedure to file with their petition of appeal: Provided that the party who is desirous of appealing is in confinement under the operation of the sentence or order at the time that he applies for a copy of the same;

Of the judgment, or reasons for passing or making such sentence or order, as above;

SCHEDULE III—*continued.*

Exemptions from Court-fees.

(*b*) Or translation of the charge furnished to an accused person under section 199 of the Code of Criminal Procedure; — Notification, Home Department, No. 996, dated 6th June, 1873.

(*c*) Of a deposition furnished to an accused person under section 201 of the Code of Criminal Procedure; — Ditto.

(*d*) Of the judgment or order passed by a criminal Court, and of a Judge's charge to the jury, furnished under the Code of Criminal Procedure to any person affected by such judgment or order: Provided that such person is in jail, or the Court, for some special reason, sees fit to grant such copy free of expense; — Notification, Financial Department, No. 7317, dated 18th December, 1874.

(*e*) Of the examination of witnesses given to an accused person under the Code of Criminal Procedure; — Notification, Home Department, No. 996, dated 6th June 1873.

(*f*) Of a charge given to an accused person under the Code of Criminal Procedure; — Ditto.

(*g*) Of an order of maintenance given under the Code of Criminal Procedure; — Ditto.

(*h*) Of a judgment or decision passed on a claim preferred under the provisions of Madras Regulation No. VI of 1831; — Notification, Financial Department, No. 3307, dated 3rd October, 1872.

(*i*) Of a certificate granted under the Code of Civil Procedure, section 316. — Notification, Financial Department, No. 3906, dated 24th October, 1873.

(*j*) Of a village-settlement-record furnished to a landholder and cultivator during the currency or at the termination of settlement-operations; — Notification, Financial Department, No. 4193, dated 3rd July, 1874.

Of a list of fields extracted from village-settlement-records for the purpose of being filed with a plaint in Settlement-Courts;

Authenticated copy—

Nothing in this clause applies to copies of judicial proceedings or copies of village-settlement-records (other than lists of fields extracted as aforesaid) which may be filed in any Court or office;

(*k*) Of a document furnished under the orders of any Court or Magistrate to any Government Advocate or Pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of Government before any criminal Court; — Notification, Financial Department, No. 2041, dated 20th July, 1877.

(*l*) Of a document which any Government Advocate, Pleader or other person is required to take in connection with any such trial or investigation for the use of any Court or Magistrate, or may consider necessary for the purpose of advising the Government in connection with any criminal proceeding; — Ditto.

SCHEDULE III—*continued.*

Exemptions from Court-fees.

Notification, Financial Department, No. 2041, dated 20th July, 1877.

(*m*) Of a judgment or deposition required by an officer of the Police Department for conducting an appeal on behalf of Government before any criminal Court;

Notification, Financial Department, No. 1446, dated 27th June, 1879.

(*n*) Of an order which the Collector is required to furnish under section 14 of Madras Act No. III of 1878.

Act VII of 1870, s. 19, cl. 13.

3. Authority in writing to an agent to distrain.

Act VII of 1870, s. 19, cl. 15.

4. Bail-bonds in criminal cases, and recognizances to prosecute or give evidence, or for personal appearance or otherwise.

Act VII of 1870, s. 19, cl. 18.

5. Complaint by a public servant (as defined in the Indian Penal Code), a municipal officer, or an officer or servant of a Railway Company.

Notification, Financial Department, No. 3421, dated 22nd December, 1876.

6. Documents described as Form II in Rule 13 of the rules laid down by the Governor of Bombay in Council under the provisions of section 28 of the Bombay Survey and Settlement Act, No. 1 of 1865.

Notification, Financial Department, No. 11, dated 3rd January, 1880.

7. Documents filed in suits instituted before village munsifs under Chapter V of Act No. XVII of 1879.

Act VII of 1870, s. 19, cl. 14.

8. First application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to attend either to give evidence or to produce a document, or in respect of the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court.

9. Petition—

I of s. 19, cl.

(*a*) by a prisoner or other person in duress or under restraint of any Court or its officers;

Act VII of 1870, s. 19, cl. 21.

(*b*) of appeal against the chaukídárí assessment under Act No. XX of 1856, or against any municipal tax;

Act VII of 1870, s. 19, cl. 23.

(*c*) presented to the Special Commissioner appointed under Bengal Act No. II of 1869 (*to ascertain, regulate and record certain tenures in Chutiá Nágpur*);

Act VII of 1870, s. 19, cl. 24.

(*d*) under the Indian Christian Marriage Act, 1872, section 45 or section 48;

Notification, Financial Department, No. [illegible], dated [illegible] January, 1880.

(*e*) of appeal presented to Revenue-officers in accordance with section 55 of the Madras Act No. IV of 1871;

Stamp Bill of 1877, Sch. VI, cl. 17.

(*f*) or application, memorandum of appeal or other proceeding under the Oudh Taluqdárs' Relief Act, 1870.

10. Plaint—

Act VII of 1870, s. 19, cl. 4.

(*a*) presented to a Military Court of Requests, and petition for execution of a decree of such Court;

SCHEDULE III—*continued.*

Exemptions from Court-fees.

(*b*) in a suit tried by village munsifs in the Presidency of Fort St. George; — Act VII of 1870, s. 19, cl. 5.

(*c*) and processes in a suit before district panchâyats in the same Presidency; — Act VII of 1870, s. 19, cl. 6.

(*d*) in a suit before a Collector under Madras Regulation XII of 1816; — Act VII of 1870, s. 19, cl. 7.

(*e*) in a summary suit before a Collector under Madras Act No. VIII of 1865; — Notification, Financial Department, No. 1511, dated 6th March, 1874.

(*f*) in a suit under Act No. XVII of 1879, section 16. — Notification, Financial Department, No. 3237, dated 16th October, 1880.

11. Power-of-Attorney to institute or defend a suit when executed by an officer, warrant-officer, non-commissioned officer or private of Her Majesty's army whilst serving in such capacity. — Act VII of 1870, s. 19, cl. 1, modified as in Stamp Bill of 1877, Sch. VI, 10.

12. Powers-of-attorney furnished to a relative, servant or dependent under Act No. XVII of 1879, section 63. — Notification, Financial Department, No. 11, dated 3rd January, 1880.

13. Probate of a will, letters of administration and certificate mentioned in the first schedule to this Act, No. 11, where the amount or value of the property in respect of which the probate, letters or certificate shall be granted does not exceed one thousand rupees. — Act VII of 1870, s. 19, cl. 8.

14. Security-bond for keeping of the peace by, or for the good behaviour of, a person other than the executant. — Notification, Financial Department, No. 1431, dated 27th March, 1880.

15. Written statements called for by the Court after the first hearing of a suit. — Act VII of 1870, s. 19, cl. 3.

SCHEDULE IV.

Enactments repealed.

NUMBER AND YEAR.	SUBJECT OR SHORT TITLE.	EXTENT OF REPEAL.	
VII of 1870 ...	The Court Fees' Act...	The whole.	
XX of 1870 ...	Amending Act VII of 1870.	The whole.	Stamp Bill of 1877, Sch. VI
XXIV of 1870 ...	The Taluqdárs' Relief Act.	Section twenty-four.	
XIII of 1874 ...	The European British Minors Act.	In section five, the words "shall bear a stamp of five rupees, and the statements therein contained."	
XIII of 1875 ...	Probates and Letters of Administration.	Section six.	
V of 1881 ...	The Probate and Administration Act, 1881.	Section one hundred and fifty-three.	

STATEMENT OF OBJECTS AND REASONS.

In the year 1879 Mr. F. R. Cockerell was instructed by the Government of India to place himself on his arrival in England in communication with Messrs. De La Rue & Co., the eminent stamp-manufacturers. He was to bring before them the whole question of the stamp forgeries recently discovered in Oudh and the North-Western Provinces and to submit, for their inspection and examination, some specimens of those forgeries, together with the apparatus employed, or supposed to have been employed, in the manufacture of the forged labels. He was then, in consultation with Messrs. De La Rue and with the aid of their practical experience, to devise some kind of stamping machinery which would protect the revenue against the fraudulent practices by which its security has been menaced from time to time, and to submit, as the result of this conference, his conclusions on the whole question, and any recommendations for the alteration of the existing system of collecting fees, stating at the same time how far these conclusions and recommendations had the concurrence of that firm.

2. Mr. Cockerell has now submitted his report. The principal question for consideration was whether adhesive labels were to be retained for the collection of Court-fees wholly or partly.

3. The frauds to which the use of adhesive stamps has given rise are of two kinds:—

1st—Abstraction of the labels from the papers to which they have been affixed and re-use of such labels.

2nd—The production as genuine of counterfeit labels and making them pass current.

4. Messrs. De La Rue were of opinion that from the stamp-manufacturers' point of view there is no way of preventing such attempts at counterfeiting adhesive labels as had been recently discovered, or rendering their accomplishment more difficult. The Government of India had therefore to choose between persevering with the adhesive stamps and a partial or complete recourse to the use of stamped papers in lieu of the labels. Messrs. De La Rue advocated a complete re-introduction of stamped papers for the collection of Court-fees generally. They were of opinion that it is more profitable for forgers to work upon labels of the smaller values, as they pass with less scrutiny than labels of the higher values, and that the forgeries discovered were of so clumsy and inaccurate a nature that they should have been detected at once with ordinary care. The real difficulty and danger to the revenue, Messrs. De La Rue considered, arose out of the other kind of fraud, namely, the abstraction and re-use of the adhesive labels.

5. On the other hand, Mr. Cockerell was of opinion that the wisest course, under the present circumstances, would be a partial substitution of stamped papers for adhesive labels. If after a fair trial of such a measure it was found necessary to go further in the direction of the discontinuance of the use of adhesive labels, such progressive action would not have been rendered more difficult by the adoption of what he proposed, inasmuch as his proposals did not involve any considerable initial outlay, the value of which would be lost in the event of any closely following change of system. Mr. Cockerell also thought that, considering the great difficulty which forgers have in this country, owing to deficient mechanical appliances, in manufacturing forged stamps rapidly, and the great expense incurred in paying persons to pass the counterfeit labels, it was unlikely that forgers would work upon the smaller values. With regard to the abstraction and re-use of adhesive labels, he thought that an inquiry into the cases in which such frauds have been committed showed that they might have been prevented by a due examination and cancellation of the labels affixed to documents when presented to the Court or office in which the fraud occurred. He therefore came to the conclusion that it would be premature to condemn a system the checks and precautions for the proper working of which had never been fairly and perseveringly enforced.

6. The great advantage which the substitution of stamped papers for adhesive labels in the collection of the Court-fees of the higher values instead of those of the lower values possesses is that the increase of expenditure entailed by the former change is very much less than that entailed by the latter. Mr. Cockerell calculates that the average consumption of stamps of the value of ten rupees and upwards is less than Rs. 3,00,000, out of a total consumption of more than 25½ millions. Then the cost of the lower values of adhesive labels is two shillings and sixpence per thousand, while the cost of the smallest size of stamped papers is 37 shillings per thousand. Besides this vast difference in the cost of production, the introduction of stamped papers involves a great increase in the cost of carriage.

7. For these reasons Mr. Cockerell recommended that stamped papers should be used for the collection of all Court-fees of ten rupees' value and upwards, and that the use of adhesive labels in respect of all denominations of fees below that amount should be continued. His reasons for thinking that the change should commence at the ten rupees' denomination are briefly as follows:—

(1) that this would include all values of substantial amount in regard to which the greatest risk to the revenue from forgeries is to be apprehended;

(2) that, to avoid expense in the introduction of stamped papers, it will be necessary to manufacture them on the same pattern, using the same plates, &c., as the stamped papers used under the Indian Stamp Act, 1879. The classification of stamped papers for Court-fees should, therefore, be the same as that for stamp-duties, and class III of the latter commences at ten rupees.

(3) that it is of great importance that the denominations below one rupee should be represented by adhesive labels, as these denominations are specially required for the purpose of making up the fractional parts of five rupees where the whole value of the stamp required exceeds ten rupees.

8. Mr. Cockerell proposed no change in the present scale of fees payable in suits the amount or value of the subject-matter of which does not exceed Rs. 5,000. With regard to the fees chargeable on suits of higher values, he proposed to re-adjust the scale of fees prescribed by Schedule I of the Court-fees' Act so as to reduce materially the number of denominations of stamps required for the collection of fees. The sliding scale fixed by the present law comprises no less than one hundred and thirty-five denominations of fees above Rs. 275, which is the fee chargeable on a suit for an amount or value of Rs. 5,000. To meet the requirements of this scale very many new denominations of stamped papers would have to be provided. Great additional expense would have to be incurred in making the proposed change, while the new stamp papers would, comparatively speaking, be seldom used, the number of suits for large amounts forming so small a portion of the entire litigation of the country.

9. The greatest enhancement in the fees which this change in the law will involve will be in suits for Rs. 7,000 and Rs. 10,000. In the former suits there will be an increase of twenty rupees and in the latter an increase of fifty. In the case of suits for sums exceeding Rs. 10,000 the increase will be less in proportion. Thus, the fee on a suit for Rs. 15,000 will be only twenty-five rupees above its amount under the existing scale, and the fee on a suit for Rs. 20,000 will be the same as that on a suit for Rs. 30,000 and only twenty-five rupees more than the present fee. The proposed increase, it is calculated, affects only about one per cent. of the entire litigation of the country.

10. Mr. Cockerell calculates that the annual cost of substituting stamped papers for all values of ten rupees and upwards, and continuing the use of adhesive labels, will be about £8,600, or an increase of rather more than £5,000 over the present cost. The total cost of substituting stamped papers in respect of all denominations of Court-fees and discontinuing the use of labels absolutely will be about £56,000, or an increase over the present expenditure for manufacture alone of about £53,000.

11. The Government of India has resolved to adopt Mr. Cockerell's recommendations, and it is therefore necessary to legislate and to amend the first article of Schedule II of the Court-fees' Act in accordance with his suggestions. The Act will also be amended so as to prevent the fraudulent removal and re-use of adhesive labels. The opportunity will be taken to make certain other amendments of the law which the reported decisions of the High Courts and the experience of the last eleven years have shewn to be desirable.

12. The following are the principal amendments which are made in the present law by the Bill.

13. In clause (*a*), section 36, of the Bill, corresponding to clause (*a*), section 27, of the present Act, power is given to the Local Government to make rules for regulating the supply and sale of Court-fee stamps, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons. The Local Government has similar powers under the Indian Stamp Act, and such powers will be useful in preventing frauds against the revenue. It is easier to detect the fraudulent removal and re-use of labels when there are means of tracing the persons by whom and to whom the labels were sold. If the stamp-vendors are placed under the control of the Local Government and sales by non-authorized persons prohibited, means can be provided for tracing the vendors and purchasers of stamps with respect to which fraud is suspected.

14. This amendment has involved other changes in the law. In order to enforce the rules made under clause (*a*), section 36, a penalty is provided by section 41 for breach of the rules by authorized vendors and for the sale of stamps by a person not authorized. Then, as no one but a duly authorised person can sell stamps, section 48 provides for making an allowance for stamps which a person has purchased but afterwards finds that he has no use for.

15. In order to prevent the fraudulent removal and re-use of labels it is necessary to provide for the proper cancellation of stamps. The present law (section 30) directs that cancellation shall be effected by punching out the figure-head so as to leave the amount designated on the stamp untouched, and that the part removed by punching shall be burnt or otherwise destroyed. These provisions have not been found to work well in practice. The duty which they impose has not been fully performed, and experience has shown that there is more chance of getting the responsible officers concerned to observe regulations of this kind when they are prescribed by rules which can be adapted to the varying circumstances of the different provinces of the empire. Accordingly, section 39 of the Bill gives each Local Government power, with the previous sanction of the Governor General in Council, to make rules for regulating the mode of cancelling stamps and the persons by whom such cancellation is to be effected.

16. The other amendment involved by Mr. Cockerell's proposals is the alteration in the scale of *ad valorem* fees: the cause of this change in the law has been already explained. In suits when the amount or value of the subject-matter in dispute exceeds Rs. 5,000, instead of charging a fee of ten rupees for every Rs. 250 or part thereof in excess of Rs. 5,000 up to Rs. 10,000, the Bill provides a charge of Rs. 25 for every Rs. 500 or part thereof. When such amount or value exceeds Rs. 10,000, instead of a fee of fifteen rupees for every Rs. 500 or part thereof in excess of Rs. 10,000 up to Rs. 20,000, the Bill provides a fee of Rs. 25 for every Rs. 1,000 or part thereof up to Rs. 25,000. So the next class of suits, instead of ranging from Rs. 20,000 to Rs. 30,000 with an additional fee of Rs. 20 for every Rs. 1,000 or part thereof in excess of Rs. 20,000, ranges from Rs. 25,000 to Rs. 50,000 with an additional fee of Rs. 100 for every Rs. 5,000 or part thereof in excess of Rs. 25,000. The next class of suits, instead of ranging from Rs. 30,000 to Rs. 50,000 is to range from Rs. 50,000 to Rs. 4,00,000 with an increased fee of Rs. 100 on every Rs. 25,000 or part thereof. Lastly, instead of a fee of Rs. 25 for every Rs. 5,000 or part thereof in excess of Rs. 50,000, the Bill prescribes a fee of Rs. 100 for every Rs. 50,000 or part thereof in excess of Rs. 4,00,000.

17. The Bill also provides in section 42 a penalty for the fraudulent possession of used and cancelled stamps which have been removed from the documents to which they have been affixed. The fact of a person having such stamps in his possession is a clear indication of an intent to use them fraudulently.

18. A penalty has also been provided (section 40) for failing to file the statement on oath of all property received or realized under a certificate granted under Act No. XL of 1858, Act No. XXVII of 1860, Act No. XX of 1864, or Bombay Regulation VIII of 1827. At present the law requiring such statements to be furnished may be evaded to the detriment of the revenue, for the only penalty is cancellation of the certificate, and default in filing the statement is probably in many cases never brought to the notice of the Court.

19. To prevent vexatious prosecutions the Bill (section 43), following the Indian Stamp Act, provides that no prosecution for any offence punishable thereunder shall be instituted without the sanction of the Collector or an officer duly authorized in that behalf.

20. The above are the principal amendments; but opportunity has been taken to make some other alterations in the law, which appear to be advisable.

21. In section 6 of the Bill the words "granted under his seal and signature" have been substituted for the word "furnished." The practice was for many years to grant copies unauthenticated by seal or signature without payment of Court-fee. It is held that this practice is under the present law illegal; but as copies are frequently required for private use and not for filing, exhibiting and recording in a Court of justice, it is thought advisable in the interests of the public to render the former practice legal.

22. In section 7, paragraph xi, the fee in suits to enhance the rent of a tenant having a right of occupancy and for abatement of rent is directed to be calculated on five times the amount by which the rent is sought to be enhanced or abated, instead of, as at present, according to the amount of the rent of the land to which the suit refers payable for the year next before the date of presenting the plaint. The amendment gives a fairer method of calculating the fee chargeable in such suits.

23. In section 12, corresponding with section 12 of the present law, the words "and such decision shall be final as between the parties to the suit" have been omitted. It has been held by the High Court at Calcutta, in the case of *Ajoodhya Pershad* v. *Gunga Pershad* (I. L. R., 6 Calc., p. 249), that an appeal lies against an order rejecting a plaint on the ground of its being insufficiently stamped, such an order being a decree within the meaning of the definition in the Code of Civil Procedure. An appeal should be allowed from an order so rejecting a plaint, and if the words "and such decision shall be final as between the parties to the suit" are retained in the Bill, it will probably be held that the right of appeal is taken away.

24. In section 17, which relates to the fee payable in multifarious suits, the expression "causes of action" is substituted for the expression "subjects" in accordance with a recent decision of the High Court at Allahabad.

25. The list of exemptions in section 19 of the Act has been transferred to Schedule III. The words "whilst serving in such capacity" have been substituted for the words "not in civil employment" in the eleventh exemption, and petitions, applications and memoranda of appeal under the Oudh Taluqdárs Act, 1870, have been added to the exemptions; and section twenty-four of that Act, which exempted those documents from Court-fees, has been entered in the schedule of enactments repealed. Other exemptions which have been made by the Governor General in Council under section 35 of the present Act have also for convenience been included in the schedule of exemptions and the whole has been arranged in alphabetical order.

26. The provisions as to probates, letters of administration and certificates which were inserted in the Court-fees' Act by the Probates and Letters of Administration Act of 1875 are printed in their proper place in Chapter IV of the Bill. By section 27 the provisions of this chapter are made applicable to certificates under Act XXVII of 1860 and Bom. Reg. VIII of 1827, as well as to certificates granted under Acts XL of 1858 and XX of 1864, and the note to Article 12, Schedule I, which requires a statement on oath of all property recovered or realized under a certificate to be filed by the certificate-holder, is removed from the schedule and added to the chapter as section 28. A provision has also been added to

section 28, in accordance with a decision of the High Court of Madras, that a certificate which has become liable to cancellation under the section shall remain in force until it is actually cancelled.

27. In section 38 words are added to make it clear that an amended document is not exempted from the payment of an additional fee, when the duty with which it is chargeable is increased by the amendment.

28. Some obsolete portions of the Court-fees' Act have been omitted, but the general arrangement of the Bill remains the same as that of the Act.

The 27th August, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st August, 1881, and was referred to a Select Committee:—

No. 17 OF 1881.

A Bill to amend the Panjáb Laws Act, 1872.

Preamble.

WHEREAS, in order to provide for the establishment of a system of municipal-watchmen in certain municipalities in the territories administered by the Lieutenant-Governor of the Panjáb, it is expedient to amend the Panjáb Laws Act, 1872, it is hereby enacted as follows:—

Short title. Commencement.

1. This Act may be called "The Panjáb Laws Amendment Act, 1881," and shall come into force at once.

Substitution of new sections for sections 39A and 39B.

2. For sections 39A and 39B of the said Act, the following sections shall be substituted:—

Power to establish system of village-watchmen and municipal-watchmen, and to make rules.

"39A. The Local Government may establish a system of village-watchmen or municipal-watchmen in any part of the territories under its administration, and in furtherance of this object may, from time to time, make rules to provide for the following matters:—

(*a*) the definition of the limits of watchmen's beats;

(*b*) the determination of the several grades of watchmen, and the number of each grade to be appointed to each beat;

(*c*) the appointment, suspension, dismissal and resignation of watchmen of each grade;

(*d*) the equipment and discipline of, and the control and supervision over, such watchmen;

(*e*) the conferring upon them, and the exercise by them, of any powers, and the enjoyment by them of any protection or privilege, which may be exercised and enjoyed by a police-officer under any law for the time being in force;

(*f*) the performance by them of such duties relating to police, sanitation or statistics, or for the benefit of the village-communities or municipalities within their beat, as the Local Government thinks fit;

(*g*) the exercise of authority over, and the rendering of aid to, such watchmen by headmen of the villages or members of the Municipal Committees of the towns, comprised in their respective beats;

(*h*) the performance by the headmen of villages comprised in the beat of any of the duties of a village-watchman in aid of, or substitution for, such watchman;

(*i*) the exercise by such village-headmen for the purposes referred to in clauses (*g*) and (*h*), or by members of Municipal Committees for the purposes referred to in clause (*g*) of this section, of any of the powers, and the enjoyment by them of any privilege or protection, of a village-watchman or a municipal-watchman;

(*j*) the determination of the rate at which, and the mode in which, watchmen shall be paid, and, in the case of village-watchmen, of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchman system shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in, or resorting to, such villages or partly in one of these ways and partly in the other;

(*k*) the collection with or without the aid of the village-headmen, and by any process available for the realization of the land-revenue, of any tax imposed under clause (*j*) of this section, and the application of, and the mode of accounting for, the same; and generally for

(*l*) the efficient working of the system of village-watchmen or municipal-watchmen.

"Provided—

1*st*,—that the rules to be made regarding the appointment of village-watchmen shall allow to the headmen of the villages comprised in the beat to which such a watchman is to be appointed a power of nomination to be exercised in such manner, and subject to such reasonable conditions, as may be prescribed by such rules;

2ndly,—that the rules to be made under clause (*j*) of this section with regard to village-watchmen shall include provisions for recording and securing due consideration of the views and opinions of the village-headmen of such beat on the matters therein referred to.

"39B. Every person is bound to render to a village-watchman, or municipal-watchman, or village-headman discharging the duties of a police-officer under the rules made hereunder, all the assistance which he is bound to render to a police-officer.

Obligation to assist watchmen and headmen.

"Any person who obstructs such watchman or headman in the discharge of such duties may be arrested without warrant by a police-officer or by any watchman or village-headman empowered in this behalf by the Local Government."

Person obstructing watchman or headman may be arrested without warrant.

STATEMENT OF OBJECTS AND REASONS.

UNDER section 12 of the Panjáb Municipal Act, 1873, every Municipal Committee is bound to set apart, out of the Municipal Fund, a sum for the maintenance of a police establishment in the town for which the Committee is appointed. Within the last few years certain small Municipalities in the Panjáb have represented that their income was insufficient to maintain a regular police force, as constituted under the Police Act (V of 1861), and have requested the Local Government to permit the employment by them of a cheaper form of guard in the shape of chaukídárs or watchmen. As there appeared to be considerable weight in these representations, the Local Government has permitted the Municipalities in question to employ watchmen instead of regular police. It appears, however, to Government that there is no suitable provision in the law as it now stands under which such watchmen can be appointed.

Except Act V of 1861, which, as shewn above, is inapplicable to the Municipalities in question, the only Acts in force in the Panjáb under which police establishments can be constituted are Act XX of 1856 (known as the Chaukídárí Act) and Act IV of 1872 (the Panjáb Laws Act). The former of these Acts is unsuited to the case of these Municipalities, as it necessarily carries with it additional taxation, while sufficient special local taxation is already levied within them under the Municipal Act. The provisions of the latter of these Acts, which provide for the appointment of watchmen, are specially framed so as to exclude Municipalities from their operation.

Under these circumstances, it has been deemed advisable to have recourse to legislation, so that these watchmen may be appointed on a definite legal basis. It appears to the Government of India that the simplest plan is to modify the provisions of the Panjáb Laws Act, 1872, and make them applicable to the case of Municipalities as well as to that of other places; and with this object the present Bill has been prepared.

SIMLA;
The 26th August, 1881.

R. E. EGERTON.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 10, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the [illegible] Governor General of India for the [illegible] Laws and Regulations on the [illegible] 1881, and was referred to a Select Committee:—

No. 16 OF 1881.

THE COURT-FEES BILL, 1881.

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SCHEDULE I.—AD VALOREM FEES.
" II.—FIXED FEES.
" III.—EXEMPTIONS.
" IV.—ENACTMENTS REPEALED.

A Bill to amend the law relating to Court-fees.

CHAPTER I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Court-Fees' Act, 1882."

Extent of Act. It extends to the whole of British India;

Commencement of Act. And it shall come into force on the first day of April, 1882.

Repeal of enactments. **2.** On and after that day, the Acts specified in the fourth schedule hereto annexed shall be repealed to the extent specified in the third column of the same schedule. But all rules made and all notifications published under any such Act and then in force shall, so far as they are consistent with this Act, be deemed to have been respectively made and published hereunder. And all references made in Acts or Regulations passed before the first day of April, 1882, to the Court-Fees' Act, 1870, shall be deemed to be made to this Act.

CHAPTER II.

FEES IN THE HIGH COURTS AND IN THE COURTS OF SMALL CAUSES AT THE PRESIDENCY-TOWNS.

Levy of fees in High Courts on their original sides. **3.** The fees payable for the time being in the clerks and officers, (other than the sheriffs and attorneys) of the High Courts established by Letters Patent,

or chargeable in each of such Courts under number ten of the first, and numbers seven, twelve, fourteen, seventeen, twenty-one and twenty-two of the second, schedule to this Act annexed,

and the fees for the time being chargeable in the Courts of Small Causes at the Presidency-towns and their several offices

Levy of fees in Presidency Small Cause Courts.

shall be collected in manner hereinafter appearing.

Fees on documents filed, &c., in High Courts in their extraordinary jurisdiction; **4.** No document of any of the kinds specified in the first column of the rule to [illegible]

in; or shall be received or furnished by, any of the said High Courts in any case coming before such Court in the exercise of its extraordinary original civil jurisdiction;

or in the exercise of its extraordinary original criminal jurisdiction;

or in the exercise of its jurisdiction as regards appeals from the judgment of two or more Judges of the said Court, or of a Division Court;

in their appellate jurisdiction;

or in the exercise of its jurisdiction as regards appeals from the Courts subject to its superintendence;

as Courts of reference and revision. or in the exercise of its jurisdiction as a Court of reference or revision;

unless in respect of such document there has been paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

Act VII of 1870, s. 5.

Procedure in case of difference as to necessity or amount of fee. **5.** When any difference arises between the officer whose duty it is to see that any fee is paid under this chapter and any suitor or legal practitioner as to the necessity of paying a fee or the amount thereof, the question shall, when the difference arises in any of the said High Courts, be referred to the taxing-officer, whose decision thereon shall be final; except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Justice of such High Court, or of such Judge of the High Court as the Chief Justice shall appoint either generally or specially in this behalf.

When any such difference arises in any of the said Courts of Small Causes, the question shall be referred to the Clerk of the Court, whose decision thereon shall be final, except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Judge of such Court.

The Chief Justice shall declare who shall be taxing-officer within the meaning of the first paragraph of this section.

CHAPTER III.

FEES IN OTHER COURTS AND IN PUBLIC OFFICES.

Fees on documents filed, &c., in other Courts or in public offices. **6.** Except in the Courts hereinbefore mentioned, no document of any of the kinds specified as chargeable in the first or second schedule to this Act annexed shall be filed, exhibited or recorded in any Court of justice, or shall be received by any public officer, or granted under his seal or signature, unless in respect of such document there has been paid a fee of an amount not less than that indicated by one of the said schedules as the proper fee for such document.

Computation of fees payable in certain suits. **7.** The amount of fee payable under this Act in the suits next hereinafter mentioned shall be computed as follows:—

For money: i. In suits for money (including suits for damages or compensation, or arrears of maintenance, or annuities, or of other sums payable periodically)—according to the amount claimed:

For maintenance and annuities: ii. In suits for maintenance and annuities or other sums payable periodically—according to the value of the subject-matter of the suit; and such value shall be deemed to be ten times the amount claimed to be payable for one year:

For other moveable property having a market-value: iii. In suits for moveable property other than money, where the subject-matter has a market-value—according to such value at the date of presenting the plaint:

iv. In suits—

For moveable property of no market-value: (*a*) for moveable property where the subject-matter has no market-value, as, for instance, in the case of documents relating to title,

To enforce a right to share in joint family property: (*b*) to enforce a right to share in any property on the ground that it is joint family property,

For a declaratory decree: (*c*) to obtain a declaratory decree or order where consequent relief is prayed,

For an injunction: (*d*) to obtain an injunction,

For easements: (*e*) for a right to some benefit (not herein otherwise provided for) to arise out of land, and

For accounts: (*f*) for accounts—

according to the amount at which the relief sought is valued in the plaint or memorandum of appeal;

For possession of land, houses and gardens: v. In suits for the possession of land, houses and gardens—according to the value of the subject-matter; and such value shall be deemed to be—

where the subject-matter is land, and—

(*a*) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government,

or forms part of such an estate and is recorded in the Collector's register as separately assessed with such revenue,

and such revenue is permanently settled—

ten times the revenue so payable:

(*b*) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government, or forms part of such estate and is recorded as aforesaid;

and such revenue is settled, but not permanently—

five times the revenue so payable:

(*c*) where the land pays no such revenue, or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue,

and net profits have arisen from the land during the year next before the date of presenting the plaint—

fifteen times such net profits:

but where no such net profits have arisen therefrom—the amount at which the Court shall estimate the land with reference to the value of similar land in the neighbourhood:

(*d*) where the land forms part of an estate paying revenue to Government, but is not a definite share of such estate and is not separately assessed as abovementioned—the market-value of the land:

Provided that, in the territories administered by the Governor of Bombay in Council, the value of the land shall be deemed to be—

Proviso as to Bombay Presidency.

(1) where the land is held on settlement for a period not exceeding thirty years and pays the full assessment to Government—a sum equal to five times the survey-assessment;

(2) where the land is held on a permanent settlement, or on a settlement for any period exceeding thirty years, and pays the full assessment to Government—a sum equal to ten times the survey-assessment; and

(3) where the whole or any part of the annual survey-assessment is remitted—a sum computed under clause (1) or clause (2) of this proviso, as the case may be, in addition to ten times the assessment, or the portion of assessment, so remitted.

Explanation.—The word "estate," as used in this paragraph, means any land subject to the payment of revenue, for which the proprietor or a farmer or raiyat shall have executed a separate engagement to Government, or which, in the absence of such engagement, shall have been separately assessed with revenue;

(*e*) Where the subject-matter is a house or garden—according to the market-value of the house or garden:

for houses and gardens:

vi. In suits to enforce a right of pre-emption—according to the value (computed in accordance with paragraph v of this section) of the land, house or garden in respect of which the right is claimed:

to enforce a right of pre-emption:

vii. In suits for the interest of an assignee of land-revenue—fifteen times his net profits as such for the year next before the date of presenting the plaint:

for interest of assignee of land-revenue:

viii. In suits to set aside an attachment of land or of an interest in land or revenue—according to the amount for which the land or interest was attached:

to set aside an attachment:

Provided that, where such amount exceeds the value of the land or interest, the amount of fee shall be computed as if the suit were for the possession of such land or interest:

ix. In suits against a mortgagee or incumbrancer for the recovery of the property mortgaged, or to have the instrument of charge cancelled,

to redeem:

and in suits by a mortgagee to foreclose the mortgage,

to foreclose:

or where the mortgage is made by conditional sale, to have the sale declared absolute—

according to the principal money expressed to be secured by the instrument of mortgage or charge:

x. In suits for specific performance—

for specific performance:

(*a*) of a contract of sale—according to the amount of the consideration:

(*b*) of a contract of mortgage—according to the amount agreed to be secured:

(*c*) of a contract of lease—according to the aggregate amount of the fine or premium (if any) and of the rent agreed to be paid during the first year of the term:

(*d*) of an award—according to the amount or value of the property in dispute:

xi. In the following suits between landlord and tenant (namely):—

between landlord and tenant.

(*a*) for the delivery by a tenant of the counterpart of a lease,

(*b*) for the delivery by a landlord of a lease,

(*c*) to contest a notice of ejectment,

(*d*) to recover the occupancy of land from which a tenant has been illegally ejected by the landlord—

according to the amount of the rent of the land to which the suit refers, payable for the year next before the date of presenting the plaint;

(*e*) to enhance the rent of a tenant having a right of occupancy,

Stamp Bill of 1877, s. 50, XI.

(*f*) for abatement of rent—

five times the amount by which the rent is sought to be enhanced or abated.

The plaint or memorandum of appeal in every suit or appeal mentioned in this section shall state the amount or value with reference to which the fee payable in respect of such plaint or memorandum is to be computed.

Stamp Bill of 1877, s. 50, last clause.

8. The amount of fee payable under this Act on a memorandum of appeal against an order relating to compensation under any law for the time being in force for the acquisition of land for public purposes shall be computed according to the difference between the amount awarded and the amount claimed by the appellant.

Act VII of 1870, s. 9.

Fee on memorandum of appeal against order relating to compensation.

9. If the Court sees reason to think that the annual net profits or the market-value of any such land, house or garden are mentioned in section seven, paragraphs v and vi, have or has been wrongly estimated, the Court may, for the purpose of computing the fee payable in any suit therein mentioned, issue a commission to any proper person directing him to make such local or other investigation as may be necessary, and to report thereon to the Court.

Act VII of 1870, s. 9.

Power to ascertain net profits or market-value.

10. If in the result of any such investigation or otherwise the Court finds that the annual net profits or market-value have or has been wrongly estimated, the Court, if the estimation has been excessive, may in its discretion refund the excess paid as such fee; but if the estimation has been insufficient, the Court shall require the plaintiff to pay so much additional fee as would have been payable had the said market-value or annual profits been rightly estimated:

Procedure where net profits or market-value wrongly estimated.

In such case the suit shall be stayed until the additional fee is paid. If the

paid within such time as the Court shall fix, the suit shall be dismissed.

Act VII of 1870, s. 11.

11. In suits for mesne profits or for immoveable property and mesne profits, or for an account, if the profits or amount decreed are or is in excess of the profits claimed or the amount at which the plaintiff valued the relief sought, the decree shall not be executed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits or amount so decreed has been paid to the proper officer.

Procedure in suits for mesne profits or account when amount decreed exceeds amount claimed.

Where the amount of mesne profits is left to be ascertained in the course of the execution of the decree, if the profits so ascertained exceed the profits claimed, the further execution of the decree shall be stayed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits so ascertained has been paid. If the additional fee is not paid within such time as the Court shall fix, the application for the execution of the decree shall be dismissed.

Act VII of 1870, s. 12. The words "said such decision shall be final as between the parties to the suit" are omitted. See *Narayan Vishvanath*

12. Every question relating to valuation for the purpose of determining the amount of any fee chargeable under this chapter on a plaint or memorandum of appeal shall be decided by the Court in which such plaint or memorandum, as the case may be, is filed.

Decision of questions as to valuation.

When any suit or appeal in which any such question arises comes before a Court of appeal, reference or revision, if such Court considers that the decision of such question has been wrongly decided, to the detriment of the revenue, it shall require the party by whom such fee has been paid to pay so much additional fee as would have been payable had the question been rightly decided, and the provisions of the second paragraph of section ten shall apply.

Act VII of 1870, s. 13.

13. If a plaint or appeal which has been rejected by the lower Court on any of the grounds mentioned in the Code of Civil Procedure is ordered to be received, or if a suit is remanded in appeal, on any of the grounds mentioned in section [illegible] of the same Code, for a second decision by the lower Court, the Appellate Court shall grant to the appellant a certificate, authorizing him to receive back from the Collector the full amount of fee paid on the memorandum of appeal:

Refund of fee paid on memorandum of appeal.

Provided that, if, in the case of a remand in appeal, the order of remand does not cover the whole of the subject-matter of the suit, the certificate so granted shall not authorize the appellant to receive back more than so much fee as would have been originally payable on the part or parts of such subject-matter in respect whereof the suit has been remanded.

Stamp Bill of 1877, s. 50, last clause.

Refund of fee on application for review of judgment.

14. Where an application for a review of judgment is presented on or after the ninetieth day from the date of the decree, the Court, unless the delay was caused by the applicant's laches, may, in its discretion, grant him a certificate authorizing him to receive back from the Collector so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day.

15. Where an application for a review of judgment is admitted, and on the rehearing the Court reverses or modifies its former decision on the ground of mistake in law or fact, the applicant shall be entitled to a certificate from the Court authorizing him to receive back from the Collector the fee paid on the application.

Act VII of 1870, s. 15.

Refund where Court reverses or modifies its former decision on ground of mistake.

Stamp Bill of 1877, s. 83.

But nothing in the former part of this section shall entitle the applicant to such certificate where the reversal or modification is due, wholly or in part, to fresh evidence which might have been produced at the original hearing.

16. When any appeal is presented to a Civil Court, not against the whole of a decision, but only against so much thereof as relates to a portion of the subject-matter of the suit, and, on the hearing of such appeal, the respondent takes, under section 561 of the Code of Civil Procedure, an objection to any part of the said decision other than the part appealed against, the Court shall not hear such objection until the respondent has paid the additional fee which would have been payable had the appeal comprised the part of the decision so objected to.

Act VII of 1870, s. [illegible]

Additional fee where respondent takes objection to unappealed part of decree.

17. Where a suit comprises two or more distinct causes of action the plaint or memorandum of appeal shall be chargeable with the aggregate amount of the fees [illegible] to which the plaints or memoranda of appeal in suits comprising separately each of such causes of action would be liable under this Act.

Mul Chund v. Shib Charan Lal and others, I. L. R. [illegible]

Multifarious suits.

Nothing in the former part of this section shall apply to suits for the price of goods sold and delivered, or shall be deemed to affect the power conferred by the Code of Civil Procedure, section 45.

18. When the first or only examination of a person who complains of the offence of wrongful confinement, or of wrongful restraint, or of any offence other than an offence for which police-officers may arrest without a warrant, and who has not already presented a petition on which a fee has been levied under this Act, is reduced to writing under the provisions of the Code of Criminal Procedure, the complainant shall pay a fee of eight annas, unless the Court thinks fit to remit such payment.

Act VII of 1870, s. 16.

Written examinations of complainants.

19. Nothing contained in this Act shall render the documents specified in the third schedule hereunto annexed chargeable with any fee.

Act VII of 1870, s. 16.

Exemption of certain documents.

CHAPTER IV.

PROBATES, LETTERS OF ADMINISTRATION AND CERTIFICATES.

20. Where any person on applying for the probate of a will or letters of administration has estimated the property of the deceased to be of greater value than the same has afterwards proved to be, and has consequently paid too high a Court-fee thereon, if

Act XIII of 1865, s. 6.

Relief where too high a Court-fee has been paid on probate or letters of administration.

within six months after the true value of the property has been ascertained, such person produces the probate or letters to the Chief Controlling Revenue Authority of the province in which the probate or letters has or have been granted,

and delivers to such Authority a particular inventory and valuation of the property of the deceased, verified by affidavit or affirmation,

and if such Authority is satisfied that a greater fee was paid on the probate or letters than the law required,

the said Authority may—

(*a*) cancel the stamp on the probate or letters, if such stamp has not been already cancelled;

(*b*) substitute another stamp for denoting the Court-fee which should have been paid thereon; and

(*c*) make an allowance for the difference between them as in the case of spoiled stamps, or repay the same in money, at his discretion.

Act XIII of 1875, s. 6.

21. Whenever it is proved to the satisfaction of such Authority that an executor or administrator has paid debts due from the deceased to such an amount as, being deducted out of the amount or value of the estate, reduces the same to a sum which, if it had been the whole gross amount or value of the estate, would have occasioned a less Court-fee to be paid on the probate or letters of administration granted in respect of such estate than has been actually paid thereon under this Act,

Relief where debts due from a deceased person have been paid out of his estate.

such Authority may return the difference, provided the same be claimed within three years after the date of such probate or letters.

But whenever, by reason of any legal proceeding, the debts due from the deceased have not been ascertained and paid, or his effects have not been recovered and made available, and in consequence thereof the executor or administrator is prevented from claiming the return of such difference within the said term of three years, the said Authority may allow such further time for making the claim as may appear to be reasonable under the circumstances.

Ibid.

22. Whenever a grant of probate or letters of administration has been or is made in respect of the whole of the property belonging to an estate, and the full fee chargeable under this Act has been or is paid thereon, no fee shall be chargeable hereunder when a like grant is made in respect of the whole or any part of the same property belonging to the same estate;

Relief in case of several grants.

Whenever such a grant has been or is made in respect of any property forming part of an estate, the amount of fees then actually paid under this Act shall be deducted when a like grant is made in respect of property belonging to the same estate, identical with or including the property to which the former grant relates.

Ibid.

23. The probate of the will, or the letters of administration of the effects, of any person deceased heretofore or hereafter granted shall be deemed valid and available by his executors or administrators for recovering, transferring or assigning any moveable or immoveable property whereof or whereto the deceased was possessed or entitled, either wholly or partially as a trustee, notwithstanding the amount or value of such property is not included in the amount or value of the estate in respect of which a Court-fee was paid on such probate or letters of administration.

Probate declared valid as to trust-property though not covered by Court-fee.

24. Where any person on applying for probate or letters of administration has estimated the estate of the deceased to be of less value than the same has afterwards proved to be, and has in consequence paid too low a Court-fee thereon, the Chief Controlling Revenue Authority of the province in which the probate or letters has or have been granted may, on the value of the estate of the deceased being verified by affidavit or affirmation, cause the probate or letters of administration to be duly stamped on payment of the full Court-fee which ought to have been originally paid thereon in respect of such value and of the further penalty, if the probate or letters is or are produced within one year from the date of the grant, of five times, or if it or they is or are produced after one year from such date, of twenty times, such proper Court-fee, without any deduction of the Court-fee originally paid on such probate or letters:

Act XIII of 1875, s. 6.

Provision for case where too low a Court-fee has been paid on probates, &c.

Provided that, if the application be made within six months after the ascertainment of the true value of the estate and the discovery that too low a Court-fee was at first paid on the probate or letters, and if the said Authority is satisfied that such fee was paid in consequence of a mistake or of its not being known at the time that some particular part of the estate belonged to the deceased, and without any intention of fraud or to delay the payment of the proper Court-fee, the said Authority may remit the said penalty, and cause the probate or letters to be duly stamped on payment only of the sum wanting to make up the fee which should have been at first paid thereon.

25. In case of letters of administration on which too low a Court-fee has been paid at first, the said Authority shall not cause the same to be duly stamped in manner aforesaid until the Administrator has given such security to the Court by which the letters of administration have been granted as ought by law to have been given on the granting thereof in case the full value of the estate of the deceased had been then ascertained.

Ibid.

Administrator to give proper security before letters stamped under section 24.

26. Where too low a Court-fee has been paid on any probate or letters of administration in consequence of any mistake, or of its not being known at the time that some particular part of the estate belonged to the deceased, if any executor or administrator acting under such probate or letters does not, within six months after the discovery of the mistake or of any effects not known at the time to have belonged to the deceased, apply to the said Authority and pay what is wanting to make up the Court-fee which ought to have been paid at first on such probate or letters, he shall forfeit the sum of one thousand rupees and also a further sum at the rate of ten rupees per cent. on the amount of the sum wanting to make up the proper Court-fee.

Ibid.

Executors, &c., not paying full Court-fee on probates, &c., within six months after discovery of underpayment.

Act XIII of 1875, s. 6. Stamp Bill of 1877, s. 76.

27. The provisions of this chapter shall, *mutatis mutandis*, apply to certificates and to the holders of certificates granted under—

This chapter applied to certificates under Act XL of 1858 and other Acts.

Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*, or

Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*), or

Act No. XX of 1864 (*for making better provision for the care of the persons and property of Minors in the Presidency of Bombay*), or

Bombay Regulation VIII of 1827 (*to provide for the formal recognition of Heirs, Executors and Administrators, and for the appointment of Administrators and Managers of property by the Courts*).

Act VII of 1870, Sch. I, 12, Note.

28. The person to whom any such certificate is granted, or his representative, shall after the expiration of twelve months from the date of such certificate and thereafter whenever the Court granting such certificate requires him so to do, file a statement on oath of all property recovered or realized by him under such certificate.

Statement of property realized under certificate to be filed.

If the property so recovered or realized exceed the amount of debts or other property as sworn to by the person to whom the certificate is granted, the Court may cancel the same and order such person to take out a fresh certificate and pay the fee prescribed by this Act for such excess.

In default of filing such statement within the time allowed, the Court may cancel the certificate.

Govindappa v. Kondappa Sástralu, VI Madras Rep., p. 131.

A certificate which has become liable to cancellation under any of the provisions of this section shall remain in force until it is actually cancelled.

CHAPTER V.

PROCESS FEES.

Act VII of 1870, s. 20.

29. The High Court may, from time to time, make rules as to the following matters:—

Rules as to costs of processes.

(*a*) the fees chargeable for serving and executing processes issued by such Court in its appellate jurisdiction, and by the other Civil and Revenue Courts established within the local limits of such jurisdiction:

(*b*) the fees chargeable for serving and executing processes issued by the Criminal Courts established within such limits in the case of offences other than offences for which police-officers may arrest without a warrant; and

(*c*) the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes.

The High Court may from time to time alter and add to the rules so made.

All such rules, alterations and additions shall, after being confirmed by the Local Government, and sanctioned by the Governor General in Council, be published in the local official Gazette, and shall thereupon have the force of law.

Confirmation and publication of rules.

VII of 1870, s. 21.

30. A table in the English and vernacular languages, showing the fees chargeable for such service and execution, shall be exposed to view in a conspicuous part of each court.

Tables of process-fees.

Act VII of 1870, s. 22.

31. Subject to rules to be made by the High Court and approved by the Local Government and the Governor General in Council,

Number of peons in District and subordinate Courts.

every District Judge and every Magistrate of a District may from time to time fix the number of peons necessary to be employed for the service and execution of processes issued out of his Court and each of the Courts subordinate thereto,

and for the purposes of this section, every Court of Small Causes established under Act No. XI of 1865 (*to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature*) shall be deemed to be subordinate to the Court of the District Judge.

Number of peons in mufassal Small Cause Courts.

Act VII of 1870, s. 23.

32. Subject to rules to be framed by the Chief Controlling Revenue Authority and approved by the Local Government and the Governor General in Council, every officer performing the functions of a Collector of a District may from time to time fix the number of peons necessary to be employed for the service and execution of processes issued out of his Court or the Courts subordinate to him.

Number of peons in Revenue Courts.

Act VII of 1870, s. 24.

33. The costs of every process served or executed under this chapter shall be held to be costs within the meaning of the Code of Civil Procedure.

Costs of process served under this chapter to be costs under Civil Procedure Code.

CHAPTER VI.

OF THE MODE OF LEVYING FEES.

Act VII of 1870, s. 25. Conf. Act I of 1879, s. 9.

34. All fees referred to in section three or chargeable under this Act shall be collected by stamps.

Collection of fees by stamps.

Act VII of 1870, s. 26.

35. The stamps used to denote any fee chargeable under this Act shall be impressed or adhesive, or partly impressed and partly adhesive, as the Governor General in Council may, by notification in the *Gazette of India*, from time to time direct.

Stamps to be impressed or adhesive.

Act VII of 1870, s. 27.

36. The Local Government may, from time to time, make rules for regulating—

Rules for supply, sale number, renewal and keeping accounts of stamps.

Mr. Cockerell's note, para. 55; Act I of 1879, s. 55.

(*a*) the supply and sale of stamps to be used under this Act, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons,

Act VII of 1870, s. 27.

(*b*) the number of stamps to be used for denoting any fee chargeable under this Act,

(*c*) the renewal of damaged or spoiled stamps, and

(*d*) the keeping accounts of all stamps used under this Act:

Provided that, in the case of stamps used under section three in a High Court, such rules shall be made with the concurrence of the Chief Justice of such Court.

All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

Act VII of 1870, s. 28.

37. No document which ought to bear a stamp under this Act shall be of any validity unless and until it is properly stamped.

Stamping documents inadvertently received.

But if any such document is through mistake or inadvertence received, filed or used in any Court or office without being properly stamped, the presiding Judge or the head of the office, as the case may be, or in the case of a High Court, any Judge of such Court, may, if he thinks fit, order that such document be stamped as he may direct; and on such document being stamped accordingly, the same and every proceeding relative thereto shall be as valid as if it had been properly stamped in the first instance.

Act VII of 1870, s. 29, modified as to Stamp Bill of 1877, s. 55.

38. Where any such document is amended in order merely to correct a mistake and to make it conform to the original intention of the parties, and the duty with which it is chargeable is not thereby increased, it shall not be necessary to impose a fresh stamp.

Amended document.

Act VII of 1870, s. 30.

39. No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

Cancellation of stamp.

Mr. Cockerell's note, para. 55.

The Local Government may from time to time, with the previous sanction of the Governor General in Council, make rules for regulating the mode of cancelling stamps and the persons by whom such cancellation is to be effected.

Such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

CHAPTER VII.

CRIMINAL OFFENCES AND PROCEDURE.

Mr. Cockerell's note, paras 55, 56, and Act I of 1879, s. 63.

40. Whoever, being bound to file a statement on oath under the provisions of section twenty-eight, fails or neglects to file such statement within the time mentioned in that section, or, when required by an order of the Court to file such statement, within the time which may be specified in such order, shall be punished with fine which may extend to one thousand rupees.

Failing to file statement on oath under section twenty-eight.

Act I of 1879, s. 68.

41. Any person appointed to sell stamps who disobeys any rule made under section thirty-six, and any person not so appointed who sells or offers for sale any stamp, shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Penalty for breach of rule relating to sale of stamps and for unauthorized sale.

New.

42. Whoever, fraudulently or with intent to cause loss to Government, has in his possession any adhesive stamp which has been used and cancelled under this Act and has been removed from the document to which it was affixed, shall be punished, in addition to any other penalty to which he may be liable, with fine which may extend to five hundred rupees.

Fraudulent possession of used and cancelled stamp.

43. No prosecution in respect of any offence punishable hereunder shall be instituted without the sanction of the Collector or such other officer as the Local Government generally, or the Collector specially, authorizes in that behalf.

Sanction and commencement of prosecution.

The Chief Controlling Revenue Authority, or any officer authorized by it in this behalf, may stay any such prosecution or compound any such offence.

44. Nothing herein contained shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act, or the rules made hereunder:

Act I of 1870, s. 72.

Operation of other laws not barred.

Provided that no person shall be punished twice for the same offence.

CHAPTER VIII.

MISCELLANEOUS.

45. Nothing in this Act applies to the commission payable to the Accountant General of the High Court at Fort William, or to the fees which any officer of a High Court is allowed to receive in addition to a fixed salary.

Act VII of 1870, s. 36.

Saving of certain fees to certain officers of High Courts.

46. Whenever an application or petition containing a complaint or charge of an offence other than an offence for which police-officers may arrest without warrant is presented to a criminal Court, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay to the complainant the fee paid on such application or petition.

Act VII of 1870, s. 31.

Repayment of fees paid on applications to Criminal Courts.

In the case mentioned in section eighteen the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay to the complainant the fee, if any, paid by the latter for the examination.

When the complainant has paid fees for serving processes in either of the cases mentioned in the first and second paragraphs of this section, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay such fees to the complainant.

All fees ordered to be repaid under this section may be recovered as if they were fines imposed by the Court.

47. Whenever the filing or exhibition in a Criminal Court of a document in respect of which the proper fee has not been paid is, in the opinion of the presiding Judge, necessary to prevent a failure of justice, nothing contained in section four or section six shall be deemed to prohibit such filing or exhibition.

Act VII of 1870, s. 35.

Admission in criminal cases of documents for which proper fee has not been paid.

48. When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Collector shall repay to such person the value of such stamp in money, deducting one anna for each rupee or portion of a rupee, upon such person delivering up the same to be cancelled, and proving to the Collector's satisfaction that it was purchased by such person in good faith with intention to use it, and that he has paid the full price thereof, and that it was so purchased within the period of six months next preceding the date on which it is so delivered.

Act I of 1879, s. 54.

Allowance for stamps not required for use.

49. The Governor General in Council may from time to time, by notification in the Gazette of India,

Power to reduce or remit fees.

(a) reduce or remit, whether prospectively or retrospectively, in the whole or in any part of British India, all or any of the fees chargeable under this Act in respect of any documents or any particular class of documents, or any of the documents belonging to such class, when filed, exhibited or recorded in any Court, or in any specified Court of justice, or when received from, or furnished or granted under his seal or signature to, any particular class of persons by any public officer, and

(b) cancel or vary such order to the extent of the powers hereby given.

SCHEDULE I.

Ad valorem fees.

Number.		Proper Fee.
Act VII of 1870, Sch. I, 1.	When the amount or value of the subject-matter in dispute does not exceed five rupees ...	Six annas.
Ditto.	When such amount or value exceeds five rupees,—For every five rupees or part thereof in excess of five rupees, up to one hundred rupees ...	Six annas.
Ditto.	When such amount or value exceeds one hundred rupees—For every ten rupees or part thereof in excess of one hundred rupees, up to one thousand rupees ...	Twelve annas.
Ditto.	When such amount or value exceeds one thousand rupees—For every one hundred rupees or part thereof in excess of one thousand rupees, up to five thousand rupees ...	Five rupees.
Mr. Cockerell's note, para. 54.	When such amount or value exceeds five thousand rupees—For every five hundred rupees or part thereof in excess of five thousand rupees, up to ten thousand rupees ...	Twenty-five rupees.
Ditto.	When such amount or value exceeds ten thousand rupees—For every one thousand rupees or part thereof in excess of ten thousand rupees, up to twenty-five thousand rupees ...	Twenty-five rupees.
Ditto.	When such amount or value exceeds twenty-five thousand rupees—For every five thousand rupees or part thereof in excess of twenty-five thousand rupees up to fifty thousand rupees ...	One hundred rupees.

1. Plaint or memorandum of appeal (not otherwise provided for in this Act) presented to any Civil or Revenue Court, except those mentioned in section three.*

* To ascertain the proper fee leviable on the institution of a suit or the presentation of an appeal, see the table annexed to this schedule.

SCHEDULE I—*continued.*

Ad valorem fees.

Number.		Proper fee.
1. Plaint, &c.—*continued.*	When such amount or value exceeds fifty thousand rupees—For every twenty-five thousand rupees or part thereof in excess of fifty thousand rupees, up to four hundred thousand rupees ...	One hundred rupees. Mr. Cockerell's note, para. 54.
	When such amount or value exceeds four hundred thousand rupees—For every fifty thousand rupees or part thereof in excess of four hundred thousand rupees:	One hundred rupees. Ditto.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be three thousand rupees.	Act VII of 1870, Sch. I, 1.
2. Plaint in a suit for possession under the Specific Relief Act, 1877, section nine.	.....	A fee of one-half the amount prescribed in the foregoing scale. Notification, Financial Department, No. 2127, dated 27th July, 1877.
3. Application for review of judgment, if presented on or after the ninetieth day from the date of the decree.	.....	The fee leviable on the plaint or memorandum of appeal. Act VII of 1870, Sch. I.
4. Application for review of judgment if presented before the ninetieth day from the date of the decree.	.....	One-half of the fee leviable on the plaint or memorandum of appeal. Act VII of 1870, Sch. I, 3.
5. An authenticated copy or translation of a judgment or order not being, or having the force of, a decree.	When such judgment or order is passed by any Civil Court other than a High Court, or by the presiding officer of any Revenue Court or office, or by any other judicial or executive authority—	Act VII of 1870, Sch. I, 6.
	(a) If the amount or value of the subject-matter is fifty or less than fifty rupees	Four annas.
	(b) If such amount or value exceeds fifty rupees ...	Eight annas.
	When such judgment or order is passed by a High Court ...	One rupee.

SCHEDULE I—*continued.*

Ad valorem fees.

Number.		Proper fee.
Act VII of 1870, Sch. I, 7. 6. An authenticated copy of a decree or order having the force of a decree.	When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court—	
	(*a*) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees ...	Eight annas.
	(*b*) If such amount or value exceeds fifty rupees ...	One rupee.
	When such decree or order is made by a High Court ...	Four rupees.
Act VII of 1870, Sch. I, 8. 7. An authenticated copy of any document liable to stamp-duty under the Indian Stamp Act, 1879, when left by any party to a suit or proceeding in place of the original withdrawn.	(*a*) When the stamp-duty chargeable on the original does not exceed eight annas.	The amount of the duty chargeable on the original.
	(*b*) In any other case	Eight annas.
Act VII of 1870, Sch. I, 9. 8. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office, or from the office of any chief officer charged with the executive administration of a Division.	For every three hundred and sixty words or fraction of three hundred and sixty words ...	Eight annas.
Act VII of 1870, Sch. I, 10. 9. Certificate of administration granted under Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*), or under Act No. XX of 1864 (*for making better provision for the care of the persons and property of Minors in the Presidency of Bombay*).	If the amount or value of the property in respect to which such certificate is granted does not exceed five hundred rupees ...	Five rupees.
	If such amount or value exceeds five hundred rupees, but not one thousand rupees ...	Ten rupees.
	And for every one thousand rupees, or part thereof, in excess of one thousand rupees ...	Five rupees.

SCHEDULE I—*concluded.*

Ad valorem fees.

Number.		Proper fee.
10. Probate of a will or letters of administration with or without will annexed. 11. Certificate granted under Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*), or under Bombay Regulation VIII of 1827 (*to provide for the formal recognition of Heirs, Executors and Administrators, and for the appointment of Administrators and Managers of Property by the Courts*).	If the amount or value of the property in respect of which the probate or letters or certificate shall be granted exceeds one thousand rupees.	Two per centum on such amount or value: Provided that when, after a certificate has been granted as aforesaid in respect of any estate, probate or letters of administration is or are granted in respect of the same estate, the fee payable in respect of such latter grant shall be reduced by the amount of the fee paid in respect of the former grant.

Act VII of 1870, Sch. I, 11.

Act VII of 1870, Sch. I, 12.

Act V of 1881, s. 153.

Table of rates of ad valorem fees leviable on the institution of suits or presentation of appeals.

Act VII, 1870, table annexed to Sch. I: with modifications.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
...	5	0 6 0
5	10	0 12 0
10	15	1 2 0
15	20	1 8 0
20	25	1 14 0
25	30	2 4 0
30	35	2 10 0
35	40	3 0 0
40	45	3 6 0
45	50	3 12 0
50	55	4 2 0
55	60	4 8 0
60	65	4 14 0
65	70	5 4 0
70	75	5 10 0
75	80	6 0 0
80	85	6 6 0
85	90	6 12 0
90	95	7 2 0
95	100	7 8 0
100	110	8 4 0
110	120	9 0 0
120	130	9 12 0
130	140	10 6 0

Table of rates of ad valorem fees, &c.—continued.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
130	140	10 6 0
140	150	11 4 0
150	160	12 0 0
160	170	12 12 0
170	180	13 8 0
180	190	14 4 0
190	200	15 0 0
200	210	15 12 0
210	220	16 8 0
220	230	17 4 0
230	240	18 0 0
240	250	18 12 0
250	260	19 8 0
260	270	20 4 0
270	280	21 0 0
280	290	21 12 0
290	300	22 8 0
300	310	23 4 0
310	320	24 0 0
320	330	24 12 0
330	340	25 8 0
340	350	26 4 0
350	360	27 0 0
360	370	27 12 0
370	380	28 8 0
380	390	29 4 0
390	400	30 0 0
400	410	30 12 0
410	420	31 8 0
420	430	32 4 0
430	440	33 0 0
440	450	33 12 0
450	460	34 8 0
460	470	35 4 0
470	480	36 0 0
480	490	36 12 0
490	500	37 8 0
500	510	38 4 0
510	520	39 0 0
520	530	39 12 0
530	540	40 8 0
540	550	41 4 0
550	560	42 0 0
560	570	42 12 0
570	580	43 8 0
580	590	44 4 0
590	600	45 0 0
600	610	45 12 0
610	620	46 8 0
620	630	47 4 0
630	640	48 0 0
640	650	48 12 0
650	660	49 8 0
660	670	50 4 0
670	680	51 0 0
680	690	51 12 0
690	700	52 8 0
700	710	53 4 0
710	720	54 0 0
720	730	54 12 0
730	740	55 8 0
740	750	56 4 0
750	760	57 0 0
760	770	57 12 0
770	780	58 8 0
780	790	59 4 0
790	800	60 0 0
800	810	60 12 0
810	820	61 8 0
820	830	62 4 0

Table of rates of ad valorem fees, &c.—continued.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
830	840	63 0 0
840	850	63 12 0
850	860	64 8 0
860	870	65 4 0
870	880	66 0 0
880	890	66 12 0
890	900	67 8 0
900	910	68 4 0
910	920	69 0 0
920	930	69 12 0
930	940	70 8 0
940	950	71 4 0
950	960	72 0 0
960	970	72 12 0
970	980	73 8 0
980	990	74 4 0
990	1,000	75 0 0
1,000	1,100	80 0 0
1,100	1,200	85 0 0
1,200	1,300	90 0 0
1,300	1,400	95 0 0
1,400	1,500	100 0 0
1,500	1,600	105 0 0
1,600	1,700	110 0 0
1,700	1,800	115 0 0
1,800	1,900	120 0 0
1,900	2,000	125 0 0
2,000	2,100	130 0 0
2,100	2,200	135 0 0
2,200	2,300	140 0 0
2,300	2,400	145 0 0
2,400	2,500	150 0 0
2,500	2,600	155 0 0
2,600	2,700	160 0 0
2,700	2,800	165 0 0
2,800	2,900	170 0 0
2,900	3,000	175 0 0
3,000	3,100	180 0 0
3,100	3,200	185 0 0
3,200	3,300	190 0 0
3,300	3,400	195 0 0
3,400	3,500	200 0 0
3,500	3,600	205 0 0
3,600	3,700	210 0 0
3,700	3,800	215 0 0
3,800	3,900	220 0 0
3,900	4,000	225 0 0
4,000	4,100	230 0 0
4,100	4,200	235 0 0
4,200	4,300	240 0 0
4,300	4,400	245 0 0
4,400	4,500	250 0 0
4,500	4,600	255 0 0
4,600	4,700	260 0 0
4,700	4,800	265 0 0
4,800	4,900	270 0 0
4,900	5,000	275 0 0
5,000	5,500	300 0 0
5,500	6,000	325 0 0
6,000	6,500	350 0 0
6,500	7,000	375 0 0
7,000	7,500	400 0 0
7,500	8,000	425 0 0
8,000	8,500	450 0 0
8,500	9,000	475 0 0
9,000	9,500	500 0 0
9,500	10,000	525 0 0
10,000	11,000	550 0 0
11,000	12,000	575 0 0

Table of rates of ad valorem fees, &c.—concluded.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
12,000	13,000	600 0 0
13,000	14,000	625 0 0
14,000	15,000	650 0 0
15,000	16,000	675 0 0
16,000	17,000	700 0 0
17,000	18,000	725 0 0
18,000	19,000	750 0 0
19,000	20,000	775 0 0
20,000	21,000	800 0 0
21,000	22,000	825 0 0
22,000	23,000	850 0 0
23,000	24,000	875 0 0
24,000	25,000	900 0 0
25,000	30,000	1,000 0 0
30,000	35,000	1,100 0 0
35,000	40,000	1,200 0 0
40,000	45,000	1,300 0 0
45,000	50,000	1,400 0 0
50,000	75,000	1,500 0 0
75,000	1,00,000	1,600 0 0
1,00,000	1,25,000	1,700 0 0
1,25,000	1,50,000	1,800 0 0
1,50,000	1,75,000	1,900 0 0
1,75,000	2,00,000	2,000 0 0
2,00,000	2,25,000	2,100 0 0
2,25,000	2,50,000	2,200 0 0
2,50,000	2,75,000	2,300 0 0
2,75,000	3,00,000	2,400 0 0
3,00,000	3,25,000	2,500 0 0
3,25,000	3,50,000	2,600 0 0
3,50,000	3,75,000	2,700 0 0
3,75,000	4,00,000	2,800 0 0
4,00,000	4,50,000	2,900 0 0
4,50,000	.....	3,000 0 0

SCHEDULE II.

Fixed Fees.

Number.		Proper fee.
Act VII of 1870, Sch. II, 1.	1. Application or petition—	
	(*a*) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings;	One anna.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper fee.
1. Application or petition—(*continued*).	or when presented to any officer of land revenue by any person holding temporarily-settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement;	
	or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement;	
	or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Cantonment Magistrate sitting as a Court of Civil Judicature under Act No. III of 1859, or to any Court of Small Causes constituted under Act No. XI of 1865, or under Act No. VI of 1871, section twenty-nine, or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees;	One anna.
	or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record in such Court or Office;	

Act VII of 1870, Sch. II, 1. New

Act VII of 1870, Sch. II, 2.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper fee.
1. Application or petition—(*continued*).	or when presented to a Collector for the purpose of obtaining the renewal or refund of value of stamps spoiled or not required for use.	One anna.
	(*b*) When containing a complaint or charge of any offence other than an offence for which police-officers may, under the Criminal Procedure Code, arrest without warrant, and presented to any Criminal Court;	
	or when presented to a Civil, Criminal or Revenue Court, or to a Collector, or any revenue officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity, and not otherwise provided for by this Act;	Eight annas.
	or to deposit in Court revenue or rent;	
	or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.	
	(*c*) When presented to a Chief Commissioner or other chief controlling revenue or executive authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a Division and not otherwise provided for by this Act ...	One rupee.
	(*d*) When presented to a High Court	Two rupees.

Act VII of 1870, Sch. II, 2.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper Fee.
2. Application for leave to sue as a pauper ...	...	Eight annas.
3. Application for leave to appeal as a pauper ...	(*a*) When presented to a District Court.	One rupee.
	(*b*) When presented to a Commissioner or a High Court.	Two rupees.
4. Plaint or memorandum of appeal in a suit to obtain possession under Act No. XVI of 1838, or the Mamlatdárs' Courts Act, Bombay Act No. III of 1876 ...		
5. Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy ...	...	Eight annas.
6. Bail-bond or other instrument of obligation not otherwise provided for by this Act, when given by the direction of any court or executive authority ...		
7. Undertaking under section forty-nine of the Indian Divorce Act ...		
8. Petition of objection to assessment under the Northern India License Act, 1878	When presented to a Collector— (*a*) By a person charged under class III	One anna.
	(*b*) By a person charged under class II	Four annas.
	(*c*) By a person charged under class I	Eight annas.
9. Application for revision under the Northern India License Act, 1878, section 15 ...	...	One rupee.
10. Mukhtárnáma, vakálatnáma or document empowering an Advocate of a High Court to act ...	When presented for the conduct of any one case—	
	(*a*) to any Civil or Criminal Court other than a High Court, or to any Revenue Court, or to any Collector or Magistrate, or other executive officer, except such as are mentioned in clauses (*b*) and (*c*) of this Number ...	Eight annas.

Act VII of 1870, Sch. II, 3.

Act VII of 1870, Sch. II, 5.

Act VII of 1870, Sch. II, 6.

Act VII of 1870, Sch. II, 7.

Notification, Financial Department, No. 1465, dated 5th July, 1878.

New.

Act VII of 1870, Sch. II, 10.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper Fee.
Act VII of 1870, Sch. II, 10.	10. Mukhtárnáma, &c.—*contd.*	
	(*b*) to a Commissioner of Revenue, Circuit or Customs, or to any officer charged with the executive administration of a Division, not being the chief revenue or executive authority ...	One rupee.
	(*c*) to a High Court, Chief Commissioner, Board of Revenue, or other chief controlling revenue or executive authority ...	Two rupees.
Act VII of 1870, Sch. II 11.	11. Memorandum of appeal when the appeal is not from an order rejecting a plaint or from a decree or an order having the force of a decree, and is presented—	
	(*a*) to any Civil Court other than a High Court, or to any Revenue Court or executive officer other than the High Court or chief controlling revenue or executive authority ...	Eight annas.
	(*b*) to a High Court or Chief Commissioner, or other chief controlling executive or revenue authority ...	Two rupees.
	12. Caveat ...	
	13. Application under Act No. X of 1859, section twenty-six, or Bengal Act No. VI of 1862, section nine, or Bengal Act No. VIII of 1869, section thirty-seven.	
Act VII of 1870, Sch. II, ss. 12 to 15.	14. Petition in a suit under the Native Converts' Marriage Dissolution Act, 1866.	... ... Five rupees.
See Stamp Act of 1877, Sch. V, 25	15. Plaint or memorandum of appeal in a suit (other than a suit or proceeding under the Indian Divorce Act) for the restitution of conjugal rights.	

SCHEDULE II—*continued.*

Fixed fees.

Number.		Proper Fee.
	16. Petition under the European British Minors Act, 1874, section five ...	..... Five rupees.
	17. Administration-bond, including a bond given under the Probate and Administration Act, 1881, section 8 ...	..... Eight rupees.
	18. Plaint or memorandum of appeal in each of the following suits:—	
	(i) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court:	
	(ii) to alter or cancel any entry in a register of the names of proprietors of revenue-paying estates:	
	(iii) to set aside an award:	
	(iv) to set aside an adoption:	..... Ten rupees.
	(v) to obtain a declaratory decree where no consequential relief is prayed:	
	(vi) every other suit where it is not possible to estimate at a money-value the subject-matter in dispute, and which is not otherwise provided for by this Act ...	
	19. Application under section five hundred and twenty-three of the Code of Civil Procedure ...	
	20. Agreement under section five hundred and twenty-seven of the same Code ...	
	21. Every petition under the Indian Divorce Act, except petitions under section forty-four of the same Act, and every memorandum of appeal under section fifty-five of the same Act ...	..... Twenty rupees.
	22. Plaint or memorandum of appeal under the Pársi Marriage and Divorce Act, 1865	..... Twenty rupees.

SCHEDULE III.

Exemptions from Court-fees.

1. Application in writing—

Act VII of 1870, s. 19, cl. 9.
(*a*) Or petition, to a Collector or other officer making a settlement of land-revenue, or to a Board of Revenue, or a Commissioner of Revenue, relating to matters connected with the assessment of land, or the ascertainment of rights thereto or interests therein, if presented previous to the final confirmation of such settlement;

Act VII of 1870, s. 19, cl. 10.
(*b*) Relating to a supply, for irrigation, of water belonging to Government;

Act VII of 1870, s. 19, cl. 11.
(*c*) For leave to extend cultivation, or to relinquish land, when presented to an officer of land-revenue by a person holding, under direct engagement with Government, land of which the revenue is settled but not permanently;

Act VII of 1870, s. 19, cl. 12.
(*d*) For service of notice of relinquishment of land or of enhancement of rent;

Act VII of 1870, s. 19, cl. 13.
(*e*) Or petition, containing any charge or information respecting any offence, when presented, made or laid to or before a police-officer, or to or before the heads of villages or the village-police in the territories respectively subject to the Governors in Council of Madras and Bombay;

Act VII of 1870, s. 19, cl. 19.
(*f*) For permission to cut timber in Government forests, or otherwise relating to such forests;

Act VII of 1870, s. 19, cl. 22.
(*g*) For compensation under any law for the time being in force relating to the acquisition of property for public purposes;

Notification, Financial Department, No. 1208, dated 20th February, 1874.
(*h*) Relating exclusively to the purchase of salt the property of Government;

Act VII of 1870, s. 19, cl. 20. Notification, Financial Department, No. 969, dated 31st May, 1881.
(*i*) For the payment of money due by Government to the applicant;

(*j*) Or petition, to a Chief Commissioner, when such application or petition is accompanied by a petition to the Government of India and contains merely a request that such petition may be forwarded to the Government of India.

2. Authenticated copy—

(*a*) Of a final sentence or order passed by a criminal Court, which parties desirous of appealing from such sentence or order are required by section 275 of the Code of Criminal Procedure to file with their petition of appeal: Provided that the party who is desirous of appealing is in confinement under the operation of the sentence or order at the time that he applies for a copy of the same;

Of the judgment, or reasons for passing or making such sentence or order, as above;

SCHEDULE III—*continued.*

Exemptions from Court-fees.

(*b*) Or translation of the charge furnished to an accused person under section 199 of the Code of Criminal Procedure; — Notification, Home Department, No. 996, dated 6th June, 1873.

(*c*) Of a deposition furnished to an accused person under section 201 of the Code of Criminal Procedure; — Ditto.

(*d*) Of the judgment or order passed by a criminal Court, and of a Judge's charge to the jury, furnished under the Code of Criminal Procedure to any person affected by such judgment or order: Provided that such person is in jail, or the Court, for some special reason, sees fit to grant such copy free of expense; — Notification, Financial Department, No. 7317, dated 18th December, 1874.

(*e*) Of the examination of witnesses given to an accused person under the Code of Criminal Procedure; — Notification, Home Department, No. 996, dated 6th June 1873.

(*f*) Of a charge given to an accused person under the Code of Criminal Procedure; — Ditto.

(*g*) Of an order of maintenance given under the Code of Criminal Procedure; — Ditto.

(*h*) Of a judgment or decision passed on a claim preferred under the provisions of Madras Regulation No. VI of 1831; — Notification, Financial Department, No. 3207, dated 3rd October, 1873.

(*i*) Of a certificate granted under the Code of Civil Procedure, section 316. — Notification, Financial Department, No. 3906, dated 24th October, 1873.

(*j*) Of a village-settlement-record furnished to a landholder and cultivator during the currency or at the termination of settlement-operations; — Notification, Financial Department, No. 4198, dated 3rd July, 1874.

Of a list of fields extracted from village-settlement-records for the purpose of being filed with a plaint in Settlement-Courts;

Authenticated copy—

Nothing in this clause applies to copies of judicial proceedings or copies of village-settlement-records (other than lists of fields extracted as aforesaid) which may be filed in any Court or office;

(*k*) Of a document furnished under the orders of any Court or Magistrate to any Government Advocate or Pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of Government before any criminal Court; — Notification, Financial Department, No. 2041, dated 20th July, 1877.

(*l*) Of a document which any Government Advocate, Pleader or other person is required to take in connection with any such trial or investigation for the use of any Court or Magistrate, or may consider necessary for the purpose of advising the Government in connection with any criminal proceeding; — Ditto.

SCHEDULE III—*continued.*

Exemptions from Court-fees.

(*m*) Of a judgment or deposition required by an officer of the Police Department for conducting an appeal on behalf of Government before any criminal Court; — Notification, Financial Department, No. 2041, dated 20th July, 1877.

(*n*) Of an order which the Collector is required to furnish under section 14 of Madras Act No. III of 1878. — Notification, Financial Department, No. 1446, dated 27th June, 1879.

3. Authority in writing to an agent to distrain. — Act VII of 1870, s. 19, cl. 13.

4. Bail-bonds in criminal cases, and recognizances to prosecute or give evidence, or for personal appearance or otherwise. — Act VII of 1870, s. 19, cl. 15.

5. Complaint by a public servant (as defined in the Indian Penal Code), a municipal officer, or an officer or servant of a Railway Company. — Act VII of 1870, s. 19, cl. 18.

6. Documents described as Form II in Rule 13 of the rules laid down by the Governor of Bombay in Council under the provisions of section 28 of the Bombay Survey and Settlement Act, No. 1 of 1865. — Notification, Financial Department, No. 3421, dated 22nd December, 1876.

7. Documents filed in suits instituted before village munsifs under Chapter V of Act No. XVII of 1879. — Notification, Financial Department, No. 11, dated 3rd January, 1880.

8. First application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to attend either to give evidence or to produce a document, or in respect of the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court. — Act VII of 1870, s. 19, cl. 14.

9. Petition—

(*a*) by a prisoner or other person in duress or under restraint of any Court or its officers; — Act VII of 1870, s. 19, cl. 17.

(*b*) of appeal against the chaukidári assessment under Act No. XX of 1856, or against any municipal tax; — Act VII of 1870, s. 19, cl. 22.

(*c*) presented to the Special Commissioner appointed under Bengal Act No. II of 1869 (*to ascertain, regulate and record certain tenures in Chutiá Nágpur*); — Act VII of 1870, s. 19, cl. 23.

(*d*) under the Indian Christian Marriage Act, 1872, section 45 or section 48; — Act VII of 1870, s. 19, cl. 24.

(*e*) of appeal presented to Revenue-officers in accordance with section 55 of the Madras Act No. IV of 1871; — Notification, Financial Department, No. [illegible] dated [illegible] January, [illegible].

(*f*) or application, memorandum of appeal or other proceeding under the Oudh Talukdárs' Relief Act, 1870. — [illegible] Bill of [illegible] Sch. VI, [illegible].

10. Plaint—

(*a*) presented to a Military Court of Requests, and petition for execution of a decree of such Court; — [illegible] Act VII of [illegible] s. 19, cl. [illegible].

SCHEDULE III—*continued.*

Exemptions from Court-fees.

(*b*) in a suit tried by village munsifs in the Presidency of Fort St. George; — Act VII of 1870, s. 19, cl. 5.

(*c*) and processes in a suit before district panchâyats in the same Presidency; — Act VII of 1870, s. 19, cl. 6.

(*d*) in a suit before a Collector under Madras Regulation XII of 1816; — Act VII of 1870, s. 19, cl. 7.

(*e*) in a summary suit before a Collector under Madras Act No. VIII of 1865; — Notification, Financial Department, No. 1511, dated 6th March, 1874.

(*f*) in a suit under Act No. XVII of 1879, section 16. — Notification, Financial Department, No. 3237, dated 16th October, 1880.

11. Power-of-Attorney to institute or defend a suit when executed by an officer, warrant-officer, non-commissioned officer or private of Her Majesty's army whilst serving in such capacity. — Act VII of 1870, s. 19, cl. 1, modified by Stamp Bill of 1877, Sch. VI, 10.

12. Powers-of-attorney furnished to a relative, servant or dependent under Act No. XVII of 1879, section 63. — Notification, Financial Department, No. 11, dated 3rd January, 1880.

13. Probate of a will, letters of administration and certificate mentioned in the first schedule to this Act, No. 11, where the amount or value of the property in respect of which the probate, letters or certificate shall be granted does not exceed one thousand rupees. — Act VII of 1870, s. 19, cl. 8.

14. Security-bond for keeping of the peace by, or for the good behaviour of, a person other than the executant. — Notification, Financial Department, No. 1481, dated 27th March, 1880.

15. Written statements called for by the Court after the first hearing of a suit. — Act VII of 1870, s. 19, cl. 3.

SCHEDULE IV.

Enactments repealed.

NUMBER AND YEAR.	SUBJECT OR SHORT TITLE.	EXTENT OF REPEAL.
VII of 1870 ...	The Court Fees' Act...	The whole.
XX of 1870 ...	Amending Act VII of 1870.	The whole.
XXIV of 1870 ...	The Taluqdárs' Relief Act.	Section twenty-four.
XIII of 1874 ...	The European British Minors Act.	In section five, the words "shall bear a stamp of five rupees, and the statements therein contained."
XIII of 1875 ...	Probates and Letters of Administration.	Section six.
V of 1881 ...	The Probate and Administration Act, 1881.	Section one hundred and fifty-three.

Stamp Act, 1877, Sch. [illegible].

STATEMENT OF OBJECTS AND REASONS.

In the year 1879 Mr. F. R. Cockerell was instructed by the Government of India to place himself on his arrival in England in communication with Messrs. De La Rue & Co., the eminent stamp-manufacturers. He was to bring before them the whole question of the stamp forgeries recently discovered in Oudh and the North-Western Provinces and to submit, for their inspection and examination, some specimens of those forgeries, together with the apparatus employed, or supposed to have been employed, in the manufacture of the forged labels. He was then, in consultation with Messrs. De La Rue and with the aid of their practical experience, to devise some kind of stamping machinery which would protect the revenue against the fraudulent practices by which its security has been menaced from time to time, and to submit, as the result of this conference, his conclusions on the whole question, and any recommendations for the alteration of the existing system of collecting fees, stating at the same time how far those conclusions and recommendations had the concurrence of that firm.

2. Mr. Cockerell has now submitted his report. The principal question for consideration was whether adhesive labels were to be retained for the collection of Court-fees wholly or partly.

3. The frauds to which the use of adhesive stamps has given rise are of two kinds:—

1st—Abstraction of the labels from the papers to which they have been affixed and re-use of such labels.

2nd—The production as genuine of counterfeit labels and making them pass current.

4. Messrs. De La Rue were of opinion that from the stamp-manufacturers' point of view there is no way of preventing such attempts at counterfeiting adhesive labels as had been recently discovered, or rendering their accomplishment more difficult. The Government of India had therefore to choose between persevering with the adhesive stamps and a partial or complete recourse to the use of stamped papers in lieu of the labels. Messrs. De La Rue advocated a complete re-introduction of stamped papers for the collection of Court-fees generally. They were of opinion that it is more profitable for forgers to work upon labels of the smaller values, as they pass with less scrutiny than labels of the higher values, and that the forgeries discovered were of so clumsy and inaccurate a nature that they should have been detected at once with ordinary care. The real difficulty and danger to the revenue, Messrs. De La Rue considered, arose out of the other kind of fraud, namely, the abstraction and re-use of the adhesive labels.

5. On the other hand, Mr. Cockerell was of opinion that the wisest course, under the present circumstances, would be a partial substitution of stamped papers for adhesive labels. If after a fair trial of such a measure it was found necessary to go further in the direction of the discontinuance of the use of adhesive labels, such progressive action would not have been rendered more difficult by the adoption of what he proposed, inasmuch as his proposals did not involve any considerable initial outlay, the value of which would be lost in the event of any [illegible] Mr. Cockerell also thought that, considering the great difficulty which forgers have in this country, owing to defective mechanical appliances, in manufacturing forged stamps rapidly, and the great expense incurred in paying persons to pass the counterfeit labels, it was unlikely that forgers would work upon the smaller values. With regard to the abstraction and re-use of adhesive labels, he thought that an inquiry into the cases in which such frauds have been committed showed that they might have been prevented by a due examination and cancellation of the labels affixed to documents when presented to the Court or office in which the fraud occurred. He therefore came to the conclusion that it would be premature to condemn a system the checks and precautions for the proper working of which had never been fairly and perseveringly enforced.

6. The great advantage which the substitution of stamped papers for adhesive labels in the collection of the Court-fees of the higher values instead of those of the lower values possesses is that the increase of expenditure entailed by the former change is very much less than that entailed by the latter. Mr. Cockerell calculates that the average consumption of stamps of the value of ten rupees and upwards is less than Rs. 3,00,000, out of a total consumption of more than 25½ millions. Then the cost of the lower values of adhesive labels is two shillings and sixpence per thousand, while the cost of the smallest size of stamped papers is 37 shillings per thousand. Besides this vast difference in the cost of production, the introduction of stamped papers involves a great increase in the cost of carriage.

7. For these reasons Mr. Cockerell recommended that stamped papers should be used for the collection of all Court-fees of ten rupees' value and upwards, and that the use of adhesive labels in respect of all denominations of fees below that amount should be continued. His reasons for thinking that the change should commence at the ten rupees' denomination are briefly as follows:—

(1) that this would include all values of substantial amount in regard to which the greatest risk to the revenue from forgeries is to be apprehended;

(2) that, to avoid expense in the introduction of stamped papers, it will be necessary to manufacture them on the same pattern, using the same plates, &c., as the stamped papers used under the Indian Stamp Act, 1879. The classification of stamped papers for Court-fees should, therefore, be the same as that for stamp-duties, and class III of the latter commences at ten rupees.

(3) that it is of great importance that the denominations below one rupee should be represented by adhesive labels, as these denominations are specially required for the purpose of making up the fractional parts of five rupees where the whole value of the stamp required exceeds ten rupees.

8. Mr. Cockerell proposed no change in the present scale of fees payable in suits the amount or value of the subject-matter of which does not exceed Rs. 5,000. With regard to the fees chargeable on suits of higher values, he proposed to re-adjust the scale of fees prescribed by Schedule I of the Court-fees' Act so as to reduce materially the number of denominations of stamps required for the collection of fees. The sliding scale fixed by the present law comprises no less than one hundred and thirty-five denominations of fees above Rs. 275, which is the fee chargeable on a suit for an amount or value of Rs. 5,000. To meet the requirements of this scale very many new denominations of stamped papers would have to be provided. Great additional expense would have to be incurred in making the proposed change, while the new stamp papers would, comparatively speaking, be seldom used, the number of suits for large amounts forming so small a portion of the entire litigation of the country.

9. The greatest enhancement in the fees which this change in the law will involve will be in suits for Rs. 7,000 and Rs. 10,000. In the former suits there will be an increase of twenty rupees and in the latter an increase of fifty. In the case of suits for sums exceeding Rs. 10,000 the increase will be less in proportion. Thus, the fee on a suit for Rs. 15,000 will be only twenty-five rupees above its amount under the existing scale, and the fee on a suit for Rs. 20,000 will be the same as that on a suit for Rs. 30,000 and only twenty-five rupees more than the present fee. The proposed increase, it is calculated, affects only about one per cent. of the entire litigation of the country.

10. Mr. Cockerell calculates that the annual cost of substituting stamped papers for all values of ten rupees and upwards, and continuing the use of adhesive labels, will be about £8,600, or an increase of rather more than £5,000 over the present cost. The total cost of substituting stamped papers in respect of all denominations of Court-fees and discontinuing the use of labels absolutely will be about £56,000, or an increase over the present expenditure for manufacture alone of about £53,000.

11. The Government of India has resolved to adopt Mr. Cockerell's recommendations, and it is therefore necessary to legislate and to amend the first article of Schedule I of the Court-fees' Act in accordance with his suggestions. The Act will also be amended so as to prevent the fraudulent removal and re-use of adhesive labels. The opportunity will be taken to make certain other amendments of the law which the reported decisions of the High Courts and the experience of the last eleven years have shewn to be desirable.

12. The following are the principal amendments which are made in the present law by the Bill.

13. In clause (*a*), section 36, of the Bill, corresponding to clause (*a*), section 27, of the present Act, power is given to the Local Government to make rules for regulating the supply and sale of Court-fee stamps, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons. The Local Government has similar powers under the Indian Stamp Act, and such powers will be useful in preventing frauds against the revenue. It is easier to detect the fraudulent removal and re-use of labels when there are means of tracing the persons by whom and to whom the labels were sold. If the stamp-vendors are placed under the control of the Local Government and sales by non-authorized persons prohibited, means can be provided for tracing the vendors and purchasers of stamps with respect to which fraud is suspected.

14. This amendment has involved other changes in the law. In order to enforce the rules made under clause (*a*), section 36, a penalty is provided by section 41 for breach of the rules by authorized vendors and for the sale of stamps by a person not authorized. Then, as no one but a duly authorised person can sell stamps, section 48 provides for making an allowance for stamps which a person has purchased but afterwards finds that he has no use for.

15. In order to prevent the fraudulent removal and re-use of labels it is necessary to provide for the proper cancellation of stamps. The present law (section 30) directs that cancellation shall be effected by punching out the figure-head so as to leave the amount designated on the stamp untouched, and that the part removed by punching shall be burnt or otherwise destroyed. These provisions have not been found to work well in practice. The duty which they impose has not been fully performed, and experience has shown that there is more chance of getting the responsible officers concerned to observe regulations of this kind when they are prescribed by rules which can be adapted to the varying circumstances of the different provinces of the empire. Accordingly, section 39 of the Bill gives each Local Government power, with the previous sanction of the Governor General in Council, to make rules for regulating the mode of cancelling stamps and the persons by whom such cancellation is to be effected.

16. The other amendment involved by Mr. Cockerell's proposals is the alteration in the scale of *ad valorem* fees: the cause of this change in the law has been already explained. In suits when the amount or value of the subject-matter in dispute exceeds Rs. 5,000, instead of charging a fee of ten rupees for every Rs. 250 or part thereof in excess of Rs. 5,000 up to Rs. 10,000, the Bill provides a charge of Rs. 25 for every Rs. 500 or part thereof. When such amount or value exceeds Rs. 10,000, instead of a fee of fifteen rupees for every Rs. 500 or part thereof in excess of Rs. 10,000 up to Rs. 20,000, the Bill provides a fee of Rs. 25 for every Rs. 1,000 or part thereof up to Rs. 25,000. So the next class of suits, instead of ranging from Rs. 20,000 to Rs. 30,000 with an additional fee of Rs. 20 for every Rs. 1,000 or part thereof in excess of Rs. 20,000, ranges from Rs. 25,000 to Rs. 50,000 with an additional fee of Rs. 100 for every Rs. 5,000 or part thereof in excess of Rs. 25,000. The next class of suits, instead of ranging from Rs. 30,000 to Rs. 50,000 is to range from Rs. 50,000 to Rs. 4,00,000 with an increased fee of Rs. 100 on every Rs. 25,000 or part thereof. Lastly, instead of a fee of Rs. 25 for every Rs. 5,000 or part thereof in excess of Rs. 50,000, the Bill prescribes a fee of Rs. 100 for every Rs. 50,000 or part thereof in excess of Rs. 4,00,000.

17. The Bill also provides in section 42 a penalty for the fraudulent possession of used and cancelled stamps which have been removed from the documents to which they have been affixed. The fact of a person having such stamps in his possession is a clear indication of an intent to use them fraudulently.

18. A penalty has also been provided (section 40) for failing to file the statement on oath of all property received or realized under a certificate granted under Act No. XL of 1858, Act No. XXVII of 1860, Act No. XX of 1864, or Bombay Regulation VIII of 1827. At present the law requiring such statements to be furnished may be evaded to the detriment of the revenue, for the only penalty is cancellation of the certificate, and default in filing the statement is probably in many cases never brought to the notice of the Court.

19. To prevent vexatious prosecutions the Bill (section 43), following the Indian Stamp Act, provides that no prosecution for any offence punishable thereunder shall be instituted without the sanction of the Collector or an officer duly authorized in that behalf.

20. The above are the principal amendments; but opportunity has been taken to make some other alterations in the law, which appear to be advisable.

21. In section 6 of the Bill the words "granted under his seal and signature" have been substituted for the word "furnished." The practice was for many years to grant copies unauthenticated by seal or signature without payment of Court-fee. It is held that this practice is under the present law illegal; but as copies are frequently required for private use and not for filing, exhibiting and recording in a Court of justice, it is thought advisable in the interests of the public to render the former practice legal.

22. In section 7, paragraph xi, the fee in suits to enhance the rent of a tenant having a right of occupancy and for abatement of rent is directed to be calculated on five times the amount by which the rent is sought to be enhanced or abated, instead of, as at present, according to the amount of the rent of the land to which the suit refers payable for the year next before the date of presenting the plaint. The amendment gives a fairer method of calculating the fee chargeable in such suits.

23. In section 12, corresponding with section 12 of the present law, the words "and such decision shall be final as between the parties to the suit" have been omitted. It has been held by the High Court at Calcutta, in the case of *Ajoodhya Pershad* v. *Gunga Pershad* (I. L. R., 6 Calc., p. 249), that an appeal lies against an order rejecting a plaint on the ground of its being insufficiently stamped, such an order being a decree within the meaning of the definition in the Code of Civil Procedure. An appeal should be allowed from an order so rejecting a plaint, and if the words "and such decision shall be final as between the parties to the suit" are retained in the Bill, it will probably be held that the right of appeal is taken away.

24. In section 17, which relates to the fee payable in multifarious suits, the expression "causes of action" is substituted for the expression "subjects" in accordance with a recent decision of the High Court at Allahabad.

25. The list of exemptions in section 19 of the Act has been transferred to Schedule III. The words "whilst serving in such capacity" have been substituted for the words "not in civil employment" in the eleventh exemption, and petitions, applications and memoranda of appeal under the Oudh Taluqdárs Act, 1870, have been added to the exemptions; and section twenty-four of that Act, which exempted those documents from Court-fees, has been entered in the schedule of enactments repealed. Other exemptions which have been made by the Governor General in Council under section 35 of the present Act have also for convenience been included in the schedule of exemptions and the whole has been arranged in alphabetical order.

26. The provisions as to probates, letters of administration and certificates which were inserted in the Court-fees' Act by the Probates and Letters of Administration Act of 1875 are printed in their proper place in Chapter IV of the Bill. By section 27 the provisions of this chapter are made applicable to certificates under Act XXVII of 1860 and Bom. Reg. VIII of 1827, as well as to certificates granted under Acts XL of 1858 and XX of 1864, and the note to Article 12, Schedule I, which requires a statement on oath of all property recovered or realized under a certificate to be filed by the certificate-holder, is removed from the schedule and added to the chapter as section 28. A provision has also been added to

section 28, in accordance with a decision of the High Court of Madras, that a certificate which has become liable to cancellation under the section shall remain in force until it is actually cancelled.

27. In section 38 words are added to make it clear that an amended document is not exempted from the payment of an additional fee, when the duty with which it is chargeable is increased by the amendment.

28. Some obsolete portions of the Court-fees' Act have been omitted, but the general arrangement of the Bill remains the same as that of the Act.

The 27th August, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st August, 1881, and was referred to a Select Committee:—

No. 17 OF 1881.

A Bill to amend the Panjáb Laws Act, 1872.

Preamble.

WHEREAS, in order to provide for the establishment of a system of municipal-watchmen in certain municipalities in the territories administered by the Lieutenant-Governor of the Panjáb, it is expedient to amend the Panjáb Laws Act, 1872, it is hereby enacted as follows:—

Short title. Commencement.

1. This Act may be called "The Panjáb Laws Amendment Act, 1881," and shall come into force at once.

Substitution of new sections for sections 39A and 39B.

2. For sections 39A and 39B of the said Act, the following sections shall be substituted:—

Power to establish system of village-watchmen and municipal-watchmen, and to make rules.

"39A. The Local Government may establish a system of village-watchmen or municipal-watchmen in any part of the territories under its administration, and in furtherance of this object may, from time to time, make rules to provide for the following matters:—

(*a*) the definition of the limits of watchmen's beats;

(*b*) the determination of the several grades of watchmen, and the number of each grade to be appointed to each beat;

(*c*) the appointment, suspension, dismissal and resignation of watchmen of each grade;

(*d*) the equipment and discipline of, and the control and supervision over, such watchmen;

(*e*) the conferring upon them, and the exercise by them, of any powers, and the enjoyment by them of any protection or privilege, which may be exercised and enjoyed by a police-officer under any law for the time being in force;

(*f*) the performance by them of such duties relating to police, sanitation or statistics, or for the benefit of the village-communities or municipalities within their beat, as the Local Government thinks fit;

(*g*) the exercise of authority over, and the rendering of aid to, such watchmen by headmen of the villages or members of the Municipal Committees of the towns, comprised in their respective beats;

(*h*) the performance by the headmen of villages comprised in the beat of any of the duties of a village-watchman in aid of, or substitution for, such watchman;

(*i*) the exercise by such village-headmen for the purposes referred to in clauses (*g*) and (*h*), or by members of Municipal Committees for the purposes referred to in clause (*g*) of this section, of any of the powers, and the enjoyment by them of any privilege or protection, of a village-watchman or a municipal-watchman;

(*j*) the determination of the rate at which, and the mode in which, watchmen shall be paid, and, in the case of village-watchmen, of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchman system shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in, or resorting to, such villages or partly in one of these ways and partly in the other;

(*k*) the collection with or without the aid of the village-headmen, and by any process available for the realization of the land-revenue, of any tax imposed under clause (*j*) of this section, and the application of, and the mode of accounting for, the same; and generally for

(*l*) the efficient working of the system of village-watchmen or municipal-watchmen.

"Provided—

1*st*,—that the rules to be made regarding the appointment of village-watchmen shall allow to the headmen of the villages comprised in the beat to which such a watchman is to be appointed a power of nomination to be exercised in such manner, and subject to such reasonable conditions, as may be prescribed by such rules;

2ndly,—that the rules to be made under clause (*j*) of this section with regard to village-watchmen shall include provisions for recording and securing due consideration of the views and opinions of the village-headmen of such beat on the matters therein referred to.

Obligation to assist watchmen and headmen.

"39B. Every person is bound to render to a village-watchman, or municipal-watchman, or village-headman discharging the duties of a police-officer under the rules made hereunder, all the assistance which he is bound to render to a police-officer.

Person obstructing watchman or headman may be arrested without warrant.

"Any person who obstructs such watchman or headman in the discharge of such duties may be arrested without warrant by a police-officer or by any watchman or village-headman empowered in this behalf by the Local Government."

STATEMENT OF OBJECTS AND REASONS.

UNDER section 12 of the Panjáb Municipal Act, 1873, every Municipal Committee is bound to set apart, out of the Municipal Fund, a sum for the maintenance of a police establishment in the town for which the Committee is appointed. Within the last few years certain small Municipalities in the Panjáb have represented that their income was insufficient to maintain a regular police force, as constituted under the Police Act (V of 1861), and have requested the Local Government to permit the employment by them of a cheaper form of guard in the shape of chaukídárs or watchmen. As there appeared to be considerable weight in these representations, the Local Government has permitted the Municipalities in question to employ watchmen instead of regular police. It appears, however, to Government that there is no suitable provision in the law as it now stands under which such watchmen can be appointed.

Except Act V of 1861, which, as shewn above, is inapplicable to the Municipalities in question, the only Acts in force in the Panjáb under which police establishments can be constituted are Act XX of 1856 (known as the Chaukídárí Act) and Act IV of 1872 (the Panjáb Laws Act). The former of these Acts is unsuited to the case of these Municipalities, as it necessarily carries with it additional taxation, while sufficient special local taxation is already levied within them under the Municipal Act. The provisions of the latter of these Acts, which provide for the appointment of watchmen, are specially framed so as to exclude Municipalities from their operation.

Under these circumstances, it has been deemed advisable to have recourse to legislation, so that these watchmen may be appointed on a definite legal basis. It appears to the Government of India that the simplest plan is to modify the provisions of the Panjáb Laws Act, 1872, and make them applicable to the case of Municipalities as well as to that of other places; and with this object the present Bill has been prepared.

SIMLA;
The 26th August, 1881.

R. E. EGERTON.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September, 1881, and was referred to a Select Committee:—

No. 18 OF 1881.

THE INLAND EMIGRATION BILL, 1881.

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A Bill to amend the law relating to Emigration to the Labour-districts of Bengal and Assam.

[The sections first noted on the margin are the corresponding sections of Act VII (B.C.) of 1873. The draft sections referred to in the margin are sections of the draft prepared by the Commissioners appointed to amend the Labour Districts Emigration Act, VII (B. C.) of 1873.]

Preamble.

WHEREAS it is expedient to amend the law relating to the emigration of natives of India to the districts of Chittagong, the Chittagong Hill Tracts, the Assam Valley, Cachar and Sylhet; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Section 1. Draft, s. 1.

1. This Act may be called "The Inland Emigration Act, 1881."

Short title.

It extends to the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioners of Oudh and Assam;

Local extent.

Commencement. And it shall come into force at once.

Section 2. Draft, s. 2.

2. Bengal Act No. VII of 1873, (*to amend the law relating to the emigration of labourers to the districts of Assam, Cachar and Sylhet and to regulate contract-labour and service*), Bengal Act No. II of 1878 (*to extend the provisions of Bengal Act VII of 1873 to the district of Chittagong and to the Chittagong Hill Tracts*) and Regulation No. IV of 1877 (*a Regulation for extending to the Chief Commissionership of Assam Chapter 13 of Bengal Act VII of 1873*) are hereby repealed.

Repeal of enactments.

All contracts entered into, rules and appointments made, orders and notifications published and licenses granted under the said Bengal Act No. VII of 1873, or any of the Acts thereby repealed, and now in force, shall, so far as they relate to the territories administered by the Lieutenant-Governor of Bengal and the Chief Commissioner of Assam, be deemed to have been respectively entered into, made, published and granted under this Act.

Section 3. Draft, s. 3.

3. In this Act, unless there is something repugnant in the subject or context,—

Interpretation-clause.

"Labour-districts": The expression "the labour-districts" means the districts of Chittagong the Chittagong Hill Tracts, Assam Valley, Cachar and Sylhet, and the expression "a labour-district" means any one of such districts:

Cf. Indian Emigration Bill, s. 3.

"Magistrate": "Magistrate" means a Magistrate of a district, a Magistrate of a division of a district, and any other person appointed by the local Government to perform the functions of a Magistrate under this Act:

"Superintendent," "Inspector" and "Assistant Inspector": "Superintendent," "Inspector" and "Assistant Inspector" mean respectively a Superintendent of Emigration, an Inspector of Labourers and an Assistant Inspector of Labourers appointed under this Act:

New.

"Contractor," "Sub-Contractor," "Recruiter" and "Local Agent": "Contractor," "Sub-Contractor," "Recruiter" and "Local Agent" mean respectively a Contractor, a Sub-Contractor, a Recruiter and a Local Agent licensed under this Act:

"Labour-contract": "Labour-contract" means a contract to labour for hire in a labour-district, otherwise than as a domestic servant, entered into in accordance with the provisions of this Act:

"Labourer": "Labourer" means any person bound by a contract under the provisions of the said Bengal Act VII of 1873 or by a labour-contract under the provisions of this Act. And, except in sections one hundred and sixty-eight to one hundred and eighty-two both inclusive, it also includes any person intending to enter into such labour-contract:

"Estate": "Estate" means the land upon which any labourers or more than fifty other persons have been engaged to labour:

"Employer": "Employer" means the chief person for the time being in charge of any estate upon which labourers or more than fifty other persons are employed:

New.

"Emigrate": "Emigrate" denotes the departure of any native of India of the age of sixteen years and upwards (other than a native of a labour-district) from any part of the territories administered by the Lieutenant-Governor of Bengal, not being a labour-district, or from the territories administered by the Lieutenant-Governor of the North-Western Provinces and the Chief Commissioner of Oudh, for the purpose of labouring for hire in a labour-district otherwise than as a domestic servant.

New.

"Dependent": "Dependent" means any woman (not being a labourer), any child, and any aged or incapacitated relative or friend accompanying any emigrant with the consent of a contractor, sub-contractor, recruiter, local agent or garden-sardár:

New.

"Vessel": "Vessel" includes anything made for the conveyance by water of human beings or property:

"Master.": "Master" means the person for the time being in charge of a vessel:

Words to be understood as defined in Contract Act.

And all words defined in the Indian Contract Act, 1872, and used in this Act shall have the meanings respectively assigned to them by that Act.

New. Draft, s. 4.

Power to withdraw the Act from any labour-district.

4. The local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, declare that any labour-district within the territories administered by such Government shall, from a day specified in such notification, cease to be subject to all the provisions, or any specified provision of this Act; and from such day such labour-district shall cease to be subject to the provisions of this Act or to the provision so specified, as the case may be.

Section 10. Draft, s. 14.

Local Government may prohibit emigration to any labour-district or part thereof.

5. The local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, prohibit, from a day specified in such notification, all natives of India, or any specified class of such natives, from emigrating from the whole or any specified part of the territories under its administration to any labour-district or to any specified portion of any such district.

The local Government may with the like sanction in like manner vary or cancel any such notification.

Cf. Indian Emigration Bill, s. 10.

Notification under sections 4 and 5 not to affect prior acts, &c.

6. The publication of a notification under section four or section five shall not affect any act done, offence committed or proceedings commenced before such publication.

Draft, s. 16.

Appointment of officers.

7. The local Government may appoint, either by name or by virtue of their office, so many persons as it thinks necessary to be Superintendents of Emigration, Embarkation Agents, Debarkation Agents, Inspectors of Labourers, Assistant Inspectors of Labourers and Medical Inspectors under this Act respectively, and, with respect to any such officer, may declare the local area situate in the territories subject to its administration within which he shall exercise the powers and perform the duties conferred and imposed upon him by this Act or any rule made hereunder.

The local Government may suspend or remove any persons whom it so appoints.

Every person so appointed shall be deemed a public servant within the meaning of the Indian Penal Code.

Section 7. Draft, s. 11.

Saving of free emigration and of ordinary contract law.

8. Save as provided by section five, nothing in this Act shall be deemed to prohibit any native of India from emigrating to, or entering into a contract to labour in, a labour-district otherwise than under the provisions of this Act.

CHAPTER II.

LABOUR-CONTRACTS GENERALLY.

Section 15. Draft, s. 10.

Essentials of labour-contract.

9. Every labour-contract shall be in writing, and shall be executed in duplicate on substantial paper. Every such contract shall specify—

(*a*) the name of the labourer and his employer;

(*b*) the term for which the labourer is to labour;

(*c*) his monthly wages in money;

(*d*) the labour-district in which, and, if the labourer so request, the estate on which, he is to labour.

Every such contract shall be in the form prescribed in the schedule hereto annexed.

No such contract shall be made for a term exceeding five years, commencing from the date of its execution; or shall stipulate for a less rate of monthly wages for a completed daily task regulated in accordance with the provisions of this Act than five rupees in the case of a man and four rupees in the case of a woman for the first three years of the term of the contract, or six rupees in the case of a man and five rupees in the case of a woman for the fourth and fifth years of such term.

No contract made in contravention of, or not in accordance with, the provisions of this section shall be enforceable under this Act as a labour-contract against the labourer entering into it.

Section 15. Draft, s. 10, para. 2.

If contract does not specify estate, labourer to be deemed to have contracted to labour on any estate in charge of employer situate in labour-district.

10. Unless the labour-contract specifies the particular estate on which the labourer is to labour, the labourer shall be deemed to have contracted to labour on any estate in charge of the employer for whom he has contracted to labour, and situate in the labour-district specified in the contract:

Provided that no labourer shall, without his own consent, be separated from his dependents (if any) or from any other labourer who is the wife, husband, son or daughter of such labourer.

Section 6. Draft, s. 9. Cf. Indian Emigration Act, s. 34.

Persons of sixteen years of age may contract to emigrate.

11. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter into a labour-contract.

CHAPTER III.

RECRUITING BY CONTRACTORS, SUB-CONTRACTORS AND RECRUITERS.

A.—Contractors and Sub-contractors.

Section 14. Cf. draft, s. 45.

12. Any Superintendent specially empowered in this behalf by the local Government may, from time to time, grant to such persons as he thinks fit licenses to be contractors within the whole or any part of the local area for which such Superintendent has been appointed. He may also, on the application of any contractor, grant to such persons as he thinks fit licenses to be sub-contractors on behalf of such contractor, within the whole or any part of the local area for which such contractor is licensed.

Superintendent may license contractors.

Superintendent may license sub-contractors.

Section 14. Cf. draft, s. 45.

Section 33. Cf. draft, ss. 46 & 50.

13. Every license to a contractor or sub-contractor shall be in such form, and subject to the payment of such fee, not exceeding, in the case of a contractor, one hundred rupees and, in the case of a sub-contractor, fifty rupees, as the local Government may by rule prescribe.

Form of, and fee for, contractor's and sub-contractor's licenses.

Section 33. Cf. draft, ss. 46 & 50.

14. No such license shall be granted for a longer period than one year from the date thereof, and, if the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may at any time be cancelled by the Superintendent who granted the same.

Period for which contractor's and sub-contractor's license to remain in force.

Section 33. Cf. draft, ss. 46 & 50.

A contractor or sub-contractor may, within one month from the date of any order of a Superintendent cancelling his license, appeal against such order to the local Government.

Appeal against order cancelling license.

The order of the local Government on such appeal shall be final.

Section 34. Cf. draft, s. 47.

15. Every contractor, in addition to the special duties herein assigned to him, shall afford such information to the Superintendent and furnish him with such returns and reports as he may, subject to any rules which may be framed by the local Government in this behalf, from time to time require.

Duties of contractors.

New. Cf. draft, s. 50.

16. A sub-contractor may be licensed to act on behalf of more than one contractor:

Provided that he obtains a separate license in the case of each contractor for whom he desires to act.

Sub-contractor may be licensed to represent more than one contractor.

Section 36. Cf. draft, s. 51.

17. A contractor or sub-contractor may act as a recruiter, and shall, when so acting, be subject to all the provisions hereinafter contained relating to recruiters.

Contractor or sub-contractor may act as recruiter.

New. Cf. draft, s. [illegible]

18. Every contractor shall be liable for the acts and defaults of any person licensed to be a sub-contractor or recruiter on his behalf, and shall be bound to make good all payments which under this Act or any rule made hereunder any such person is ordered to make.

Liability of contractors for sub-contractors' and recruiters' acts and defaults.

The Superintendent may cancel the license of any contractor whenever the license of any person so licensed on his behalf is liable to be cancelled under this Act.

Nothing in this section shall be deemed to render a contractor criminally liable for any act or default on the part of any person licensed to be a sub-contractor or recruiter on his behalf when such act or default has been committed without his knowledge or consent.

Section 35. Cf. draft, s. 48.

19. Every contractor shall establish and maintain, at such places as the local Government may direct, suitable depôts for the reception and lodging, previous to their despatch to the labour-districts, of labourers engaged by him or by sub-contractors or recruiters licensed to act on his behalf, and shall provide at his own expense all necessary food, clothing and medical treatment for such labourers during their stay at such depôts.

Contractor to establish depôts.

Section 35. Cf. draft, s. 48.

20. No such depôt shall be used for the reception and lodging of labourers until it has been inspected and approved of by the Superintendent and the Medical Inspector. Every such depôt shall be under the supervision of the Superintendent or such other officer as the local Government may appoint in this behalf, and shall be open at all times to inspection by the Superintendent or such officer and by the Medical Inspector.

Inspection and supervision of depôts.

The Superintendent may by order in writing prohibit the using of any depôt for the reception and lodging of labourers if he considers that the depôt is unhealthy, or has become unsuitable for the purpose for which it was established.

Section 37. Cf. draft, s. 49.

21. In addition to the depôts hereinbefore provided for, the local Government may establish a separate hospital depôt for the reception of labourers suffering from any dangerously infectious or contagious disease.

Establishment of hospital depôts.

22. Whenever any such hospital depôt is established by any local Government, such Government may require any contractor having a depôt in the neighbourhood of such hospital depôt to contribute to the expense of the establishment and maintenance of such hospital depôt such reasonable sum as it may direct. Such sum may be recovered as an arrear of revenue from any contractor so required.

Contractor to contribute towards establishment and maintenance of hospital depôt.

Every hospital depôt so established shall be under the charge of a medical officer appointed by the local Government. Any Medical Inspector may direct the transfer of any labourer from a depôt established within the local limits of his jurisdiction to a hospital depôt established within such local limits.

B.—Recruiters.

Section 14. Cf. draft, s. 46.

23. Any Superintendent empowered in this behalf by the local Government may on the application of any contractor or of any sub-contractor acting on behalf of a contractor, grant to such persons as he thinks fit licenses to be recruiters on behalf of such contractor within the whole or any specified part of the local area for which such contractor has been licensed.

Superintendent may license recruiters.

Section 38. Cf. draft, s. 52.

24. Every license to a recruiter shall be in such form and subject to the payment of such fee not exceeding sixteen rupees as the local Government may by rule prescribe.

Form of, and fee for, recruiter's license.

Section 38. Cf. draft, s. 52.

25. No such license shall be granted for a longer period than one year from the date thereof; and, if the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may be cancelled by the Superintendent who granted the same.

Period for which license is granted.

Section 39. Cf. draft, s. 53.

26. Every recruiter shall hold a certificate in writing authorizing him to act as such and signed by the contractor or sub-contractor on whose application he was licensed.

Recruiter must hold a certificate.

Section 40. Cf. draft, s. 55. (Cf. also Indian Emigration Bill, s. 26.)

27. No recruiter shall in any local area engage or attempt to engage any person as a labourer unless his license bears the countersignature of a Magistrate having jurisdiction throughout such local area.

Countersignature of recruiter's license.

No such Magistrate shall countersign a recruiter's license unless and until he has satisfied himself by such enquiry as he thinks fit that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act, and that sufficient and proper accommodation has been provided in a suitable place and is available for such labourers as may be collected by such recruiter pending their removal to a depôt.

Section 41. Cf. draft, s. 56. (Cf. also Indian Emigration Bill, s. 27.)

28. Every Magistrate shall have for the supervision, inspection and regulation of the place situate within the local limits of his jurisdiction where such accommodation is provided the same powers as are by this Act conferred on the Superintendent in respect of depôts.

Magistrate to supervise accommodation.

New. Cf. Indian Emigration Bill, s. 27, last para.

Any Magistrate of a district or division of a district may authorize any Magistrate subordinate to him, or any officer of police above the rank of Sub-Inspector, to visit and inspect such place at any time; and all recruiters or other persons in charge of such place shall afford to subordinate Magistrates and officers of police so authorized every facility for making such visits and inspections.

Section 40. Cf. draft, s. [illegible] (Cf. also [illegible] Emigration Bill, s.)

29. If any Magistrate who has countersigned a recruiter's license afterwards finds reason to think that the licensee is by character or from any other cause unfitted to be a recruiter under this Act, or that the accommodation provided for the labourers as aforesaid has become insufficient or improper or has ceased to be available, or that the place in which it is provided has become unsuitable, he may require the licensee to produce his license, and may cancel his countersignature thereon; or he may impound the license and send it for cancellation to the Superintendent who granted the same.

Magistrate may cancel countersignature in certain cases.

Every Magistrate refusing to countersign a recruiter's license or cancelling his countersignature thereon shall at once report such refusal or cancellation and the grounds thereof to the Superintendent who granted such license.

Notice to Superintendent of refusal to countersign or cancellation.

C.—Procedure before Arrival at Depôt.

Section 4. Draft, s. 57.

30. Every recruiter who desires to engage any person as a labourer shall appear with such person before such medical officer as the local Government may appoint to examine such persons within the local limits of the jurisdiction of the Magistrate by whom such recruiter's license was countersigned; or, if no such officer has been appointed, before such medical officer as the Magistrate or Superintendent before whom such person is taken for registration, as hereinafter provided, may direct.

Labourer to be taken for examination to medical officer.

The medical officer shall thereupon examine such person, and shall, if satisfied that he is in a fit state of health and able in point of physical condition to proceed to the labour-district in which he intends to labour, give him a certificate to that effect.

Section 43. Draft, s. 58.

31. Every person who obtains a certificate under section thirty, together with any persons about to proceed to a labour-district as his dependents shall thereupon be brought by the recruiter before the Magistrate by whom such recruiter's license was countersigned, or before a Magistrate having jurisdiction within the same district as such Magistrate, or before the Superintendent of the local area within which such person resides. The recruiter shall at the same time produce and show his license to such Magistrate or Superintendent.

If certified to be fit, labourer to be brought before Magistrate or Superintendent.

Section 42. Draft, s. 58.

32. The Magistrate or Superintendent shall thereupon inspect the certificate given under section thirty, and the license of the recruiter, and shall then examine such person with reference to his intended labour-contract.

Labourer to be examined by Magistrate or Superintendent.

Section 43. Draft, s. 58. Cf. Indian Emigration Act, s. 38.

If it appears that such person is competent to enter into such contract, and understands the nature of the same as regards the locality, period and nature of the service, and the rate of wages specified therein, that the terms thereof are in accordance with law, that he has not been induced to agree to enter thereinto by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Magistrate or Superintendent shall register in a book to be kept for the purpose such particulars regarding him and his dependents (if any) as the local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

Labourer to be registered.

Section 44. Draft, s. 59.

33. The Magistrate or Superintendent shall furnish to the person so registered a certified copy of such particulars written on substantial paper.

Copy of registration to be given to labourer.

Section 45. Draft, s. 60.

34. Every Magistrate or Superintendent registering any person under section thirty-two shall forthwith forward a certified copy of such particulars and the original certificate of the medical officer regarding him to the Superintendent having jurisdiction over the depôt to which such person is to proceed.

Copy of registration and medical certificate to be sent to Superintendent.

Section 46. Draft, s. 61.

35. For every such person produced before a Magistrate or Superintendent for the purpose of being registered as aforesaid the recruiter shall pay such fee not exceeding one rupee as the local Government may by rule direct.

Fee for registration.

New. Cf. Indian Emigration Bill, s. 44.

36. No recruiter shall remove or attempt to remove any labourer to a depôt, or induce or attempt to induce him to go to a depôt, or to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license was countersigned, or aid or attempt to aid him in going to a depôt, or leaving any such local limits, until such labourer has been registered under section thirty-two.

Recruiter when to remove labourer to depôt.

Section 50. Draft, s. 65.

37. Every labourer shall, after he has been registered under this Act, be conveyed with all convenient despatch to the depôt established by the contractor on whose behalf the recruiter by whom he has been engaged has been licensed.

Conveyance of labourer to depôt.

All labourers shall, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself, or by a competent person deputed by him with the approval of the Magistrate or Superintendent by whom such labourers have been registered. The Magistrate or Superintendent, as the case may be, shall give to the person so deputed a certificate under his signature, stating that he has been deputed for the journey to the depôt.

Recruiter to accompany labourer, or deputed person approved by registering officer.

Section 51. Draft, s. 66.

38. Every recruiter or person deputed by him as aforesaid shall, throughout the journey to the depôt, provide such labourer and his dependents (if any) with proper and sufficient food and lodging.

Recruiter must provide food and lodging for labourer on journey.

Procedure at Contractors' Depôts.

Section 52. Draft, s. 67.

39. Within twenty-four hours after the arrival at a depôt of a labourer, the contractor by whom such depôt is maintained, or the person in charge thereof, shall give to the Superintendent, within the local limits of whose jurisdiction such depôt is situate, a notice in writing of such arrival, which notice shall be in such form, and shall contain such particulars, as the local Government may by rule prescribe.

Contractor to report arrival of labourer.

Section 53. Draft, s. 68.

40. The Medical Inspector shall as soon as may be after the arrival of the labourer at the depôt, examine such labourer and his dependents (if any) to ascertain that they are in a fit state of health to undertake the journey to the labour-district to which they intend to proceed.

Duties of Medical Inspector.

The Medical Inspector shall give a certificate to the Superintendent stating whether he is or is not satisfied of the fitness of the labourer and his dependents (if any) to undertake such journey.

Section 57. Draft, s. 72.

41. If the Medical Inspector gives a certificate of fitness under section forty with respect to any labourer, and in the opinion of the Superintendent there is no valid reason why such labourer should not enter into a labour-contract, such labourer and the employer with whom he intends to contract, or the agent of such employer, shall, within thirty days after the arrival of the labourer at the depôt, execute in the presence of the Superintendent a labour-contract.

If certificate of fitness granted, labourer to enter into labour-contract.

42. Before the labourer executes such contract, the Superintendent shall personally explain it to him, and shall, after the same has been executed by such labourer and his employer, or the agent of such employer, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Contract to be explained to labourer by Superintendent.

An abstract of every such contract shall be entered in a register to be kept by the Superintendent for the purpose; and after such abstract has been so entered, one copy of the contract shall be given to the labourer and the other to his employer or his agent.

Abstract to be made of contract, and copies of contract given to labourer and employer.

Section 57, fifth paragraph. New. Cf. Indian Emigration Bill, s. 38, 2nd para.

Power to cancel contract and order payment of expenses home of labourer in certain cases.

Section 54. Draft, ss. 69 & 74. Cf. Indian Emigration Bill, s. 54.

43. In the following cases (namely) :—

(*a*) where the Medical Inspector, on making the examination required by section forty, or at any subsequent time during the stay at the depôt of any labourer, finds that such labourer is or has become unfit to undertake the journey to the labour district to which he intends to proceed, and the Superintendent considers that such labourer has not dishonestly represented himself as fit to undertake such journey, or

(*b*) where the Superintendent finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any such labourer as makes it just to refuse to permit a labour-contract to be executed or to rescind such contract if executed, or

(*c*) where the contractor on whose behalf or by whom the labourer has been registered does not within thirty days after the arrival of such labourer at the depôt tender to him a labour-contract for execution under section forty-one,

the Superintendent may rescind the labour-contract executed by such labourer, and in that case, or if no labour-contract has been executed, may order the contractor at once to pay such labourer such reasonable sum as is necessary to enable him to return to the place at which he was registered, and such further sum by way of compensation as the Superintendent thinks reasonable; and may take any other steps he thinks necessary for the conveyance of such labourer to such place.

Section 58. Draft, s. 69. Cf. Indian Emigration Bill, s. 54, 1st para.

Labourer when to be lodged, &c., at depôt till he can return home.

44. Any labourer who from his state of health is, in the opinion of the Medical Inspector, unfit to undertake such return-journey shall be entitled to be fed, lodged, clothed and (if necessary) medically treated at the depôt at the expense of the contractor by whom such depôt is maintained, until he is reported by the Medical Inspector to be fit to undertake such return-journey.

If such contractor negligently or wilfully omits to provide food, clothing, lodging or medical treatment for such labourer, the Superintendent may order the contractor at once to pay such

Contractor omitting to provide food, &c., for labourer.

reasonable sum as is necessary to provide such food, lodging, clothing and medical treatment.

Section 55. Draft, s. 70. Cf. Indian Emigration Act, s. 55.

45. When an order is made under section forty-three with reference to any labourer, any person registered as his dependent, or any labourer being the wife, husband, son or daughter of such labourer, may claim—

Like provisions in case of dependents and relatives.

(*a*) to be conveyed at the expense of the contractor with such labourer to the place at which he was registered, and

(*b*) if such labourer is unable to travel, to be lodged, fed, clothed and (if necessary) medically treated in the depôt at the expense of the contractor until such labourer is able to travel;

and the Superintendent may include such expenses in an order made under section forty-three or section forty-four with respect to such labourer.

Section 59. Draft, s. 71.

46. If, upon the arrival of any labourer at a depôt, it appears that during the journey to the depôt such labourer or any person registered as his dependent has suffered any ill-treatment at the hands of the recruiter or person deputed by him to accompany such labourer, or that such recruiter or such person has failed to provide the labourer or any person registered as his dependent with proper and sufficient food and lodging, the Superintendent may order the contractor by whom such depôt is maintained to pay such labourer a reasonable sum by way of compensation.

Compensation to labourer for ill-treatment on the journey.

Cf. draft, s. 70. Cf. Act V of 1877, s. 29.

47. If the Medical Inspector has reason to think that any person registered as the dependent of a labourer is not in a fit state of health to undertake the journey to the labour-district to which the labourer whose dependent he is intends to proceed, the Medical Inspector shall so certify to the Superintendent to whom notice of the arrival of such labourer was given. The provisions of sections forty-three and forty-four shall thereupon apply to such dependent as if he were a labourer, and the Superintendent may make such orders regarding him as he may make under those sections with regard to a labourer.

Procedure when dependent declared medically unfit to proceed to labour-district.

48. The labourer to whom such dependent is attached shall thereupon be entitled, if he or she so wishes, and if he or she be the husband, wife, son or daughter of such dependent, to receive from the contractor at whose depôt he or she arrived such reasonable sum as is necessary to enable him or her to return to the place where he or she was registered. If such labourer so return, then any other persons registered as his or her dependents, or any other labourer being the wife, husband, son or daughter of such labourer, shall also be entitled to receive such sum from such contractor.

Labourer and relatives entitled to be returned with dependent.

Section 60. Draft, s. 75. Cf. Indian Emigration Act, s. 49.

49. On failure of the contractor for twenty-four hours to comply with an order of the Superintendent to pay any sum ordered to be paid under section forty-three, section forty-four, section forty-five, section forty-six, section forty-seven or section forty-eight, the Superintendent may pay the same to or on behalf of the labourer or dependent.

Failure of contractor to pay sums ordered to be paid under sections 43, 44, 45, 46, 47 or 48.

Every sum so paid shall be recoverable from the contractor with interest thereon at the rate of twelve per cent. per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Superintendent gave the contractor an order to pay such sum, and that the contractor for twenty-four hours failed to comply with such order.

New. Cf. last para. of s. 49. Cf. Indian Emigration Act.

50. All labourers despatched from a contractor's depôt to a labour-district shall during their journey be accompanied by a person appointed by such contractor. Such person shall take with him a way-bill in such form and containing such particulars as the local Government may prescribe.

New. Draft, s. 76. Cf. ss. 75 and 73 infra.

Provisions for way-bill.

CHAPTER IV.

RECRUITING BY GARDEN-SARDARS AND LOCAL AGENTS.

A.—Garden-sardárs.

Section 13. Draft, s. 17.

51. Any employer may grant to any person a certificate authorizing him, within such local area as may be specified in such certificate, to enter into labour-contracts with persons desirous of becoming labourers upon any estate of which such employer is in charge.

Employer may grant certificate to garden-sardár.

Every person to whom such certificate has been granted is hereinafter called a garden-sardár.

If any labourer is granted a certificate under this section, his employment as a garden-sardár shall be deemed to be employment under his labour-contract.

Draft, s. 10.

Section 16. Draft, s. 18.

52. Every such certificate shall be in such form and shall contain such particulars as the local Government may prescribe.

Form and particulars to be contained in such certificate.

Section 16. Draft, s. 18.

Any employer granting a certificate to a garden-sardár may, before such certificate is accepted and signed as hereinafter provided, specify therein the name of the local agent (if any) to whom such garden sardár is to report himself for orders, and the time within which he is to return to such employer, and any other instructions for his conduct that he may think proper.

Section 16. Draft, s. 18.

53. Every such certificate shall be accepted and signed by the garden-sardár in the presence of the Inspector or a Magistrate having jurisdiction over the place where the employer granting such certificate resides.

Certificate to be accepted and signed in presence of Inspector or Magistrate.

Section 17. Draft, s. 19.

54. Such Inspector or Magistrate shall inquire into the facts stated in such certificate; and upon being satisfied of the truth of the statement shall, unless it appears to him that the person so accepting and signing such certificate is by character or from any other cause unfitted to be a garden-sardár, countersign and date such certificate.

Inspector or Magistrate to countersign certificate.

New. Draft, s. 20.

55. On the application of the employer by whom any certificate so countersigned has been granted to a garden-sardár, such Inspector or Magistrate may, without requiring the appearance of the garden-sardár or making the inquiry

Provision for grant of fresh certificate.

prescribed by section fifty-four, countersign a fresh certificate to be granted by such employer to such garden-sardár in renewal of any existing certificate.

Every such fresh certificate shall be forwarded by the Inspector or Magistrate countersigning it to the Magistrate of the district in which the garden-sardár to whom it is granted is employed; and such sardár shall, on receiving notice from such Magistrate, appear before him and accept and sign such fresh certificate in his presence.

Such fresh certificate to be accepted and signed by garden-sardár before Magistrate of district where he is employed.

Section 17. Draft, s. 20.

56. No certificate granted to a garden-sardár shall be in force for a longer period than one year from the date of its countersignature.

Period for which certificate to be in force.

New. Draft, s. 33.

57. Every garden-sardár shall provide sufficient and proper accommodation in a suitable place for such labourers as may be engaged by him pending their removal to a labour district.

Accommodation to be provided by garden-sardár.

Any Magistrate of a district or of a division of a district, or any Magistrate subordinate to him, or any officer of police above the rank of Sub-Inspector authorized by him in this behalf, may visit and inspect such accommodation at any time; and all garden-sardárs or other persons in charge of such places shall afford to such Magistrate, subordinate Magistrate or officer of police every facility for making such visits and inspections.

In every such place the garden-sardár providing the accommodation shall make such sanitary arrangements as the local Government may prescribe.

58. Whenever a garden-sardár contravenes any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any Magistrate, Superintendent or Inspector, within the local limits of whose jurisdiction such garden-sardár is employed, may cancel his certificate.

Certificate may be cancelled in certain cases.

B.—Local Agents.

New. Draft, s. 21.

59. Any Superintendent authorized in this behalf by the local Government may, on the application of any employer, grant licenses to persons to be local agents for the purpose of representing such employer within such local area as such employer may desire: Provided that no contractor shall be licensed as a local agent.

Local agents may be licensed.

New. Draft, s. 21.

60. A local agent may within such local area represent his employer in all matters connected with the engagement of labourers; and shall furnish such information and make such returns as the local Government may by rule direct.

Powers and duties of local agents.

Draft, s. 21.

61. The Superintendent authorized as aforesaid may, on the application of any employer other than the employer on whose application a local agent has been licensed, make an order in writing permitting such agent to become the local agent of such additional employer within the local area for which he was licensed. The Superintendent making such order shall forthwith send a copy thereof to the Magistrate of the district in which such agent resides; and such Magistrate shall, on the agent's application, insert in his license the name of such additional employer.

Local agent may represent more than one employer.

Draft, s. 23.

62. Any Superintendent authorized as aforesaid may, with the consent of all the employers of a local agent, grant a special license to such agent, permitting him to engage labourers on behalf of any employer specified in such special license without the intervention of a garden-sardár.

Local agent may be specially licensed to contract direct with labourers.

Every agent when so engaging labourers may, if he thinks fit, appear with them for registration before a Magistrate, and require them when so registered to execute a labour-contract; and in such case the agent shall be subject to the provisions hereinafter contained as to garden-sardárs so far as the same are applicable.

Draft, s. 31.

63. When any garden-sardár to whom a certificate has been granted under this Act by any employer commits any offence punishable under this Act, any local agent of such employer may prosecute the sardár for such offence.

Local agent may prosecute garden-sardár.

Draft, s. 22.

64. The Magistrate of any district within which a local agent acts as such may by order cancel the license of such local agent if it is shown to the satisfaction of such Magistrate that such local agent has—

On what grounds local agent's license may be cancelled.

(*a*) employed any contractor's recruiter to engage labourers on his behalf; or

(*b*) permitted the labourers engaged by or on behalf of any contractor to use the accommodation provided for the labourers engaged by any garden-sardár under such local agent's control; or

(*c*) allowed any garden-sardár under his control to transfer labourers engaged by him to contractors or to their recruiters or to any employer other than the employer by whom such sardár's certificate was granted; or

(*d*) himself taken over the labourers engaged by any garden-sardár with intent to despatch them to any employer other than the employer by whom such sardár's certificate was granted.

An appeal shall lie to the local Government from any order made under this section. Such appeal must be presented within three months next after the date of the order, and the decision of the local Government thereon shall be final.

C.—Procedure to be followed by Garden-sardár.

Draft, s. 24.

65. Every garden-sardár who desires to engage any person as a labourer shall appear with such person, together with any persons about to proceed to a labour-district as dependents of such person before a Magistrate having jurisdiction within the local area specified in the certificate of such sardár.

Garden-sardár and labourer to appear before Magistrate for registration.

Sections 21 & 22. Draft, ss. 25 & 26.

66. The Magistrate shall thereupon inspect the certificate of the garden-sardár, and examine the person whom the sardár so desires to engage with reference to the intended labour-contract.

Registration of persons engaged by garden-sardár.

If it appears that such person is competent to enter into such contract, and understands the nature of the same, as regards the locality, period and nature of the service, and the rate of wages specified therein, that the terms thereof are in accordance with law, that he has not been induced to agree to enter therein by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Magistrate shall register in a book to be kept for the purpose such particulars regarding him and his dependents (if any) as the local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

New. Cf. Ben. Act VII of 1873, s. 21. Draft, s. 31.

67. If it appears to such Magistrate that any such person, or any dependent of such person, is not in a fit state of health to undertake the journey to the labour district to which he intends to proceed, the Magistrate may, before registering any such person or dependent, if himself a medical man, medically examine such person or dependent, or, if not himself a medical man, send such person or dependent to a medical man for such examination. If upon such examination such person or dependent is declared unfit to undertake the journey to such place, the Magistrate may refuse to register such person or dependent.

Medical examination.

Section 23. Draft, s. 18.

68. For every person appearing before a Magistrate for the purpose of being registered as a labourer, the garden-sardár who appears with him shall pay to the Magistrate such fee not exceeding one rupee as the local Government may direct.

Fee to be paid for every labourer produced for registration.

Section 24. Draft, s. 28.

69. When any person has been registered under section sixty-six he shall execute a labour-contract with the employer with whom he intends to contract. Such contract shall be signed in the presence of the Magistrate by such person and, on behalf of the employer, by the garden-sardár who appears with such person before the Magistrate. The Magistrate shall satisfy himself that the contract is in accordance with any instructions specified in the certificate of the garden-sardár. If the Magistrate is so satisfied, he shall, before the labourer signs the contract, personally explain it to him, and shall, after the same has been executed as aforesaid, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Labour-contract to be executed.

Section 24.

An abstract of every such contract shall be entered in a register to be kept by the Magistrate for the purpose, and, of the two copies of the contract, one shall then be given to the labourer and the other to the garden-sardár or the local agent.

New. Draft, s. 25. Cf. Indian Emigration Bill, s. 42.

70. If the employer of a garden-sardár has in the instructions specified in the certificate of the sardár directed that all labourers engaged by him shall before registration be examined by a competent medical man and certified by him to be in a fit state of health to undertake the journey to, and labour in, the labour-districts to which they intend to proceed, no Magistrate shall register any labourer appearing before him with such sardár until such certificate from such medical officer as aforesaid has been produced and shown to him.

Procedure when employer requires medical examination previous to registration.

71. If the employer has in the instructions specified in the certificate of the garden-sardár directed that such examination shall be made by any medical officer in the service of Government, such officer making the examination shall be entitled to receive from the local agent or sardár such a fee not exceeding eight annas for each labourer so examined as the local Government shall fix.

Medical officer entitled to fee.

New.

72. Unless and until a labourer has been registered under section sixty-six no garden-sardár shall remove or attempt to remove him to a labour-district, or induce or attempt to induce him to go to a labour-district, or to leave the local area specified in the certificate of such sardár, or aid or attempt to aid him in proceeding to a labour-district, or in leaving any such local area.

Garden-sardár when to remove labourer to labour-district.

Bengal Act VII of 1873. *Section* 27. Draft, s. 34.

73. A garden-sardár shall either himself accompany labourers engaged by him throughout their journey from the place in which the labour-contract was entered into to the labour-district wherein they have contracted to labour, or shall send with them some competent person appointed by him with the approval of the local agent of his employer; or, if his employer has no local agent, with the approval of the Magistrate by whom such labourers were registered.

Garden-sardár to accompany labourers or send competent person with them.

When the number of labourers (exclusive of dependents) proceeding on their journey to such labour-district is more than twenty, for every twenty labourers so in excess or for any number of labourers less than twenty so in excess, one additional garden-sardár or person so appointed by him shall accompany the labourers so proceeding.

New. Draft, s. 35.

74. A garden-sardár may, subject to the instructions specified in his certificate, engage any number of labourers; and, subject to the provisions of section seventy-three, any number of labourers may be despatched at the same time to the labour-districts.

No restriction on number of labourers engaged by garden-sardár.

New. Draft, s. 36.

75. Any garden-sardár may, with the previous consent in writing of the local agent of the employer by whom his certificate was granted, or, if such employer has no local agent, with the previous consent in writing of such employer, be appointed under section seventy-three as a competent person to accompany labourers other than those engaged by him.

In certain cases garden-sardár may be appointed to accompany labourers not engaged by him.

New. Draft, s. 39.

76. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall present to the Magistrate by whom such labourers have been registered a way-bill in such form and containing such particulars and instructions as the local Government may prescribe. He shall also present such way-bill at all such places and to all such officers as may be thereupon indicated; and shall carry out all instructions contained therein for his guidance.

Provision for way-bill.

Section 29. Draft, s. 40.

77. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall provide such labourers and their dependents (if any) with proper and sufficient food and lodging throughout the journey.

Garden-sardár must provide food and lodging for labourers and dependents on journey.

78. If it appears to any Magistrate, on the complaint of any such labourer at any place on the journey, that he or any person registered as his dependent has suffered any ill-treatment during the journey at the hands of the garden-sardár or person appointed by him accompanying such labourer, or that such sardár or person has failed to provide such labourer or any of his dependents with proper and sufficient food and lodging, or has wilfully abandoned such labourer or any of his dependents, such Magistrate may either order the sardár or person so appointed to pay to such labourer a reasonable sum by way of compensation, or may cancel the labour-contract entered into by such labourer and order such sardár or person to pay to such labourer such reasonable sum as is necessary to enable him with his dependents (if any) to return to the place at which he was registered.

If such not provided, Magistrate may award compensation or cancel contract.

Section 30. Bengal Act VII of 1873.

79. On failure for twenty-four hours by any garden-sardár or person appointed by him as aforesaid to comply with an order of a Magistrate under section seventy-eight to pay any sum, the Magistrate may pay the same to or on behalf of such labourer.

Procedure on failure of garden-sardár to comply with order.

Every sum so paid shall be recoverable from the employer by whom the certificate of such garden-sardár was granted, or from the local agent of such employer, with interest thereon at the rate of twelve per centum per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Magistrate gave such garden-sardár or person an order to pay such sum and that such garden-sardár or person for twenty-four hours failed to comply with such order.

New. Draft, s. 42.

80. Any Magistrate or any Embarkation Agent may, if himself a medical man, examine, and if not himself a medical man, send for examination by a medical man, any labourer or dependent who, while on the journey to the labour-districts, appears to him not to be in a fit state of health to proceed thereto.

Medical inspection of labourers *en route*.

Draft, s. 42.

81. If such labourer or dependent is on such examination declared not to be in a fit state of health to proceed to the district in which he has contracted to labour, the Magistrate or Embarkation Agent may order him to be detained at such place as he thinks fit until the labourer or dependent is in a fit state of health so to proceed, when he shall either be forwarded to such districts or sent back to the place where he was registered, according as the garden-sardár or person appointed by him accompanying such labourer or dependent, or the employer by whom the certificate of such sardár was granted, or his local agent, may direct.

Detention and return of labourer declared to be unfit to travel when *en route*.

While any labourer or dependent is so detained, he shall be entitled to be fed, lodged, clothed and (if necessary) medically treated, at the cost of the employer with whom such labourer or the labourer to whom such dependent belongs has contracted to labour.

82. If the garden-sardár or person appointed by him accompanying such labourer or dependent fails to provide such labourer or dependent with food, lodging, clothing and medical treatment or to send him back to the place where he was registered, the Magistrate or Embarkation Agent may order such sardár or person to pay such sum as is necessary to provide such food, lodging, clothing and medical treatment or to defray the cost of his return-journey to such place; and on failure for twenty-four hours of such sardár or person to comply with such order, he may pay the sum specified in the order to or on behalf of such labourer or dependent.

Payment of expenses of detention and return-journey of labourer.

The provisions of section seventy-nine shall *mutatis mutandis* apply to the recovery of sums paid by the Magistrate or Embarkation Agent under this section.

Section 31. Draft, s. 44.

83. If any labourer whose labour-contract has been executed by a garden-sardár on behalf of his employer is brought to Calcutta on his way to the district in which he has contracted to labour, any person empowered to act as the agent or representative of such employer may require such labourer to appear before the Superintendent for the cancellation of such labour-contract. If such reasonable sum as is necessary to enable such labourer and his dependents (if any) to return to the place at which he was registered be paid to such labourer in his presence, the Superintendent may declare the contract cancelled, and in that case shall make an endorsement to that effect on the labourer's copy of the contract, and attest it with his signature.

Agent in Calcutta may procure order from Superintendent cancelling the labour-contract on payment of expense of return.

84. If the labour-contract of any labourer is declared by the Superintendent to be cancelled, any other labourer who is the wife, husband, father, mother, son or daughter of such labourer and who may have entered into a labour-contract at the same place with the same employer, may claim to have her or his labour-contract cancelled at the same time. On such claim being made, the Superintendent shall declare the labour-contract of the claimant to be cancelled, and shall order the agent or representative of the claimant's employer to pay to the claimant such reasonable sum as is necessary to enable him and his dependents (if any) to return to the place at which he was registered.

In that case contracts of relatives to be cancelled.

On failure for twenty-four hours of the agent or representative to comply with such order, the Superintendent may pay the sum specified in the order to or on behalf of the claimant; and the provisions of section seventy-nine shall *mutatis mutandis* apply to the recovery of any sum so paid.

CHAPTER V.

TRANSPORT BY RIVER.

A.—Passenger Vessels.

New. Draft, s. [illegible]

85. Nothing in this chapter shall apply to the transport by sea of natives of India to the labour-districts of Chittagong and the Chittagong Hill Tracts.

Transport by sea to Chittagong.

Section 62. Draft, s. 78.

86. No master shall receive more than twenty passengers being natives of India on board his vessel unless a license to carry passengers therein has been granted to him by an Embarkation Agent duly empowered in that behalf by the local Government.

Vessels must be licensed to carry more than twenty passengers.

The local Government may by notification in the official Gazette exempt from the provisions of this section any vessel or class of vessels.

Power to exempt vessels from license.

87. The master or owner of any vessel who desires to obtain a license to carry passengers therein shall make a written application for a license to an Embarkation Agent empowered as aforesaid.

Application for license.

Every such application shall state such particulars respecting the vessel as the local Government may by rule prescribe.

Contents of application.

88. If such Embarkation Agent is of opinion that the vessel is in all respects suitable for the carrying of passengers being natives of India, he shall give to the master of the vessel a license to carry passengers therein, specifying the number of passengers being natives of India which may be received on board.

Grant of license.

89. Such fee, not exceeding sixteen rupees, as the local Government may with reference to the size of such vessel, by rule direct, shall be paid for every such license. No such license shall be in force for more than one voyage:

Fee for license.

New.

Provided that the Embarkation Agent may, from time to time, with the previous sanction of the local Government, grant a license to the master of any vessel for any term not exceeding one year, on payment of such fee not exceeding one hundred rupees, and on such conditions, as the local Government may by rule direct.

Provision for annual licenses.

Draft, s. 78.

90. Any Embarkation Agent may from time to time, in accordance with such rules as the local Government may prescribe in this behalf, direct by order in writing that, on any particular voyage or part of a voyage, any master licensed hereunder shall not receive on board his vessel more than a specified number of passengers being natives of India, which number shall be less than the number specified in the license granted to such master.

Embarkation Agent may limit number to be received on board on any particular voyage.

Section 66. Draft, s. 82.

91. In computing the number of persons on board of any vessel, two children under the age of ten years shall for the purposes of this Act be reckoned as one person only.

Two children under ten to be counted as one person.

Section 67 [illegible] Draft, s. 83.

92. Every master to whom a license is granted hereunder shall keep such lists, submit such returns and make such reports in regard to the passengers carried in his vessel as the local Government may by rule prescribe.

Master to make returns.

Section 69. Draft, s. 84.

93. Every such master shall have on board his vessel carrying labourers and their dependents such supplies of provisions, clothing, medical drugs, and other stores, and such medical and other officers, cooks and attendants, as the local Government may by rule prescribe.

Provisions, clothing, medical and other stores, medical officers, cooks, &c.

Section 70. Draft, s. 85.

94. No medical officer shall be appointed to any vessel in respect of which a license is granted hereunder unless he holds a license granted by such authority as the local Government may appoint in that behalf; and any medical officer so licensed shall be forthwith removed from his appointment on the requisition of any officer empowered by the local Government to make such requisition.

Medical officer to be licensed.

B.—Departure of Passenger Vessels and Procedure during Voyage.

Section 68. Draft, s. 79.

95. Whenever it appears to any Embarkation Agent that the departure of any vessel in respect of which a license is granted hereunder is unduly delayed beyond the date fixed by order of a Superintendent or the local Government, or notified by advertisement in the public press, for such departure, he may order the master of such vessel to proceed on his voyage at once.

Embarkation Agent may order departure of vessel if delay occurs.

New.

96. No master licensed hereunder shall proceed on a voyage with his vessel carrying labourers until he has received from the Embarkation Agent the way-bills relating to all labourers on board. The Embarkation Agent and the master of the vessel shall together personally ascertain that the number of labourers on board corresponds with the number entered in such way-bills.

Master to receive way-bills from Embarkation Agent.

The Embarkation Agent shall send a copy of such way-bills to the Magistrate of the labour-district to which such labourers are proceeding.

Section 71. Draft, s. 86.

97. No such master shall cause or permit any labourer finally to leave his vessel at any place other than that named in the way-bill as the destination of such labourer:

Labourers not allowed finally to leave vessel at any place other than that mentioned in way-bill.

Provided that this section shall not be deemed to prevent the master of any vessel from permitting such labourers to disembark at any place or places on the voyage so long as such disembarkation is not intended or known to be likely to be final; nor to prevent the final disembarkation of any such labourers, or the transfer of such labourers with their dependents to any other vessel in case of accident or other unavoidable necessity. Such accident or necessity shall be forthwith reported by the master to the Embarkation Agent by whom he was licensed, and to the nearest Magistrate in the district within which such accident has occurred or necessity has arisen.

Section 72. Draft, s. 87.

98. Every master licensed hereunder shall stop his vessel carrying passengers being natives of India at such places, being places where a Magistrate is stationed, and shall, unless the Magistrate permits him to depart earlier, remain at each such place for such time, not exceeding six hours of daylight, as the local Government may direct. Such master shall, on arriving at any such place, immediately report to the Magistrate the number of the crew and other persons on board, the general state of their health, and the number of deaths (if any) which have occurred among the persons who embarked on board his vessel.

Master to stop his vessel at certain places where there is a Magistrate.

Section 73. *Draft*, s. 88.

99. A Magistrate may, while any vessel in respect of which a license is granted hereunder is within the local limits of his jurisdiction, go on board such vessel and inspect the vessel, and all persons on board. The master and officers of such vessel shall afford to such Magistrate every facility for such inspection, and give him all such information as he may reasonably require, respecting the labourers or other persons on board, the deaths, if any, which may have occurred on board, and any other facts which may affect the health of the passengers.

Magistrate may at any time inspect vessel.

Master bound to give all information required.

Section 74. *Draft*, s. 89.

100. At any time while any such vessel is within the local limits of his jurisdiction, the Magistrate may regulate the communication between such vessel and the land, and may prohibit all persons from leaving such vessel and all persons on land from proceeding on board her.

Magistrate may regulate communication between vessel and land.

Sections 75 *&* 78. *Draft*, s. 90.

101. Any Magistrate may, if he has reason to believe that any passengers being natives of India on board any such vessel within the local limits of his jurisdiction are, or are likely to be, affected with any dangerously infectious or contagious disease, detain such vessel and require the civil medical officer of the district or other qualified medical officer to inspect such passengers and to report on their health, stating whether any or what measures are requisite for the removal or prevention of such disease. After the receipt of such report, the Magistrate may order any passenger suffering from any such disease to be disembarked and detained for medical treatment. If in the opinion of the inspecting medical officer it is dangerous to the health of the general body of the passengers to allow such vessel to proceed until measures have been taken to cleanse and disinfect her, the Magistrate may detain the vessel for a further period not exceeding three days for the purpose of carrying out such measures.

Magistrate may detain vessel for inspection and for removal of disease, and may detain sick native passengers.

Section 76. *Draft*, s. 91.

102. If on receiving a report of a medical officer it appears to a Magistrate that any labourer or any dependent of any labourer, though not suffering from any such disease as last aforesaid, is not in a fit state of health to proceed to the labour-district in which such labourer has contracted to labour, he may order such labourer or dependent to be detained, and shall cause all necessary arrangements to be made for the accommodation, support and medical treatment of the labourer or dependent so detained.

Magistrate may detain sick labourers;

and shall arrange for their accommodation and treatment.

Section 77. *Draft*, s. 92.

103. All expenses incurred under section one hundred and two by a Magistrate in respect of any labourer or dependent so detained shall be recoverable from the employer of such labourer together with interest at six per centum per annum.

Expenses how to be recovered.

Section 79. *Draft*, s. 93.

104. Whenever it appears to a Magistrate making an inspection of any vessel in respect of which a license is granted hereunder that the number of passengers on board being natives of India is larger than the number specified in such license or than the number specified in an order of an Embarkation Agent made under section ninety, he may remove the excess number and detain them until another opportunity of forwarding them to their destination is found. The necessary expense of maintaining such passengers while so detained, and of forwarding them to their destination shall be paid by such Magistrate and shall be recoverable from the master or owner of such vessel.

Measures to be taken if excess number of native passengers is found on board.

Section 80. *Draft*, s. 94.

105. Whenever, on making an inspection of any vessel in respect of which a license is granted hereunder a Magistrate finds that any of the provisions of this Act or of any rule of the local Government made hereunder have not been complied with in respect of such vessel, he shall report the same to the Embarkation Agent by whom such license was granted; and, if he considers it necessary to do so, he may detain the vessel until such provisions have been so complied with as to make it possible for the voyage to be further prosecuted with safety and reasonable comfort to the emigrants.

Infraction of the Act and rules to be reported.

Vessel may be detained.

Sections 81 *to* 88. *Draft*, s. 95.

106. The local Goverment may make rules regulating—

Power to make rules regulating disembarkation and other matters.

(*a*) the disembarkation of labourers and their dependents, and their inspection and accommodation on arrival at their destination:

(*b*) the detention of such labourers or dependents at debarkation depôts:

(*c*) the forwarding of labourers to their destination and the closing and return of way-bills by employers.

All expenses incurred by any Magistrate or Debarkation Agent in accordance with such rules shall be recoverable from the employers of such labourers together with interest at the rate of twelve per centum per annum.

Section 89. *Draft*, s. 96.

107. The Magistrate of a district, or of a division of a district, may from time to time authorize any subordinate Magistrate, medical officer, or officer of police above the rank of sub-inspector to exercise the powers and authorities conferred, and to perform the duties imposed, on a Magistrate under sections ninety-eight to one hundred and five both inclusive.

Magistrate may depute a subordinate Magistrate to discharge the functions of the Magistrate.

CHAPTER VI.

PROVISIONS AS TO THE LABOUR DISTRICTS.

A.—Annual Rate payable by Employers.

Section 95. *Draft*, s. 100.

108. Every employer shall on the first day of January and the first day of July in each year pay in respect of each labourer then in his employ such rate not exceeding an annual sum of one rupee as the local Government may by notification in the official Gazette direct.

Annual rate payable by employer.

Section 96.

109. If any employer fails for the space of one month to pay any sum due by him under the provisions of the last preceding section, such sum shall be recoverable as if it was an arrear of land-revenue.

Payment of rate how to be enforced.

B.—Local Labour-Contracts.

Draft, ss. 103, 104, 105, 106.

110. Notwithstanding anything hereinbefore contained, any native of India may enter into a labour-contract within a labour-district. If any employer is desirous of entering into a labour-contract with any such native within a labour-district, he shall appear with such native before the Inspector or Magistrate within the local limits of whose jurisdiction the place where such employer resides is situate.

Labour-contracts made within labour-districts.

New. *Draft*, s. 106.

111. Such Inspector or Magistrate shall thereupon explain the labour-contract to such native, and shall, if satisfied that he is competent to enter into and understands the same, call upon him and the employer to execute it in his presence; and if they execute it, shall attest such execution with his signature.

An abstract of every such labour-contract shall be entered in a register to be kept by the Inspector or Magistrate for the purpose; and after such abstract has been so entered, one copy of such contract shall be given to the labourer and another copy to his employer. In respect of every labour-contract so attested, the employer who executes it shall pay to the Inspector or Magistrate such fee not exceeding one rupee as the local Government may direct.

Execution of labour-contract before Inspector or Magistrate.

C.—Employers' Returns and Magistrates' Inspections.

Sections 100, 101 *and* 102. *Draft*, s. 109.

112. Every employer shall keep such registers of all labourers and other persons employed on the estate of which he is in charge, in such form, and shall make to the Inspector within the local limits of whose jurisdiction such estate is situate such periodical returns in writing, as the local Government may by rule prescribe. The Inspector may examine such registers and muster all labourers and other persons employed on any estate within such local limits, and may verify the accuracy of the entries in such registers, or in any prescribed periodical return.

Registers to be kept and returns made by employers.

Section 105. *Draft*, s. 11.

113. Any Inspector or Magistrate, or any person authorized by either of them in writing in this behalf, may at any time enter and inspect all lands and houses wholly or partially used by or for labourers, or by or for any other natives of India employed on any estate who are not natives of the labour-district in which such estate is situate, and may require that any labourer or other such Native shall be brought before him, and that a copy of the labour-contract of any labourer shall be produced, and may make any inquiries which he thinks proper touching the condition or treatment of any labourer or other such Native.

Inspector and Magistrate may at any time inspect lands, &c., used by labourers, &c.

D.—Regulation of Labour.

Section 106. *Draft*, s. 112.

114. Every employer shall prepare a schedule specifying the daily task to be executed by each labourer employed on the estate of which such employer is in charge, and may from time to time alter any schedule so prepared.

One copy of every such schedule shall be filed in a book which shall be open to the examination of the Inspector, and another copy thereof in the Bengáli language shall be stuck up in some conspicuous place accessible to the labourers to whom such schedule relates.

Schedule of task-work to be prepared.

The minimum payment for each daily task shall be the quotient resulting from dividing the monthly wage of the labourer concerned by the whole number of days in the current month.

Section 107. *Draft*, s. 113.

115. No labourer shall be bound to labour more than six days in one week, or more than six consecutive hours, or more than nine hours in any one day. Every labourer shall, for one day in each week, receive wages as for a full task done, without being required to labour for the same. The employer shall, on six days in each week, provide for each labourer work sufficient to enable him to earn at least his minimum daily wage. Failing such due provision of work, the labourer shall, if he can show that he was able and willing to labour for the same, be entitled to claim his minimum daily wage.

Limitations and conditions of task-work.

Section 108. *Draft*, s. 114.

116. If the Inspector considers that any schedule of daily tasks, or any part thereof, is unreasonable, he may by order in writing direct that a reduction specified in such order be made of such tasks. The employer shall at once make such reduction, but may, if dissatisfied with the Inspector's order, by notice in writing require the Inspector to refer the schedule to a Committee for consideration. Such Committee shall consist of the Inspector, of some employer to be nominated by him, and of some person to be nominated by the employer whose schedule is to be considered, or if the employer fails within a reasonable time to nominate some person, by the Inspector.

Provisions for revision of schedule by Inspector subject to appeal to Committee.

Section 109. *Draft*, s. 115.

117. If such Committee, or a majority thereof, is of opinion that the daily tasks specified in such schedule or any of them are unreasonable, they shall modify and reduce them in such manner as they think fit. The employer shall thereupon modify his schedule accordingly, and a copy of the schedule so modified shall be filed and stuck up in the manner directed in section one hunderd and fourteen, and shall, as between him and the labourers concerned, take the place of the former schedule.

Committee to revise schedule.

New. *Draft*, s. 116.

118. Notwithstanding anything contained in any such schedule, the Inspector may order that any specified labourer who is in his opinion unable from weakness to earn by his labour the sum of one anna and a half per diem, according to the said schedule, shall receive, in lieu of such actual earnings, subsistence-allowance at the rate of one anna and a half per diem, or diet on a scale to be approved by such Inspector. Such subsistence-allowance shall be recoverable as if it were an arrear of wages.

Provision for weakly labourers.

E.—Incapacity for Labour.

Section 110. *Draft*, s. 117.

119. The Inspector within the local limits of whose jurisdiction any labourer is employed may release such labourer, for such period as he thinks fit, from performing his labour-contract, if he be, in the judgment of such Inspector, temporarily unfitted for the performance thereof by reason of sickness, or other sufficient cause.

Every such release shall be endorsed by the Inspector on the labour-contract, and the time during which the release continues shall not be reckoned as

Inspector may suspend contract of any labourer temporarily unfitted for labour.

part of the term for which the labourer is bound to serve. Every such labourer shall, during such release, receive such subsistence-allowance from his employer as the Inspector thinks sufficient.

New. Draft, s. 118.

120. If any labourer is compelled to absent himself from work on account of sickness, he shall receive from his employer for each such day of absence subsistence-allowance at the rate of one anna and a half, or, if in hospital, sick diet on a scale to be approved by the Inspector.

Labourer absent from sickness.

If such absence exceeds the total number of thirty days in any one year, and the employer, as soon as such number is exceeded, gives the labourer a notice in writing to that effect, each day of absence in excess of such number shall be added to the term of the labour-contract, unless the labourer refunds to the employer the sum of one anna and a half for each day so in excess. The Inspector shall from time to time, when visiting the garden, endorse on the labourer's labour-contract, after such enquiry as may be necessary, the number of days so added to the term thereof.

Section 112. Draft, s. 120.

121. If, in the opinion of the Inspector, any labourer is permanently incapacitated for the performance of his labour-contract or any material part thereof, the Inspector shall certify to that effect in writing, and deliver such certificate to the employer of such labourer or his agent, and from the date of such certificate the labour-contract of such labourer shall wholly determine. Every labourer whose labour-contract so determines shall be entitled to receive from his employer such sum, not exceeding three months' wages, as the Inspector may award.

Discharge of labourer permanently incapacitated.

Such sum and any subsistence-allowance mentioned in sections one hundred and nineteen and one hundred and twenty shall be recoverable as if they were arrears of wages.

F.—Accommodation for Labourers.

Section 113. Draft, s. 121.

122. Every employer shall be bound to provide for the labourers employed on the estate of which he is in charge such house accommodation, water-supply and sanitary arrangements as the local Government may by rule direct.

House-accommodation, water-supply and sanitary arrangements to be provided.

New. Draft, s. 122.

123. When the food-grain commonly used by any class of labourers is not procurable by such labourers at reasonable prices in the local markets near the estate on which such labourers are employed, the employer of such labourers shall be bound to supply them, with such grain at a reasonable price. The local Government may by notification in the official Gazette determine, either generally or for each district or part of a district, what shall for the purposes of this section be deemed to be a reasonable price.

Supply of food-grain by employer.

New. Draft, s. 123.

124. Subject to any rules which may be made by the local Government in this behalf, any Inspector may, by order in writing,

Provisions for rationing.

(*a*) direct that any specified class of labourers on any estate, or all the labourers on any specified estate, within the local limits of his jurisdiction, shall be furnished by their employer with rations, cooked or uncooked, on such scale, for such period not exceeding three months from the date of their arrival on the estate, as may be specified in such order;

(*b*) exempt any specified labourer from the effect of any such general order if he is satisfied that such labourer is able to earn a full wage and desires to provide himself with proper and sufficient food;

(*c*) direct that any specified labourer shall be furnished with rations for any term not exceeding six months, and may renew any such order for a like term.

The cost of each labourer's ration furnished to him in accordance with any order made under this section shall be calculated at current rates as determined by the Inspector, and shall be deducted from any wages earned by the labourer during the period for which such order is in force.

Section 114. Draft, s. 124.

125. If any employer does not, in the opinion of the Inspector, provide such hospital accommodation in a suitable place available to the labourers employed upon the estate of which he is in charge, or does not make such provision for the medical treatment of such labourers, as the local Government may direct, the local Government may require such employer to contribute to the support of a central hospital to be established, or to the pay of a medical officer to be appointed, for the medical treatment of such labourers, such sum, proportionate to the number of labourers so employed, as it thinks fit.

Provision for hospital accommodation and medical attendance.

Section 115. Draft, s. 125.

126. Any Inspector or Assistant Inspector who is himself a Magistrate may, with respect to any estate situate within the local limits of his jurisdiction, institute an inquiry whether the employer in charge of such estate has provided for his labourers house accommodation, water-supply, sanitary arrangements, food-grains and rations in accordance with the rules prescribed by the local Government. At the instance of any Inspector or Assistant Inspector a similar inquiry may be made by a Magistrate. Every such inquiry shall be held at some place on the estate to which it relates, or within ten miles of such estate, and shall be conducted and dealt with as if it were an inquiry of a Magistrate under the Code of Criminal Procedure.

Inquiry whether employer has failed to provide as required by the rules.

G.—Localities unfit for the Residence of Labourers.

Section 118. Draft, s. 128.

127. If in the opinion of the Inspector any estate or portion of an estate situate within the local limits of his jurisdiction is at any time, by reason of climate, situation or condition, unfit for the residence of labourers, or of any particular class of labourers, he shall give notice in writing of such opinion to the Magistrate of the district; and such Magistrate shall forthwith, by order in writing, summon a Committee to inquire into the matter.

Inspector to report.

Magistrate to summon Committee.

Such Committee shall consist of the Magistrate, the Inspector, the medical officer of the district, and one or more employers of labourers, when such employers are available.

If the Magistrate is unable to procure the service on such Committee of any employer of labourers, he may, with the previous sanction of the Commissioner of the division, appoint one or more persons qualified to serve on such Committee.

Draft, s. 128.

128. Such Committee shall as soon as may be inquire into the healthiness of the estate or portion to which the order appointing the Committee relates, and shall hear and record such information on the subject as the owner of such estate or portion, or the employer in charge thereof, or the Inspector, may desire to place before it.

Proceedings of Committee.

If such Committee or the majority thereof is of opinion that such estate or portion, or any part of such estate or portion, is unfit for the residence of labourers generally, or of any particular class of labourers, it shall record a finding to that effect.

If Committee finds estate unfit, labour-contract to be void as regards such estate.

When such finding has been recorded, no labourer, or no labourer of the particular class to which such finding relates, as the case may be, and no other person, shall be bound by any labour-contract or other contract to labour on the estate or portion, or part of such estate or portion, as the case may be, which is found unfit for the residence of such labourers.

When any labourer or other person is released under this section from the performance of a labour-contract or other contract to labour on any estate, he shall be bound to labour on any other estate belonging to his employer and situate in the same labour-district; or, where the finding relates only to a portion or part of an estate, on any other portion or part of the same estate.

Labourer bound to labour elsewhere.

Section 119. Draft, s. 129.

129. Whenever it appears to the local Government that the number of labourers or other persons employed on an estate who have died thereon, or on any portion thereof, during the last preceding twelve months, or that the average annual number of labourers or other persons employed on an estate who have died thereon or on any portion thereof during the last preceding three years, bears a larger proportion to the whole number of labourers or other persons employed thereon during such period of twelve months or three years, as the case may be, than seven per centum, the local Government may direct the civil medical officer of the district or other qualified medical officer to inquire into, and report on, the following matters:—

Local Government how to proceed if mortality in past year exceeds 7 per cent., or if the average mortality for three years exceeds 7 per cent.

Matters to be enquired into.

(*a*) The cause or causes of such mortality;

(*b*) The want (if any) of due care or precaution, and of the adoption of proper and available sanitary measures, on the part of the owner of such estate or portion thereof, or the employer in charge of such estate or portion, causing or contributing to such mortality;

(*c*) The fitness or otherwise of such estate or portion for the residence of labourers.

Draft, s. 129.

130. Such medical officer shall, as soon as may be, inquire into such matters, and shall hear and record such information relating thereto as the owner of such estate or portion, or the employer in charge of the same, or the Inspector, may place before him, and shall visit and inspect such estate or portion, and shall make a report expressing the reasons for his opinion, and transmit the same to the local Government together with the information so recorded and the notes of his inspection of such estate or portion.

Medical officer to report.

Draft, s. 129.

131. If the local Government, after perusal and consideration of the said report, information and notes, is of opinion that such mortality was caused by the want, on the part of the owner of such estate or portion, or the employer in charge of the same, of due care or precaution, or of the adoption of proper and available sanitary measures, and that such estate or portion is thereby rendered unfit for the residence of labourers, it may declare in writing that such estate or portion is unfit for the residence of labourers. Such declaration of the local Government shall have the same effect as the finding of a Committee under section one hundred and twenty-eight.

Local Government may declare estate unfit for residence.

Effect of declaration.

Section 120. Draft, s. 130.

132. If it at any time appears to the Inspector or that any estate or portion thereof, or any part of such portion found under section one hundred and twenty-eight or declared under section one hundred and thirty-one to be unfit for the residence of labourers, or any particular class of labourers, has become fit for the residence of such labourers or such particular class of labourers, as the case may be, he shall, with the previous sanction of the Magistrate of the district in which such estate, portion or part is situate, give a certificate to that effect signed by him. Thereupon all labourers who have contracted to labour on such estate, portion or part shall again be bound to labour on the estate, portion or part, as the case may be, to which the certificate relates.

Power to certify fitness of estate or portion found or declared to be unfit.

H.—Complaints made by Labourers.

Section 129. Draft, s. 142.

133. If any labourer states to his employer, or any person acting on behalf of his employer, that he desires to make a complaint to the Inspector or to any Magistrate of personal ill-usage or breach, on the part of his employer or such person, of any provision of this Act or of any rule of the local Government made hereunder, the person to whom such statement is made shall forthwith send such labourer to the Inspector or Magistrate within the local limits of whose jurisdiction the estate wherein he is employed is situate: Provided that, if more than ten labourers at any one time so state their desire to make such a complaint, the person to whom the statement is made may, instead of sending such labourers to such Inspector or Magistrate, give him notice in writing of their complaint.

If labourer wishes to complain of personal ill-usage or breach of Act, employer to send him to Inspector or Magistrate.

Section 130. Draft, s. 143.

134. Whenever any such complaint is made to an Inspector or Magistrate or whenever any Inspector or Magistrate receives notice in writing of any such complaint, or has other reasonable grounds for believing that any employer or person acting on his behalf has personally ill-used, or committed any breach mentioned in section one hundred and thirty-three in respect of any labourer, such Inspector or Magistrate shall, as soon as may be, proceed to some place not more

Inspector or Magistrate how to proceed if complaint is made to him, or if he has reason to believe that there is ground for a complaint.

than ten miles from the principal place of business of such employer situate within the local limits of his jurisdiction, and inquire into the matter complained of:

Provided that if the place in which an Inspector or Magistrate has reasonable grounds for believing that such ill-usage or breach has been committed is situate beyond the local limits of his jurisdiction, he shall, instead of inquiring into the matter himself, forthwith send information thereof in writing to the Inspector or Magistrate within the local limits of whose jurisdiction such ill-usage or breach has been committed.

Section 131. Draft, s. 144.

Power to summon witness.

For the purposes of an inquiry under this section, the Inspector or Magistrate may summon and examine any person as a witness.

Section 132. Draft, s. 145.

If complaint is untrue or frivolous.

135. If, upon such inquiry made on the complaint of a labourer, the Inspector or Magistrate is of opinion that the complaint is untrue or frivolous or vexatious, he shall dismiss the complaint; and in such case shall endorse on the employer's copy of the complainant's labour-contract the number of days during which the complainant has been absent from work in consequence of the inquiry, and the number of days so endorsed shall be added to the period for which the complainant contracted to labour.

Every such endorsement shall be conclusive evidence that the complainant has absented himself from his labour without sufficient cause during the number of days so endorsed.

Award of compensation to employer.

136. When any complaint is dismissed under section one hundred and thirty-five, the Inspector or Magistrate may award to the employer any reasonable compensation on account of any expense incurred by him in connection with such complaint, and shall endorse the amount of such compensation on the complainant's copy of the labour-contract. The complainant shall be bound to pay the amount so endorsed; and in default of such payment his labour-contract shall not be deemed to have determined until he has worked off such amount at the rate of one day's labour for each four annas of such amount.

Section 133. Draft, s. 146.

If on inquiry there is sufficient ground for proceeding.

137. If, upon such inquiry by a Magistrate or by an Inspector who is a Magistrate, such Magistrate or Inspector is of opinion that there is sufficient ground for proceeding with the case, he shall dispose of the same according to law. If the Inspector is not a Magistrate and is of such opinion, he shall without delay send the complainant and his witnesses (if any) to the nearest Magistrate; and such Magistrate shall thereupon dispose of the case according to law.

Section 134. Draft, s. 147.

Recovery of arrears of wages.

138. If, upon the complaint of any labourer, it is proved to the satisfaction of a Magistrate that the wages of such labourer are in arrear for two months, or if the wages of any labourer whose labour-contract has determined are proved to the satisfaction of a Magistrate to have been withheld for any period after such determination, the Magistrate may award to such labourer the amount which appears to be then due to him;

Compensation may be given.

and also, by way of compensation, such further sum, not exceeding that amount, as to such Magistrate seems just; and in case of default in payment of the amount so awarded the Magistrate shall levy such amount by distress and sale of any moveable property belonging to the employer of such labourer.

Power to cancel contract on conviction of employer;

Sections 135. Draft, s. 148.

139. Whenever it is proved to the satisfaction of a Magistrate—

(*a*) that any employer, or any person placed by him in authority over any labourer, has been convicted of any offence causing injury to the person, or loss or damage to the property, of such labourer and triable under the Code of Criminal Procedure by the Court of Session, or

(*b*) that any employer, or other person as aforesaid, has been twice convicted of any such offence against such labourer and triable under the said Code by a Magistrate, or

(*c*) that the wages of any labourer are in arrear to an amount exceeding the whole of such labourer's wages for four months, or

or if wages are in arrear for more than four months.

(*d*) that any labourer has been compelled by his employer or by any person placed by his employer in authority over him to perform any labour while he was unfit for it, or has been subjected to ill-usage by his employer or any such person,

or if ill-usage is proved.

such Magistrate, may, if he thinks fit, on the application of the labourer aggrieved, cancel the labour-contract of such labourer, and award to him compensation not exceeding thirty rupees.

Every such cancelment shall be certified by the Magistrate on the back of the labourer's copy of the labour-contract; or if the same be not forthcoming, by writing under the Magistrate's hand delivered to the labourer.

I.—Determination of Labour-Contract.

Endorsement of determination on labour-contract.

Sections 136 *and* 138. Draft, s. 149.

140. Whenever a labour-contract determines, the employer shall endorse on the labourer's copy of the contract the fact of such determination; and, if the employer refuses or neglects to do so, the Inspector may, on application by the labourer, make such endorsement.

Power to redeem labour-contract.

Section 137. Draft, s. 150.

141. If any labourer is able and desirous to redeem the unexpired term of his labour-contract or of the labour-contract of any member of his family, by payment of a sum equivalent to the value of such unexpired term, such labourer may require his employer to take him, or allow him to go, before the Inspector within the local limits of whose jurisdiction he may be employed; and on his depositing such sum with such Inspector, the Inspector shall give notice to the employer that the labourer requires him, within one week, to show cause why the labourer should not be released from his contract. If no sufficient cause is shown, the Inspector shall require the labourer's copy of the contract to be produced, and on production thereof shall endorse thereon a certificate that the contract has been released by purchase, or, if such copy be not forthcoming, shall deliver to the labourer a certificate under his hand to that effect; and shall in either case hold the sum so deposited to the credit of the employer of such labourer.

Value of unexpired term of labour-contract.

The value of the unexpired term of a labour-contract shall, for the purposes of this section, be deemed to be the aggregate amount of

one rupee for every month of the unexpired portion of the first year, of three rupees for every such month of the second year, and of five rupees for every such month of the third, fourth and fifth years, of the original term of the contract.

CHAPTER VII.

SUPPLEMENTARY POWERS.

Section 4. Draft, s. 5.

Power of the local Government to make rules.

142. The local Government may make rules consistent with this Act—

(*a*)—To define and regulate the powers and duties of the several officers appointed by it under this Act;

(*b*)—To prescribe the periodical returns and reports to be made under this Act by any such officers or by any contractors or local agents within the territories under its administration;

(*c*)—To prescribe the forms of all registers, licenses, certificates and notices required under this Act with respect to the territories under its administration;

(*d*)—To prescribe the particulars to be registered by a Magistrate or Superintendent in respect of each labourer or dependent who is brought before him for registration in any district under its administration;

(*e*)—To prescribe the fees to be paid for any license granted under this Act by any officer appointed by it and for the registration of labourers in any district under its administration;

(*f*)—To prescribe the conditions upon which any officer appointed by it may grant licenses to masters of vessels carrying passengers to any labour-district; to provide for the ventilation, cleanliness and water-supply of such vessels in respect of which licenses are granted hereunder by any such officer; and to prescribe the lists, returns and reports to be kept and submitted by the masters of such vessels;

(*g*)—To prescribe the description, quantity and quality of provisions, medical drugs and other stores to be taken on board such vessels carrying labourers when such vessels are within the territories under its administration and the daily allowance to be issued to each labourer and dependent during the journey through such territories; to prescribe the number of officers, cooks and other servants on board such vessels, and to provide generally for the accommodation of labourers and their dependents on such vessels;

(*h*)—To provide for the accommodation, food, clothing and medical treatment of all labourers and dependents detained on account of sickness by order of a Magistrate at any place within any district under its administration;

(*i*)—To prescribe the routes through the territories under its administration by which labourers and their dependents shall travel to the labour-districts.

(*j*)—To prescribe the house-accommodation, water-supply, sanitary arrangements and amount and kind of food-grains to be provided by employers for their labourers, and to regulate the rations to be supplied to labourers under this Act in the labour-districts under its administration;

(*k*)—To provide for the hospital accommodation and medical treatment of labourers in such labour-districts, and to prescribe the nature, quality and quantity of medical drugs and other stores to be provided for such labourers; and generally

(*l*)—To give effect to the provisions of this Act within the districts subject to its administration.

Special power of the Lieutenant-Governors of Bengal and the North-Western Provinces.

Draft, s. 5.

143. The Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioner of Oudh may further respectively make rules consistent with this Act—

(*a*)—To provide for the management and regulation of contractors' depôts and of hospital depôts situate within the territories under their respective administrations and for the support and medical treatment of labourers and their dependents passing through such depôts;

(*b*)—To prescribe the clothing to be supplied to labourers and their dependents while proceeding to the labour-districts through the territories under their respective administrations.

Special power of the Chief Commissioner of Assam.

The Chief Commissioner of Assam may further make rules consistent with this Act—

(*c*)—To provide for the detention and inspection of vessels in respect of which licenses are granted hereunder and passengers being natives of India carried thereon while in transit through the labour-districts of the Assam Valley, Cachar and Sylhet.

Section 4. Draft, s. 1.

Penalty for infringement of rules.

144. The local Government may by rule prescribe as a penalty for the infringement of any rule made by it hereunder a fine which may extend to five hundred rupees.

Publication of rules.

All rules made under this Act by the local Government shall be published in the official Gazette, and shall thereupon have the force of law.

CHAPTER VIII.

PENALTIES AND PROCEDURE.

Inducing Native to emigrate in contravention of a notification under section 6.

Draft, s. 15.

145. Whoever knowingly induces or assists, or attempts to induce or assist, any native of India to emigrate in contravention of a notification published under section five shall be punished with fine which may extend to fifty rupees for every such Native whom he so induces or assists, or attempts to induce or assist.

Draft, s. 64. Cf. Indian Emigration Bill, s. 88.

Recruiter removing, &c., unregistered labourers.

146. Whoever, being a recruiter—

removes, or attempts to remove, any labourer to a depôt, before he has been registered under section thirty-two, or induces or attempts to induce him to go to a depôt or to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned, or aids or attempts to aid such labourer in going to a depôt or in leaving any such local limits, before he has been so registered,

or induces or attempts to induce any labourer who has been so registered to proceed to any place other than the depôt which has been established by the contractor on whose behalf such recruiter is licensed, or conveys or attempts to convey him to such place,

shall be punished in respect of every such labourer with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to one month.

Draft, s. 66.

Recruiter not supplying proper food, &c.

147. Whoever, being a recruiter or a person deputed by him to accompany labourers to a depôt, fails to provide any labourer or any dependent whom he accompanies on his journey to the depôt, with suitable lodging and food, or otherwise ill-treats such labourer or dependent on such journey, shall be punished with fine which may extend to fifty rupees; and, in default of payment of such fine within twenty-four hours, with imprisonment for a term which may extend to one month.

Draft, s. 73.

The convicting Magistrate may award the whole or any portion of any fine levied under this section as compensation to the labourer in respect of whom, or of whose dependent, such failure or ill-treatment has occurred.

Draft, s. 73.

Labourer refusing without reasonable cause to execute contract at depôt.

148. Any labourer engaged by a recruiter and who, having been registered under section thirty-two, without reasonable cause refuses when at the depôt to execute, within thirty days after his arrival at such depôt, a labour-contract in conformity with the terms made known to him when he was registered, shall be punished with fine which may extend to the amount of the expense incurred in registering him and conveying him to the depôt and maintaining him therein; and, in default of payment of such fine, with imprisonment for a term which may extend to one month.

Any labourer so punished may be forthwith discharged from the depôt.

Every fine levied under this section shall be paid to the contractor, sub-contractor or recruiter by whom such expense was incurred.

Draft, s. 37.

Garden-sardár failing to report himself, &c.

149. Whoever, being a garden-sardár,

fails, within fourteen days after his arrival in the local area within which he is authorized to enter into contracts with labourers, to report himself to the local agent (if any) specified in his certificate, or

removes or attempts to remove any labourer to a labour-district, before he has been registered as provided by section sixty-six, or

induces or attempts to induce him to leave the district within which he was engaged before he has been so registered, or aids or attempts to aid him in leaving such district or proceeding to a labour-district before he has been so registered, or

fails without sufficient cause to return to his employer within the time specified in his certificate, or

fails to account for the money advanced to him by his employer for the purpose of engaging labourers, or

wilfully abandons any labourer or his dependent on the way to a labour-district,

shall be punished with imprisonment for a term which may extend to one month.

Draft, s. 38.

Garden-sardár making over labourers to contractors, &c.

150. Any garden-sardár who makes over any labourers engaged by him to any contractor, sub-contractor or recruiter, or to the garden-sardár or local agent of any employer other than the employer by whom his certificate was granted, or

allows any labourers engaged by any other contractor or sub-contractor or recruiter to share the accommodation provided by him under section fifty-seven, or

places any labourer engaged by him in a contractor's depôt or in the place of accommodation provided by a recruiter in accordance with the provisions of section twenty-seven,

shall be punished with fine which may extend to ten rupees; and his certificate may be impounded by the convicting Magistrate.

Any Magistrate impounding a certificate under this section shall send it for cancellation to the Magistrate by whom it was countersigned.

Draft, s. 39.

Garden-sardár failing to comply with instructions indorsed on way-bill.

151. Any garden-sardár or person appointed by him as provided by section seventy-three, who accompanies labourers to the labour-districts, and fails to comply with any of the instructions entered in the way-bill relating to such labourers, shall be punished with fine which may extend to five rupees.

Draft, s. 78. Cf. Indian Emigration Bill, s. 92. Draft, s. 81.

Master receiving native passengers on board in contravention of Act.

152. Any Master not licensed under section eighty-eight who knowingly receives on board his vessel more than twenty passengers being natives of India, and

any Master licensed as aforesaid who knowingly receives on board his vessel any such passengers in excess of the number specified in his license or in any order of an Embarkation Agent under section ninety,

shall be punished with fine which may extend to two hundred rupees for each emigrant so received.

Draft, s. 80.

Fraudulent alteration of vessel after grant of license.

153. Any Master licensed under section eighty-eight who with intent to defraud does or suffers to be done any act or thing whereby the state of his vessel is altered, so that such vessel is unfit for the accommodation of the number of passengers specified in his license or in any order of an Embarkation Agent under section ninety, shall be punished with fine which may extend to two hundred rupees.

Draft, s. 94.

Master not complying with section 93.

154. Any Master licensed as aforesaid who proceeds on his voyage with his vessel carrying labourers without having complied with the provisions of section ninety-three shall be punished with fine which may extend to five hundred rupees or with

imprisonment for a term which may extend to three months.

Draft, s. 79.

Master not complying with order under section 95.

155. Any Master licensed as aforesaid who fails to comply with an order of an Embarkation Agent made under section ninety-five shall be punished with fine which may extend to two hundred rupees for each day during which he fails to comply with such order after the day on which the order was received by him.

Draft, s. 88.

Master permitting labourer to leave vessel contrary to section 97.

156. Any Master licensed as aforesaid causing or permitting a labourer finally to leave his vessel contrary to the provisions of section ninety-seven shall be punished with fine which may extend to two hundred rupees for each labourer so leaving his vessel.

Draft, s. 87.

Master or officer wilfully omitting to stop vessel at certain places.

157. Any Master licensed as aforesaid who wilfully omits to comply with the provisions of section ninety-eight shall be punished with fine which may extend to two hundred rupees.

Draft, s. 89.

Person disobeying Magistrate's order as to communication between vessel and shore.

158. Any person who disobeys any order made under section one hundred by a Magistrate shall be punished with fine which may extend to two hundred rupees.

Draft, s. 97.

Master or medical officer disobeying or neglecting to enforce rules.

159. Any Master licensed as aforesaid, or any medical officer in charge of his vessel, who wilfully omits or neglects to obey or enforce on board of such vessel any provision of this Act or any rule made hereunder, shall be punished with fine which may extend to two hundred rupees.

Draft, s. 90.

Labourer deserting, &c., after registration.

160. Any labourer who, having been registered by a Magistrate under section thirty-two or section sixty-six, deserts while on his journey from the district in which he has been so registered to a labour-district, or

without reasonable cause refuses or neglects to proceed from the district in which he has been so registered, or to embark in any vessel when called upon to do so by an Embarkation Agent,

shall be punished with imprisonment for a term which may extend to three months.

Draft, s. 108. Draft, s. 110.

Employer refusing or omitting to keep registers, &c.

161. Any employer who refuses or wilfully omits to keep such registers, or to make such periodical returns in writing to the Inspector, as may be prescribed by any rule made hereunder, or who knowingly keeps an incorrect register or makes an incorrect return, shall be punished with fine which may extend to two hundred rupees.

Section 105. Draft, s. 111.

Employer or other person obstructing inspection under section 113.

162. Any employer, and any person acting under his orders or on his behalf, who wilfully obstructs any entry, inspection or inquiry made under section one hundred and thirteen shall for every such offence be punished with fine which may extend to two hundred rupees.

Section 111. Draft, s. 119.

Employer or other person compelling labourer to perform labour for which he is unfit.

163. Any employer, or any person acting under his orders or on his behalf, who compels any labourer to perform any labour, knowing that he is at the time unfit to perform such labour, shall be punished with fine which may extend to two hundred rupees.

Draft, s. 123.

Persons buying labourer's rations.

164. Any person who buys the rations which have been furnished under section one hundred and twenty-four to any labourer, and any labourer who sells any such rations, shall be punished with fine which may extend to fifty rupees or with imprisonment for a term which may extend to one month.

Section 116. Draft, s. 126.

Employer omitting to provide house-accommodation, &c.

165. Any employer who wilfully omits to provide house-accommodation, water-supply, sanitary arrangements, food-grains or rations in accordance with the provisions of this Act or any rule made hereunder, shall be punished with fine which may extend to five hundred rupees; and the convicting Magistrate may order him to comply with such provisions within a reasonable time to be fixed in the order.

If the employer wilfully omits to comply with such order within the time so fixed, he shall be punished with fine which may extend to one hundred rupees for each day during which such omission continues.

If the employer fails to pay the last-mentioned fine, the person on whose account he has been acting shall be liable to pay such fine.

Section 117. Draft, s. 127.

Employer neglecting to provide hospital accommodation.

166. Any employer who fails to provide such hospital accommodation, or to make such provision for the medical care and treatment of labourers, as is required by any rule made under this Act, shall be punished with fine which may extend to two hundred rupees for each week during which such default continues.

Section 120. Draft, s. 130.

Employer causing labourer to reside on estate declared unfit.

167. Every employer who causes or permits any labourers, or class of labourers, to reside or labour upon any estate or portion thereof which may have been found under section one hundred and twenty-eight, or declared under section one hundred and thirty-one, unfit for the residence of such labourers or class of labourers shall be punished with fine which may extend to two hundred rupees.

New. Draft, s. 131.

Unlawful absence from work.

168. Every employer may, on or before the fifteenth day of each month, send to the Inspector a statement in writing containing the names of all or any of his labourers who, voluntarily and without reasonable cause, absented themselves from labour during the preceding month, and specifying the periods of such absence. When any employer sends any such statement in writing, he shall at the same time notify to each labourer concerned the fact that he has done so.

Any Inspector who receives any such statement shall, when next visiting the estate on which the labourers to whom such statement relates are employed, inquire into each such case of absence, in the presence of the labourer concerned, and if satisfied that the labourer has wilfully and without reasonable cause absented himself, shall,

unless the labourer consents to forfeit to his employer the sum of four annas for each such day of absence, endorse such days of absence on the labour-contract of such labourer, and add them to the term of such contract.

Section 121. *Draft*, s. 131.

169. Any labourer who, voluntarily and without reasonable cause, has absented himself from his labour for more than seven consecutive days, or for more than seven days in any one month, shall be liable to forfeit his wages for the period of such absence, and to pay to his employer a sum not exceeding four annas for each such day of absence, and shall also be liable to imprisonment for a term which may extend to fourteen days; and in case such absence has extended to twenty days in any two consecutive months, to imprisonment for a term which may extend to one month.

Labourer absent without cause.

Explanation.—Ill-treatment of such labourer by his employer, or failure of the employer to fulfil any condition of the labour-contract binding on the employer, is reasonable cause within the meaning of section one hundred and sixty-eight and this section.

Section 122. *Draft*, s. 131.

170. If any labourer deserts from his employer's service, such employer, or any person acting on his behalf, may, without a warrant, and without the assistance of any police-officer, arrest such labourer wherever he may be found: Provided that, if such labourer be found within ten miles of the place where a Magistrate resides or in the service of another employer, he shall not be arrested without warrant.

Deserter may be apprehended without warrant.

Every police-officer shall assist in arresting any such labourer if so required by the employer or person acting on his behalf.

Whoever arrests a labourer under this section shall without delay take him to the police-station nearest to the place of the arrest; and if he fails to do so shall be punished with fine which may extend to two hundred rupees.

171. The police-officer in charge of such station shall, on the appearance of the parties, take down in writing the statement of the person arresting the labourer, and shall then forthwith send the labourer to the nearest Magistrate.

Procedure at police-station.

Such Magistrate shall either inquire into and dispose of the case himself, or, if the estate of the employer from whose service the labourer deserted is not situate within the local limits of such Magistrate's jurisdiction, he shall forward the labourer to the Magistrate within the local limits of whose jurisdiction such estate is situate.

Draft, s. 131.

172. Whenever an employer or a person acting on his behalf complains to a Magistrate that a labourer has deserted from his employer's service, such Magistrate may, without previously examining the complainant, issue a summons for the attendance of such labourer, or a warrant for his arrest, and fix a day for hearing the complaint.

Procedure on complaint of desertion.

Draft, s. 132.

173. Every labourer who deserts from his employer's service shall be punished with imprisonment for a term which may extend to one month.

Punishment for desertion.

For a second conviction for a like offence he shall be punished with imprisonment for a term which may extend to two months. For a third and every subsequent conviction for a like offence he shall be punished with imprisonment for a term which may extend to three months.

174. If it appears to the Magistrate trying a labourer for deserting from his employer's service that such labourer was arrested without sufficient cause, such Magistrate may impose a fine which may extend to fifty rupees on the employer or person acting on his behalf by whom, or at whose instance, such labourer was arrested. The Magistrate may in his sentence direct that the whole or any part of such fine be paid by way of compensation to the labourer so arrested.

Draft, s. 134.

Compensation for wrongful arrest.

175. Whenever any labourer has actually suffered imprisonment for terms amounting on the whole to six months for desertion from his employer's service, the Inspector shall cancel the labour-contract of such labourer, and shall endorse on his copy of the contract, a certificate of such cancellation; or, if such copy be not forthcoming, he shall deliver to the labourer a written certificate of such cancellation.

New. *Draft*, s. 137.

Cancellation of contract by desertion.

176. Any labourer guilty of habitual drunkenness, or wilfully disregarding any sanitary regulation approved by the Inspector and duly notified for the guidance of the labourers on the estate on which such labourer is employed, shall be punished with fine which may extend to five rupees or with imprisonment for a term which may extend to one week.

Section 124. *Draft*, s. 135.

Penalty for drunkenness or neglect of sanitary regulations.

177. The employer of any labourer sentenced to imprisonment for any offence under this Act, or any person authorized to act in this behalf for such employer, may apply to the Magistrate, at any time previous to the expiry of such sentence, that such labourer be made over to him for the purpose of completing his labour-contract. On such application being made, the Magistrate may, if he thinks fit, order that such labourer be made over or forwarded to his employer;

Section 125. *Draft*, s. 138.

Portion of sentence may be cancelled on application of employer.

and in that case such Magistrate shall cancel the remainder of the sentence passed on the labourer and shall endorse on his copy of the labour-contract a certificate of such cancellation or, if such copy is not forthcoming, shall give him a written certificate of such cancellation.

178. Every employer who obtains an order of a Magistrate for the making over or forwarding of any labourer shall be liable to defray the expense (if any) incurred in such making over or forwarding; and shall, before the order is issued, deposit with the Magistrate a sum sufficient in the Magistrate's opinion to defray such expense.

Section 12[illegible] *Draft*, s. 13[illegible]

Expense of forwarding labourer to be paid by employer.

179. On the expiry of any sentence of imprisonment for any offence under this Act, the Magistrate shall, subject to the provisions of section one hundred and seventy-five, make over such labourer to any person appointed on the part of his employer to take charge of him; and no conviction under this Act, or imprisonment under

Section 1[illegible] *Draft*, s. [illegible]

Conviction not to operate as a release.

such conviction, shall, save as aforesaid, operate as a release to any labourer from the terms of his labour-contract:

If no person is present on the part of the employer to take charge of the labourer at the expiry of his sentence, the Magistrate shall forward such labourer to the principal place of business of his employer situate within the local limits of such Magistrate's jurisdiction, and the expense of such forwarding shall be recoverable from such employer as if it were an arrear of land-revenue.

Section 127. *Draft*, s. 140.

180. When any labourer is convicted under section one hundred and sixty-nine of absence from labour or is sentenced to imprisonment for an offence under this Act, the Magistrate so convicting or sentencing him shall endorse on the employer's copy of the labour-contract the period during which such labourer is convicted of being absent from his labour, or the term for which he is sentenced to imprisonment, or both, as the case may be.

Time of unlawful absence or imprisonment to be excluded from contract period.

The period so endorsed shall be added to the term for which such labourer contracted to serve; and such labourer shall not be deemed to have performed his labour-contract till he has served for the term specified therein in addition to the period so endorsed.

Section 128. *Draft*, s. 141.

181. Whoever, knowing that any labourer is bound by his labour-contract to labour for any employer, voluntarily entices or attempts to entice such labourer to leave such employer, or harbours or employs any such labourer who has, in contravention of the terms of his labour-contract, left his employer, shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.

Other person enticing away, harbouring or employing labourer under labour-contract.

The convicting Magistrate may in his discretion award to the employer with whom such labourer has contracted the whole or any part of any fine levied under this section.

Section 129. *Draft*, s. 142.

182. Whoever, being bound by section one hundred and thirty-three to send any labourer before, or to give notice of any complaint to, an Inspector or Magistrate, refuses or neglects so to send such labourer, or to give such notice, shall be punished with fine which may extend to two hundred rupees.

Employer or other person neglecting to send labourer before Magistrate as provided by section 133.

Section 137. *Draft*, s. 149.

183. Any employer who—

refuses or neglects to endorse the labourer's copy of his contract as required by section one hundred and forty, or

Employer refusing to endorse labour-contract, &c., as required by section 140.

detains a labourer after the determination of his labour-contract, or

fails to give notice to the Inspector of such determination within one month of the date thereof,

shall be punished with fine which may extend to two hundred rupees.

Draft, s. 150.

184. Any employer or person acting for an employer who refuses or neglects to comply with the request of a labourer made under section one hundred and forty-one shall be punished with fine which may extend to two hundred rupees.

Employer or other person neglecting to comply with request of labourer wishing to redeem unexpired term.

185. Whoever abets within the meaning of the Indian Penal Code any offence against this Act or any rule made hereunder shall be punished with the punishment provided for such offence.

Cf. Indian Emigration Bill, s. 101.

Abetment.

186. Whoever commits any offence against this Act or any rule made hereunder shall be triable for such offence in any place in which he may be found as well as in any other place in which he might be tried under any law for the time being in force.

Draft, s. 98. Cf. Indian Railway Act, 1879, s. 50.

Place of trial for offences.

187. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made hereunder, or from being liable under any other law to any penalty higher than that provided by this Act for such offence: Provided that no person shall be punished twice for the same offence.

New. Cf.

Saving of prosecutions under other laws.

CHAPTER IX.

MISCELLANEOUS.

188. All arrears of wages due under any labour-contract shall be a charge upon the estate upon which the labourer to whom such labour-contract relates has been engaged to labour; or if such labourer has engaged to labour upon any one of several estates managed by the same employer, shall be a charge upon that one of such estates upon which such labourer for the time being actually labours.

Section 5. *Draft*, s. 8.

Wages due under labour-contract, charge upon estate.

189. Whenever an estate on which any labourer has under this Act contracted to labour is transferred by act of parties or operation of law, or devolves, the person to whom it is so transferred or on whom it devolves shall be bound by the labour-contract of such labourer in the same manner and to the same extent as the person by or from whom it is transferred or devolves would have been bound by such contract, and shall have the same rights and remedies under such contract as such person would have had thereunder, if the estate had not been transferred or had not devolved.

Draft, s. 8.

Owner of estate for time being has all rights and remedies in respect of labour-contracts charged on it.

No person who has ceased to be the owner of the estate upon which any labourer has under this Act contracted to labour shall be liable in respect of any breach of the labour-contract of such labourer which occurs after he has ceased to be such owner.

Determination of ownership determines liability.

190. Subject to the power of a Magistrate under this Act or the Code of Criminal Procedure to award fines in whole or in part as compensation to or for the benefit of any complainant or other person, all fines, fees and rates levied and paid under this Act in the territories under its administration shall be credited to a fund which shall be

Section 97. *Draft*, s. 102.

Fines, fees and rates to be credited to "Inland Labour Transport Fund."

called the "Inland Labour Transport Fund"; and such fund shall be at the disposal of the local Government, in such manner as the Government of India may direct, for paying the salaries and allowances of all officers and establishments appointed under this Act by such local Government and their pensionary and leave allowances, and generally for defraying the expenses of carrying out the purposes of this Act and the rules of the local Government made hereunder. The annual surplus accruing in such fund shall be applied to reducing the yearly rate or the registration fees leviable under this Act, and not otherwise.

191. All sums heretofore expended on roads or other communications by the Lieutenant-Governor of Bengal out of the Inland Labour Transport Fund constituted by the said Bengal Act No. VII of 1873, shall be deemed to have been expended in accordance with law.

Expenditure on roads legalized.

Section 99. Draft, s. 108.

192. An Assistant Inspector shall perform all such duties and exercise all such powers of an Inspector as he is authorized in writing by the Inspector to perform or exercise.

Duty of Assistant Inspector.

193. All powers conferred by this Act on the local Government or on any Superintendent, Medical Inspector or other officer may be exercised from time to time as occasion requires.

Powers of local Government and officers exercisable from time to time.

THE SCHEDULE.

(*See section* 9.)

Form of Labour-contract between Labourer and Employer.

This contract, made under the Inland Emigration Act, 1881, between A B (hereinafter called *the labourer*) of the one part, and* [C D (*agent* or *local agent* or *garden-sardár*) on behalf of] E F (hereinafter called the *employer*) on the other part, witnesseth that the said* [*agent* or *local agent* or *garden-sardár* on behalf of the said] employer doth hereby promise the said labourer, that if he, the said labourer, do remain and labour on the $\frac{\text{X estate}}{\text{Y estates}}$† of his said employer in the labour district of for the term of years from the date of the execution of this contract, he, the said employer, will, from the date on which the said labourer commences to labour on such $\frac{\text{estate}}{\text{estates}}$ pay or cause to be paid, to the said labourer, monthly wages at the rate of Rs. ‡ . for a completed daily task regulated in accordance with the provisions of the said Act, and, when such task is not completed, monthly wages calculated at the same rate in proportion to the amount of work actually done, and that during such period he, the said employer, will faithfully comply with all rules regarding house-accommodation, medical treatment, and the supply of food-grains or rations to the said labourer, which the local Government may from time to time prescribe; and this contract further witnesseth that the said labourer doth hereby, in consideration of the aforesaid promise, agree so to remain and labour for the said employer. In witness whereof the said parties to these presents, have hereunto set their hands at this day of 18 .

* Parts in brackets to be omitted if the contract is made without the intervention of an agent, local agent or garden-sardár.

† As the case may be.

‡ State rates for various periods of contract.

Signature of labourer and of employer (or of his agent, local agent or garden-sardár).

Form of Description of Labourer.

Name.	Father's Name.	Age.	Sex.	Caste.	Residence.			Descriptive marks.
					District.	Thana.	Village.	

[*Endorsement to be filled up by registering officer before whom the contract is executed.*]

I hereby certify that, before the said A B signed this contract, I personally explained it to him.

Signed _____

Registering Officer.

[*Endorsement on labourer's copy of contract, to be left blank until the contract is determined.*]

I hereby certify that the foregoing contract has been determined by effluxion of time (or by mutual consent, or under the provisions of section of Act , as the case may be).

Dated at

This day of

_____

Signature of Employer or of Inspector.

STATEMENT OF OBJECTS AND REASONS.

This Bill has been drawn on the lines of a draft prepared by a Commission which recently met in Calcutta to consider and amend Bengal Act VII of 1873 (the Labour Districts Emigration Act). The attention of Government had previously been directed by certain persons interested in the large and important tea industry in Assam to several points in which the law relating to inland emigration appeared to require amendment. As the subject seemed to be one which affected not only the tea interest, but to a certain extent the interest of the whole country, the Government of India decided, in communication with His Honour the Lieutenant-Governor of Bengal, to refer it to the consideration of a Commission. This Commission, which consisted of members of the mercantile community of Calcutta and the tea interest in Assam, as well as of official members under each of those administrations especially conversant with the details of inland emigration, reviewed the whole question in all its details, and submitted a report, to which was annexed the draft Bill above referred to, which embodied the amendments of the law considered desirable. The Government of India resolved on legislating in accordance generally with the provisions of this draft, and accordingly the present Bill has been prepared. It differs considerably in form, but does not, it is believed, in substance differ materially (save in certain points which will be mentioned below) from the draft prepared by the Commission.

2. It does not seem necessary to specify in this place the numerous amendments of the existing law which the Bill, in common with the draft of the Commission, proposes to make. Many of these deal with minor and unimportant points, and all will be found enumerated in detail in the Report of the Commission. It will be sufficient here to state the main points in which the Commission found the present law defective and the changes which the Bill proposes with the view of removing these defects.

3. These points are four in number,—

(*a*) that the existing law does not afford sufficient encouragement to free emigration;

(*b*) that it imposes unnecessary restrictions upon sardári recruiting;

(*c*) that it fails to provide for the enforcement of contracts made otherwise than under its provisions even in the case of imported labourers;

(*d*) that it is defective in respect of the remedies provided for employers in the event of the unlawful absence, idleness or desertion of their contract labourers.

4. With regard to the first of these points, no labour-contracts can be entered into under the existing law (Bengal Act VII of 1873) after the emigrant has arrived in a labour-district; and further, under section 7 of the same Act, no contract to labour in a labour-district for more than one year is binding upon an emigrant unless it is made and executed according to the provisions of the Act. To remove these restrictions the Bill permits emigrants to make labour-contracts under its provisions after their arrival in a labour-district, and, by omitting any provision of the nature of section 7 of Bengal Act VII of 1873, leaves employers free to make with any persons, whether within or without the labour-districts, any labour-contract which the ordinary law will recognize and enforce.

5. As to the second point, under the present law, a garden-sardár in order to get his certificate countersigned is compelled to present himself at the Court of the Magistrate of the District in which he proposes to engage labourers; his certificate is only allowed to run for six months; he is not allowed to travel with another garden-sardár if the total number of their united bands of emigrants exceeds twenty; whilst if he recruits more than twenty emigrants himself, he must take them to a contractor's depôt. Such restrictions, besides unnecessarily impeding the garden-sardár in his operations, bring him into dangerous connection with contractors and recruiters who not unfrequently tempt him to make over to them for a consideration labourers recruited at his employer's expense. The Bill severs all connection between garden-sardárs and contractor's depôts; and, though providing, in the employer's interest, for the effective control of garden-sardárs when on recruiting duty, removes the restrictions above mentioned, and gives the widest scope to the working of the sardári system.

6. With respect to the third point, labour-contracts cannot be made under Bengal Act VII of 1873 in a labour-district. Consequently labour-contracts entered into in such districts must be made under the ordinary law. Though Act XIII of 1859 (*to provide for the punishment of breaches of contract by Artificers, workmen and labourers in certain cases*) has in some districts been applied to these locally made labour-contracts, its provisions were obviously never intended to meet such cases. As employers may incur serious loss in the event of their labourers refusing to fulfil their agreements, it is clear that they are insufficiently protected under the present law in respect of locally made labour-contracts. Nothing short of a penal labour-law is sufficient for their protection. At the same time it appears only just that, if a labourer is to be subjected to a penal labour-law, he should obtain also the protection of law in respect of his general relations with his employer. Under these circumstances it seems preferable, instead of providing that locally made contracts may be enforced under the Act,

to remove the restrictions which at present exist against labour-contracts under the Act being made in labour-districts, and this the Bill accordingly does.

7. As to the fourth point, under the existing law the penalty prescribed for the unlawful absence of the labourer from his work can only be enforced by complaint before a Magistrate. Such a provision is obviously very inconvenient to employers, who cannot spare time to make a journey to Court every time one of their labourers is unlawfully absent from his work. The Bill therefore provides for a system of monthly lists of defaulters to be submitted by the employer to the Inspector, who will, on his next visit to the garden, enquire into the case of each defaulter mentioned in such list; and if satisfied that the labourer is guilty of the offence charged, punish him by entering such days of absence on his contract and adding them to the term thereof, unless the labourer consents to forfeit to his employer the sum of four annas for each such day of absence. Prolonged and repeated absence may, however, be still punished by a Magistrate, if the employer chooses to complain.

The Government of India have resolved to make no change in the provisions of the existing law as to desertion, and the proposals of the Commission with regard to these provisions have not therefore been adopted in the Bill.

8. It may also be noticed that the Bill (section 9) extends the term for which a labourer may contract to labour. Under the present law the term is limited to three years from the date of the arrival of the labourer on his employer's estate. It is now proposed to extend it to five years from the date of the execution of the contract. This extension will enable the employer to recoup himself for his preliminary outlay incurred in importing the labourer and maintaining him while he learns his work and becomes acclimatized. At the same time provision has been made in the interest of the labourer that, for the last two years of the term, he shall receive an increase of one rupee per mensem to his wages. At the end of three years he is presumably better acquainted with his work, more valuable to his employer, and therefore entitled to a higher rate of wages.

9. Certain other points in which the Bill differs from the draft prepared by the Commission may now be noticed. Under that draft, sections 24 and 63, labourers engaged in districts not under the administration of the Lieutenant-Governor of Bengal need not, when recruited by garden-sardárs, and cannot when recruited by recruiters, be registered until they are brought within a district of the Lower Provinces. The Government of India is of opinion that it is necessary, for the purpose of protecting the labourer and preventing fraudulent practices on the part of the garden-sardár or recruiter, that all labourers, in whose case the registration of the engagement before proceeding to the labour-districts is imperative, should be registered in the districts in which they are engaged. The provisions of the draft have accordingly been modified so as to carry out these views.

10. Again, the draft of the Commission permitted the transport to the labour-districts of labourers, whether engaged by garden-sardárs or recruiters, by any route. As it is known that on certain routes great mortality has occurred, it seems advisable that power should be taken to enable the Local Government to prescribe the routes by which only labourers may travel to the labour-districts. A power of this nature has therefore been inserted in the Bill (section 142).

11. Lastly, under the draft of the Commission it is not necessary that contracts of locally engaged labourers should always be registered before a Magistrate or other officer. The Government of India is, however, of opinion that, unless such registration is made compulsory in all cases, there is not sufficient security that the nature of the engagement shall be fully understood by the labourer. The provisions of the draft have therefore been so altered in the Bill (section 111) that it will be necessary to have all contracts of locally engaged labourers executed before and registered by an Inspector of labourers or a Magistrate.

In the case of certain offences the Commission proposed that a penalty of rigorous imprisonment should be inflicted. It is considered that the Magistrates should be allowed a discretion as to the infliction of rigorous or simple imprisonment, and the Bill therefore substitutes the expression "imprisonment," which means imprisonment either simple or rigorous, in the places where in the draft prepared by the Commission the expression "rigorous imprisonment" is used.

SIMLA;
The 5th September, 1881.

RIVERS THOMPSON.

R. J. CROSTHWAITE,
Officiating Secretary to the Government of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September, 1881, and was referred to a Select Committee:—

No. 19 OF 1881.

THE INDIAN COMPANIES BILL, 1881.

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FIRST SCHEDULE.

SECOND SCHEDULE.

A Bill for the incorporation, regulation and winding-up of Trading Companies and other Associations.

Preamble. WHEREAS it is expedient to amend the law relating to the incorporation, regulation and winding-up of Trading Companies and other Associations; It is hereby enacted as follows:

PRELIMINARY.

Act X of 1866, s. 1. Short title. Local extent. 1. This Act may be cited as "The Indian Companies Act, 1882"; it extends to the whole of British India;

Ibid., s. 2. Commencement. and it shall come into force on the first day of March 1882; and the time at which it comes into force is hereinafter referred to as the commencement of this Act.

Ibid., s. 32. Repeal of Act X of 1866. 2. On and from the commencement of this Act, the Indian Companies Act, 1866, shall be repealed. But such repeal shall not affect—

Ibid., s. 330. (*a*) the incorporation of any Company registered under the said Act or any Act thereby repealed;

(*b*) any right or privilege acquired or liability incurred under the said Act or any Act thereby repealed;

(*c*) table B in the schedule annexed to Act No. XIX of 1857 or any part thereof, so far as the same applies to any Company existing at the time of the commencement of this Act.

And all references to the said Indian Companies Act, 1866, shall be read as if made to this Act, and all rules made, fees directed, resolutions passed and other things duly done under the same Act shall be deemed to be respectively made, directed, passed and done under this Act; and all Companies under the same Act shall be deemed to be Companies under this Act.

Act X of 1866, s. 3. Interpretation-clause. 3. In this Act, unless there be something repugnant in the subject or context,—

"Insurance Company" means a Company that carries on the business of insurance either solely or in common with any other business or businesses;

"Insurance Company";

"Court" means the principal civil Court of original jurisdiction in a district, and includes the High Court in the exercise of its ordinary original civil jurisdiction;

"Court";

"District Court" means the principal civil Court of original jurisdiction in a district, but does not include the High Court in the exercise of its ordinary original civil jurisdiction;

"District Court";

Ibid., s. 4. Prohibition of partnerships exceeding certain number. 4. No Company, Association or Partnership consisting of more than ten persons shall be formed for the purpose of carrying on the business of banking, unless it is registered as a Company under this Act, or is formed in pursuance of an Act of Parliament or some other Act of the Governor General in Council, or by Royal Charter or Letters Patent; and no Company, Association or Partnership consisting of more than twenty persons shall be formed for the purpose of carrying on any other business that has for its object the acquisition of gain by the Company, Association or Partnership, or by the individual members thereof, unless it is registered as a Company under this Act, or is formed in pursuance of some other Act or of Letters Patent.

Ibid., s. 5. Division of Act. 5. This Act is divided into nine Parts relating to the following subject-matters:—

The first Part—to the constitution and incorporation of Companies and Associations under this Act;

The second Part—to the distribution of the capital and liability of members of Companies and associations under this Act;

The third Part—to the management and administration of Companies and Associations under this Act;

The fourth Part—to the winding-up of Companies and Associations under this Act;

The fifth Part—to the registration office;

The sixth Part—to the application of this Act to Companies registered under Act No. XIX of 1857 (*for the incorporation and regulation of Joint Stock Companies and other Associations either with or without limited liability of the members thereof*), and Act No. VII of 1860 (*to enable Joint Stock Banking Companies to be formed on the principle of limited liability*), or either of them;

The seventh Part—to Companies authorized to register under this Act;

The eighth Part—to the application of this Act to unregistered Companies;

The ninth Part—to miscellaneous provisions.

PART I.

CONSTITUTION AND INCORPORATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Memorandum of Association.

Act X of 1866, s. 6.

6. Any seven or more persons associated for any lawful purpose may, by subscribing their names to a memorandum of association and otherwise complying with the requisitions of this Act in respect of registration, form an incorporated Company, with or without limited liability.

Mode of forming Company.

Princess of Reuss v. Box, L. R. 5 H. L. 1876.

Explanation.—Foreigners are persons within the meaning of this section, although the whole or any part of the business of the proposed Company is intended to be transacted abroad.

Act X of 1866, s. 7.

7. The liability of the members of a Company formed under this Act may, according to the memorandum of association, be limited either to the amount, if any, unpaid on the shares respectively held by them, or to such amount as the members may respectively undertake by the memorandum of association to contribute to the assets of the Company in the event of its being wound up.

Mode of limiting liability of members.

30 & 31 Vic., c. 131, s. 4.

When a Company is formed as a limited Company, the liability of the directors or managers of such Company, or the managing director, may, if so provided by the memorandum of association, be unlimited.

Directors with unlimited liability.

Act X of 1866, s. 8.

8. Where a Company is formed on the principle of having the liability of its members limited to the amount unpaid on their shares, hereinafter referred to as a Company limited by shares, the memorandum of association shall contain the following things (that is to say):—

Memorandum of association of a Company limited by shares.

(*a*) The name of the proposed Company with the addition of the word "limited" as the last word in such name:

(*b*) The part of British India in which the registered office of the Company is proposed to be situate:

(*c*) The objects for which the proposed Company is to be established:

(*d*) A declaration that the liability of the members is limited:

(*e*) The amount of capital with which the Company proposes to be registered divided into shares of a certain fixed amount:

Subject to the following regulations:—

(*f*) That no subscriber shall take less than one share;

(*g*) That each subscriber of the memorandum of association shall write opposite to his name the number of shares he takes.

Ibid., s. 9.

9. Where a Company is formed on the principle of having the liability of its members limited to such amount as the members respectively undertake to contribute to the assets of the Company in the event of the same being wound-up (hereinafter referred to as a Company limited by guarantee), the memorandum of association shall contain the following things (that is to say):—

Memorandum of association of a Company limited by guarantee.

(*a*) The name of the proposed Company, with the addition of the word "limited" as the last word, in such name:

(*b*) The part of British India in which the registered office of the Company is proposed to be situate:

(*c*) The objects for which the proposed Company is to be established:

(*d*) A declaration that each member undertakes to contribute to the assets of the Company in the event of the same being wound up during the time that he is a member, or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and of the costs, charges and expenses of winding-up the Company, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding a specified amount.

Act X of 1866, s. 10.

10. Where a Company is formed on the principle of having no limit placed on the liability of its members (hereinafter referred to as an unlimited Company), the memorandum of association shall contain the following things (that is to say):—

Memorandum of association of an unlimited Company.

(*a*) The name of the proposed Company:

(*b*) The part of British India in which the registered office of the Company is proposed to be situate:

(*c*) The objects for which the proposed Company is to be established.

Ibid., s. 11.

11. The memorandum of association shall be signed by each subscriber in the presence of, and be attested by, one witness at the least. It shall, when registered, bind the Company and the members thereof to the same extent as if each member had subscribed his name thereto, and there were in the memorandum contained on the part of himself, his heirs, executors and administrators, a covenant to observe all the conditions of such memorandum, subject to the provisions of this Act.

Signature and effect of memorandum of association.

Ibid., s. 12.

12. Any Company limited by shares may so far modify the conditions contained in its memorandum of association, if authorized to do so by its regulations as originally framed, or as altered by Special Resolution in manner hereinafter mentioned, as to increase its capital, by the issue of new shares of such amount as it thinks expedient, or to consolidate and divide its capital into shares of larger amount than its existing shares, or to convert its paid-up shares into stock, but, save as aforesaid, and save as hereinafter provided, no alteration shall be made by any Company in the conditions contained in its memorandum of association.

Power of certain Companies to alter memorandum of association.

Reduction of Capital and Shares.

30 & 31 Vic., c. 131, s. 13.

13. Any Company limited by shares may, by special resolution, so far modify the conditions contained in its memorandum of association, if authorised so to do by its regulations as originally framed, or as altered by special resolution, as to reduce its capital; but no such resolution for reducing the capital of any Company shall come into operation until an order of the Court is registered by the Registrar of Joint Stock Companies, as is hereinafter mentioned.

Power to Company to reduce capital.

40 & 41 Vic., c. 26, s. 3.

Explanation I.—The word 'capital' includes paid-up capital.

Ibid.

Explanation II.—The power to reduce capital conferred by this section includes a power to cancel any lost capital, or any capital unrepresented by available assets, or to pay off any capital which may be in excess of the wants of the Company; and paid-up capital may be reduced either with or without extinguishing or reducing the liability (if any) remaining on the shares of the Company; and to the extent to which such liability is not extinguished or reduced, it shall be deemed to be preserved, notwithstanding anything hereinafter contained.

30 & 31 Vic., c. 131, s. 10.

14. The Company shall, after the date of the passing of any special resolution for reducing its capital, add to its name, until such date as the Court may fix, the words "and reduced," as the last words in its name, and those words shall, until such date, be deemed to be part of the name of the Company.

Company to add "and reduced" to its name for a limited period.

Ibid., s. 11.

15. A Company which has passed a special resolution for reducing its capital, may apply to the Court by petition for an order confirming the reduction, and on the hearing of the petition, the Court, if satisfied that, with respect to every creditor of the Company who, under the provisions of this Act, is entitled to object to the reduction, either his consent to the reduction has been obtained, or his debt or claim has been discharged or has determined, or has been secured as hereinafter provided, may make an order confirming the reduction on such terms and subject to such conditions as it deems fit.

Company to apply to the Court for an order confirming reduction.

40 & 41 Vic., c. 26, s. 4.

When the reduction does not involve either the diminution of any liability in respect of unpaid capital or the payment to any shareholder of any paid-up capital, it shall not be necessary, before the presentation of any petition under this section; and the Court may, if it thinks fit so to do, dispense with the addition of the words "and reduced," as mentioned in section fourteen.

In any case that the Court thinks fit so to do, it may require the Company to publish, in such manner as the Court thinks fit, the reasons for the reduction or such other information regarding the same as the Court may think expedient with a view to give proper information to the public in relation to such reduction, and if the Court think fit, the cause which led thereto.

30 & 31 Vic., c. 131, s. 14.

16. Where a Company proposes to reduce its capital, every creditor of the Company who, at the date fixed by the Court, is entitled to any debt or claim which, if that date were the commencement of the winding-up of the Company, would be admissible in proof against the Company, shall be entitled to object to the proposed reduction, and to be entered in the list of creditors who are so entitled to object.

Creditors may object to reduction and list of objecting creditors to be settled by the Court.

The Court shall settle a list of such creditors, and for that purpose shall ascertain as far as possible, without requiring an application from any creditor, the names of such creditors and the nature and amount of their debts or claims, and may publish notices fixing a certain day or days within which creditors of the Company who are not entered on the list are to claim to be so entered, or to be excluded from the right of objecting to the proposed reduction:

40 & 41 Vic., c. 26, s. 4.

Provided that when the reduction does not involve either the diminution of any liability in respect of unpaid capital or the payment to any shareholder of any paid-up capital, the creditors of the Company shall not, unless the Court otherwise directs, be entitled to object, or required to consent, to the reduction.

30 & 31 Vic., c. 131, s. 14.

17. Where a creditor whose name is entered on the list of creditors, and whose debt or claim is not discharged or determined, does not consent to the proposed reduction, the Court may (if it think fit) dispense with such consent on the Company securing the payment of the debt or claim of such creditor by setting apart and appropriating in such manner as the Court may direct a sum of such amount as is hereinafter mentioned, (that is to say),

Court may dispense with consent of creditor on security being given for his debt.

(*a*) If the full amount of the debt or claim of the creditor is admitted by the Company, or, though not admitted, is such as the Company are willing to set apart and appropriate, then the full amount of the debt or claim shall be set apart and appropriated.

(*b*) If the full amount of the debt or claim of the creditor is not admitted by the Company, and is not such as the Company are willing to set apart and appropriate, or if the amount is contingent or not ascertained, then the Court may, if it think fit, inquire into and adjudicate upon the validity of such debt or claim, and the amount for which the Company may be liable in respect thereof, in the same manner as if the Company were being wound up by the Court, and the amount fixed by the Court on such inquiry and adjudication shall be set apart and appropriated.

Ibid., s. 15.

18. The Registrar of Joint Stock Companies, upon the production to him of an order of the Court confirming the reduction of the capital of a Company, and the delivery to him of a copy of the order and of a minute (approved by the Court), showing with respect to the capital of the Company, as altered by the order, the amount of such capital, the number of shares in which it is to be divided, and the amount of each share, and the amount (if any) at the date of the registration of the minute, proposed to be deemed to have been paid-up on each share shall register the order and minute; and, on the registration, the special resolution confirmed by the order so registered shall take effect.

Order and minute to be registered.

40 & 41 Vic., c. 26, s. 4, last para.

Notice of such registration shall be published in such manner as the Court may direct.

The Registrar shall certify under his hand the registration of the order and minute; and his certificate shall be conclusive evidence that all the requisitions of this Act with respect to the reduction of capital have been complied with, and that the capital of the Company is such as is stated in the minute.

30 & 31 Vic., c. 131 s. 16.

19. The minute, when registered, shall be deemed to be substituted for the corresponding part of the memorandum of association of the Company, and shall be of the same validity, and subject to the same alterations, as if it had been originally contained in the memorandum of association; and, subject as in this Act mentioned, no member of the Company, whether past or present, shall be liable in respect of any share to any call or contribution exceeding in amount the difference (if any) between the amount which has been paid on such share and the amount of the share as fixed by the minute.

Minute to form part of memorandum of association.

Ibid., s. 17.

20. If any creditor who is entitled in respect of any debt or claim to object to the reduction of the capital of a Company under this Act is, in consequence of his ignorance of the proceedings taken with a view to such reduction, or of their nature and effect with respect to his claim, not entered on the list of creditors, and after such reduction the Company is unable, within the meaning of this Act, to pay to the creditor the amount of such debt or claim, every person who was a member of the Company at the date of the registration of the order and minute relating to the reduction of its capital, shall be liable to contribute for the payment of such debt or claim an amount not exceeding the amount which he would have been liable to contribute if the Company had commenced to be wound up on the day prior to such registration;

Saving of rights of creditors who are ignorant of proceedings.

(See sec. 144.)

and on the Company being wound up, the Court, on the application of such creditor, and on proof that he was ignorant of the proceedings taken with a view to the reduction, or of their nature and effect with respect to his claim, may, if it think fit, settle a list of such contributories accordingly, and make and enforce calls and orders on the contributories settled on such list in the same manner in all respects as if they were ordinary contributories in a winding-up.

Nothing in this section shall affect the rights of the contributories of the Company among themselves.

30 & 31 Vic., c. 131, s. 18.

21. A minute, when registered, shall be embodied in every copy of the memorandum of association issued after its registration; and if any Company makes default in complying with the provisions of this section, it shall incur a penalty not exceeding *ten rupees* for each copy in respect of which such default is made; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Copy of registered minute.

Ibid., s. 19.

22. If any director, manager or officer of the Company wilfully conceals the name of any creditor of the Company who is entitled to object to the proposed reduction, or wilfully misrepresents the nature or amount of the debt or claim of any creditor of the Company, or if any director or manager of the Company abets *within the meaning of the Indian Penal Code*, or is [illegible] to any such concealment or mis-representation as aforesaid, every such director, manager or officer shall be *punished with imprisonment for a term which may extend to one year, or with fine, or with both.*

Penalty on concealment of name of creditor.

30 & 40 & 41 Vic., c. 26, s. 5.

23. Any Company limited by shares may so far modify the conditions contained in its memorandum of association, if authorised so to do by its regulations as originally framed or as altered by special resolution, as to reduce its capital by cancelling any shares which at the date of passing such resolution, have not been taken or agreed to be taken by any persons; and the provisions as to reduction of capital contained in the other sections of this Act, shall not apply to any reduction made in pursuance of this section.

Power to reduce capital by cancellation of unissued shares.

Sub-division of shares.

30 & 31 Vic., c. 131, s. 21.

24. Any Company limited by shares may, by special resolution, so far modify the conditions contained in its memorandum of association, if authorized so to do by its regulations as originally framed or as altered by special resolution, as by sub-division of its existing shares or any of them, to divide its capital, or any part thereof, into shares of smaller amount than is fixed by its memorandum of association:

Shares may be divided into shares of smaller amount.

Provided that in the sub-division of the existing shares the proportion between the amount which is paid and the amount (if any) which is unpaid on each share of reduced amount shall be the same as it was in the case of the existing share or shares from which the share of reduced amount is derived.

Ibid., s. 22.

25. The statement of the number and amount of the shares into which the capital of the Company is divided, contained in every copy of the memorandum of association issued after the passing of any such special resolution, shall be in accordance with such resolution: and any Company which makes default in complying with the provisions of this section shall incur a penalty not exceeding twenty rupees for each copy in respect of which such default is made; and every director and manager of the Company who knowingly or wilfully authorizes or permits such default shall incur the like penalty.

Special resolution to be embodied in memorandum of association.

Associations not for Profit.

Ibid., s. 24.

26. Where any association which might be formed under this Act as a limited Company proves to the Local Government that it is formed for the purpose of promoting commerce, art, science, charity, or any other useful object, and that it is the intention of such association to apply the profits, if any, or other income of the association, in promoting its objects, and to prohibit the payment of any dividend to its members, the Local Government may by license, under the hand of one of its secretaries, direct such association to be registered with limited liability, without the addition of the word limited to its name, and such association may be registered accordingly, and upon registration shall enjoy all the privileges and be subject to the obligations by this Act imposed on limited Companies with the exceptions that none of the provisions of this Act that require a limited Company to use the word 'limited' as any part of its name, or to publish its name, or to send a list of its members, directors, or managers to the Registrar, shall apply to an association so registered.

Special provisions as to associations formed for purposes not of gain.

The license by the Local Government may be granted upon such conditions and subject to such

regulations as the Local Government think fit to impose, and such conditions and regulations shall be binding on the association, and may at the option of the Local Government be inserted in the memorandum and articles of association, or in both or one of such documents.

Calls upon shares.

30 & 31 Vic., c. 131, s. 24.

27. Nothing herein contained shall be deemed to prevent any Company under this Act, if authorized by its regulations as originally framed or as altered by special resolution, from doing any one or more of the following things, namely:—

Company may have some shares fully paid, and others not.

(*a*) Making arrangements on the issue of shares for a difference between the holders of such shares in the amount of calls to be paid, and in the time of payment of such calls:

(*b*) Accepting from any member of the Company who assents thereto the whole or a part of the amount remaining unpaid on any share or shares held by him, either in discharge of the amount of a call payable in respect of any other share or shares held by him or without any call having been made:

(*c*) Paying dividend in proportion to the amount paid up on each share in cases where a larger amount is paid up on some shares than on others.

Ibid., s. 25. 33 L. J. (H.L.), 179.

28. Every share in any Company shall be deemed and taken to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless the same has been otherwise determined by a contract duly made in writing, and filed with the Registrar of Joint Stock Companies at or before the issue of such shares.

Manner in which shares are to be issued and held.

Transfer of Shares.

30 & 31 Vic., c. 131, s. 26.

29. A Company shall, on the application of the transferor of any share or interest in the Company, enter in its register of members the name of the transferee of such share or interest in the same manner and subject to the same conditions as if the application for such entry were made by the transferee.

Transfer may be registered at request of transferor.

Share-warrants to Bearer.

Ibid., s. 27.

30. In the case of a Company limited by shares, the Company, if authorized so to do by its regulations as originally framed or as altered by special resolution, and subject to the provisions of such regulations, may, with respect to any share which is fully paid up, or with respect to stock, issue under their common seal a warrant (hereinafter referred to as a share-warrant) stating that the bearer thereof is entitled to the shares or stock therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on such shares or stock.

Warrant of limited shares fully paid up may be issued in name of bearer.

Ibid., s. 28.

31. A share-warrant shall entitle the bearer thereof to the shares or stock specified therein; and such shares or stock may be transferred by the delivery of the share-warrant.

Effect of share-warrant.

30 & 31 Vic., c. 131, s. 29.

32. The bearer of a share-warrant shall, subject to the regulations of the Company, be entitled, on surrendering such warrant for cancellation, to have his name entered as a member in the register of members; and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its register of members the name of any bearer of a share-warrant in respect of the shares or stock specified therein without the share-warrant being surrendered and cancelled.

Re-registration of bearer of a share-warrant in the register.

Ibid., s. 30.

33. The bearer of a share-warrant may, if the regulations of the Company so provide, be deemed to be a member of the Company within the meaning of this Act, either to the full extent or for such purposes as may be prescribed by the regulations:

Regulations of the Company may make the bearer of a share-warrant a member.

Provided that the bearer of a share-warrant shall not be qualified in respect of the shares or stock specified in such warrant for being a director or manager of the Company in cases where such a qualification is prescribed by the regulations of the Company.

Ibid., s. 31.

34. On the issue of a share-warrant in respect of any share or stock the Company shall strike out of its register of members the name of the member then entered therein as holding such share or stock as if he had ceased to be a member, and shall enter in the register the following particulars:—

Entries in register where share-warrant is issued.

(*a*) The fact of the issue of the warrant:

(*b*) A statement of the shares or stock included in the warrant, distinguishing each share by its number:

(*c*) The date of the issue of the warrant.

Ibid., s. 33.

35. There shall be charged on every share-warrant a stamp duty of an amount equal to three times the amount of the *ad valorem* stamp duty which would be chargeable on an instrument transferring the shares or stock specified in the warrant if the consideration for the transfer were the nominal value of such shares or stock.

Stamps on share-warrants.

If a share-warrant is issued without being duly stamped, the Company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the Company, shall forfeit the sum of five hundred rupees.

Penalty for issuing share-warrant not duly stamped.

English Stamp Act, 1870, s. 12[illegible].

Change of name.

36. Any Company under this Act, with the sanction of a special resolution of the Company passed in manner hereinafter mentioned, and with the approval of the Local Government testified in writing under the hand of one of the Secretaries to such Government, may change its name; and upon such change being made, the Registrar shall enter the new name on the register in the place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case; but no such alteration of name shall affect any rights or obligations of the Company, or render defective any legal proceedings instituted or to be instituted by

Power of Companies to change name.

or against the Company; and any legal proceedings may be continued or commenced against the Company by its new name that might have been continued or commenced against the Company by its former name.

Shackleford, &c., Co. v. Dangerfield, L. R. 3 C. P. 407.

Explanation.—The issue of the certificate of incorporation is necessary to complete the change of name.

Articles of Association.

Act X of 1866, s. 14.

37. The memorandum of association may, in the case of a Company limited by shares, and shall, in the case of a Company limited by guarantee or unlimited, be accompanied, when registered, by articles of association signed by the subscribers to the memorandum of association, and prescribing such regulations for the Company as the subscribers to the memorandum of association deem expedient.

Regulations to be prescribed by articles of association.

The articles shall be expressed in separate paragraphs, numbered arithmetically. They may adopt all or any of the provisions contained in the table marked A in the first schedule hereto. They shall, in the case of a Company, whether limited by guarantee or unlimited, that has a capital divided into shares, state the amount of capital with which the Company proposes to be registered and in the case of a Company, whether limited by guarantee or unlimited, that has not a captial divided into shares, state the number of members with which the Company proposes to be registered, for the purpose of enabling the Registrar to determine the fees payable on registration.

In a Company limited by guarantee or unlimited, and having a capital divided into shares, each subscriber shall take one share at the least, and shall write opposite to his name in the memorandum of association the number of shares he takes.

Ibid., s. 15.

38. In the case of a Company limited by shares, if the memorandum of association is not accompanied by articles of association, or, in so far as the articles do not exclude or modify the regulations contained in the table marked A in the first schedule hereto, the last mentioned regulations shall, so far as the same are applicable, be deemed to be the regulations of the Company in the same manner and to the same extent as if they had been inserted in articles of association, and the articles had been duly registered.

Application of Table A.

Ibid., s. 16.

39. The articles of association shall be printed, and shall be signed by each subscriber in the presence of, and be attested by, one witness at the least.

Signature and effect of articles of association.

When registered, they shall bind the Company and the members thereof to the same extent as if each member had subscribed his name thereto, and there were in such articles contained a covenant on the part of himself, his heirs, executors and administrators, to conform to all the regulations contained in such articles, subject to the provisions of this Act.

All monies payable by any member to the Company, in pursuance of the conditions and regulations of the Company, or any of such conditions or regulations, shall be deemed to be a debt due from such member to the Company.

General Provisions.

Act X of 1866, s. 17.

40. The memorandum of association and the articles of association, if any, shall be delivered to the Registrar of Joint Stock Companies hereinafter mentioned, who shall retain and register the same.

Registration of memorandum of association and articles of association with fees as in Table B.

It is not his duty to require evidence as to whether the several subscribers to a memorandum of association so delivered are competent to contract.

Nassau Phosphate Co. 45 L. J. Ch. 584.

There shall be paid to the Registrar by a Company having a capital divided into shares, in respect of the several matters mentioned in the table marked B in the first schedule hereto, the several fees therein specified, or such smaller fees as the Governor General in Council may from time to time direct, and by a Company not having a capital divided into shares, in respect of the several matters mentioned in the table marked C in the first schedule hereto, the several fees therein specified, or such smaller fees as the Governor General in Council may from time to time direct.

All fees paid to the said Registrar in pursuance of this Act shall be accounted for to Government.

Act X of 1866, s. 18.

41. Upon the registration of the memorandum of association and of the articles of association in cases where articles of association are required by this Act, or by the desire of the parties to be registered, the Registrar shall certify under his hand that the Company is incorporated, and in the case of a Limited Company that the Company is limited; the subscribers of the memorandum of association, together with such other persons as may, from time to time become members of the Company, shall thereupon be a Body Corporate by the name contained in the memorandum of association, capable forthwith of exercising all the functions of an incorporated Company, and having perpetual succession and a common seal, but with such liability on the part of the members to contribute to the assets of the Company, in the event of the same being wound up, as is hereinafter mentioned.

Effect of registration.

Minor subscribing memo. *Nassau Phosphate Co., 45 L. J. Ch. 584.*

A certificate of the incorporation of any Company given by the Registrar shall be conclusive evidence that all the requisitions of this Act in respect of registration have been complied with.

Act X of 1866, s. 19.

42. A copy of the memorandum of association having annexed thereto the articles of association, if any, shall be forwarded to every member, at his request, on payment of the sum of one rupee, or such less sum as may be prescribed by the Company for each copy; and if any Company makes default in forwarding a copy of the memorandum of association and articles of association, if any, to a member in pursuance of this section, the Company so making default shall for each offence incur a penalty not exceeding twenty rupees.

Copies of memorandum and articles to be given to members.

Ibid., s. 20.

43. No Company shall be registered under a name identical with that by which a subsisting Company is already registered, or so nearly resembling the same as to be calculated to deceive, except in a case where such subsisting Company is in the process of being

Prohibition against identity of names in Companies.

dissolved and testifies its consent in such manner as the Registrar requires.

If any Company, through inadvertence or otherwise, is, without such consent as aforesaid, registered by a name identical with that by which a subsisting Company is registered, or so nearly resembling the same as to be calculated to deceive, such first-mentioned Company may, with the sanction of the Registrar, change its name, and upon such change being made, the Registrar shall enter the new name on the register in the place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case; but no such alteration of name shall affect any rights or obligations of the Company, or render defective any legal proceedings instituted or to be instituted by or against the Company, and any legal proceedings may be continued or commenced against the Company by its new name that might have been continued or commenced against the Company by its former name.

PART II.

DISTRIBUTION OF CAPITAL AND LIABILITY OF MEMBERS OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Distribution of Capital.

Act X of 1866, s. 21.

44. The shares or other interest of any member in a Company under this Act shall be moveable property capable of being transferred in manner provided by the regulations of the Company, and shall not be of the nature of real estate or immoveable property; and each share shall, in the case of a Company having a capital divided into shares, be distinguished by its appropriate number.

Nature of interest in Company.

Ibid., s. 22.

45. The subscribers of the memorandum of association of any Company under this Act shall be deemed to have agreed to become members of the Company whose memorandum they have subscribed, and upon the registration of the Company shall be entered as members on the register of members hereinafter mentioned; and every other person who has agreed *with a Company under this Act* to become a member of *such* Company, and whose name is entered on the register of members, shall be deemed to be a member of the Company.

Definition of "member."

General Spinning, &c. Co. v. Girdhardi, Bombay High Court, 13th March, 1880, not yet reported

Act X of 1866, s. 23.

46. Any transfer of the share or other interest of a deceased member of a Company under this Act, made by his personal representative shall, notwithstanding such personal representative may not himself be a member, be of the same validity as if he had been a member at the time of the execution of the instrument of transfer.

Transfer by personal representative.

Ibid., s. 24. Companies Act 1862, s. 38.

47. Every Company under this Act shall cause to be kept in one or more books a register of its members, and there shall be entered therein the following particulars:—

Register of members.

(*a*) The names and addresses, and the occupations, if any, of the members of the Company, with the addition, in the case of a Company having a capital divided into shares, of a statement of the shares held by each member, distinguishing each share by its number; and of the amount paid or agreed to be considered as paid on the shares of each member.

(*b*) The date at which the name of any person was entered in the register as a member:

(*c*) The date at which any person ceased to be a member.

30 & 31 Vic., c. 131, s. 31, para. 2.

Where a share-warrant has been issued under section thirty, until the warrant is surrendered, the particulars mentioned in section thirty-four shall be deemed to be the particulars which are required by this section to be entered in the register of members of a Company; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a member.

Any Company acting in contravention of this section shall incur a penalty not exceeding fifty rupees for every day during which its default in complying with the provisions of this section continues, and every director or manager of the Company who knowingly and wilfully authorizes or permits such contravention shall incur the like penalty.

Act X of 1866, s. 25.

48. Every Company under this Act and having a capital divided into shares shall make, once at least in every year, a list of all persons who, on the fourteenth day succeeding the day on which the ordinary general meeting, or if there is more than one ordinary meeting in each year the first of such ordinary general meetings is held, are members of the Company. Such list shall state the names, addresses and occupations of all the members therein mentioned, and the number of shares held by each of them, and shall contain a summary specifying the following particulars:—

Annual list of members.

(*a*) The amount of the capital of the Company and the number of shares into which it is divided:

(*b*) The number of shares taken from the commencement of the Company up to the date of the summary:

(*c*) The amount of calls made on each share:

(*d*) The total amount of calls received:

(*e*) The total amount of calls unpaid:

(*f*) The total amount of shares forfeited:

(*g*) The names, addresses and occupations of the persons who have ceased to be members since the last list was made, and the number of shares held by each of them.

The above list and summary shall be contained in a separate part of the register, and shall be completed within seven days after such fourteenth day as is mentioned in this section; and a copy shall forthwith be forwarded to the Registrar of Joint Stock Companies.

30 & 31 Vic., c. 131, s. 32.

49. After the issue by the Company of a share-warrant the annual summary required by section forty-eight shall contain the following particulars, (namely) the total amount of shares or stock for which share-warrants are outstanding at the date of the summary, and the total amount of share-warrants which have been issued and surrendered respectively since the last summary was made, and the number of shares or amount of stock comprised in each warrant.

Particulars to be contained in annual summary.

Act X of 1866, s. 26.

50. If any Company under this Act and having a capital divided into shares makes default in complying with the provisions of this Act with respect to forwarding

Penalty on Company, &c., not keeping a proper register.

such list of members or summary as is hereinbefore mentioned to the Registrar, such Company shall incur a penalty not exceeding fifty rupees for every day during which such default continues; and every director and manager of the Company who knowingly and wilfully authorizes or permits such default shall incur the like penalty.

Act X of 1866, s. 27.

51. Every Company under this Act having a capital divided into shares that has consolidated and divided its capital into shares of larger amount than its existing shares, or converted any portion of its capital into stock, shall within fifteen days of such consolidation, division or conversion, give notice to the Registrar of Joint Stock Companies of the same, specifying the shares so consolidated, divided or converted.

Company to give notice of consolidation or of conversion of capital into stock.

Ibid., s. 28.

52. Where any Company under this Act and having a capital divided into shares has converted any portion of its capital into stock, and given notice of such conversion to the Registrar, all the provisions of this Act which are applicable to shares only shall cease as to so much of the capital as is converted into stock; and the register of members hereby required to be kept by the Company, and the list of members to be forwarded to the Registrar shall show the amount of stock held by each member in the list instead of the amount of shares and the particulars relating to shares hereinbefore required.

Effect of conversion of shares into stock.

Ibid., s. 29.

53. No notice of any trust, express, implied or constructive, shall be entered on the register or be receivable by the Registrar in the case of Companies under this Act and registered in British India.

Entry of trusts on register.

Ibid., s. 30.

54. A certificate under the common seal of the Company, specifying any shares or stock held by any member of a Company, shall be *primâ facie* evidence of the title of the member to the share or shares or stock therein specified.

Certificate of shares or stock.

Ibid., s. 31.

55. The register of members, commencing from the date of the registration of the Company, shall be kept at the registered office of the Company hereinafter mentioned. Except when closed as hereinafter mentioned, it shall, during business hours, but subject to such reasonable restrictions as the Company in general meeting may impose, so that not less than two hours in each day be appointed for inspection, be open to the inspection of any member gratis, and to the inspection of any other person on the payment of one rupee or such less sum as the Company may prescribe for each inspection.

Inspection of register.

Every such member or other person may require a copy of such register, or of any part thereof, or of such list or summary of members as is hereinbefore mentioned, on payment of two annas for every hundred words required to be copied.

If such inspection or copy is refused, the Company shall incur for each refusal a penalty not exceeding fifty rupees, and a further penalty not exceeding twenty rupees for every day during which such refusal continues.

Every director and manager of the Company who knowingly authorizes or permits such refusal shall incur the like penalty.

In addition to the above penalty any Judge of a High Court may by order compel an immediate inspection of the register.

Act X of 1866, s. 32.

56. Any Company under this Act may, upon giving notice by advertisement in some newspaper circulating in the district in which the registered office of the Company is situated, close the register of members for any time or times not exceeding in the whole thirty days in each year.

Power to close register.

Ibid., s. 33.

57. Where a Company has a capital divided into shares, whether such shares may or may not have been converted into stock, notice of any increase in such capital beyond the registered capital, and where a Company has not a capital divided into shares, notice of any increase in the number of members beyond the registered number, shall be given to the Registrar, in the case of an increase of capital within fifteen days from the date of the passing of the resolution by which such increase has been authorized, and in the case of an increase of members within fifteen days from the time at which such increase of members has been resolved on or has taken place; and the Registrar shall forthwith record the amount of such increase of capital or members.

Notice of increase of capital and of members to be given to Registrar.

If such notice is not given within the period aforesaid, the Company in default shall incur a penalty not exceeding one hundred rupees for every day during which such neglect to give notice continues; and every director and manager of the Company who knowingly and wilfully authorizes or permits such default shall incur the like penalty.

Ibid., s. 34. *Exp. Kintrea*, 5 *Ch.* 95.

58. If the name of any person is *fraudulently or* without sufficient cause entered in, or omitted from, the register of members of any Company under this Act, or if default is made, or unnecessary delay takes place in entering on the register the fact of any person having ceased to be a member of the Company, the person or member aggrieved or any member of the Company, or the Company itself, may, by application to the principal Court of original civil jurisdiction in the district or place in which the registered office of the Company is situate, apply for an order of the Court that the register may be rectified; and the Court may either refuse such application, with or without costs to be paid by the applicant, or it may, if satisfied of the justice of the case, make an order for the rectification of the register, and may direct the Company to pay all the costs of such application, and any damages the party aggrieved may have sustained.

Remedy for improper entry or omission of entry in register.

The Court may in any proceeding under this section decide on any question relating to the title of any person who is a party to such proceeding to have his name entered in, or omitted from, the register, whether such question arises between two or more members or alleged members, or between any members or alleged members and the Company, *and whether there has or has not been default on the part of the Company*; and generally the Court may, in any such proceeding, decide any question that it may be necessary or expedient to decide for the rectification of the register; provided that the Court may direct an issue to be tried in which any question of law may be raised and an appeal in the manner directed by the Code of Civil Procedure shall lie.

In re Shaw, L. J. Q. 394.

Act X of 1866, s. 35.

59. Whenever any order has been made for rectifying the register in the case of a Company hereby required to send a list of its members to the Registrar, the Court shall, by its order, direct that due notice of such rectification be given to the Registrar.

Notice to registrar of rectification of register.

Ibid., s. 36.

60. The register of members shall be *primâ facie* evidence of any matters by this Act directed or authorized to be inserted therein.

Register to be evidence.

Liability of Members.

Ibid., s. 37.

61. In the event of a Company formed under this Act being wound up, every present and past member of such Company shall be liable to contribute to the assets of the Company to an amount sufficient for payment of the debts and liabilities of the Company, and the costs, charges and expenses of the winding-up, and for the payment of such sums as may be required for the adjustment of the rights of the contributories amongst themselves, with the qualifications following, (that is to say):—

Liability of present and past members of Company.

(*a*) No past member shall be liable to contribute to the assets of the Company if he has ceased to be a member for a period of one year or upwards prior to the commencement of the winding-up:

(*b*) No past members shall be liable to contribute in respect of any debt or liability of the Company contracted after the time at which he ceased to be a member:

(*c*) No past member shall be liable to contribute to the assets of the Company, unless it appears to the Court that the existing members are unable to satisfy the contributions required to be made by them in pursuance of this Act:

(*d*) In the case of a Company limited by shares no contribution shall be required from any member exceeding the amount, if any, unpaid on the shares in respect of which he is liable as a present or past member:

(*e*) In the case of a Company limited by guarantee, no contribution shall be required from any member exceeding the amount of the undertaking entered into on his behalf by the memorandum of association:

(*f*) Nothing in this Act contained shall invalidate any provision contained in any policy of insurance or other contract, whereby the liability of individual members upon any such policy or contract is restricted, or whereby the funds of the Company are alone made liable in respect of such policy or contract:

(*g*) No sum due to any member of a Company in his character of a member by way of dividends, profits or otherwise shall be deemed to be a debt of the Company payable to such member in a case of competition between himself and any other creditor not being a member of the Company; but any such sum may be taken into account for the purposes of the final adjustment of the rights of the contributories amongst themselves.

Ex v. Wulf. L. R. 5 H. L. 111.

Explanation I.—The liability of past members is a liability to contribute to the general assets of the Company, against which assets creditors (at whatever time their debts may have been contracted) have equal rights.

Explanation II.—In estimating the debts to which a past member is liable, all dividends paid on these debts under the winding-up must be deducted.

Brett's case, 8 *Ch.* 800.

62. With respect to the contributions to be required in the event of the winding-up of a limited Company from any director or manager whose liability is unlimited the following modifications shall be made in the last preceding section:—

Liability of director whose liability is unlimited.

(*a*) Subject to the provisions hereinafter contained, any such director or manager, whether past or present, shall, in addition to his liability (if any) to contribute as an ordinary member, be liable to contribute as if he were at the date of the commencement of such winding up a member of an unlimited Company:

30 & 31 Vic., c. 131, s. 5.

(*b*) No contribution required from any past director or manager who has ceased to hold such office for a period of one year or upwards prior to the commencement of the winding-up shall exceed the amount (if any) which he is liable to contribute as an ordinary member of the Company:

(*c*) No contribution required from any past director or manager in respect of any debt on liability of the Company contracted after the time at which he ceased to hold such office shall exceed the amount (if any) which he is liable to contribute as an ordinary member of the Company:

(*d*) Subject to the provisions contained in the regulations of the Company, no contribution required from any director or manager shall exceed the amount (if any) which he is liable to contribute as an ordinary member unless the Court think it necessary to require such contribution in order to satisfy the debts and liabilities of the Company, or the costs, charges and expenses of the winding-up.

PART III.

MANAGEMENT AND ADMINISTRATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Provisions for Protection of Creditors.

Act X of 1866 s. 38.

63. Every Company under this Act shall have a registered office to which all communications and notices may be addressed. If any Company under this Act carries on business without having such an office, it shall incur a penalty not exceeding fifty rupees for every day during which business is so carried on.

Registered office of Company.

Ibid., s. 39.

64. Notice of the situation of such registered office and of any change therein shall be given to the Registrar and recorded by him. Until such notice is given, the Company shall not be deemed to have complied with the provisions of this Act with respect to having a registered office.

Notice of situation of registered office.

Ibid., s. 40.

65. Every limited Company under this Act whether limited by shares or by guarantee, shall paint or affix, and shall keep painted or affixed, its name on the outside of every office or place in which the business of the Company is carried on, in a conspicuous position, in letters easily legible, in the English language, and also, if the registered office be situate in a district beyond the local limits of the ordinary original civil jurisdiction of a High Court, in one of the vernacular languages used

Publication of name by a limited Company.

in such district and shall have its name engraven in legible characters in such language or languages on its seal, and shall have its name mentioned in legible characters in such language or languages in all notices, advertisements and other official publications of such Company, and in all bills of exchange, hundís, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of such Company, and in all bills of parcels, invoices receipts and letters of credit of the Company.

Act X of 1866, s. 41.

66. If any limited Company under this Act does not paint or affix and keep painted or affixed its name, in manner directed by this Act, it shall be liable to a penalty not exceeding fifty rupees for not so painting or affixing its name, and for every day during which such name is not so kept painted or affixed.

Penalties on non-publication of name.

Every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall be liable to the like penalty.

If any director, manager or officer of such Company, or any person on its behalf, uses or authorizes the use of any seal purporting to be a seal of the Company whereon its name is not so engraven as aforesaid, or issues or authorizes the issue of any notice, advertisement or other official publication of such Company, or signs or authorizes to be signed on behalf of such Company any bill of exchange, hundí, promissory note, endorsement, cheque, order for money or goods, or issues or authorizes to be issued any bill of parcels, invoice, receipt or letter of credit of the Company wherein its name is not mentioned in manner aforesaid, he shall be liable to a penalty of one thousand rupees, and shall further be personally liable to the holder of any such bill of exchange, hundí, promissory note, cheque or order for money or goods, for the amount thereof, unless the same is duly paid by the Company.

Contracts.

Ibid., s. 42. English Companies Act, 1867, s. 37.

67. Contracts on behalf of any Company registered under this Act may be made as follows (that is to say):—

Contracts how made.

(*a*) Any contract, which, if made between private persons would be by law required to be in writing, and if made according to English law to be under seal, may be made on behalf of the Company in writing under the common seal of the Company; and such contract may be in the same manner varied or discharged:

(*b*) Any contract, which, if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith may be made on behalf of the Company in writing signed by any person acting under the express or implied authority of the Company; and such contract may in the same manner be varied or discharged:

(*c*) Any contract, which, if made between private persons would by law be valid, although made by parol only and not reduced into writing, may be made by parol on behalf of the Company by any person acting under the express or implied authority of the Company; and such contract may in the same way be varied or discharged. And all contracts made according to the provisions herein contained shall be effectual in law, and shall be binding upon the Company and their sucessors, and all other parties thereto, their heirs, executors or administrators, as the case may be.

Act X of 1866, s. 43.

68. Every limited Company under this Act shall keep a register of all mortgages and charges specifically affecting property of the Company, and shall enter in such register, in respect of each mortgage or charge, a short description of the property mortgaged or charged, the amount of charge created, and the names of the mortgagees or persons entitled to such charge.

Register of mortgages.

If any property of the Company is mortgaged or charged without such entry as aforesaid being made, every director, manager or other officer of the Company who knowingly and wilfully authorizes or permits the omission of such entry shall incur a penalty not exceeding five hundred rupees.

The register of mortgages required by this section shall be open to inspection by any creditor or member of the Company at all reasonable times. If such inspection is refused, any officer of the Company refusing the same and every director and manager of the Company authorizing or knowingly and wilfully permitting such refusal shall incur a penalty not exceeding fifty rupees, and a further penalty not exceeding twenty rupees for every day during which such refusal continues.

The High Court or any judge thereof may by order compel the performance of the duty imposed by this section on a limited Company, and in addition to the above penalty may by order compel an immediate inspection of the register.

South Durham Iron Company, 48 L. J., Ch. 480, where it was doubted whether the duty could be enforced by mandamus. *Wynn Hall Coal Co.*, 10 *Eq.* 515. *Exp. Valpy*, 7 *Ch.* 289.

Explanation.—Omission to register under this section a mortgage or charge does not render the same invalid. But the officers of the Company cannot avail themselves as such of a mortgage or charge specifically affecting property of the Company and not so registered.

Act X of 1866, s. 44.

69. Every limited banking Company, and every Insurance Company, and Deposit, Provident or Benefit Society under this Act, shall, before it commences business, and also on the first Monday in February and the first Monday in August in every year during which it carries on business, make a statement in the form marked D in the first schedule hereto, or as near thereto as circumstances will admit and a copy of such statement shall be put up in a conspicuous place in the registered office of the Company and in every branch office or place where the business of the Company is carried on.

Certain Companies to publish statement entered in schedule.

If default is made in compliance with the provisions of this section, the Company shall be liable to a penalty not exceeding fifty rupees for every day during which such default continues; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Every member and every creditor of any Company mentioned in this section shall be entitled to a copy of the above-mentioned statement on payment of a sum not exceeding eight annas.

Ibid., s. 45.

70. Every Company under this Act and not having a capital divided into shares shall keep at its registered office a register containing the names and addresses and the occupations of its directors or managers, and shall send to the Registrar of Joint Stock Companies a copy of such register, and

List of directors to be sent to Registrar.

shall from time to time notify to the Registrar any change that takes place in such directors or managers.

Act X of 1866, s. 46.

71. If any Company under this Act and not having a capital divided into shares makes default in keeping a register of its directors or managers, or in sending a copy of such register to the Registrar in compliance with the foregoing rules, or in notifying to the Registrar any change that takes place in such directors or managers, such delinquent Company shall incur a penalty not exceeding one hundred rupees for every day during which such default continues; and every director or manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Penalty on Company not keeping register of directors.

Ibid., s. 47.

72. A promissory note, bill of exchange or hundí shall be deemed to have been made, accepted or endorsed on behalf of any Company under this Act, if made, accepted or endorsed in the name of the Company by any person acting under the authority of the Company, or if made, accepted or endorsed by or on behalf or on account of the Company, by any person acting under the authority of the Company.

Promissory notes, bills of exchange and hundís.

Ibid., s. 48.

73. If any Company under this Act carries on business when the number of its members is less than seven, for a period of six months after the number has been so reduced, every person who is a member of such Company during the time that it so carries on business after such period of six months, and is cognizant of the fact that it is so carrying on business with fewer than seven members, shall be severally liable for the payment of the whole debt of the Company contracted during such time, and may be sued for the same without the joinder in the suit of any other member.

Prohibition against carrying on business with less than seven members.

Provisions for Protection of Members.

Ibid., s. 49.

74. A general meeting of every Company under this Act shall be held once at the least in every year. A balance-sheet shall be made out and filed with the Registrar of Joint Stock Companies, within twelve months after the Company has been registered, and once at least in every year afterwards within twelve months from the filing of the balance-sheet immediately preceding; and such balance-sheet shall contain a summary of the property and liabilities of the Company arranged under the heads appearing in the form annexed to Table A in the first schedule hereto, or as near thereto as circumstances admit *and shall have been laid before and adopted by the Company in general meeting.*

General meeting of Company. Balance-sheet.

Audit.

And once at the least in every year the accounts of the Company shall be examined and the correctness of the balance-sheet ascertained by one or more auditor or auditors.

If default is made in compliance with any of the provisions of this section, every director and manager of the Company who shall knowingly and wilfully authorize or permit such default, shall be liable to a penalty of one thousand rupees.

Meetings.

30 & 31 Vict. c. 131, s. 39.

75. Every Company formed under this Act after the commencement of this Act shall hold a general meeting within four months after its memorandum of association is registered; and if such meeting is not held, the Company shall be liable to a penalty not exceeding fifty rupees a day for every day after the expiration of such four months, until the meeting is held; and every director or manager of the Company and every subscriber of the memorandum of association who knowingly authorizes or permits such default shall be liable to the same penalty.

Company to hold meeting within four months after registration.

Act X of 1866, s. 50.

76. Subject to the provisions of this Act, and to the conditions contained in the memorandum of association, any Company formed under this Act or the Indian Companies Act, 1866, may, in general meeting, from time to time, by passing a special resolution in manner hereinafter mentioned, alter all or any of the regulations of the Company contained in the articles of association, or in the table marked A in the first schedule, where such table is applicable to the Company, or make new regulations to the exclusion of or in addition to all or any of the regulations of the Company.

Power to alter regulations by special resolution.

Any regulations so made by special resolution shall be deemed to be regulations of the Company of the same validity as if they had been originally contained in the articles of association, and shall be subject in like manner to be altered or modified by any subsequent special resolution.

30 & 31 Vict. c. 131, s. 8.

Any limited Company formed under this Act or the Indian Companies Act, 1866, may by a special resolution if authorized to do so by its regulations, as originally framed or as altered by special resolution, from time to time modify the conditions contained in its memorandum of association so far as to render unlimited the liability of its directors or managers, or of the managing director. Such special resolution shall be of the same validity as if it had been originally contained in the memorandum of association, and a copy thereof shall be embodied in or annexed to every copy of the memorandum of association which is issued after the passing of the resolution.

Power to make liability of directors unlimited.

Act X of 1866, s. 51.

77. A resolution passed by a Company under this Act shall be deemed to be special, whenever a resolution has been passed by a majority of not less than three-fourths of such members of the Company for the time being entitled, according to the regulations of the Company, to vote, as may be present in person or by proxy (in cases where by the regulations of the Company proxies are allowed), at any general meeting of which notice specifying the intention to propose such resolution has been duly given and such resolution has been confirmed by a majority of such members for the time being entitled, according to the regulations of the Company, to vote, as may be present in person or by proxy at a subsequent general meeting of which notice has been duly given and held at an interval of not less than fourteen days, nor more than one month from the date of the meeting at which such resolution was first passed.

Definition of special resolution.

At any meeting mentioned in this section, unless a poll is demanded by at least five members, a declaration of the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against the same.

Notice of any meeting shall, for the purposes of this section, be deemed to be duly given, and the meeting to be duly held whenever such notice is given and meeting held in manner prescribed by the regulations of the Company.

In computing the majority under this section, when a poll is demanded, reference shall be had to the number of votes to which each member is entitled by the regulations of the Company.

Act X of 1866, s. 52.

78. In default of any regulations as to voting, every member shall have one vote, and in default of any regulations as to summoning general meetings, a meeting shall be held to be duly summoned of which seven days' notice in writing has been served on every member in manner in which notices are required to be served by the table marked A in the first schedule hereto.

Provision where no regulations as to meetings.

In default of any regulations as to the persons to summon meetings, five members shall be competent to summon the same; and in default of any regulations as to who is to be chairman of such meeting, it shall be competent for any person elected by the members present to preside.

Ibid., s. 53.

79. A copy of every special resolution that is passed by any Company under this Act shall be printed and forwarded to the Registrar of Joint Stock Companies, and be recorded by him.

Registry of special resolutions.

If such copy is not so forwarded within fifteen days from the date of the confirmation of the resolution, the Company shall incur a penalty not exceeding twenty rupees for every day after the expiration of such fifteen days during which such copy is omitted to be forwarded; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Ibid., s. 54.

80. Where articles of association have been registered, a copy of every special resolution for the time being in force shall be annexed to or embodied in every copy of the articles of association that may be issued after the passing of such resolution. Where no articles of association have been registered, a copy of every special resolution shall be forwarded in print to any member requesting the same on payment of one rupee or such less sum as the Company may direct.

Copies of special resolutions.

If any Company makes default in complying with the provisions of this section or section seventy-six, it shall incur a penalty not exceeding twenty rupees for each copy in respect of which such default is made; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Ibid., s. 55.

81. Any Company under this Act may, by instrument in writing under its common seal, empower [illegible] either generally or in respect of any [illegible] matters, as its attorney, to execute deeds [illegible] in such place not situate in British [illegible] and every deed signed by such attorney on behalf of the Company and under his seal, shall be binding on the Company and have the same effect as if it were under the common seal of the Company.

Execution of deeds abroad.

Act X of 1866, s. 56.

82. The local Government may appoint one or more competent Inspectors to examine into the affairs of any Company under this Act, and to report thereon in such manner as the local Government may direct upon the applications following, (that is to say):—

Examination of affairs of Company by Inspectors.

(*a*) In the case of a Banking or any other Company that has a capital divided into shares, upon the application of members holding not less than one-fifth part of the whole shares of the Company for the time being issued:

(*b*) In the case of any Company not having a capital divided into shares, upon the application of members being in number not less than one-fifth of the whole number of persons for the time being entered on the register of the Company as members.

Ibid., s. 57.

83. The application shall be supported by such evidence as the local Government may require for the purpose of showing that the applicants have good reason for requiring such investigation to be made, and that they are not actuated by malicious motives in instituting the same.

Application for inspection to be supported by evidence.

The local Government may also require the applicants to give security for payment of the costs of the inquiry before appointing any inspector or inspectors.

Ibid., s. 58.

84. It shall be the duty of all officers and agents of the Company to produce for the examination of the inspectors all books and documents in their custody or power.

Inspection of books.

Any inspector may examine upon oath the officers and agents of the Company in relation to its business, and may administer such oath accordingly.

If any such officer or agent refuses to produce any book or document hereby directed to be produced, or to answer any question relating to the affairs of the Company, he shall incur a penalty not exceeding one hundred rupees in respect of each offence.

Ibid., s. 59.

85. Upon the conclusion of the examination, the inspectors shall report their opinions to the local Government. Such report shall be written or printed as the local Government directs.

Result of examination how dealt with.

A copy shall be forwarded by the local Government to the registered office of the Company, and a further copy shall, at the request of the members upon whose application the inspection was made, be delivered to them or to any one or more of them.

All expenses of and incidental to any such examination as aforesaid shall be defrayed by the members upon whose application the inspectors were appointed, unless the local Government shall direct the same to be paid out of the assets of the Company, which the local Government is hereby authorized to do.

Ibid., s. 60.

86. Any Company under this Act may, by a special resolution, appoint inspectors for the purpose of examining into the affairs of the Company.

Power of Company to appoint inspectors.

The inspectors so appointed shall have the same powers and perform the same duties as inspectors appointed by the local Government, with this exception, that, instead of making their report to the local Government, they shall make the same in such manner and to such persons as the Company in general meeting directs.

The officers and agents of the Company shall incur the same penalties in case of any refusal to produce any book or document hereby required to be produced to such inspectors or to answer any question, as they would have incurred if such inspectors had been appointed by the local Government.

Act X of 1866, s. 61.

87. A copy of the report of any inspectors appointed under this Act, authenticated by the seal of the Company into whose affairs they have made inspection, shall be admissible in any legal proceeding as evidence of the opinion of the Inspectors in relation to any matter contained in such report.

Report of inspectors to be evidence.

30 & 31 Vic., c. 131, s. 38.

88. Every prospectus of a Company, and every notice inviting persons to subscribe for shares in any joint stock Company, shall specify the dates and the names of the parties to any agreement enforceable by law, which has been entered into by the Company, or the promoters, directors or trustees thereof, before the issue of such prospectus or notice (whether subject to adoption by the directors or the Company, or otherwise), and which might reasonably influence a person in determining whether he would or would not become a shareholder in the Company; and any prospectus or notice not specifying the same shall be deemed fraudulent on the part of the promoters, directors and officers of the Company knowingly issuing the same, as regards any person taking shares in the Company on the faith of such prospectus, unless he has had notice of such contract.

Prospectus, &c., to specify dates and names of parties to certain prior contracts.

Sullivan v. Metcalfe, 49 L. J. Q. B. 813, 822.

Notices.

Act X of 1866, s. 62.

89. Any summons, notice, order or other document required to be served upon the Company, may be served by leaving the same, or sending it through the post by a registered letter addressed to the Company at their registered office; and any notice to the Registrar of Joint Stock Companies may be served by sending it to him through the post by a registered letter, or by delivering it to him, or by leaving it for him at his office.

Service of notices on Company.

Ibid., s. 63.

90. Every document to be served by post on the Company shall be posted in such time as to admit of its being delivered in the due course of delivery within the period (if any) prescribed for the service thereof; and in proving service of such document, it shall be sufficient to prove that such document was properly directed, and that it was put as a registered letter into the post office.

Rules as to notices by letter.

Ibid., s. 64.

91. Any summons, notice, order or proceeding requiring authentication by the Company may be signed by any director, secretary or other authorized officer of the Company, and need not be under the common seal of the Company; and the same may be in writing or in print, or partly in writing and partly in print.

Authentication of notices by Company.

Legal Proceedings.

Act X of 1866, s. 65.

92. Every Company under this Act shall cause minutes of all resolutions and proceedings of general meetings of the Company, and of the directors or managers of the Company, in cases where there are directors or managers, to be duly entered in books to be from time to time provided for the purpose; and any such minute as aforesaid, if purporting to be signed by the chairman of the meeting at which such resolutions were passed or proceedings had, or by the chairman of the next succeeding meeting, shall be received as evidence in all legal proceedings.

Evidence of proceedings at meetings.

Until the contrary is proved, every general meeting of the Company or meeting of directors or managers in respect of the proceedings of which minutes have been so made shall be deemed to have been duly held and convened, and all resolutions passed thereat or proceedings had, to have been duly passed and had, and all appointments of directors, managers or liquidators shall be deemed to be valid, and all acts done by such directors, managers or liquidators shall be valid, notwithstanding any defect that may afterwards be discovered in their appointments or qualifications.

Explanation.—Nothing in this section shall be deemed to give validity to acts done by a liquidator after his appointment has been shown to be invalid.

Bridport Old Brewery Co. 2 *Ch.* 119.

Act X of 1866, s. 66.

93. Where a limited Company is plaintiff in any suit, any judge having jurisdiction in the matter may, if it appears by any credible testimony that there is reason to believe that if the defendant be successful in his defence, the assets of the Company will be insufficient to pay his costs, require sufficient security to be given for such costs, and may stay all proceedings until such security is given.

Provision as to costs in suits brought by certain limited Companies.

Ibid., s. 67.

94. In any suit brought by the Company against any member to recover any call or other monies due from such member in his character of member, it shall be sufficient to allege that the defendant is a member of the Company and is indebted to the Company in respect of a call made or other monies due whereby a suit has accrued to the Company.

Plaint in suits against members.

Alteration of Forms.

Ibid., s. 68.

95. The forms set forth in the second schedule hereto, or forms as near thereto as circumstances admit, shall be used in all matters to which such forms refer.

Governor General in Council may alter forms in schedule.

The Governor General in Council may from time to time make such alterations in the tables and forms contained in the first schedule hereto, so that he does not increase the amount of fees payable to the Registrar in the said schedule mentioned, and in the forms in the second schedule, or make such additions to the last-mentioned forms, as he deems requisite.

Any such table or form, when altered, shall be published in the *Gazette of India*, and upon such publication being made, such table or form shall have the same force as if it were included in the schedule to this Act but no alteration made by the Governor General in Council in the table marked A contained in the first schedule shall affect any Company registered prior to the date of such

alteration, or repeal, as respects such Company, any portion of such table.

Arbitrations.

Act X of 1866, s. 69.

96. Any Company under this Act may from time to time, by writing under its common seal, agree to refer and may refer to arbitration any matter whatsoever in dispute between itself and any other Company or person; and the Companies, parties to the arbitration, may delegate to the person or persons to whom the reference is made, power to settle any terms or to determine any matter capable of being lawfully settled or determined by the Companies themselves, or by the directors or other managing body of such Companies.

Power for Companies to refer matters to arbitration.

Ibid., s. 70.

97. The Companies jointly, but not otherwise, from time to time, by writing under their respective common seals, may add to, alter or revoke any agreement for reference in accordance with this Act theretofore entered into between the Companies, or any of the terms, conditions or stipulations thereof.

Power to alter or revoke agreements for reference.

Ibid., s. 71.

98. Every reference or agreement in accordance with this Act, except so far as it is from time to time revoked or modified in accordance with this Act, shall bind the Companies, and may and shall be carried into full effect.

Agreements to be carried into effect.

Ibid., s. 72.

99. Where the Companies agree, the reference shall be made to a single arbitrator.

Reference to arbitrator.

Ibid., s. 73.

100. Except where the Companies agree that the reference shall be made to a single arbitrator, the reference shall be made as follows, to wit—

Reference to two or more arbitrators.

Where there are two Companies, the reference shall be made to two arbitrators:

Where there are three or more Companies, the reference shall be made to so many arbitrators as there are Companies.

Ibid., s. 74.

101. Where there are to be two or more arbitrators, every Company shall by writing under their common seal appoint one of the arbitrators, and shall give notice in writing thereof to the other Company or Companies.

Appointment of arbitrators by Companies.

Ibid., s. 75.

102. Where there are to be two or more arbitrators, if any of the Companies fail to appoint an arbitrator within fourteen days after being thereunto requested in writing by the other Company, or by the other Companies or any of them, then, on the application of the Companies or any of them, the local Government, instead of the Company so failing to appoint an arbitrator, may appoint an arbitrator. The arbitrator so appointed shall for the purposes of this Act be deemed to be appointed by the Company so failing.

Appointment of arbitrators by local Government.

Ibid., s. 76.

103. Where the reference is made to two or more arbitrators, if before the matters referred to them are determined any arbitrator dies, or becomes incapable or unfit, or for seven consecutive days fails to act as arbitrator, the Company by which he was appointed shall by writing under their common seal appoint an arbitrator in his place.

Appointment of arbitrators by Companies to supply vacancies.

Act X of 1866, s. 77.

104. Where the Company by which an arbitrator ought to be appointed in the place of the arbitrator so deceased, incapable, unfit or failing to act, fails to make the appointment within fourteen days after being thereunto requested in writing by the other Company, or by the other Companies or any of them, then, on the application of the Companies or any of them, the Local Government may appoint an arbitrator.

Appointment of arbitrators by local Government to supply vacancies.

The arbitrator so appointed shall for the purposes of this Act be deemed to be appointed by the Company so failing.

Ibid., s. 78.

105. When any appointment of an arbitrator is made, the Company making the appointment shall have no power to revoke the same without the previous consent in writing of the other Company or every other Company in writing under their common seal.

Appointment of arbitrator not revocable.

Ibid., s. 79.

106. Where two or more arbitrators are appointed, they shall, before entering on the business of the reference, appoint by writing under their hands an impartial and qualified person to be their umpire.

Appointment of umpire by arbitrators.

Ibid., s. 80.

107. If the arbitrators do not appoint an umpire within seven days after the reference is made to the arbitrators, then, on the application of the Companies or any of them, the local Government may appoint an umpire; and the umpire so appointed shall for the purposes of this Act be deemed to be appointed by the arbitrators.

Appointment of umpire by local Government.

Ibid., s. 81.

108. Where two or more arbitrators are appointed, if before the matters referred to them are determined their umpire dies, or becomes incapable or unfit, or for seven consecutive days fails to act as umpire, the arbitrators shall by writing under their hands appoint an impartial and qualified person to be their umpire in his place.

Appointment of umpire by arbitrators to supply vacancy.

Ibid., s. 82.

109. If the arbitrators fail to appoint an umpire within seven days after notice in writing to them of the decease, incapacity, unfitness or failure to act of their umpire, then, on the application of the Companies or any of them, the local Government may appoint an umpire.

Appointment of umpire by local Government to supply vacancy.

The umpire so appointed shall for the purposes of this Act be deemed to be appointed by the arbitrators so failing.

Ibid., s. 83.

110. Every arbitrator appointed in the place of a preceding arbitrator, and every umpire appointed in the place of a preceding umpire, shall respectively have the like powers and authorities as his respective predecessor.

Succeeding arbitrators and umpires to have powers of predecessors.

Ibid., s. 84.

111. Where there are two or more arbitrators, if they do not within such a time as the Companies agree on, or, failing such agreement, within thirty days next after the reference is made to the arbitrators, agree on their award thereon, then the matters referred to them, or such of those matters as are not then determined, shall stand referred to their umpire.

Reference to umpire.

Act X of 1866, s. 85.

112. The arbitrator, and the arbitrators, and the umpire respectively may call for the production of any documents or evidence in the possession or power of the Companies respectively, or which they respectively can produce, and which the arbitrator, or the arbitrators, or the umpire shall think necessary for determining the matters referred, and may examine the witnesses of the Companies respectively on oath, and may administer the requisite oath.

Power for arbitrators, &c., to call for books, &c., and administer oath.

Ibid., s. 86.

113. Except where and as the Companies otherwise agree, the arbitrator, and the arbitrators, and the umpire respectively may proceed in the business of the reference in such manner as he and they respectively shall think fit.

Procedure in the arbitration.

Ibid., s. 87.

114. The arbitrator, and the arbitrators, and the umpire respectively may proceed in the absence of all or any of the Companies in every case in which, after giving notice in that behalf to the Companies respectively, the arbitrator, or the arbitrators, or the umpire shall think fit so to proceed.

Arbitration may proceed in absence of Companies.

Ibid., s. 88.

115. The arbitrator, and the arbitrators, and the umpire respectively may, if he and they respectively think fit, make several awards, each on part of the matters referred, instead of one award on all the matters referred.

Several awards may be made.

Every such award on part of the matters shall for such time as shall be stated in the award, the same being such as shall have been specified, in the agreement for arbitration, or in the event of no time having been so specified, for any time which the arbitrator may be legally entitled to fix, be binding as to all the matters to which it extends, and as if the matters awarded on were all the matters referred, and that notwithstanding the other matters or any of them be not then or thereafter awarded on.

Ibid., s. 89.

116. The award of the arbitrator, or of the arbitrators, or of the umpire, if made in writing under his or their respective hand or hands and ready to be delivered to the Companies within such a time as the Companies agree on, or failing such agreement within thirty days next after the matters in difference are referred to (as the case may be) the arbitrator, or the arbitrators, or the umpire, shall be binding and conclusive on all the Companies.

Awards made in due time to bind all parties.

Ibid., s. 90.

117. Provided always that (except where and as the Companies otherwise agree) the umpire, from time to time by writing under his hand, may extend the period within which his award is to be made. If it be made and ready to be delivered within the extended time, it shall be as valid and effectual as if made within the prescribed period.

Power for umpire to extend period for making his award.

Ibid., s. 91.

118. No award made on any arbitration in accordance with this Act shall be set aside for any irregularity or informality.

Awards not to be set aside for informality.

119. Except only so far as the Companies bound by any award in accordance with this Act from time to time otherwise agree, all things by every award in accordance with this Act lawfully required to be done, omitted or suffered shall be done, omitted or suffered accordingly.

Awards to be obeyed.

Act X of 1866, s. 92.

Ibid., s. 93.

120. Full effect shall be given by the Courts accordingly to their respective jurisdictions, and by the Companies respectively, and otherwise, to all agreements, references, arbitrations and awards in accordance with this Act; and the performance or observance thereof may, where the Courts think fit, be compelled by any process against the Companies respectively or their respective property that the Courts or any Judge thereof shall direct, and where requisite frame, for the purpose.

Agreements, arbitrations and awards to have effect.

Ibid., s. 94.

121. Except where and as the Companies otherwise agree, the costs of and attending the arbitration and the award shall be in the discretion of the arbitrator, and the arbitrators, and the umpire respectively.

Costs of arbitration and award.

Ibid., s. 95.

122. Except where and as the Companies otherwise agree, and if and so far as the award does not otherwise determine, the costs of and attending the arbitration and the award shall be borne and paid by the Companies in equal shares, and in other respects the Companies shall bear their own respective costs.

Payment of costs.

Ibid., s. 96.

123. On the application of any party interested, the submission to any such arbitration may be filed in the High Court, and an order of reference may be made thereon, with any directions the Court thinks fit; and the provisions of the Code of Civil Procedure shall, so far as the same are applicable, apply to every such order and to all proceedings thereunder.

Submission to arbitration to be filed in Court.

PART IV.

WINDING-UP OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Preliminary.

Ibid., s. 97.

124. The term "contributory" shall mean every person liable to contribute to the assets of a Company under this Act in the event of the same being wound up; it shall also, in all proceedings for determining the persons who are to be deemed contributories, and in all proceedings prior to the final determination of such persons, include any person alleged to be a contributory.

Meaning of "contributory."

Ibid., s. 98.

125. The liability of any person to contribute to the assets of a Company under this Act in the event of the same being wound up shall be deemed to create a debt accruing due from such person at the time when his liability commenced, but payable at the time or respective times when calls are made as hereinafter mentioned for enforcing such liability; and it shall be lawful in the case of the insolvency of any contributory to prove against his estate the estimated value of his liability to future calls, as well as calls already made.

Nature of liability of contributory.

Act X of 1866, s. 99.

126. If any contributory dies either before or after he has been placed on the list of contributories hereinafter mentioned, his personal representatives, heirs and devisees shall be liable in due course of administration to contribute to the assets of the Company in discharge of the liability of such deceased contributory; and such personal representatives, heirs and devisees shall be deemed to be contributories accordingly.

Contributories in case of death.

Ibid., s. 100.

127. If any contributory becomes insolvent, either before or after he has been placed on the list of contributories, his assignees shall be deemed to represent such insolvent for all the purposes of the winding-up, and shall be deemed to be contributories accordingly, and may be called upon to admit to prove against the estate of such insolvent, or otherwise to allow to be paid out of his assets in due course of law, any monies due from such insolvent in respect of his liability to contribute to the assets of the Company being wound up.

Contributories in case of insolvency.

Winding-up by Court.

Ibid., s. 101.

128. A Company under this Act may be wound up by the Court as hereinafter defined under the following circumstances, (that is to say):—

Circumstances under which Company may be wound up by Court.

(*a*) Whenever the Company has passed a special resolution requiring the Company to be wound up by the Court:

(*b*) Whenever the Company does not commence its business within a year from its incorporation, or suspends its business for the space of a whole year:

(*c*) Whenever the members are reduced in number to less than seven:

(*d*) Whenever the Company is unable to pay its debts:

Factage Parisien Co., 11 Jur. N. S. 121.

(*e*) Whenever *for any other reason of a like nature* the Court is of opinion that it is just an equitable that the Company should be wound up.

Act X of 1866, s. 102.

129. A Company under this Act shall be deemed to be unable to pay its debts—

Company when deemed unable to pay its debts.

(*a*) Whenever a creditor, by assignment or otherwise, to whom the Company is indebted in a sum exceeding five hundred rupees then due, has served on the Company, by leaving the same at its registered office, a demand under his hand requiring the Company to pay the sum so due, and the Company has for the space of three weeks succeeding the service of such demand neglected to pay such sum, or to secure or compound for the same to the reasonable satisfaction of the creditor:

(*b*) Whenever execution or other process issued on a decree or order obtained in any Court in favour of any creditor in any proceeding instituted by such creditor against the Company is returned unsatisfied in whole or in part:

(*c*) Whenever it is proved to the satisfaction of the Court that the Company is unable to pay its debts.

Ibid., s. 103.

130. The expression "the Court" as used in this part of this Act shall mean the principal Court having original civil jurisdiction in the place in which the registered office of the Company is situate; unless in the regulations for the management of the Company it shall be stipulated that the Company, if wound up, shall be wound up by the High Court of Judicature at Fort William, Madras or Bombay (as the case may be), or by the Chief Court of the Panjáb, in which case the word "Court" shall mean the said High Court or Chief Court (as the case may be) in the exercise of its original civil jurisdiction.

Definition of "the Court."

The expression "debts" as used in this part of this Act means debts actually due, of which the creditor could claim immediate payment, except in the case of a Company issuing or liable under policies of assurance upon human life within British India, or granting annuities upon human life within British India. In the case of such a Company (hereinafter called a life-assurance Company), the expression "debts" as so used, includes also contingent or prospective liability under policies and annuity and other existing contracts.

Definition of "debts."

European L. A. Society, 9 Eq. 122.

L. A. Companies Act, 1870, (33 & 34 Vic., c. 61) s. 21.

131. Any application to the Court for the winding-up of a Company under this Act shall be by petition, which may be presented by the Company, or by any one or more creditor or creditors, contributory or contributories of the Company, or by all or any of the above parties, together or separately.

Application for winding-up to be made by petition.

Act X of 1866, s. 104.

The petition must allege facts which, if proved, will justify an order for winding-up the Company. Every order which may be made on any such petition shall operate in favour of all the creditors and all the contributories of the Company in the same manner as if it had been made upon the joint petition of a creditor and a contributory.

Wear Engine Works Co., 10 Ch. 188.

In the case of a life-assurance Company the Court shall not give a hearing to the petition until security for costs for such amount as the judge thinks reasonable is given, and until a *primâ facie* case is also established to the satisfaction of the judge; and where the Company has an uncalled capital of an amount sufficient, with the future premiums receivable by the Company, to make up the actual invested assets equal to the amount of the estimated liabilities, the Court shall suspend further proceedings on the petition for a reasonable time to enable the uncalled capital, or a sufficient part thereof, to be called up; and if at the end of the original or any suspended time for which the proceedings have been suspended such an amount has not been realised by means of calls as with the already invested assets is equal to the liabilities, an order shall be made on the petition as if the Company had been proved to be unable to pay its debts.

33 & 34 Vic., c. 61, s. 21.

Explanation.—Nothing in this section authorizes the presentation of a petition by a member of a Company who is indebted to the Company in respect of a call made, or other moneys due.

European L. A. Society, 10 Eq. 403.

132. No contributory of a Company under this Act shall be capable of presenting a petition for winding-up such Company unless the members of the Company are reduced in number to less than seven, or unless the shares in respect of which he is a contributory, or some of them, either were originally allotted to him, or have been held by him, and registered in his name, for a period of at least six months during the eighteen months previously to the commencement of the winding-up, or have devolved upon him through the death of a former holder.

Contributory when not qualified to present winding-up petition.

30 & 31 Vic., c. 131, s. 40.

Provided that where a share has during the whole or any part of the six months been held by

or registered in the name of the wife of a contributory either before or after her marriage, or by or in the name of any trustee for such wife, or for the contributory, such share shall, for the purposes of this section, be deemed to have been held by and registered in the name of the contributory.

Act X of 1866, s. 105.

133. A winding-up of a Company by the Court shall be deemed to commence at the time of the presentation of the petition for the winding-up.

Commencement of winding-up by Court.

Ibid., s. 106.

134. The Court may, at any time after the presentation of a petition for winding-up a Company under this Act, and before making an order for winding-up the Company, upon the application of the Company or of any creditor or contributory of the Company, restrain further proceedings in any suit or proceeding against the Company, upon such terms as the Court thinks fit.

Court may grant injunction.

The Court may also at any time after the presentation of such petition, and before the first appointment of liquidators, appoint provisionally an official liquidator of the estate and effects of the Company.

Ibid., s. 107.

135. Upon hearing the petition, the Court may dismiss the same with or without costs, may adjourn the hearing conditionally or unconditionally, and may make any interim order or any other order that it deems just.

Course to be pursued by Court on hearing petition.

Ibid., s. 108.

136. When an order has been made for winding-up a Company under this Act, no suit or other proceeding shall be proceeded with or commenced against the Company except with the leave of the Court and subject to such terms as the Court may impose.

Suits to be stayed after order for winding-up.

Ibid., s. 109.

137. When an order has been made for winding up a Company under this Act, a copy of such order shall forthwith be forwarded by the Company to the Registrar of Joint Stock Companies, who shall make a minute thereof in his books relating to the Company.

Copy of order to be forwarded to Registrar.

Chapman's case, 1 Eq. 346: Exp. Harding, 3 Eq., 341. Act X of 1866 s. 110.

The order shall be deemed to be notice of discharge to the servants of the Company, except when the business of the Company is continued.

138. The Court may at any time after an order has been made for winding-up a Company, upon the application of any creditor or contributory of the Company, and upon proof to the satisfaction of the Court that all proceedings in relation to such winding-up ought to be stayed, make an order staying the same, either altogether or for a limited time, on such terms and subject to such conditions as it deems fit.

Power of Court to stay proceedings.

Ibid., s. 111.

139. When an order has been made for winding-up a Company limited by guarantee and having a capital divided into shares, any share-capital that may not have been called up shall be deemed to be assets of the Company and to be a debt due to the Company from such member to the extent of any sums that may be unpaid on any shares held by him, and payable at such time as may be appointed by the Court.

Effect of order on share-capital of Company limited by guarantee.

Act X of 1866, s. 112.

140. The Court may, as to all matters relating to the winding-up, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence, and may, if it thinks it expedient, direct meetings of the creditors or contributories to be summoned, held and conducted in such manner as the Court directs, for the purpose of ascertaining their wishes, and may appoint a person to act as chairman of any such meeting, and to report the result of such meeting to the Court.

Court may have regard to wishes of creditors or contributories.

In the case of creditors, regard is to be had to the value of the debts due to each creditor, and in the case of contributories, to the number of votes conferred on each contributory by the regulations of the Company.

Official Liquidators.

Ibid., s. 113.

141. For the purpose of conducting the proceedings in winding-up a Company and assisting the Court therein, there may be appointed a person or persons to be called an official liquidator or official liquidators.

Appointment of official liquidator.

The Court may appoint such person or persons, either provisionally or otherwise, as it thinks fit, to the office of official liquidator or official liquidators.

In all cases, if more persons than one are appointed to the office of official liquidator, the Court shall declare whether any act hereby required or authorized to be done by the official liquidator is to be done by all or any one or more of such persons.

The Court may also determine whether any and what security is to be given by any official liquidator on his appointment.

If no official liquidator is appointed, or during any vacancy in such appointment, all the property of the Company shall be deemed to be in the custody of the Court.

A receiver shall not be appointed of assets in the hands of an official liquidator.

Perry v. Oriental Hotel Co., 5 Ch. 420.

Act X of 1866, s. 114.

142. Any official liquidator may resign or be removed by the Court on due cause shown. Any vacancy in the office of an official liquidator appointed by the Court shall be filled by the Court. There shall be paid to the official liquidator such salary or remuneration, by way of percentage or otherwise, as the Court may direct; and if more liquidators than one are appointed, such remuneration shall be distributed amongst them in such proportions as the Court directs.

Resignations, removals, filling up vacancies, and compensation.

Ibid., s. 115.

143. The official liquidator shall be described by the style of the official liquidator of the particular Company in respect of which he is appointed, and not by his individual name. He shall take into his custody, or under his control, all the property, effects and things in action to which the Company is or appears to be entitled, and shall perform such duties in reference to the winding-up of the Company as may be imposed by the Court.

Style and duties of official liquidator.

Ibid., s. 116.

144. The official liquidator shall have power with the sanction of the Court to do the following things:—

Power of official liquidator.

(*a*) To bring or defend any suit or prosecution, or other legal proceeding, civil or criminal, in the name and on behalf of the Company:

(*b*) To carry on the business of the Company so far as may be necessary for the beneficial winding-up of the same :

(*c*) To sell the immoveable and moveable property of the Company by public auction or private contract, with power to transfer the whole thereof to any person or Company, or to sell the same in parcels :

(*d*) To do all acts, and to execute, in the name and on behalf of the Company, all deeds, receipts and other documents, and for that purpose to use, when necessary, the Company's seal :

(*e*) To prove, rank, claim and draw a dividend, in the matter of the insolvency of any contributory, for any balance against the estate of such contributory, and to take and receive dividends in respect of such balance, in the matter of insolvency, as a separate debt due from such insolvent, and rateably with the other separate creditors ;

(*f*) To draw, accept, make and endorse any bill of exchange, hundí or promissory note in the name and on behalf of the Company ; also to raise upon the security of the assets of the Company from time to time any requisite sum or sums of money ; and the drawing, accepting, making or endorsing of every such bill of exchange, hundí or promissory note as aforesaid on behalf of the Company, shall have the same effect with respect to the liability of such Company as if such bill or note had been drawn, accepted, made or endorsed by or on behalf of such Company in the course of carrying on the business thereof :

(*g*) To take out, if necessary, in his official name, letters of administration to any deceased contributory, and to do in his official name any other act that may be necessary for obtaining payment of any monies due from a contributory or from his estate, and which act cannot be conveniently done in the name of the Company ; and in all cases where he takes out letters of administration, or otherwise uses his official name for obtaining payment of any monies due from a contributory, such monies shall, for the purpose of enabling him to take out such letters or recover such monies, be deemed to be due to the official liquidator himself : Provided that nothing herein contained shall be deemed to affect the rights, duties and privileges of the Administrators General of Bengal, Madras and Bombay respectively :

(*h*) To do and execute all such other things as may be necessary for winding up the affairs of the Company and distributing its assets.

145. The Court may provide by any order that the official liquidator may exercise any of the above powers without the sanction or intervention of the Court, and, where an official liquidator is provisionally appointed, may limit and restrict his powers by the order appointing him.

Discretion of official liquidator.

146. The official liquidator may, with the sanction of the Court, appoint an attorney or vakíl to assist him in the performance of his duties : *Provided that where the official liquidator is an attorney he shall not appoint his partner, unless the latter consents to act without remuneration.*

Appointment of attorney or vakíl to official liquidator.

Ordinary Powers of Court.

147. As soon as may be after making an order for winding-up the Company the Court shall settle a list of contributories, with power to rectify the register of members in all cases where such rectification is required in pursuance of section fifty-eight, and shall cause the assets of the Company to be collected and applied in discharge of its liabilities *as they exist at the date of the order.*

Collection and application of assets.

General Rolling Stock Company, 7 *Ch.* 656.

148. In settling the list of contributories, the Court shall distinguish between persons who are contributories in their own right, and persons who are contributories as being representatives of or being liable to the debts of others.

Act X of 1866, s. 120.

Provision as to representative contributories.

149. The Court may, at any time after making an order for winding-up a Company, require any contributory for the time being settled on the list of contributories, trustee, receiver, banker or agent, or officer of the Company to pay, deliver, convey, surrender or transfer forthwith, or within such time as the Court directs, to or into the hands of the official liquidator, any sum or pen to be in his hands for the time being, and to which the Company is *primâ facie* entitled.

Ibid., s. 121.

Power of Court to require delivery of property.

150. The Court may, at any time after making an order for winding-up the Company, make an order on any contributory for the time being settled on the list of contributories, directing payment to be made, in manner in the said order mentioned, of any monies due from him or from the estate of the person whom he represents to the Company, exclusive of any monies which he or the estate of the person whom he represents may be liable to contribute by virtue of any call made or to be made by the Court in pursuance of this part of this Act.

Ibid., s. 122.

Power of Court to order payment of debts by contributory.

The Court may, in making such order, when the Company is not limited, allow to such contributory by way of set-off any monies due to him or the estate which he represents from the Company on any independent dealing or contract with the Company, but not any monies due to him as a member of the Company in respect of any dividend or profits :

Provided that when all the creditors of any Company, whether limited or unlimited, are paid in full, any monies due on any account whatever to any contributory from the Company may be allowed to him by way of set-off against any subsequent call or calls.

In the event of the winding-up of any limited Company the Court, if it think fit, may make to any director or manager of such Company, whose liability is unlimited, the same allowance by way of set-off as under this section it may make to a contributory where the Company is not limited.

30 & 31 Vic., c. 131 s. 6.

151. The Court may, at any time after making an order for winding-up a Company, and either before or after it has ascertained the sufficiency of the assets of the Company, make calls on and order payment thereof by all or any of the contributories for the time being settled on the list of contributories, to the extent of their liability for payment of all or any sums it deems necessary to satisfy the debts and liabilities of the Company, and the costs, charges and expenses of winding it up, and for the adjustment of the rights of the contributories amongst themselves.

Act X of 1866, s. 123.

Powers of Court to make calls.

The Court may, in making a call, take into consideration the probability that some of the contributories upon whom the same is made may partly or wholly fail to pay their respective portions of the same.

Act X of 1866, s. 124.

152. The Court may order any contributory, purchaser or other person from whom money is due to the Company to pay the same into the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, as the case may be, or any branch thereof respectively, to the account of the official liquidator instead of to the official liquidator, and such order may be enforced in the same manner as if it had directed payment to the official liquidator.

Power of Court to order payment into Bank.

Ibid., s. 125.

153. All monies, bills, notes and other securities, paid and delivered into the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, or any branch thereof respectively, in the event of a Company being wound-up by the Court, shall be subject to such order and regulation for the keeping of the account of such monies and other effects, and for the payment and delivery in, or investment and payment and delivery out, of the same, as the Court may direct.

Regulation of account with Court.

Ibid., s. 126.

154. If any person made a contributory as personal representative of a deceased contributory makes default in paying any sum ordered to be paid by him, proceedings may be taken for administering the property of such deceased contributory, whether moveable or immoveable, or both, and of compelling payment thereout of the monies due.

Provision in case of representative contributory not paying monies ordered.

Ibid., s. 127.

155. Any order made by the Court in pursuance of this Act upon any contributory shall, subject to the provisions herein contained for appealing against such order, be conclusive evidence that the monies, if any, thereby appearing to be due or ordered to be paid are due, and all other pertinent matters stated in such order are be taken to be truly stated as against all persons and in all proceedings whatsoever.

Order conclusive evidence.

156. The Court may fix a certain day or certain days on or within which creditors of the Company are to prove their debts or claims, or to be excluded from the benefit of any distribution made before such debts are proved.

Court may exclude creditors not proving within certain time.

157. The Court shall adjust the rights of the contributories amongst themselves, and distribute any surplus that may remain amongst the parties entitled thereto.

Court to adjust rights of contributories.

158. The Court may, in the event of the assets being insufficient to satisfy the liabilities, make an order as to the payment out of the estate of the Company of the costs, charges and expenses incurred in winding-up any Company in such order of priority as the Court thinks just.

Court to order costs.

159. When the affairs of the Company have been completely wound up, the Court shall make an order that the Company be dissolved from the date of such order, and the Company shall be dissolved accordingly.

Dissolution of Company.

Act X of 1866, s. 132.

160. Any order so made shall be reported by the official liquidator to the Registrar, who shall make a minute accordingly in his books of the dissolution of such Company.

Registrar to make Minute of dissolution of Company.

Ibid., s. 133.

161. If the official liquidator makes default in reporting to the Registrar, in the case of a Company being wound-up by the Court the order that the Company be dissolved, he shall be liable to a penalty not exceeding one hundred rupees for every day during which he is so in default.

Penalty on not reporting dissolution of Company.

Extraordinary Powers of Court.

Ibid., s. 134.

162. The Court may, after it has made an order for winding-up the Company, summon before it any officer of the Company, or person known or suspected to have in his possession any of the estate or effects of the Company, or supposed to be indebted to the Company, or any person whom the Court may deem capable of giving information concerning the trade, dealings, estate or effects of the Company.

Power of Court to summon persons before it suspected of having property of Company.

If any person so summoned, after being tendered a reasonable sum for his expenses, refuses to come before the Court at the time appointed, having no lawful impediment (made known to the Court at the time of its sitting and allowed by it), the Court may cause such person to be apprehended and brought before the Court for examination.

The Court may require any such officer or person to produce any documents in his custody or power relating to the Company. Nevertheless, in cases where any person claims any lien on documents produced by him, such production shall be without prejudice to such lien, and the Court shall have jurisdiction in the winding-up to determine all questions relating to such lien.

Ibid., s. 135.

163. The Court may examine upon oath either by word of mouth or upon written interrogatories, any person appearing or brought before it in manner aforesaid, concerning the affairs, dealings, estate or effects of the Company, and may reduce into writing the answers of every such person, and require him to subscribe the same.

Examination of parties by Court.

Ibid., s. 136.

164. The Court may, at any time before or after it has made an order for winding-up a Company, upon proof being given that there is probable cause for believing that any contributory to such Company is about to quit British India or otherwise abscond, or to remove or conceal any of his goods or chattels, for the purpose of evading payment of calls, or for avoiding examination in respect of the affairs of the Company, cause such contributory to be arrested, and his books, papers, monies, securites for monies, goods and chattels to be seized, and him and them to be safely kept until such time as the Court may order.

Power to arrest contributory about to abscond or to remove or conceal any of his property.

Ibid., s. 137.

165. Any powers by this Act conferred on the Court shall be deemed to be in addition to, and not in restriction of, any other powers subsisting of instituting proceedings against any contributory, or the estate of any contributory,

Powers of Court cumulative.

or against any debtor of the Company, for the recovery of any call or other sums due from such contributory or debtor, or his estate, and such proceedings may be instituted accordingly.

Enforcement of, and Appeal from, Orders.

Act X of 1866, s. 138.

166. All orders made by a Court under this Act may be enforced in the same manner in which decrees of such Court made in any suit pending therein may be enforced.

Power to enforce orders.

Ibid., s. 139.

167. Any order made by a Court for or in the course of the winding-up of a Company under this Act shall be enforced in any part of British India other than that in which such Court is situate, in the Court that would have had jurisdiction in respect of such Company if the registered office of the Company had been situate in such other part, and in the same manner in all respects as if such order had been made by the Court that is hereby required to enforce the same.

Order made in any Court to be enforced by other Courts.

Ibid., s. 140.

168. Where any order or decree made by one Court is required to be enforced by another Court as hereinbefore provided, a certified copy of the order or decree so made shall be produced to the proper officer of the Court required to enforce the same, and the production of such certified copy shall be sufficient evidence of such order or decree having been made, and thereupon such last-mentioned Court shall take such steps in the matter as may be requisite for enforcing such order or decree, in the same manner as if it were the order or decree of the Court enforcing the same.

Mode of dealing with orders to be enforced by other Courts.

Ibid., s. 141.

169. Re-hearings of and appeals from any order or decision made or given in the matter of the winding-up of a Company by the Court, may be had in the same manner and subject to the same conditions in and subject to which appeals may be had from any order or decision of the same Court in cases within its ordinary jurisdiction; subject to this restriction, that no such re-hearing or appeal shall be heard unless notice of the same is given within three weeks after any order complained of has been made, in manner in which notices of appeal are ordinarily given under the Code of Civil Procedure, unless such time is extended by the Court of Appeal.

Appeals from orders.

Ibid., s. 142.

170. In all proceedings under this part of this Act, every Court, judge and person judicially acting, and all other officers, judicial or ministerial, of any Court, or employed in enforcing the process of any Court, shall take judicial notice of the signature of any officer of any other Court, and also of the official seal of any other Court when such seal is appended to any document made, issued, or signed under the provisions of this part of the Act, or any official copy thereof.

Judicial notice to be taken of signature of officers.

Act I of 1872, s. 57, (6), (7).

Act X of 1866, s. 143.

171. The judges of the district Courts who sit at places more than twenty English miles from the usual place of sitting of the High Court, shall be Commissioners for the purpose of taking evidence under this Act in cases where any Company is wound-up in a High Court, and it shall be lawful for the High Court to refer the whole or any part of the examination of any witnesses under this Act to any person hereby appointed Commissioner, although such Commissioner is out of the jurisdiction of the Court that made the order or decree for winding-up the Company.

Special Commissioners for receiving evidence.

Every such Commissioner shall, in addition to any power of summoning and examining witnesses, and requiring the production or delivery of documents and certifying or punishing defaults by witnesses, which he might lawfully exercise as a judge of a district Court, have, in the matter so referred to him, all the same powers of summoning and examining witnesses and requiring the production or delivery of documents and punishing defaults by witnesses, and allowing costs and charges and expenses to witnesses, as the Court which made the order for winding-up the Company has; and the examination so taken shall be returned or reported to such last-mentioned Court in such manner as it directs.

Act X of 1866, s. 144.

172. If any affidavit, affirmation or declaration required to be sworn or made under the provisions or for the purposes of this part of this Act, be lawfully sworn or made in British India, or in Great Britain or Ireland, or in any colony, island, plantation or place under the dominion of Her Majesty in foreign parts, before any Court, judge or person lawfully authorized to take and receive affidavits, affirmations or declarations, or before any of Her Majesty's consuls or vice-consuls in any foreign parts out of Her Majesty's dominions, all Courts, judges, justices, commissioners and persons acting judicially in British India shall take judicial notice of the seal or stamp or signature (as the case may be) of any such Court, judge, person, consul or vice-consul, attached, appended or subscribed to any such affidavit, affirmation or declaration, or to any other document to be used for the purposes of this part of this Act.

Affidavits, &c., may be sworn in British India, Great Britain or Ireland, or abroad, before any competent Court or person.

Voluntary Winding-up of Company.

Ibid., s. 145.

173. A Company under this Act may be wound up voluntarily—

Circumstances under which Company may be wound up voluntarily.

(*a*) Whenever the period, if any, fixed for the duration of the Company by the articles of association expires, or whenever the event, if any, occurs upon the occurrence of which it is provided by the articles of association that the Company is to be dissolved, and the Company in general meeting has passed a resolution requiring the Company to be wound up voluntarily:

(*b*) Whenever the Company has passed a special resolution requiring the Company to be wound up voluntarily:

(*c*) Whenever the Company has passed an extraordinary resolution to the effect that it has been proved to their satisfaction that Company cannot by reason of its liabilities continue its business, and that it is advisable to wind-up the same:

For the purposes of this Act any resolution shall be deemed to be extraordinary which is passed in such manner as would, if it had been confirmed by a subsequent meeting, have constituted a special resolution as hereinbefore defined.

Ibid., s. 146.

174. A voluntary winding-up shall be deemed to commence at the time of the passing of the Resolution authorizing such winding-up.

Commencement of voluntary winding-up.

Dawe's case 6 *Eq.* 232.

When the winding-up is in pursuance of a special resolution, it shall be deemed to commence at the time of the passing, under section seventy-seven, of the confirmatory resolution.

Act X of 1866, s. 147.

175. Whenever a Company is wound-up voluntarily, the Company shall, from the date of the commencement of such winding-up, cease to carry on its business except in so far as may be required for the beneficial winding-up thereof; and all transfers of shares except transfers made to or with the sanction of the liquidators, or alteration in the status of the members of the Company taking place after the commencement of such winding-up, shall be void, but its corporate state and all its corporate powers shall, notwithstanding it is otherwise provided by its regulations, continue until the affairs of the Company are wound up.

Effect of voluntary winding-up on status of Company.

Ibid., s. 148.

176. Notice of any special resolution or extraordinary resolution passed for winding-up a Company voluntarily shall be given by advertisement in the local official Gazette and also in some newspaper (if any) circulating in the place where the registered office of the Company is situate.

Notice of resolution to wind-up voluntarily.

Ibid., s. 149.

177. The following consequences shall ensue upon the voluntary winding-up of a Company:—

Consequence of voluntary winding-up.

Webb v. *Whiffin*, L. R. 5 H. L. 711. Exp. *Astbury*, 5 Eq. 223.

(*a*) The *assets* of the Company shall be applied in satisfaction of its liabilities *pari passu as they exist at the commencement of the winding-up*, and subject thereto shall, unless it be otherwise provided by the regulations of the Company, be distributed amongst the members according to their rights and interests in the Company:

(*b*) Liquidators shall be appointed for the purpose of winding-up the affairs of the Company and distributing the assets:

(*c*) The Company in general meetting shall appoint such persons or person as it thinks fit to be liquidators or a liquidator, and may fix the remuneration to be paid to them or him:

(*d*) If one person only is appointed, all the provisions herein contained in reference to several liquidators shall apply to him:

(*e*) Upon the appointment of liquidators, all the powers of the directors shall cease, except in so far as the Company in general meeting or the liquidators may sanction the continuance of such powers:

(*f*) When several liquidators are appointed, every power hereby given may be exercised by such one or more of them as may be determined at the time of their appointment, or, in default of such determination, by any number not less than two:

(*g*) The liquidators may, without the sanction of the Court, exercise all powers by this Act given to the official liquidators:

(*h*) The liquidators may exercise the powers hereinbefore given to the Court of settling the list of contributories of the Company, and any list so settled shall be *primâ facie* evidence of the liability of the persons named therein to be contributories:

(*i*) The liquidators may at any time after the passing of the resolution for winding-up the Company, and before they have ascertained the sufficiency of the assets of the Company, call on all or any of the contributories for the time being settled on the list of contributories, to the extent of their liability, to pay all or any sums they deem necessary to satisfy the debts and liabilities of the Company, and the costs, charges and expenses of winding it up, and for the adjustment of the rights of the contributories amongst themselves, and the liquidators may, in making a call, take into consideration the probability that some of the contributories upon whom the same is made may partly or wholly fail to pay their respective portions of the same:

(*j*) The liquidators shall pay the debts of the Company, and adjust the rights of the contributories amongst themselves.

Act X of 1866, s. 150.

178. Where a Company limited by guarantee and having a capital divided into shares is being wound up voluntarily, any share-capital that may not have been called up shall be deemed to be assets of the Company, and to be a debt due from each member to the Company to the extent of any sums that may be unpaid on any shares held by him, and payable at such time as may be appointed by the liquidators.

Effect of winding-up on share-capital of Company limited by guarantee.

Ibid., s. 151.

179. A Company about to be wound up voluntarily or in the course of being wound up voluntarily may, by an extraordinary resolution, delegate to its creditors, or to any committee of its creditors, the power of appointing liquidators or any of them, and supplying any vacancies in the appointment of liquidators, or may by a like resolution enter into any arrangement with respect to the powers to be exercised by the liquidators and the manner in which they are to be exercised.

Power of Company to delegate authority to appoint liquidators.

Any act done by the creditors in pursuance of such delegated power shall have the same effect as if it had been done by the Company.

Ibid., s. 152.

180. Any arrangement which a Company about to be wound-up voluntarily or in the course of being wound-up voluntarily shall have entered into with its creditors, shall be binding on the Company if sanctioned by an extraordinary resolution, and on the creditors if acceded to by three-fourths in number and value of the creditors, subject to such right of appeal as is hereinafter mentioned.

Arrangement when binding on creditors.

Ibid., s. 153.

181. Any creditor or contributory of a Company that has in manner aforesaid entered into any arrangement with its creditors may, within three weeks from the date of the completion of such arrangement, appeal to the Court against such arrangement, and the Court may thereupon, as it thinks just, amend, vary or confirm the same.

Power of creditor or contributory to appeal.

Ibid., s. 154.

182. Where a Company is being wound up voluntarily, the liquidators or any contributory of the Company may apply to the Court to determine any question arising in the matter of such winding-up, or to exercise as respects the enforcing of calls or in respect of any other matter all or any of the powers which the Court might exercise if the

Power for liquidators or contributories in voluntary winding-up to apply to Court.

Company were being wound up by the Court. 49 L. J., Ch. 265. *Any such application may by made by motion.* The Court, if satisfied that the determination of such question or the required exercise of power will be just and beneficial, may accede, wholly or partially, to such application, on such terms and subject to such conditions as the Court thinks fit, or it may make such other order or decree on such application as the Court thinks just.

Act X of 1866, s. 155.

183. Where a Company is being wound up voluntarily, the liquidators may from time to time during the continuance of such winding-up, summon general meetings of the Company for the purpose of obtaining the sanction of the Company by special resolution or extraordinary resolution, or for any other purposes they think fit.

Power of liquidators to call general meeting.

In the event of the winding-up continuing for more than one year, the liquidators shall summon a general meeting of the Company at the end of the first year and of each succeeding year from the commencement of the winding-up, or as soon thereafter as may be convenient, and shall lay before such meeting an account showing their acts and dealings and the manner in which the winding-up has been conducted during the preceding year.

Ibid., s. 156.

184. If any vacancy occurs in the office of liquidators appointed by the Company, by death, resignation or otherwise, the Company in general meeting may, subject to any arrangement they may have entered into with their creditors, fill up such vacancy, and a general meeting for the purpose of filling up such vacancy may be convened by the continuing liquidators, if any, or by any contributory of the Company, and shall be deemed to have been duly held if held in manner prescribed by the regulations of the Company, or in such other manner as may, on application by the continuing liquidator, if any, or by any contributory of the Company, be determined by the Court.

Power to fill up vacancy in office of liquidators.

Ibid., s. 157.

185. If from any cause whatever there is no liquidator acting in the case of a voluntary winding-up, the Court may, on the application of a contributory, appoint a liquidator or liquidators. The Court may also, on due cause shown, remove any liquidator, and appoint another liquidator to act in the matter of a voluntary winding-up.

Power of Court to appoint liquidators.

Ibid., s. 158.

186. As soon as the affairs of the Company are fully wound-up, the liquidators shall make up an account showing the manner in which such winding-up has been conducted and the property of the Company disposed of: and thereupon they shall call a general meeting of the Company for the purpose of having the account laid before them, and hearing any explanation that may be given by the liquidators.

Liquidators on conclusion of winding-up to make up an account.

The meeting shall be called by advertisement, specifying the time, place and object of such meeting, and such advertisement shall be published one month at least previously to the meeting in the manner specified in section one hundred and seventy-six.

[illegible], s. 159.

187. The liquidators shall make a return to the Registrar of such meeting having been held, and of the date at which the same was held, and on the expiration of three months from the date of the registration of such return, the Company shall be deemed to be dissolved.

Liquidators to report meeting to Registrar.

If the liquidators make default in making such return to the Registrar, they shall incur a penalty not exceeding fifty rupees for every day during which such default continues.

Act X of 1866, s. 160.

188. All costs, charges and expenses properly incurred in the voluntary winding-up of a Company, including the remuneration of the liquidators, shall be payable out of the assets of the Company in priority to all other claims.

Costs of voluntary liquidation.

Ibid., s. 161.

189. The voluntary winding-up of a Company shall not be a bar to the right of any creditor of such Company to have the same wound up by the Court, if the Court is of opinion that the rights of such creditor will be prejudiced by a voluntary winding-up.

Saving of rights of creditors.

Ibid., s. 162.

190. Where a Company is in course of being wound-up voluntarily, and proceedings are taken for the purpose of having the same wound-up by the Court, the Court may, if it thinks fit, notwithstanding that it makes an order directing the Company to be wound-up by the Court provide in such order or in any other order for the adoption of all or any of the proceedings taken in the course of the voluntary winding-up.

Power of Court to adopt proceedings of voluntary winding-up.

Winding-up subject to the supervision of the Court.

Ibid., s. 163.

191. When a Resolution has been passed by a Company to wind up voluntarily, the Court may make an order directing that the voluntary winding-up should continue but subject to such supervision of the Court, and with such liberty for creditors, contributories or others to apply to the Court, and generally upon such terms and subject to such conditions as the Court thinks just.

Power of Court, on application, to direct winding-up subject to supervision.

Ibid., s. 164.

192. A petition praying wholly or in part that a voluntary winding-up should continue, but subject to the supervision of the Court, and which winding-up is hereinafter referred to as a winding-up subject to the supervision of the Court, shall, for the purpose of giving jurisdiction to the Court over suits, be deemed to be a petition for winding up the Company by the Court.

Petition for winding-up subject to supervision.

Ibid., s. 165.

193. The Court may, in determining whether a Company is to be wound up altogether by the Court, or subject to the supervision of the Court, in the appointment of a liquidator or of liquidators, and in all other matters relating to the winding-up subject to supervision, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence, and may direct meetings of the creditors or contributories to be summoned, held and regulated in such manner as the Court directs for the purpose of ascertaining their wishes, and may appoint a person to act as chairman of any such meeting, and to report the result of such meeting to the Court.

Court may have regard to wishes of creditors.

In the case of creditors, regard shall be had to the value of the debts due to each creditor, and in the case of contributories to the number of votes

conferred on each contributory by the regulations of the Company.

Act X of 1866, s. 166.

194. Where any order is made by the Court for a winding-up subject to the supervision of the Court, the Court may, in such order or in any subsequent order, appoint any additional liquidator.

Power to Court to appoint additional liquidator in winding-up subject to supervision.

Any liquidator so appointed by the Court shall have the same powers, be subject to the same obligations, and in all respects stand in the same position as if he had been appointed by the Company.

The Court may from time to time remove any liquidator so appointed by the Court, and fill up any vacancy occasioned by such removal, or by death or resignation.

Ibid., s. 167.

195. Where an order is made for a winding-up subject to the supervision of the Court, the liquidator appointed to conduct such winding-up may, subject to any restrictions imposed by the Court, exercise all his powers, without the sanction or intervention of the Court, in the same manner as if the Company were being wound-up altogether voluntarily.

Effect of order of Court for winding-up subject to supervision.

Save as aforesaid, any order made by the Court for a winding-up subject to the supervision of the Court, shall for all purposes, including the staying of suits and other proceedings, be deemed to be an order of the Court for winding-up the Company by the Court, and shall confer full authority on the Court to make calls, or to enforce calls made by the liquidators, and to exercise all other powers which it might have exercised if an order had been made for winding-up the Company altogether by the Court.

In the construction of the provisions whereby the Court is empowered to direct any act or thing to be done to or in favour of the official liquidators, the expression official liquidator shall be deemed to mean the liquidator conducting the winding-up subject to the supervision of the Court.

Ibid., s. 168.

196. Where an order has been made for the winding-up of a Company subject to the supervision of the Court, and such order is afterwards superseded by an order directing the Company to be wound up compulsorily, the Court may, in such last-mentioned order or in any subsequent order, appoint the voluntary liquidators or any of them, either provisionally or permanently, and either with or without the addition of any other person to be official liquidator.

Appointment in certain cases of voluntary liquidators to office of official liquidators.

Supplemental Provisions.

197. Where any Company is being wound up by the Court or subject to the supervision of the Court, all dispositions of the property of the Company and every transfer of shares or alteration in the status of the members of the Company, made between the commencement of the winding-up and the order for winding-up, shall, unless the Court otherwise orders, be void.

Dispositions after the commencement of the winding-up avoided.

Ibid., s. 170.

198. Where any Company is being wound up all books, accounts and documents of the Company and of the liquidators shall, as between the contributories of the Company, be *primâ facie* evidence of the truth of all matters purporting to be therein recorded.

The books of the Company to be evidence.

Act X of 1866, s. 171.

199. Where any Company has been wound up under this Act, and is about to dissolved, the books, accounts and documents of the Company and of the liquidator may be disposed of in the following way; that is to say, where the Company has been wound up by or subject to the supervision of the Court, in such way as the Court directs, and where the Company has been wound up voluntarily, in such way as the Company by an extraordinary resolution directs.

As to disposal of books, accounts and documents of the Company.

But after the lapse of five years from the date of such dissolution, no responsibility shall rest on the Company or the liquidators, or any one to whom the custody of such books, accounts and documents has been committed, by reason that the same or any of them cannot be made forthcoming to any party or parties claiming to be interested therein.

Ibid., s. 172.

200. Where an order has been made for winding-up a Company by the Court or subject to the supervision of the Court, the Court may make such order for the inspection by the creditors and contributories of the Company of its books and papers as the Court thinks just, and any books and papers in the possession of the Company may be inspected by creditors or contributories in conformity with the order of the Court, but not further or otherwise.

Inspection of books.

Ibid., s. 173.

201. The liquidator may, with the sanction of the Court, where the Company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an extraordinary resolution of the Company where the Company is being wound up altogether voluntarily, pay any classes of creditors in full, or make such compromise or other arrangement as the liquidator may deem expedient with creditors or persons claiming to be creditors, or persons having or alleging themselves to have any claim, present or future, whereby the Company may be rendered liable.

General scheme of liquidation may be sanctioned.

Ibid., s. 174.

202. The liquidator may, with the sanction of the Court where the Company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an Extraordinary resolution of the Company where the Company is being wound up altogether voluntarily, compromise all calls and liabilities to calls, debts and liabilities capable of resulting in debts, and all claims, whether present or future, subsisting or supposed to subsist between the Company and any contributory or alleged contributory, or other debtor or person apprehending liability to the Company, and all questions in any way relating to or affecting the assets of the Company or the winding-up of the Company generally upon such terms as may be agreed upon, with power for the liquidator to take any security for the discharge of such debts or liabilities, and to give complete discharges in respect of all or any such calls, debts or liabilities.

Power to compromise.

33 & 34 Vic., c. 104, s. 2.

203. Where any compromise or arrangement shall be proposed between a Company which is, at the time of the passing of this Act or afterwards, in the course of being wound up, either voluntarily or by or under the supervision of the Court, and the creditors of such Company, or any class of such creditors, it shall be lawful for the Court, in addition to any other of its powers, on the application in a summary way of any creditor or the liquidator, to order that a meeting of such creditors or class of creditors shall be summoned in such manner as the Court shall direct, and if a majority in number representing three-fourths in value of such creditors or class of creditors present either in person or by proxy at such meeting shall agree to any arrangement or compromise, such arrangement or compromise shall, if sanctioned by an order of the Court, be binding on all such creditors or class of creditors, as the case may be, and also on the liquidator and contributories of the said Company.

Where compromise proposed, Court may order a meeting of creditors, &c., to decide as to such compromise.

Act X of 1866, s. 175.

204. Where any Company is proposed to be or is in the course of being wound up altogether voluntarily, and the whole or a portion of its business or property is proposed to be transferred or sold to another Company, the liquidators of the first-mentioned Company may, with the sanction of a special resolution of the Company by whom they were appointed, conferring either a general authority on the liquidators, or an authority in respect of any particular arrangement, receive in compensation or part compensation for such transfer or sale, shares, debentures, policies or other like interests in such other Company, for the purpose of distribution amongst the members of the Company being wound up, or may enter into any other arrangement whereby the members of the Company being wound up may, in lieu of receiving cash, shares, debentures, policies or other like interests, or in addition thereto, participate in the profits of or receive any other benefit from the purchasing Company.

Power for liquidators to accept shares, &c., as a consideration for sale of property of Company.

Any sale made or arrangement entered into by the liquidator in pursuance of this section shall be binding on the members of the Company being wound up; subject to this proviso that, if any member of the Company being wound up who has not voted in favour of the special resolution passed by the Company of which he is a member at either of the meetings held for passing the same, expresses his dissent from any such special resolution in writing addressed to the liquidators or one of them, and left at the registered office of the Company not later than seven days after the date of the meeting at which such special resolution was passed, such dissentient member may *by writing addressed and left as last aforesaid*, require the liquidator to do one of the following things as the liquidator may prefer (that is to say), either to abstain from carrying such resolution into effect, or to purchase the interest held by such dissentient member at a price to be determined in manner hereinafter mentioned, such purchase-money to be paid before the Company is dissolved, and to be raised by the liquidator in such manner as may be determined by special resolution.

Union Bank of Kingston upon Hull, 49 L. J. Ch. 264.

No special resolution shall be deemed invalid for the purposes of this section by reason that it is passed antecedently to or concurrently with any resolution for winding-up the Company, or for appointing liquidators; but if an order be made within a year for winding-up the Company by or subject to the supervision of the Court, such resolution shall not be of any validity unless it is sanctioned by the Court.

205. The price to be paid for the purchase of the interest of any dissentient member may be determined by agreement. If the parties dispute about the same, such dispute shall be settled by arbitration under the provisions next hereinafter contained.

Act X of 1866, s. 176.

Mode of determining price.

206. When any dispute so directed to be settled by arbitration has arisen, then, unless both parties concur in the appointment of a single arbitrator, each party, on the request of the other party, shall by writing under his hand nominate and appoint an arbitrator to whom such dispute shall be referred.

Ibid., s. 177.

Appointment of arbitrator when questions are to be determined by arbitration.

After any such appointment has been made, neither party shall have power to revoke the same without the consent of the other, nor shall the death of either party operate as such revocation.

If for the space of fourteen days after any such dispute has arisen and after a request in writing has been served by the one party on the other party to appoint an arbitrator, such last mentioned party fail to appoint such arbitrator, then upon such failure the party making the request, and having himself appointed an arbitrator, may appoint such arbitrator to act on behalf of both parties, and such arbitrator may proceed to hear and determine the matters in dispute; and in such case the award or determination of such single arbitrator shall be final.

207. If before the matters so referred are determined, any arbitrator appointed by either party die, or become incapable or refuse, or for seven days neglect to act as arbitrator, the party by whom such arbitrator was appointed may nominate and appoint in writing some other person to act in his place; and if for the space of seven days after notice in writing from the other party for that purpose he fail to do so, the remaining or other arbitrator may proceed *ex parte*; and every arbitrator so substituted as aforesaid shall have the same powers and authorities as were vested in the former arbitrator at the time of such his death, refusal or disability as aforesaid.

Ibid., s. 178.

Vacancy of arbitrator to be supplied.

208. Where more arbitrators than one have been appointed, they shall, before entering upon the matters referred to them, nominate and appoint by writing under their hands an umpire to decide on any such matters on which they shall differ.

Ibid., s. 179.

Appointment of umpire.

If such umpire die, or refuse or for seven days neglect to act, they shall forthwith, after such death, refusal or neglect, appoint another umpire in his place; and the decision of every such umpire on the matters so referred to him shall be final.

209. The said arbitrators or their umpire may call for the production of any documents in the possession or power of either party which they or he may think necessary for determining the question in dispute, and may examine the parties or their witnesses on oath.

Ibid., s. 180.

Power of arbitrators to call for books, &c.

Act X of 1866, s. 181.

210. The costs of and attending every such arbitration to be determined by the arbitrators shall be in the discretion of the arbitrators or their umpire, as the case may be.

Costs to be in the discretion of the arbitrators.

Ibid., s. 182.

211. On the application of either of the parties, the submission to any such arbitration may be filed in the Court, and an order of reference may be made thereon; and the provisions of the Code of Civil Procedure shall, so far as the same are applicable, apply to every such order and to all proceedings thereunder.

Submission to arbitration may be filed in Court.

Ibid., s. 183.

212. Where any Company is being wound up by the Court, or subject to the supervision of the Court, any attachment, distress or execution put in force, *without the leave of the Court*, against the estate or effects of the Company after the commencement of the winding-up, shall be void.

Certain attachments, distresses and executions to be void.

Exhall Mining Co. 4 *D. J. & S.* 377.

See Thring, p. 377.

Nothing in this section applies to proceedings by the Government.

Act X of 1866, s. 184.

213. Every conveyance, mortgage, delivery of goods, payment, execution or other act relating to property, which would, if made or done by or against any individual trader, be deemed in the event of his insolvency to have been made or done by way of undue or fraudulent preference of the creditors of such trader, shall, if made or done by or against any Company, be deemed, in the event of such Company being wound up under this Act, to have been made or done by way of undue or fraudulent preference of the creditors of such Company, and shall be invalid accordingly.

Fraudulent preference.

For the purposes of this section, the making of an application for winding-up a Company shall, in the case of a Company being wound up by the Court or subject to the supervision of the Court, and a resolution for winding-up the Company shall, in the case of a voluntary winding-up, be deemed to correspond with the act of insolvency in the case of an individual trader; and any conveyance or assignment made by any Company formed under this Act, of all its estate and effects to trustees for the benefit of all its creditors, shall be void.

Ibid., s. 185.

214. Where in the course of the winding-up, of any Company under this Act, it appears that any past or present director, manager, official or other liquidator, or any officer of such Company, has misapplied or retained in his own hands or become liable or accountable for any monies of the Company, or been guilty of any misfeasance or breach of trust in relation to the Company, the Court may, on the application of any liquidator, or of any creditor or contributory of the Company, notwithstanding that the offence is one for which the offender is criminally responsible, examine into the conduct of such director, manager or other officer, and compel him to repay any monies so misapplied or retained, or for which such officer has become liable or accountable, together with interest after such rate as the Court thinks just, or to contribute such sums of money to the assets of the Company by way of compensation in respect of such misapplication, retainer, misfeasance or breach of trust, as the Court thinks just.

Power of Court to assess damages against delinquent directors and officers.

Explanation I.—The banker of a Company is not as such an officer within the meaning of this section. *Imp. Land Co. of Marseilles*, 10 Eq. 298.

Explanation II.—Proceedings cannot be taken under this section against the representatives of a deceased officer. 49 L. J. Ch. 446.

Act X of 1866, s. 186.

215. If any director, officer or contributory of any Company wound up under this Act, destroys, mutilates, alters, falsifies or fraudulently secretes any books, papers, writings or securities, or makes, or is privy to the making of any false or fraudulent entry in any register, book of account or other document belonging to the Company with intent to defraud or deceive any person, every person so offending shall be punished with imprisonment for a term which may extend to two years, and shall also be liable to fine which may extend to five hundred rupees.

Penalty on falsification of books.

Ibid., s. 187.

216. Where any order is made for winding-up a Company by the Court or subject to the supervision of the Court, if it appear in the course of such winding-up that any past or present director, manager, officer or member of such Company has been guilty of any offence in relation to the Company for which he is criminally responsible, the Court may, on the application of any person interested in such winding-up or of its own motion, direct the official liquidators, or the liquidators (as the case may be), to institute a prosecution for such offence, and may order the costs and expenses of such prosecution to be paid out of the assets of the Company.

Prosecution of delinquent directors in the case of winding-up by Court.

Ibid., s. 188.

217. If any person, upon any examination upon oath authorized under this Act, or in any affidavit, deposition or solemn affirmation in or about the winding-up of any Company under this Act, or otherwise in or about any matter arising under this Act, intentionally gives false evidence, he shall be liable to imprisonment for a term which may extend to seven years and shall also be liable to fine.

Penalty of false evidence.

30 & 31 Vic., c. 131, s. 41.

218. Where the High Court makes an order for winding-up a Company under this Act, it may, if it thinks fit, direct all subsequent proceedings to be had in a District Court, and thereupon such District Court shall, for the purpose of winding-up the Company, be deemed to be "the Court" within the meaning of this Act, and shall have, for the purposes of such winding-up, all the jurisdiction and powers of the High Court.

Winding-up may be referred to district Court.

Ibid., s. 42.

219. If during the progress of a winding-up in a District Court it is made to appear to the High Court that the same could be more conveniently prosecuted in any other District Court, it shall be competent for the High Court to transfer the same to such other Court, and thereupon the winding-up shall proceed in such other District Court.

As to transfer of winding-up from one district Court to another.

PART V.

REGISTRATION OFFICE.

Act X of 1866, s. 190.

Constitution of registration office.

220. The registration of Companies under this Act shall be conducted as follows (that is to say):—

(*a*) The Local Government may, after the sanction of the Governor General in Council to the creation of any such offices shall have been obtained, from time to time appoint such registrars, assistant registrars, clerks and servants as it may think necessary for the registration of Companies under this Act, and remove them at pleasure:

(*b*) The Local Government may make such regulations as it thinks fit with respect to the duties to be performed by any such registrars, assistant registrars, clerks and servants as aforesaid:

(*c*) The Local Government may from time to time determine the places at which offices for the registration of Companies are to be established, so that there be at all times maintained in each of the towns of Calcutta, Madras and Bombay at least one such office, and that no Company shall be registered except at an office within that part of British India in which by the memorandum of association the registered office of the Company is declared to be established:

(*d*) The Local Government may from time to time direct a seal or seals to be prepared for the authentication of any documents required for or connected with the registration of Companies:

(*e*) Every person may inspect the documents kept by the Registrar of Joint Stock Companies. There shall be paid for such inspection such fees as may be appointed by the Local Government not exceeding one rupee for each inspection. Any person may require a certificate of the incorporation of any Company, or a copy or extract of any other document or any part of any other document, to be certified by the registrar. There shall be paid for such certificate of incorporation, certified copy or extract, such fees as the Local Government may direct, not exceeding three rupees for the certificate of incorporation, and not exceeding two annas for each hundred words of such copy or extract:

(*f*) The existing registrar, assistant registrars, clerks and other officers and servants in the office for the registration of joint stock companies shall, during the pleasure of the Local Government hold the offices and receive the salaries hitherto held and received by them, but they shall in the execution of their duties conform to any regulations that may be issued by the Local Government.

(*g*) There shall be paid to any registrar, assistant registrar, clerk or servant that may hereafter be employed in the registration of joint stock Companies, such salary as the Local Government may, with the sanction of the Governor General in Council, direct:

(*h*) Whenever any act is herein directed to be done to or by the Registrar of Joint Stock Companies, such act shall, until the Local Government otherwise directs, be done to or by the existing Registrar of Joint Stock Companies, or in his absence to or by such person as the local Government may for the time being authorize. But in the event of the Local Government altering the constitution of the existing registry office, such act shall be done to or by such officer or officers and at such place or places with reference to the local situation of the registered offices of the Companies to be registered as the Local Government may appoint.

PART VI.

APPLICATION OF ACT TO COMPANIES REGISTERED UNDER THE JOINT STOCK COMPANIES' ACTS.

Act X of 1866, s. 191.

Application of Act to Companies formed under Act XIX of 1857 or VII of 1860.

221. Subject as hereinafter mentioned, this Act with the exception of Table A in the first schedule shall apply to Companies formed and registered under Act No. XIX of 1857 and Act No. VII of 1860 or either of them, in the same manner in the case of a limited Company as if such Company had been formed and registered under this Act as a Company limited by shares; and in the case of a Company other than a limited Company, as if such Company had been formed and registered as an unlimited Company under this Act, with this qualification, that wherever reference is made expressly or impliedly to the date of registration, such date shall be deemed to refer to the date at which such Companies were respectively registered under the said Acts or either of them, and the power of altering regulations by special resolution given by this Act shall, in the case of any Company formed and registered under the said Acts or either of them, extend to altering any provisions contained in the table marked B annexed to Act No. XIX of 1857, and shall also, in the case of an unlimited Company formed and registered as last aforesaid, extend to altering any regulations relating to the amount of capital or its distribution into shares, notwithstanding such regulations are contained in the memorandum of association.

Ibid., s. 192.

Application of Act to Companies registered under Act XIX of 1857 or VII of 1860.

222. This Act shall apply to Companies registered but not formed under the said Acts or either of them, in the same manner as it is hereinafter declared to apply to Companies registered but not formed under this Act, with this qualification, that wherever reference is made expressly or impliedly to the date of registration, such date shall be deemed to refer to the date at which such Companies were respectively registered under the said Acts or either of them.

Ibid., s. 193.

Mode of transferring shares.

223. Any Company registered under the said Acts or either of them may cause its shares to be transferred in manner hitherto in use, or in such other manner as the Company may direct.

PART VII.

COMPANIES AUTHORIZED TO REGISTER UNDER THIS ACT.

Ibid., s. 194.

Companies capable of being registered.

224. With the exceptions made in the next following section and subject to the regulations therein contained, every Company existing at the time of the commencement of this Act, including any Company registered under either of the said Acts, consisting of seven or more members, and any Company hereafter formed in pursuance of any Act of Parliament, or Act of the Governor General in Council other than this Act, or of letters patent, or being otherwise duly constituted by law, and consisting of seven or more members, may at any time hereafter register itself under this Act as an unlimited Company, or a Company limited by shares, or a Company limited by guarantee, and no such registration shall be invalid by reason that it has taken place with a view to the Company being wound up.

Act X of 1866, s. 195.

Regulations as to registration of existing Companies.

225. The following regulations shall be observed with respect to the registration of Companies under this part of this Act (that is to say)—

(*a*) No Company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council other than this Act, or by letters patent, and not being a joint stock company as hereinafter defined, shall register under this Act in pursuance of this part thereof;

(*b*) No Company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council other than this Act, or by letters patent, shall register under this Act in pursuance of this part thereof as an unlimited Company, or as a Company limited by guarantee:

(*c*) No life-assurance Company existing at the time of the commencement of this Act, and no Company that is not a joint stock company as hereinafter defined, shall in pursuance of this part of this Act register under this Act as a Company limited by shares:

(*d*) No Company shall register under this Act in pursuance of this part thereof unless an assent to its so registering is given by a majority of such of its members as may be present personally, or by proxy in cases where proxies are allowed by the regulations of the Company, at some general meeting summoned for the purpose:

(*e*) Where a Company not having the liability of its members limited by Act of Parliament or Act of the Governor General in Council, or by letters patent, is about to register as a limited Company, the majority required to assent as aforesaid shall consist of not less than three-fourths of the members present, personally or by proxy, at such last-mentioned general meeting:

(*f*) Where a Company is about to register as a Company limited by guarantee, the assent to its being so registered shall be accompanied by a resolution declaring that each member undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceased to be a member, and of the costs, charges and expenses of winding-up the Company, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding a specified amount.

In computing any majority under this section, when a poll is demanded, regard shall be had to the number of votes to which each member is entitled according to the regulations of the Company of which he is a member.

Ibid., s. 196.

Definition of joint stock Company.

226. For the purposes of this part of this Act so far as the same relates to the description of Companies empowered to register as Companies limited by shares, a joint stock Company shall be deemed, to be a Company having a permanent paid-up or nominal capital of fixed amount, divided into shares, also of fixed amount, or held and transferable as stock, or divided and held partly in one way and partly in the other, and formed on the principle of having for its members the holders of shares in such capital, or the holders of such stock, and no other persons; and such Company when registered with limited liability under this Act shall be deemed to be a Company limited by shares.

Act X of 1866, s. 197.

Requisitions for registration by Companies.

227. Previously to the registration, in pursuance of this part of this Act, of any joint stock Company, there shall be delivered to the registrar the following documents (that is to say),—

(*a*) A list showing the names, addresses and occupations of all persons who, on a day named in such list and not being more than six clear days before the day of registration, were members of such Company, with the addition of the shares held by such persons respectively, distinguishing, in cases where such shares are numbered, each shared by its number:

(*b*) A copy of any Act of Parliament or Act of the Governor General in Council, royal charter, letters patent, deed of settlement, contract of copartnery or other instrument constituting or regulating the Company:

(*c*) If any such joint stock Company is intended to be registered as a limited Company, the above list and copy shall be accompanied by a statement specifying the following particulars (that is to say)—

The nominal capital of the Company and the number of shares into which it is divided:

The number of shares taken and the amount paid on each share:

The name of the Company, with the addition of the word "limited" as the last word thereof:

With the addition, in the case of a Company intended to be registered as a Company limited by guarantee, of the resolution declaring the amount of the guarantee.

Ibid., s. 198.

Requisitions for registration by existing Company not being a joint stock Company.

228. Previously to the registration in pursuance of this part of this Act of any Company not being a joint stock Company, there shall be delivered to the Registrar a list showing the names, addresses and occupations of the directors or other managers (if any) of the Company, also a copy of any Act of Parliament, Act of the Governor General in Council, letters patent, deed of settlement, contract of copartnery or other instrument constituting or regulating the Company, with the addition, in the case of a Company intended to be registered as a Company limited by guarantee, of the resolution declaring the amount of guarantee.

Ibid., s. 199.

Power for existing Company to register amount of stock instead of shares.

229. Where a joint stock Company authorized to register under this Act has had the whole or any portion of its capital converted into stock, such Company shall, as to the capital so converted, instead of delivering to the Registrar a statement of shares, deliver to the Registrar a statement of the amount of stock belonging to the Company, and the names of the persons who were holders of such stock, on some day to be named in the statement not more than six clear days before the day of registration.

Act X of 1866, s. 200.

230. The lists of members and directors and any other particulars relating to the Company hereby required to be delivered to the Registrar, shall be verified by declaration of the directors of the Company delivering the same or any two of them, or of any two other principal officers of the Company made before a justice of the peace or a district judge.

Authentication of statements of existing Companies.

Ibid., s. 201.

231. The Registrar may require such evidence as he thinks necessary for the purpose of satisfying himself whether an existing Company is or not a joint stock Company as hereinbefore defined.

Registrar may require evidence as to nature of Company.

Ibid., s. 202.

232. Every banking Company existing at the date of the passing of this Act which registers itself as a limited Company shall, at least thirty days previous to obtaining a certificate of registration with limited liability, give notice that it is intended so to register the same to every person and partnership firm having a banking account with the Company.

On registration of banking Company with limited liability notice to be given to customers.

Such notice shall be given either by delivering the same to such person or firm, or leaving the same, or putting the same into the post addressed to him or them, at such address as shall have been last communicated or otherwise become known as his or their address to or by the Company.

In case the Company omits to give any such notice as is hereinbefore required to be given, then, as between the Company and the person or persons only who are for the time being interested in the account in respect of which such notice ought to have been given, and so far as respects such account and all variations thereof down to the time at which such notice shall be given, but not further or otherwise, the certificate of registration with limited liability shall have no operation.

Ibid., s. 203.

233. No fees shall be charged in respect of the registration in pursuance of this part of this Act of any Company in cases where such Company is not registered as a limited Company, or where, previously to its being registered as a limited Company, the liability of the shareholders was limited by some Act of Parliament, or Act of the Governor General in Council, or by letters patent.

Exemption of certain Companies from payment of fees.

Ibid., s. 204.

234. Any Company authorized by this part of this Act to register with limited liability shall, for the purpose of obtaining registration with limited liability, change its name by adding thereto the word "limited."

Company to change name.

Ibid., s. 205.

235. Upon compliance with the requisitions in this part of this Act contained with respect to registration, and on payment of such fees, if any, as are payable under the tables numbered B and C in the first schedule hereto, the Registrar shall certify under his hand that the Company so applying for registration is incorporated as a Company under this Act, and, in the case of a limited Company, that it is limited, and thereupon such Company shall be incorporated, and shall have perpetual succession and a common seal.

Certificate of registration of existing Companies.

Act X of 1866, s. 206.

236. A certificate of incorporation given at any time to any Company registered in pursuance of this part of this Act shall be conclusive evidence that all the requisitions herein contained in respect of registration under this Act have been complied with, and that the Company is authorized to be registered under this Act as a limited or unlimited Company, as the case may be, and the date of incorporation mentioned in such certificate shall be deemed to be the date at which the Company is incorporated under this Act.

Certificate to be evidence of compliance with Act.

Ibid., s. 207.

237. All such property, moveable and immoveable, including all interests and rights in, to, and out of property, moveable and immoveable, and including obligations and things in action, as may belong to or be vested in the Company at the date of its registration under this Act, shall, on registration, pass to and vest in the Company as incorporated under this Act for all the estate and interest of the Company therein.

Transfer of property to Company.

Ibid., s. 208.

238. The registration in pursuance of this part of this Act of any Company shall not affect or prejudice the liability of such Company to have enforced against it, or its right to enforce, any debt or obligation incurred, or any contract entered into, by, to, with or on behalf of such Company previously to such registration.

Registration under this Act not to affect obligations incurred previously to registration.

Ibid., s. 209.

239. All such suits and other legal proceedings as may at the time of the registration of any Company registered in pursuance of this part of this Act have been commenced by or against such Company, or the public officer or any member thereof, may be continued in the same manner as if such registration had not taken place. Nevertheless, execution shall not issue against the effects of any individual member of such Company upon any decree or order obtained in any suit or proceeding so commenced as aforesaid; but in the event of the property and effects of the Company being insufficient to satisfy such decree or order, an order may be obtained for winding-up the Company.

Continuation of existing suits.

Ibid., s. 210.

240. When a Company is registered under this Act in pursuance of this part thereof, all provisions contained in any Act of Parliament, Act of the Governor General in Council, deed of settlement, contract of copartnery, letters patent or other instrument constituting or regulating the Company, including, in the case of a Company registered as a Company limited by guarantee, the resolution declaring the amount of the guarantee, shall be deemed to be conditions and regulations of the Company, in the same manner and with the same incidents as if they were contained in a registered memorandum of association and articles of association; and all the provisions of this Act shall apply to such Company and the members, contributories and creditors thereof, in the same manner in all respects as if it had been formed under this Act, subject to the provisions following (that is to say),—

Effect of registration under Act.

(*a*) That Table A in the first schedule to this Act shall not, unless adopted by special resolution, apply to any Company registered under this Act in pursuance of this part thereof:

(*b*) That the provisions of this Act relating to the numbering of shares shall not apply to any joint stock Company whose shares are not numbered:

(*c*) That no Company shall have power to alter any provisions contained in any Act of Parliament, Act of the Legislative Council or Act of the Governor General in Council relating to the Company:

(*d*) That no Company shall have power, without the sanction of the Governor General in Council, to alter any provision contained in any letters patent relating to the Company:

(*e*) In the event of the Company being wound up, every person shall be a contributory, in respect of the debts and liabilities of the Company contracted prior to registration, who is liable to pay or contribute to the payment of any debt or liability of the Company contracted prior to registration, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members amongst themselves in respect of any such debt or liability; or to pay or contribute to the payment of the costs, charges and expenses of winding-up the Company, so far as relates to such debts or liabilities as aforesaid. Every such contributory shall be liable to contribute to the assets of the Company, in the course of the winding-up, all sums due from him in respect of any such liability as aforesaid. In the event of the death or insolvency of any such contributory as last aforesaid, or marriage of any such contributory being a female, the provisions hereinbefore contained with respect to the representatives, heirs and devisees of deceased contributories, and with reference to the assignees of insolvent contributories, and to the husbands of married contributories, shall apply:

(*f*) Nothing herein contained shall authorize any Company to alter any such provisions contained in any deed of settlement, contract of copartnery, letters patent or other instrument constituting or regulating the Company, as would, if such Company had originally been formed under this Act, have been contained in the memorandum of association, and are not authorized to be altered by this Act:

But nothing herein contained shall derogate from any power of altering its constitution or regulations which may be vested in any Company registering under this Act in pursuance of this Part thereof by virtue of any Act of Parliament, Act of the Governor General in Council, deed of settlement contract of copartnery, letters patent or other instrument constituting or regulating the Company.

Act X of 1866, s. 211.

241. The Court may, at any time after the presentation of a petition for winding-up a Company registered in pursuance of this part of this Act, and before making an order for winding-up the Company, upon the application of any creditor of the Company restrain further proceedings in any suit or legal proceeding against any contributory of the Company as well as against the Company as hereinbefore provided, upon such terms as the Court thinks fit.

Powers of Court to restrain further proceedings.

Ibid., s. 212.

242. Where an order has been made for winding-up a Company registered in pursuance of this part of the Act, in addition to the provisions hereinbefore contained, it is hereby further provided that no suit or other legal proceeding shall be commenced or proceeded with against any contributory of the Company in respect of any debt of the Company, except with the leave of the Court and subject to such terms as the Court may impose.

Order for winding-up Company.

PART VIII.

APPLICATION OF ACT TO UNREGISTERED COMPANIES.

Act X of 1866, s. 213.

243. Subject as hereinafter mentioned, any partnership, association or Company, except railway Companies incorporated by Act of Parliament or Act of the Governor General in Council, consisting of more than seven members and not registered under this Act, and hereinafter included under the term unregistered Company, may be wound up under this Act, and all the provisions of this Act with respect to winding-up shall apply to such Company, with the following exceptions and additions:—

Winding-up unregistered Companies.

(1) An unregistered Company shall, for the purpose of determining the Court having jurisdiction in the matter of the winding-up, be deemed to be registered in that part of British India where its principal place of business is situate; or if it has a principal place of business situate in more than one part of British India, then in each part of British India where it has a principal place of business. Moreover, the principal place of business of an unregistered Company, or (where it has a principal place of business situate in more than one part of British India) such one of its principal places of business as is situated in that part of British India in which proceedings are being instituted, shall, for all the purposes of the winding-up of such Company, be deemed to be the registered office of the Company:

(2) No unregistered Company shall be wound up under this Act voluntarily, or subject to the supervision of the Court:

(3) The circumstances under which an unregistered Company may be wound up are as follows (that is to say),—

(*a*) Whenever the Company is dissolved or has ceased to carry on business, or is carrying on business only for the purpose of winding-up its affairs:

(*b*) Whenever the Company is unable to pay its debts:

(*c*) Whenever the Court is of opinion that it is just and equitable that the Company should be wound up:

(4) An Unregistered Company shall, for the the purposes of this Act, be deemed to be unable to pay its debts:—

(*a*) Whenever a creditor to whom the Company is indebted, by assignment or otherwise, in a sum exceeding five hundred rupees then due, has served on the Company, by leaving the same at the principal place of business of the Company or by delivering to the secretary or some director or principal officer of the Company, or by otherwise serving the same in such manner as the Court may approve or direct, a demand under his hand requiring the Company to pay the sum so due, and the Company has for the space of three weeks succeeding the service of such demand neglected to pay such sum, or to secure or compound for the same to the satisfaction of the creditor:

(*b*) Whenever any suit or other proceeding has been instituted against any member of the Company for any debt or demand due or claimed to be due from the Company, or from him in his character of member of the Company, and notice in writing of the institution of such suit or other legal proceeding having been served upon the Company by leaving the same at the principal place of business of the Company, or by delivering it to the secretary, or some director, manager or principal officer of the Company, or by otherwise serving the same in such manner as the Court may approve or direct, the Company has not within ten days after service of such notice paid, secured or compounded for such debt or demand, or procured such suit or other legal proceeding to be stayed, or indemnified the defendant to his reasonable satisfaction against such suit or other legal proceeding, and against all costs, damages and expenses to be incurred by him by reason of the same:

(*c*) Whenever execution or other process issued on a decree or order obtained in any Court in favour of any creditor in any proceeding instituted by such creditor against the Company, or any member thereof as such, or against any person authorized to be sued as nominal defendant on behalf of the Company, is returned unsatisfied:

(*d*) Whenever it is otherwise proved to the satisfaction of the Court that the Company is unable to pay its debts.

Act X of 1866, s. 214.

244. In the event of an unregistered Company being wound up, every person shall be deemed to be a contributory who is liable to pay or contribute to the payment of any debt or liability of the Company, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members amongst themselves, or to pay or contribute to the payment of the costs, charges and expenses of winding-up the Company.

Who to be deemed a contributory in the event of Company being wound up.

Every such contributory shall be liable to contribute to the assets of the Company in the course of the winding-up all sums due from him in respect of any such liability as aforesaid.

In the event of the death or insolvency of any contributory, the provisions hereinbefore contained with respect to the personal representatives, heirs and devisees of a deceased contributory, and to the assignees of an insolvent contributory, shall apply.

Ibid., s. 215.

245. The Court may, at any time after the making of an application for winding-up an unregistered Company, and before making an order for winding-up the Company, upon the application of any creditor of the Company, restrain further proceedings in any suit or proceeding against any contributory of the Company, or against the Company as hereinbefore provided, upon such terms as the Court thinks fit.

Power of Court to restrain further proceedings.

Ibid., s. 216.

246. Where an order has been made for winding-up an unregistered Company, in addition to the provisions hereinbefore contained in the case of Companies formed under this Act, it is hereby further provided that no suit shall be commenced or proceeded with against any contributory of the Company in respect of any debt of the Company, except with the leave of the Court and subject to such terms as the Court may impose.

Effect of order for winding-up Company.

Act X of 1866, s. 217.

247. If any unregistered Company has no power to sue and be sued in a common name, or if, for any reason, it appears expedient, the Court may, by the order made for winding-up such Company or by any subsequent order, direct that all such property, moveable and immoveable, including all interests, claims and rights into and out of property, moveable and immoveable, and including things in action, as may belong to or be vested in the Company, or to or in any person or persons on trust for or on behalf of the Company or any part of such property, is to vest in the official liquidator or official liquidators by his or their official name or names, and thereupon the same or such part thereof as may be specified in the order shall vest accordingly, and the official liquidator or official liquidators may, in his or their official name or names, or in such name or names and after giving such indemnity as the Court directs, bring or defend any suits or other legal proceedings relating to any property vested in him or them, or any suits or other legal proceedings necessary to be brought or defended for the purposes of effectually winding-up the Company and recovering the property thereof.

Provision in case of unregistered Company.

Ibid., s. 218.

248. The provisions made by this part of the Act with respect to unregistered Companies shall be deemed to be made in addition to and not in restriction of any provisions hereinbefore contained with respect to winding-up Companies by the Court.

Provisions of this part of Act cumulative.

The Court or official liquidator may, in addition to any thing contained in this part of the Act, exercise any powers or do any act in the case of unregistered Companies which might be exercised or done by it or him in winding-up Companies formed under this Act; but an unregistered Company shall not, except in the event of its being wound up, be deemed to be a Company under this Act, and then only to the extent provided by this part of this Act.

PART IX.

MISCELLANEOUS PROVISIONS.

Ibid., s. 221.

249. Where previously to the commencement of this Act an order has been made for winding-up a Company under the Indian Companies Act, 1866, or a resolution has been passed for winding-up a Company voluntarily, such Company shall be wound-up in the same manner and with the same incidents as if this Act were not passed, and for the purposes of such winding-up, the Indian Companies Act, 1866, shall be deemed to remain in full force.

Saving of existing proceedings for winding-up.

Ibid., s. 222.

250. Where previously to the commencement of this Act any conveyance, mortgage or other deed has been made in pursuance of the Indian Companies Act, 1866, such deed shall be of the same force as if this Act had not passed, and for the purposes of such deed, the Indian Companies Act, 1866, shall be deemed to remain in full force.

Saving of conveyance deeds.

Ibid., s. 223.

251. All offences under this Act may be tried by any magistrate of the first class unless the period of imprisonment to which the offender is liable exceeds that which such officer is competent to award under the law for the time being in force in the place in which he is employed. When the period of imprisonment provided by this Act exceeds the period that may be awarded by such officer, the offender shall be committed for trial before the Court of Session.

Cognizance of offences under this Act.

Act X of 1866, s. 226.

252. If any offence which by this Act is declared to be punishable by any penalty is committed by any person within the local limits of the ordinary original civil jurisdiction of the High Court, such offence shall be punishable upon summary conviction by any magistrate of police of the place at which such Court is held.

Punishment of offences under this Act, committed within local limits of High Court.

English Companies Act, 1867, s. 12.

253. Subject to the provisions hereinbefore contained, the Court may, in any proceedings under this Act, make such order as to costs as it thinks fit.

Power to make orders as to costs.

Act X of 1866, s. 189.

254. The High Court may from time to time make rules consistent with this Act and with the Code of Civil Procedure concerning the mode of proceeding to be had for winding-up a Company in such Court and in the Courts subordinate thereto, *and for giving effect to the provisions hereinbefore contained as to the reduction of the capital and the subdivision of the shares of a Company.*

Power of High Court to make rules.

English Companies Act, 1867, s. 20.

Act X of 1866, s. 230.

255. In sections one and eighteen of Act No. XXI of 1860 (*for the registration of Literary, Scientific and Charitable Societies*), the words "Registrar of Joint Stock Companies" shall be construed to mean Registrar of Joint Stock Companies under this Act or any Act for the time being in force.

Construction of "Registrar of Joint Stock Companies" in Act No. XXI of 1860.

Ibid., s. 231.

256. Save as provided in sections one hundred and fifty-two and one hundred and fifty-three, nothing in this Act shall be deemed to apply to the Bank of Bengal, the Bank of Madras and the Bank of Bombay.

Act not to apply to Bank of Bengal, Madras or Bombay.

FIRST SCHEDULE.

TABLE A.

REGULATIONS FOR MANAGEMENT OF A COMPANY LIMITED BY SHARES.

Shares.

(1) If several persons are registered as joint holders of any share, any one of such persons may give effectual receipts for any dividend payable in respect of such share.

(2) Every member shall, on payment of eight annas or such less sum as the Company in general meeting may prescribe, be entitled to a certificate under the common seal of the Company, specifying the share or shares held by him, and the amount paid up thereon.

(3) If such certificate is worn out or lost, it may be renewed, on payment of eight annas or such less sum as the Company in general meeting may prescribe.

Calls on Shares.

(4) The directors may from time to time make such calls upon the members in respect of all monies unpaid on their shares as they think fit, provided that twenty-one days' notice at least is given of each call; and each member shall be liable to pay the amount of calls so made to the persons and at the times and places appointed by the directors.

(5) A call shall be deemed to have been made at the time when the resolution of the directors authorizing such call was passed.

(6) If the call payable in respect of any share is not paid before or on the day appointed for payment thereof, the holder for the time being of such share shall be liable to pay interest for the same at the rate of five per cent. per annum from the day appointed for the payment thereof to the time of the actual payment.

(7) The directors may, if they think fit, receive from any member willing to advance the same all or any part of the monies due upon the shares held by him beyond the sums actually called for; and upon the monies so paid in advance, or so much thereof as from time to time exceeds the amount of the calls then made upon the shares in respect of which such advance has been made, the Company may pay interest at such rate as the member paying such sum in advance and the directors agree upon.

Transfers of Shares.

(8) The instrument of transfer of any share in the Company shall be executed both by the transferor and transferee, and the transferor shall be deemed to remain a holder of such share until the name of the transferee is entered in the register book in respect thereof.

(9) Shares in the Company shall be transferred in the folowing form:—

I, *A B*, of in consideration of the sum of rupees paid to me by *C D* of do hereby transfer to the said *C D* the share (or shares) numbered standing in my name in the books of the Company, to hold unto the said *C D*, his executors, administrators and assigns, subject to the several conditions on which I held the same at the time of the execution hereof; and I, the said *C D*, do hereby agree to take the said share (or shares) subject to the same conditions. As witness our hands, the day of

(10) The Company may decline to register any transfer of shares made by a member who is indebted to them.

(11) The transfer books shall be closed during the fourteen days immediately preceding the ordinary general meeting in each year.

Transmission of Shares.

(12) The executors or administrators of a deceased member shall be the only persons recognised by the Company as having any title to his share.

(13) Any person becoming entitled to a share in consequence of the death, bankruptcy or insolvency of any member, or in consequence of the marriage of any female member, may be registered as a member upon such evidence being produced as may from time to time be required by the Company.

(14) Any person who has become entitled to a share in consequence of the death, bankruptcy or insolvency of any member, or in consequence of the marriage of any female member, may, instead of being registered himself, elect to have some

person to be named by him registered as a transferee of such share.

(15) The person so becoming entitled shall testify such election by executing to his nominee an instrument of transfer of such share.

(16) The instrument of transfer shall be presented to the Company, together with such evidence as the directors may require to prove the title of the transferee, and thereupon the Company shall regsiter the transferee as a member.

Forfeiture of Shares.

(17) If any member fails to pay any call on the day appointed for payment thereof, the directors may, at any time thereafter, during such time as the call remains unpaid, serve a notice on him requiring him to pay such call, together with interest and any expenses that may have accrued by reason of such non-payment.

(18) The notice shall name a further day on or before which such call and all interest and expenses that have accrued by reason of such non-payment are to be paid. It shall also name the place where payment is to be made, the place so named being either the registered office of the Company or some other place at which calls of the Company are usually made payable. The notice shall also state that in the event of non-payment at or before the time and at the place appointed, the shares in respect of which such call was made will be liable to be forfeited.

(19) If the requisitions of any such notice as aforesaid are not complied with, any share in respect of which such notice has been given may at any time thereafter before payment of all calls, interest and expenses due in respect thereof has been made, be forfeited by a resolution of the directors to that effect.

(20) Any share so forfeited shall be deemed to be the property of the Company, and may be disposed of in such manner as the Company in general meeting thinks fit.

(21) Any member whose shares have been forfeited shall notwithstanding be liable to pay to the Company all calls owing upon such shares at the time of the forfeiture.

(22) A solemn declaration in writing, made before a magistrate, that the call in respect of a share was made and notice thereof given, and that default in payment of the call was made, and that the forfeiture of the share was made by a resolution of the directors to that effect, shall be sufficient evidence of the facts therein stated, as against all persons entitled to such share, and such declaration and the receipt of the Company for the price of such share shall constitute a good title to such share, and a certificate of proprietorship shall be delivered to a purchaser, and thereupon he shall be deemed the holder of such share discharged from all calls due prior to such purchase, and he shall not be bound to see to the application of the purchase-money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

Conversion of Shares into Stock.

(23) The directors may, with the sanction of the Company previously given in general meeting convert any paid-up shares into stock.

(24) When any shares have been converted into stock, the several holders of such stock may thenceforth transfer their respective interests therein or any part of such interests, in the same manner and subject to the same regulations as and subject to which any shares in the capital of the Company may be transferred, or as near thereto as circumstances admit.

(25) The several holders of stock shall be entitled to participate in the dividends and profits of the Company according to the amount of their respective interests in such stock, and such interests shall, in proportion to the amount thereof, confer on the holders there of respectively, the same privileges and advantages for the purpose of voting at meetings of the Company and for other purposes, as would have been conferred by shares of equal amount in the capital of the Company; but so that none of such privileges or advantages, except the participation in the dividends and profits of the Company, shall be conferred by any such aliquot part of consolidated stock as would not, if existing in shares, have conferred such privileges or advantages.

Increase in Capital.

(26) The directors may, with the sanction of a special resolution of the Company previously given in the general meeting, increase its capital by the issue of new shares, such aggregate increase to be of such amount, and to be divided into shares of such respective amounts, as the Company in general meeting directs, or, if no direction is given, as the directors think expedient.

(27) Subject to any direction to the contrary that may be given by the meeting that sanctions the increase of capital, all new shares shall be offered to the members in proportion to the existing shares held by them, and such offer shall be made by notice specifying the number of shares to which the member is entitled and limiting a time within which the offer, if not accepted, will be deemed to be declined; and after the expiration of such time, or on the receipt of an intimation from the member to whom such notice is given that he declines to accept the shares offered, the directors may dispose of the same in such manner as they think most beneficial to the Company.

(28) Any capital raised by the creation of new shares shall be considered as part of the original capital, and shall be subject to the same provisions with reference to the payment of calls, and the forfeiture of shares on non-payment of calls, or otherwise, as if it had been part of the original capital.

General Meetings.

(29) The first general meeting shall be held at such time, not being more than six months after the registration of the Company, and at such place, as the directors may determine.

(30) Subsequent general meetings shall be held at such time and place as may be prescribed by the Company in general meeting; and if no other time or place is prescribed, a general meeting shall be held on the first Monday in February in every year, at such place as may be determined by the directors.

(31) The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

(32) The directors may, whenever they think fit, and they shall upon a requisition made in writing by not less than one-fifth in number of the members of the Company, convene an extraordinary general meeting.

(33) Any requisition made by the members shall express the object of the meeting proposed to be called, and shall be left at the registered office of the Company.

(34) Upon the receipt of such requisition the directors shall forthwith proceed to convene an extraordinary general meeting. If they do not proceed to convene the same within twenty-one days from the date of the requisition, the requisitionists or any other members amounting to the required number, may themselves convene an extraordinary general meeting.

Proceedings at General Meeting.

(35) Seven days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business the general nature of such business, shall be given to the members in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the Company in general meeting; but the non-receipt of such notice by any member shall not invalidate the proceedings at any general meeting.

(36) All business shall be deemed special that it transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of sanctioning a dividend, and the consideration of the accounts, balance-sheets and the ordinary report of the directors.

(37) No business shall be transacted at any general meeting, except the declaration of a dividend, unless a quorum of members is present at the time when the meeting proceeds to business. Such quorum shall be ascertained as follows, that is to say, if the persons who have taken shares in the Company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members up to fifty, and one for every ten additional members after fifty, with this limitation, that no quorum shall in any case exceed twenty.

(38) If within one hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same time and place; and if at such adjourned meeting a quorum is not present, it shall be adjourned *sine die*.

(39) The chairman (if any) of the board of directors shall preside as chairman at every general meeting of the Company.

(40) If there is no such chairman, or if at any meeting he is not present within fifteen minutes after the time appointed for holding the meeting, the members present shall choose some one of their number to be chairman.

(41) The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place; but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(42) At any general meeting, unless a poll is demanded by at least five members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the Company, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against such resolution.

(43) If a poll is demanded by five or more members, it shall be taken in such manner as the chairman directs, and the result of such poll shall be deemed to be the resolution of the Company in general meeting. In the case of an equality of votes at any general meeting the Chairman shall be entitled to a second or casting vote.

Votes of Members.

(44) Every member shall have one vote for every share up to ten. He shall have an additional vote for every five shares beyond the first ten shares up to one hundred, and an additional vote for every ten shares beyond the first hundred shares.

(45) If any member is a lunatic or idiot, he may vote by his committee or other legal curator and if any member is a minor, he may vote by his guardian or any one of his guardians if more than one.

(46) If one or more persons are jointly entitled to a share or shares, the member whose name stands first in the register of members as one of the holders of such share or shares, and no other, shall be entitled to vote in respect of the same.

(47) No member shall be entitled to vote at any general meeting unless all calls due from him have been paid, and no member shall be entitled to vote in respect of any share that he has acquired by transfer, at any meeting held after the expiration of three months from the registration of the Company, unless he has been possessed of the share in respect of which he claims to vote for at least three months previously to the time of holding the meeting at which he proposes to vote.

(48) Votes may be given either personally or by proxy.

(49) The instrument appointing a proxy shall be in writing, under the hand of the appointor, or if such appointor is a corporation, under their common seal, and shall be attested by one or more witness or witnesses. No person shall be appointed a proxy who is not a member of the Company.

(50) The instrument appointing a proxy shall be deposited at the registered office of the Company not less than seventy-two hours before the time for holding the meeting at which the person named in such instrument proposes to vote; but no instrument appointing a proxy shall be valid after the expiration of twelve months from the date of its execution.

(51) Any instrument appointing a proxy shall be in the following form:—

Company Limited.

I of

being a member of the Company Limited, and entitled to vote or votes, hereby appoint of as my proxy, to vote for me and on my behalf at the (ordinary *or* extraordinary, *as the case may be*) general meeting of the Company to be held on the day of and at any adjournment thereof (*or*, at any meeting of the Company that may be held in the year). As witness my hand, this day of

Signed by the said in the presence of

Directors.

(52) The number of the directors, and the names of the first directors, shall be determined by the subscribers of the memorandum of association.

(53) Until directors are appointed, the subscribers of the memorandum of association shall be deemed to be directors.

(54) The future remuneration of the directors and their remuneration for services performed previously to the first general meeting, shall be determined by the Company in general meeting.

Powers of Directors.

(55) The business of the Company shall be managed by the directors, who may pay all expenses incurred in getting up and registering the Company, and may exercise all such powers of the Company as are not by the foregoing Act, or by these articles, required to be exercised by the Company in general meeting subject nevertheless to any regulations of these articles, to the provisions of the foregoing Act, and to such regulations, being not inconsistent with the aforesaid regulations, or provisions as may be prescribed by the Company in general meeting; but no regulation made by the Company in general meeting shall invalidate any prior act of the directors which would have been valid if such regulation had not been made.

(56) The continuing directors may act notwithstanding any vacancy in their body.

Disqualification of Directors.

(57) The office of director shall be vacated—

If he holds any other office or place of profit under the Company;

If he becomes bankrupt or insolvent;

If he is concerned in or participates in the profits of any contract with the Company;

But the above rules shall be subject to the following exceptions: That no director shall vacate his office by reason of his being a member of any Company which has entered into contracts with or done any work for the Company of which he is director; nevertheless he shall not vote in respect of such contract or work; and if he does so vote his vote shall not be counted.

Rotation of Directors.

(58) At the first ordinary meeting after the registration of the Company, the whole of the directors shall retire from office; and at the first ordinary meeting in every subsequent year, one-third of the directors for the time being, or, if their number is not a multiple of three, then the number nearest to one-third, shall retire from office.

(59) The one-third or other nearest number to retire during the first and second years ensuing the first ordinary meeting of the Company shall, unless the directors agree among themselves, be determined by ballot. In every subsequent year, the one-third or other nearest number who have been longest in office shall retire.

(60) A retiring director shall be re-eligible.

(61) The Company at the general meeting at which any directors retire in manner aforesaid shall fill up the vacated offices by electing a like number of persons.

(62) If at any meeting at which an election of directors ought to take place the places of the vacating directors are not filled up, the meeting shall stand adjourned till the same day in the next week, at same time and place; and if at such adjourned meeting the places of the vacating directors are not filled up, the vacating directors or such of them as have not had their places filled up, shall continue in office until the ordinary meeting in the next year, and so on from time to time until their places are filled up.

(63) The Company may from time to time, in general meeting, increase or reduce the number of directors, and may also determine in what rotation such increased or reduced number is to go out of office.

(64) Any casual vacancy occurring in the board of directors may be filled up by the directors, but any person so chosen shall retain his office so long only as the vacating director would have retained the same if no vacancy had occurred.

(65) The Company in general meeting may, by a special resolution, remove any director before the expiration of his period of office, and may by an ordinary resolution appoint another person in his stead. The person so appointed shall hold office during such time only as the director in whose place he is appointed would have held the same if he had not been removed.

Proceedings of Directors.

(66) The directors may meet together for the despatch of business, adjourn and otherwise regulate their meetings as they think fit, and determine the quorum necessary for the transaction of business. Questions arising at any meeting shall be decided by a majority of votes. In case of an equality of votes, the chairman shall have a second or casting vote. A director may at any time summon a meeting of the directors.

(67) The directors may elect a chariman of their meetings, and determine the period for which he is to hold office; but if no such chairman is elected, or if at any meeting the chairman is not present at the time appointed for holding the same, the directors present shall choose some one of their number to be chairman of such meeting.

(68) The directors may delegate any of their powers to committees consisting of such member or members of their body as they think fit. Any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the directors.

(69) A committee may elect a chairman of its meetings. If no such chairman is elected, or if he is not present at the time appointed for holding the same, the members present shall choose one of their number to be chairman of such meeting.

(70) A committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present; and in case of an equality of votes the chairman shall have a second or casting vote.

(71) All acts done by any meeting of the directors, or of a committee of directors, or by any person acting as a director, shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such directors or persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a director.

Dividends.

(72) The directors may, with the sanction of the Company in general meeting, declare a dividend to be paid to the members in proportion to their shares.

(73) No dividend shall be payable except out of the profits arising from the business of the Company.

(74) The directors may, before recommending any dividend, set aside out of the profits of the Company such sum as they think proper as a reserved fund to meet contingencies, or for equalizing

dividends, or for repairing or maintaining the works connected with the business of the Company or any part thereof; and the directors may invest the sum so set part as a reserved fund upon such securities as they may select.

(75) The directors may deduct from the dividends payable to any member all such sums of money as may be due from him to the Company on account of calls or otherwise.

(76) Notice of any dividend that may have been declared shall be given to each member in manner hereinafter mentioned; and all dividends unclaimed for three years after having been declared may be forfeited by the directors for the benefit of the Company.

(77) No dividend shall bear interest as against the Company.

Accounts.

(78) The directors shall cause true accounts to be kept,

of the stock in trade of the Company;

of the sums of money received and expended by the Company, and the matters in respect of which such receipt and expenditure take place; and

of the credits and liabilities of the Company.

The books of account shall be kept at the registered office of the Company, and subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed by the Company in general meeting, shall be open to the inspection of the members during the hours of business.

(79) Once at the least in every year the directors shall lay before the Company in general meeting a statement of the income and expenditure for the past year, made up to a date not more than three months before such meeting.

(80) The statement so made shall show, arranged under the most convenient heads, the amount of gross income, distinguishing the several sources from which it has been derived, and the amount of gross expenditure, distinguishing the expense of the establishment, salaries and other like matters. Every item of expenditure fairly chargeable against the year's income shall be brought into account, so that a just balance of profit and loss may be laid before the meeting; and in cases where any item of expenditure which may in fairness be distributed over several years has been incurred in any one year, the whole amount of such item shall be stated, with the addition of the reasons why only a portion of such expenditure is charged against the income of the year.

(81) A balance-sheet shall be made out in every year and laid before the Company in general meeting, and such balance-sheet shall contain a summary of the property and liabilities of the Company arranged under the heads appearing in the form annexed to this table, or as near thereto as circumstances admit.

(82) A printed copy of such balance-sheet shall, seven days previously to such meeting, be served on every member in the manner in which notices are hereinafter directed to be served.

Audit.

(83) Once at the least in every year the accounts of the Company shall be examined, and the correctness of the balance-sheet ascertained by one or more auditor or auditors.

(84) The first auditors shall be appointed by the directors; subsequent auditors shall be appointed by the Company in general meeting.

(85) If one auditor only is appointed, all the provisions herein contained relating to auditors shall apply to him.

(86) The auditors may be members of the Company; but no person is eligible as an auditor who is interested otherwise than as a member in any transaction of the Company; and no director or other officer of the Company is eligible during his continuance in office.

(87) The election of auditors shall be made by the Company at their ordinary meeting in each year.

(88) The remuneration of the first auditors shall be fixed by the directors; that of subsequent auditors shall be fixed by the Company in general meeting.

(89) Any auditor shall be re-eligible on his quitting office.

(90) If any casual vacancy occurs in the office of any auditor appointed by the Company, the directors shall forthwith call an extraordinary general meeting for the purpose of supplying the same.

(91) If no election of auditors is made in manner aforesaid, the local Government may, on the application of not less than five members of the Company, appoint an auditor for the current year, and fix the remuneration to be paid to him by the Company for his services.

(92) Every auditor shall be supplied with a copy of the balance-sheet, and it shall be his duty the examine the same with the accounts and vouchers relating thereto.

(93) Every auditor shall have a list delivered to him of all books kept by the Company, and shall at all reasonable times have access to the books and accounts of the Company. He may, at the expense of the Company, employ accountants or other persons to assist him in investigating such accounts, and he may, in relation to such accounts, examine the directors or any other officer of the Company.

(94) The auditors shall make a report to the members upon the balance-sheet and accounts, and in every such report they shall state whether, in their opinion, the balance-sheet is a full and fair balance-sheet, containing the particulars required by these regulations, and properly drawn up so as to exhibit a true and correct view of the state of the Company's affairs; and in case they have called for explanations or information from the directors, whether such explanations or information have or has been given by the directors, and whether they or it have or has been satisfactory. Such report shall be read, together with the report of the directors, at the ordinary meeting.

Notices.

(95) A notice may be served by the Company upon any member either personally or by sending it through the post in a letter addressed to such member at his registered place of abode.

(96) All notices directed to be given to the members shall, with respect to any share to which persons are jointly entitled, be given to whichever of such persons is named first in the register of members; and notice so given shall be sufficient notice to all the holders of such share.

(97) Any notice, if served by post, shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office.

Balance-sheet (a) of the Company made up to 18

Dr.			Cr.		
		Rs. As.			Rs. As.
CAPITAL AND LIABILITIES.			**PROPERTY AND ASSETS.**		
I. CAPITAL.	1 The number of shares		III. PROPERTY HELD BY THE COMPANY.	7 SHOWING: Immovable property. Distinguishing—	
	2 The amount paid per share			(a) Freehold land	
	3 If any arrears of calls, the nature of the arrear, and the names of the defaulter			(b) " buildings	
	4 The particulars of any forfeited shares			(c) Leasehold "	
II. DEBTS AND LIABILITIES OF THE COMPANY.	SHOWING:			8 Moveable property. Distinguishing—	
	5 The amount of loans on mortgages or debenture bonds			(d) Stock in trade	
	6 The amount of debts owing by the Company. Distinguishing—			(e) Plant	
	(a) Debts for which acceptances have been given			The cost to be stated with deductions for deterioration in value as charged to the reserve fund or profit and loss	
	(b) Debts to tradesmen for supplies of stock in trade or other articles		IV. DEBTS OWING TO THE COMPANY.	SHOWING:	
	(c) Debts for law expenses			9 Debts considered good for which the Company hold bills or others securities	
	(d) Debts for interest on debentures or other loans			10 Debts considered good for which the Company hold no security	
	(e) Unclaimed dividends			11 Debts considered doubtful and bad	
	(f) Debts not enumerated above			Any debt due from a director or other officer of the Company to be separately stated.	
	SHOWING:		V. CASH AND INVESTMENTS.	SHOWING:	
	The amount set aside from profits to meet contingencies			12 The nature of investment and rate of interest	
VI. RESERVE FUND.				13 The amount of cash, where lodged, and if bearing interest	
	SHOWING:				
VII. PROFIT AND LOSS.	The disposable balance for payment of dividends, &c.				
CONTINGENT LIABILITIES.	Claims against the Company not acknowledged as debts				
	Monies for which the Company is contingently liable				

(a) See clauses 81 and 82 of the foregoing Table A.

TABLE B.

TABLE OF FEES to be paid to the Registrar of Joint Stock Companies by a Company having a capital divided into shares.

	Rs.	A.	P.
For registration of a Company whose nominal capital does not exceed Rs. 20,000, a fee of ...	40	0	0
For registration of a Company whose nominal capital exceeds Rs. 20,000 the above fee of forty rupees, with the following additional fees regulated according to the amount of nominal capital, (that is to say)—			
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 20,000 rupees up to 50,000 rupees	20	0	0
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 50,000 rupees up to 10,00,000 rupees	5	0	0
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 10,00,000 rupees ...	1	0	0
For registration of any increase of capital made after the first registration of the Company, the same fees per 10,000 rupees or part of 10,000 rupees as would have been payable if such increased capital had formed part of the original capital at the time of registration.			
Provided that no Company shall be liable to pay in respect of nominal capital on registration, or afterwards, any greater amount of fees than 1,000 rupees, taking into account in the case of fees payable on an increase of capital after registration the fees paid on registration.			
For registration of any existing Company, except such Companies as are by this Act exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new Company.			
For registering any document hereby required or authorized to be registered, other than the memorandum of association ...	5	0	0
For making a record of any fact hereby authorized or required to be recorded by the Registrar of Companies, a fee of	5	0	0

TABLE C.

TABLE OF FEES to be paid to the Registrar of Joint Stock Companies by a Company not having a capital divided into shares :—

	Rs.	A.	P.
For registration of a Company whose number of members, as stated in the articles of association, does not exceed 20	40	0	0
For registration of a Company whose number of members, as stated in the articles of association, exceeds 20, but does not exceed 100	100	0	0
For registration of a Company whose number of members, as stated in the articles of association, exceeds 100, but is not stated to be unlimited, the above fee of Rs. 100 with an additional Rs. 5 for every 50 members or less number than 50 members after the first 100.			
For registration of a Company in which the number of members is stated in the articles of association to be unlimited, a fee of ...	400	0	0
For registration of any increase on the number of members made after the registration of the Company, in respect of every 50 members, or less than 50 members of such increase	5	0	0
Provided that no one Company shall be liable to pay on the whole a greater fee than Rs. 400 in respect of its number of members, taking into account the fee paid on the first registration of the Company.			
For registration of any existing Company, except such Companies as are by this Act exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new Company.			
For registering any document hereby required or authorized to be registered, other than the memorandum of association ...	5	0	0
For making a record of any fact hereby authorized or required to be recorded by the Registrar of Companies, a fee of ...	5	0	0

FORM D.

FORM OF STATEMENT REFERRED TO IN PART III OF THE ACT.

*The Capital of the Company is Rs. , divided into shares of each.

The number of shares issued is . Calls to the amount of Rs. per share have been made, under which the sum of Rs. has been received.

The liabilities of the Company on the first day of January (or July) were :—

Debts owing to sundry person by the Company :

Under decree, Rs.

On specialty, Rs.

On notes or bills, Rs.

On simple contracts, Rs.

On estimated liabilities, Rs.

The Assets of the Company on that day were :—

Government securities [stating them], Rs.

Bills of exchange and promissory notes, Rs.

Cash at the bankers, Rs.

Other securities, Rs.

* If the Company has no capital divided into shares, the portion of the statement relating to capital and shares must be omitted.

SECOND SCHEDULE.

(SEE SECTION 95.)

FORM A.

Memorandum of association of a Company limited by shares.

1st.—The name of the Company is "The Company, Limited."

2nd.—The registered office of the Company will be situate in

3rd.—The objects for which the Company is established are, " and the doing all such other things as are incidental or conducive to the attainment of the above object."

4th.—The liability of the members is limited.

5th.—The capital of the Company is Rs. divided into shares of Rs. each.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the Company set opposite our respective names :—

Names, addresses and description of subscribers.	Number of shares taken by each subscriber.
1. *A. B.* of ...	
2. *C. D.* „ ...	
3. *E. F.* „ ...	
4. *G. H.* „ ...	
5. *I. J.* „ ...	
6. *K. L.* „ ...	
7. *M. N.* „ ...	
Total shares taken ...	

Dated the day of

Witness to the above signatures.

O. P. of

FORM B.

Memorandum and articles of association of a Company limited by guarantee, and not having a capital divided into shares.

Memorandum of Association.

1*st*.—The name of the Company is "The Mutual Calcutta Marine Association, Limited."

2*nd*.—The registered office of the Company will be situate in Calcutta.

3*rd*.—The objects for which the Company is established are "the Mutual Insurance of ships belonging to members of the Company, and the doing all such other things as are incidental or conducive to the attainment of the above objects."

4*th*.—Every member of the Company undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and the costs, charges and expenses of winding-up the same, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding Rs. 100.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* „
3. *E. F.* „
4. *G. H.* „
5. *I. J.* „
6. *K. L.* „
7. *M. N.* „

Dated the *day of*

Witness to the above signatures.

O. P. of

Articles of Association to accompany preceding Memorandum of Association.

(1) The Company, for the purpose of registration, is declared to consist of five hundred members.

(2) The directors hereinafter mentioned may, whenever the business of the association requires it, register an increase of members.

Definition of Members.

(3) Every person shall be deemed to have agreed to become a member of the Company who insures any ship or share in a ship in pursuance of the regulations hereinafter contained.

General Meetings.

(4) The first general meeting shall be held at such time not being more than three months after the incorporation of the Company, and at such place as the directors may determine.

(5) Subsequent general meetings shall be held at such time and place as may be prescribed by the Company in general meeting; and if no other time or place is prescribed, a general meeting shall be held on the first Monday in February in every year at such place as may be determined by the directors.

(6) The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

(7) The directors may whenever they think fit, and they shall upon a requisition made in writing by any five or more members, convene an extraordinary general meeting.

(8) Any requisition made by the members shall express the object of the meeting proposed to be called, and shall be left at the registered office of the Company.

(9) Upon the receipt of such requisition, the directors shall forthwith proceed to convene a general meeting. If they do not proceed to convene the same within twenty-one days from the date of the requisition, the requisitionists or any other five members may themselves convene a meeting.

Proceedings at General Meetings.

(10) Seven days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business, the general nature of such business, shall be given to the members in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the Company in general meeting; but the non-receipt of such notice by any member shall not invalidate the proceedings at any general meeting.

(11) All business shall be deemed special that is transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of the consideration of the accounts, balance-sheets and the ordinary report of the directors.

(12) No business shall be transacted at any meeting except the declaration of a dividend unless a quorum of members is present at the commencement of such business. Such quorum shall be ascertained as follows: that is to say, if the members of the Company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members up to fifty, and one for every ten additional members after fifty, with this limitation, that no quorum shall in any case exceed thirty.

(13) If within one hour from the time appointed for the meeting, a quorum of members is not present, the meeting if convened upon the requisition of the members shall be dissolved. In any other case it shall stand adjourned to the same day in the following week, at the same time and place: and if at such adjourned meeting a quorum of members is not present, it shall be adjourned *sine die*.

(14) The chairman (if any) of the directors shall preside as chairman, at every general meeting of the Company.

(15) If there is no such chairman, or if at any meeting he is not present at the time of holding the same, the members present shall choose some one of their number to be chairman of such meeting.

(16) The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place; but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(17) At any general meeting, unless a poll is demanded by at least five members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the Company, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favour or against such resolution.

(18) If a poll is demanded in manner aforesaid, the same shall be taken in such manner as the chairman directs; and the result of such poll shall be deemed to be the resolution of the Company in general meeting.

Votes of Members.

(19) Every member shall have one vote and no more.

(20) If any member is a lunatic or idiot, he may vote by his committee or other legal curator; if any member is a minor, he may vote by his guardian or any one of his guardians if more than one.

(21) No member shall be entitled to vote at any meeting unless all monies due from him to the Company have been paid.

(22) Votes may be given either personally or by proxies. A proxy shall be appointed in writing under the hand of the appointor, or if such appointor is a corporation, under its common seal.

(23) No person shall be appointed a proxy who is not a member, and the instrument appointing him shall be deposited at the registered office of the Company not less then forty-eight hours before the time of holding the meeting at which he proposes to vote.

(24) Any instrument appointing a proxy shall be in the following form:—

COMPANY, LIMITED.

I of being a member of the Company, Limited, hereby appoint of as my proxy, to vote for me and on my behalf at the [ordinary *or* extraordinary, *as the case may be*] general meeting of the Company to be held on the day of and at any adjournment thereof to be held on the day of next [*or* at any meeting of the Company that may be held in the year].

As witness my hand, this day of

Signed by the said

in the presence of

Directors.

(25) The number of the directors and the names of the first directors shall be determined by the subscribers of the memorandum of association.

(26) Until directors are appointed, the subscribers of the memorandum of association shall be deemed to be directors.

Powers of Directors.

(27) The business of the Company shall be managed by the directors, who may exercise all such powers of the Company as are not hereby required to be exercised by the Company in general meeting; but no regulation made by the Company in general meeting shall invalidate any prior act of the directors which would have been valid if such regulation had not been made.

Election of Directors.

(28) The directors shall be elected annually by the Company in general meeting.

Business of Company.

(Here insert rules as to mode in which business of insurance is to be conducted).

Accounts.

(29) The accounts of the Company shall be edited by a committee of five members, to be called the audit committee.

(30) The first audit committee shall be nominated by the directors out of the body of members.

(31) Subsequent audit committees shall be nominated by the members at the ordinary general meeting in each year.

(32) The audit committee shall be supplied with a copy of the balance-sheet, and it shall be their duty to examine the same with the accounts and vouchers relating thereto.

(33) The audit committee shall have a list delivered to them of all books kept by the Company, and they shall at all reasonable times have access to the books and accounts of the Company.

They may, at the expense of the Company, employ accountants or other persons to assist them in investigating such accounts, and they may in relation to such accounts examine the directors or any other officer of the Company.

(34) The audit committee shall make a report to the members upon the balance-sheet and accounts, and in every such report they shall state whether, in their opinion, the balance-sheet is a full and fair balance-sheet containing the particulars required by these regulations of the Company, and properly drawn up, so as to exhibit a true and correct view of the state of the Company's affairs, and in case they have called for explanations or information from the directors, whether such explanation or information have been given by the directors, and whether they have been satisfactory; and such report shall be read together with the report of the directors at the ordinary meeting.

Notices.

(35) A notice may be served by the Company upon any member, either personally or by sending it through the post in a letter addressed to such member at his registered place of abode.

(36) Any notice, if served by post, shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service, it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office.

Winding-up.

(37) The Company shall be wound up voluntarily whenever an extraordinary resolution, as defined by The Indian Companies Act, 1866, is passed, requiring the Company to be wound up voluntarily.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of ... Merchant.
2. *C. D.* of ... „
3. *E. F.* of ... „
4. *G. H.* of ... „
5. *I. J.* of ... „
6. *K. L.* of ... „
7. *M. N.* of ... „

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

FORM C.

Memorandum and articles of association of a Company limited by guarantee, and having a capital divided into shares.

Memorandum of Association.

1st.—The name of the Company is "The Hotel Company, Limited."

2nd—The registered office of the Company will be situate in

3rd—The objects for which the Company is established are "the facilitating travelling in by providing hotels and conveyances by sea and by land for the accommodation of travellers, and the doing all such other as are incidental or conducive to the attainment of the above object."

4th.—Every member of the Company undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and the costs, charges and expenses of winding up the same, and for the adjustment of the rights of the contributories amongst themselves such amount as may be required not exceeding Rs. 200.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* of
3. *E. F.* of
4. *G. H.* of
5. *I. J.* of
6. *K. L.* of
7. *M. N.* of

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

Articles of Association to accompany preceding Memorandum of Association.

1. The capital of the Company shall consist of five lákhs of rupees divided into five thousand shares of one hundred rupees each.

2. The directors may, with the sanction of the Company in general meeting, reduce the amount of shares.

3. The directors may, with the sanction of the Company in general meeting, cancel any shares belonging to the Company.

4. All the articles of Table A shall be deemed to be incorporated with these articles, and to apply to the Company,

We, the several persons whose names and addresses are subscribed, agree to take the number of shares in the capital of the Company set opposite our respective names.

Names, address and descriptions of subscribers.	Number of shares taken by each subscriber.
1. *A. B.* of	
2. *C. D.* of	
3. *E. F.* of	
4. *G. H.* of	
5. *I. J.* of	
6. *K. L.* of	
7. *M. N.* of	
Total shares taken	

Dated the *day of* 18 .

Witness to the above signatures,

O. P. of

Memorandum and articles of association of an unlimited Company having a capital divided into shares.

Memorandum of Association.

1*st.*—The name of the Company is "The Patent Company."

2*nd.*—The registered office of the Company will be situate in

3*rd.*—The objects for which the Company is established are "the working of a patent method of , of which method *O. P.* of is the sole patentee,"

We, the several persons whose names are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* of
3. *E. F.* of
4. *G. H.* of
5. *I. J.* of
6. *K. L.* of
7. *M. N.* of

Dated the *day of* 18 .

Witness to be above signatures,

Q. R. of

Articles of Association to accompany the preceding Memorandum of Association. Capital of the Company.

The capital of the Company is twenty thousand rupees divided into twenty shares of one thousand rupees each.

Application of Table A.

All the articles of Table A shall be deemed to be incorporated with these articles, and to apply to the Company.

We, the several persons whose names and addresses are subscribed, agree to take the number of shares in the capital of the Company set opposite our respective names.

Names, addresses and descriptions of subscribers.	Number of shares taken by subscribers.
1. *A. B.* of	
2. *C. D.* of	
3. *E. F.* of	
4. *G. H.* of	
5. *I. J.* of	
6. *K. L.* of	
7. *M. N.* of	
Total shares taken	

Dated the *day of* 18 .

Witness to the above signatures.

Q. R. of

FORM E.

As required by the second part of the Act.

Summary of capital and shares of the Company made up to the day of , nominal capital Rs. , divided into shares of Rs. each.

Number of shares taken up to the day of
There has been called up on each share Rs.
Total amount of calls received Rs.
Total amount of calls unpaid Rs.

List of persons holding shares in the Company on the day of and of persons who have held shares therein at any time during the year immediately preceding the said day of showing their names and addresses and an account of the shares so held.

Folio in register ledger containing particulars.	Names, addresses and occupations.				Account of Shares.					Remarks.
	Surname.	Christian Name.	Address.	Occupation.	Shares held by existing members on the day of	Additional shares held by existing members during preceding year.		Shares held by persons no longer members.		
						Number.	Date of transfer.	Number.	Date of transfer.	

STATEMENT OF OBJECTS AND REASONS.

THIS Bill is occasioned by the discovery of a defect in section 49 of the Indian Companies Act (No. X of 1866), which does not provide clearly that the annual balance-sheet to be filed with the Registrar shall be the one which has been laid before, and finally adopted and passed by, a general meeting of the Company concerned, or that it shall be filed within a prescribed time as provided by Act No. XIX of 1857.

On consideration, it was determined by the Government of India that this defect should be removed, and that the opportunity should be taken to make certain other amendments in the Indian Companies Act.

These amendments fall under two heads, first, the substantial additions suggested by the English legislation regarding Companies since the year 1866, and, secondly, the verbal alterations suggested by the reported decisions of the English and Indian Courts.

Since 1866, the English Companies Act, from which our Act No. X of 1866 is for the most part copied, has been amended by 30 & 31 Vic., c. 131, 33 & 34 Vic., c. 104, and 40 & 41 Vic., c. 26.

These Statutes provide—

(i) that a limited Company may, if it declares its intention to do so, either by the memorandum of association or by special resolution, have directors with unlimited liability, such liability to be enforceable only when the Company is being wound up and the corporate assets (including the contributions of ordinary members) are insufficient to pay its debts or the costs of the winding-up;

(ii) that a Company may, by leave of the Court, reduce the aggregate amount of its nominal capital, or diminish the amount of the shares, but saving the rights of creditors who are ignorant of the proceedings;

(iii) that the capital of a Company limited by shares may be reduced by cancelling unissued shares;

(iv) that shares may be subdivided;

(v) that associations not engaged in mercantile pursuits may become incorporated under the Companies Act without annexing to their names the inappropriate term "limited";

(vi) that a Company may have some shares fully paid up and others not, and that dividends may be paid in proportion to the amount paid up on each share;

(vii) that a transfer of shares shall be registered at the request of the transferor, subject to the same conditions as if the request were made by the transferee;

(viii) that in the case of limited shares fully paid up share-warrants may be issued to bearer, and the shares will thereupon be transferred by delivery of the warrant, and that coupons may be annexed entitling the bearer to receive dividends;

(ix) that every prospectus of a Company and every notice inviting persons to subscribe for shares in a joint stock Company shall specify the dates of and parties to any contract which has been previously made by the Company or its promoters or directors, and may reasonably influence a person in determining him to take or not to take shares in the Company (*Sullivan* v. *Mitcalfe*, 49 L.J.Q.B. 815);

(x) that a general meeting must be held within four months after registration;

(xi) that a contributory shall not be qualified to present a winding-up petition unless the members are reduced to less than seven, or unless he has held his shares for at least six of the previous eighteen months, or unless the shares have devolved on him through the death of a former holder. This will prevent the practice of speculators buying shares in failing Companies with a view to wind them up and share in the plunder;

(xii) that when the High Court has made an order for winding-up a Company, it may refer all subsequent proceedings to a district Court (to use the Indian term corresponding to the English "County Court") and transfer a winding-up from one district Court to another;

(xiii) that when a compromise is proposed between a Company that is being wound up and its creditors, the Court may order a meeting of such creditors; and that if a majority representing three-fourths in value agree to the compromise, it shall, when sanctioned by the Court, be binding.

The amendment made by 30 & 31 Vic., c. 131, section 37 (as to the manner in which contracts might be made on behalf of Companies), was anticipated by the Indian legislature in section 42 of Act No. X of 1866, and will be found in section 67 of the present Bill.

It seems to the Government of India that the thirteen amendments above specified should be made for two reasons, first, because they are good in themselves, and, secondly, because it is desirable that the laws relating to such a subject as mercantile Companies should be as nearly as possible the same in India as in England. Any differences in such laws lead to mistakes in the Indian Courts, and must, to some extent, discourage English investors from putting their money into Indian Companies. The provisions as to the unlimited liability of directors (sections 7, 62) have been stigmatised in England as certain to drive from the direction men of wealth and position and to substitute in their places needy adventurers. But it need hardly be said that the experience of fourteen years has belied this prophecy. It may be added that, under the provisions in question, a director will not be liable *as such* for more than a year after he has ceased to hold office, and that he will not be liable *as such* in respect of any debt of the Company contracted after he has ceased to be a director. The other provisions suggested by recent English legislation do not seem to require further notice. They will be found in sections 15 to 35 (both inclusive), 47, 49, 75, 76, 88, 132, 150, 203, 218, 219, 253, 254.

The reported decisions of the Indian Courts regarding the law applicable to trading Companies appear to be only thirty-two in number, and of these but few turn upon the wording of Act No. X of 1866. But there is a large number of English decisions bearing on the wording of the corresponding sections of the English Statute of 1862, and the Bill embodies the result of an examination of these decisions. Most of the verbal amendments of the present law are indicated by italics, and the cases which suggested them are noted in the margins of the Bill.

SIMLA;
The 28th August, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 17, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st August, 1881, and was referred to a Select Committee:—

No. 16 OF 1881.

THE COURT-FEES' BILL, 1881.

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CHAPTER II.

FEES IN THE HIGH COURTS AND IN THE COURTS OF SMALL CAUSES AT THE PRESIDENCY-TOWNS.

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   in their extraordinary jurisdiction;
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SCHEDULE I.—AD VALOREM FEES.
" II.—FIXED FEES.
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" IV.—ENACTMENTS REPEALED.

A Bill to amend the law relating to Court-fees.

CHAPTER I.

PRELIMINARY.

Short title. **1.** This Act may be called "The Court-Fees' Act, 1882."

Extent of Act. It extends to the whole of British India;

Commencement of Act. And it shall come into force on the first day of April, 1882.

Repeal of enactments. **2.** On and after that day, the Acts specified in the fourth schedule hereto annexed shall be repealed to the extent specified in the third column of the same schedule. But all rules made and all notifications published under any such Act and then in force shall, so far as they are consistent with this Act, be deemed to have been respectively made and published hereunder. And all references made in Acts or Regulations passed before the first day of April, 1882, to the Court-Fees' Act, 1870, shall be deemed to be made to this Act.

CHAPTER II.

FEES IN THE HIGH COURTS AND IN THE COURTS OF SMALL CAUSES AT THE PRESIDENCY-TOWNS.

Levy of fees in High Courts on their original sides. **3.** The fees payable for the time being to the clerks and officers (other than the sheriffs and attorneys) of the High Courts established by Letters Patent, Act VII of 1870, s. 3.

or chargeable in each of such Courts under number ten of the first, and numbers seven, twelve, fourteen, seventeen, twenty-one and twenty-two of the second, schedule to this Act annexed;

Levy of fees in Presidency Small Cause Courts. and the fees for the time being chargeable in the Courts of Small Causes at the Presidency Towns and their several offices;

shall be collected in manner hereinafter appearing.

Fees on documents filed, &c., in High Courts in their extraordinary jurisdiction; **4.** No document of any of the kinds specified in the first or second schedule to this Act annexed as chargeable with fees shall be filed, exhibited or recorded Act VII of 1870, s. 4.

in, or shall be received or furnished by, any of the said High Courts in any case coming before such Court in the exercise of its extraordinary original civil jurisdiction;

or in the exercise of its extraordinary original criminal jurisdiction;

in their appellate jurisdiction; or in the exercise of its jurisdiction as regards appeals from the judgment of two or more Judges of the said Court, or of a Division Court;

or in the exercise of its jurisdiction as regards appeals from the Courts subject to its superintendence;

as Courts of reference and revision. or in the exercise of its jurisdiction as a Court of reference or revision;

unless in respect of such document there has been paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

Act VII of 1870, s. 5.

Procedure in case of difference as to necessity or amount of fee. **5.** When any difference arises between the officer whose duty it is to see that any fee is paid under this chapter and any suitor or legal practitioner as to the necessity of paying a fee or the amount thereof, the question shall, when the difference arises in any of the said High Courts, be referred to the taxing-officer, whose decision thereon shall be final; except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Justice of such High Court, or of such Judge of the High Court as the Chief Justice shall appoint either generally or specially in this behalf.

When any such difference arises in any of the said Courts of Small Causes, the question shall be referred to the Clerk of the Court, whose decision thereon shall be final, except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Judge of such Court.

The Chief Justice shall declare who shall be taxing-officer within the meaning of the first paragraph of this section.

CHAPTER III.

FEES IN OTHER COURTS AND IN PUBLIC OFFICES.

Act VII of 1870, s. 6.

Fees on documents filed, &c., in other Courts or in public offices. **6.** Except in the Courts hereinbefore mentioned, no document of any of the kinds specified as chargeable in the first or second schedule to this Act annexed shall be filed, exhibited or recorded in any Court of justice, or shall be received by any public officer, or granted under his seal or signature, unless in respect of such document there has been paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

Stamp Bill of 1877, s. 58.

Act VII of 1870, s. 7.

Computation of fees payable in certain suits, **7.** The amount of fee payable under this Act in the suits next hereinafter mentioned shall be computed as follows:—

for money: i. In suits for money (including suits for damages or compensation, or arrears of maintenance, of annuities, or of other sums payable periodically) —according to the amount claimed:

for maintenance and annuities: ii. In suits for maintenance and annuities or other sums payable periodically—according to the value of the subject-matter of the suit; and such value shall be deemed to be ten times the amount claimed to be payable for one year:

for other moveable property having a market-value: iii. In suits for moveable property other than money, where the subject-matter has a market-value —according to such value at the date of presenting the plaint:

iv. In suits—

for moveable property of no market-value: (*a*) for moveable property where the subject-matter has no market-value, as, for instance, in the case of documents relating to title,

to enforce a right to share in joint family property: (*b*) to enforce a right to share in any property on the ground that it is joint family property,

for a declaratory decree: (*c*) to obtain a declaratory decree or order where consequent relief is prayed,

for an injunction: (*d*) to obtain an injunction,

for easements: (*e*) for a right to some benefit (not herein otherwise provided for) to arise out of land, and

for accounts: (*f*) for accounts—

according to the amount at which the relief sought is valued in the plaint or memorandum of appeal;

for possession of land, houses and gardens: v. In suits for the possession of land, houses and gardens—according to the value of the subject-matter; and such value shall be deemed to be—

where the subject-matter is land, and—

(*a*) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government,

or forms part of such an estate and is recorded in the Collector's register as separately assessed with such revenue,

and such revenue is permanently settled—

ten times the revenue so payable:

(*b*) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government, or forms part of such estate and is recorded as aforesaid;

and such revenue is settled, but not permanently—

five times the revenue so payable:

(*c*) where the land pays no such revenue, or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue,

and net profits have arisen from the land during the year next before the date of presenting the plaint—

fifteen times such net profits:

but where no such net profits have arisen therefrom—the amount at which the Court shall estimate the land with reference to the value of similar land in the neighbourhood:

(*d*) where the land forms part of an estate paying revenue to Government, but is not a definite share of such estate and is not separately assessed as abovementioned—the market-value of the land:

Proviso as to Bombay Presidency.

Provided that, in the territories administered by the Governor of Bombay in Council, the value of the land shall be deemed to be—

(1) where the land is held on settlement for a period not exceeding thirty years and pays the full assessment to Government—a sum equal to five times the survey-assessment;

(2) where the land is held on a permanent settlement, or on a settlement for any period exceeding thirty years, and pays the full assessment to Government—a sum equal to ten times the survey-assessment; and

(3) where the whole or any part of the annual survey-assessment is remitted—a sum computed under clause (1) or clause (2) of this proviso, as the case may be, in addition to ten times the assessment, or the portion of assessment, so remitted.

Explanation.—The word "estate," as used in this paragraph, means any land subject to the payment of revenue, for which the proprietor or a farmer or raiyat shall have executed a separate engagement to Government, or which, in the absence of such engagement, shall have been separately assessed with revenue;

for houses and gardens:

(*e*) Where the subject-matter is a house or garden—according to the market-value of the house or garden:

to enforce a right of pre-emption:

vi. In suits to enforce a right of pre-emption—according to the value (computed in accordance with paragraph v of this section) of the land, house or garden in respect of which the right is claimed:

for interest of assignee of land-revenue:

vii. In suits for the interest of an assignee of land-revenue—fifteen times his net profits as such for the year next before the date of presenting the plaint:

to set aside an attachment:

viii. In suits to set aside an attachment of land or of an interest in land or revenue—according to the amount for which the land or interest was attached:

Provided that, where such amount exceeds the value of the land or interest, the amount of fee shall be computed as if the suit were for the possession of such land or interest:

to redeem:

ix. In suits against a mortgagee or incumbrancer for the recovery of the property mortgaged, or

Stamp Bill of 1877, s. 56, c.

to have the instrument of charge cancelled,

to foreclose:

and in suits by a mortgagee to foreclose the mortgage,

or, where the mortgage is made by conditional sale, to have the sale declared absolute—

according to the principal money expressed to be secured by the instrument of mortgage or charge;

for specific performance:

x. In suits for specific performance—

(*a*) of a contract of sale—according to the amount of the consideration:

(*b*) of a contract of mortgage—according to the amount agreed to be secured:

(*c*) of a contract of lease—according to the aggregate amount of the fine or premium (if any) and of the rent agreed to be paid during the first year of the term:

(*d*) of an award—according to the amount or value of the property in dispute:

between landlord and tenant.

xi. In the following suits between landlord and tenant (namely):—

(*a*) for the delivery by a tenant of the counterpart of a lease,

(*b*) for the delivery by a landlord of a lease,

(*c*) to contest a notice of ejectment,

(*d*) to recover the occupancy of land from which a tenant has been illegally ejected by the landlord—

according to the amount of the rent of the land to which the suit refers, payable for the year next before the date of presenting the plaint;

Stamp Bill of 1877, s. 56, XL.

(*e*) to enhance the rent of a tenant having a right of occupancy,

(*f*) for abatement of rent—

five times the amount by which the rent is sought to be enhanced or abated.

Stamp Bill of 1877, s. 56, last clause.

The plaint or memorandum of appeal in every suit or appeal mentioned in this section shall state the amount or value with reference to which the fee payable in respect of such plaint or memorandum is to be computed.

Act VII of 1870, s. 8.

Fee on memorandum of appeal against order relating to compensation.

8. The amount of fee payable under this Act on a memorandum of appeal against an order relating to compensation under any law for the time being in force for the acquisition of land for public purposes shall be computed according to the difference between the amount awarded and the amount claimed by the appellant.

Act VII of 1870, s. 9.

Power to ascertain net profits or market-value.

9. If the Court sees reason to think that the annual net profits or the market-value of any such land, house or garden as is mentioned in section seven, paragraphs v and vi, have or has been wrongly estimated, the Court may, for the purpose of computing the fee payable in any suit therein mentioned, issue a commission to any proper person directing him to make such local or other investigation as may be necessary, and to report thereon to the Court.

Act VII of 1870, s. 10.

Procedure where net profits or market-value wrongly estimated.

10. If in the result of any such investigation the Court finds that the net profits or market-value have or has been wrongly estimated, the Court, if the estimation has been excessive, may in its discretion refund the excess paid as such fee; but if the estimation has been insufficient, the Court shall require the plaintiff to pay so much additional fee as would have been payable had the said market-value or net profits been rightly estimated:

In such case the suit shall be stayed until the additional fee is paid. If the additional fee is not paid within such time as the Court shall fix, the suit shall be dismissed.

Act VII of 1870, s. 11.

Procedure in suits for mesne profits or account when amount decreed exceeds amount claimed.

11. In suits for mesne profits or for immoveable property and mesne profits, or for an account, if the profits or amount decreed are or is in excess of the profits claimed or the amount at which the plaintiff valued the relief sought, the decree shall not be executed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits or amount so decreed has been paid to the proper officer.

Where the amount of mesne profits is left to be ascertained in the course of the execution of the decree, if the profits so ascertained exceed the profits claimed, the further execution of the decree shall be stayed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits so ascertained has been paid. If the additional fee is not paid within such time as the Court shall fix, the application for the execution of the decree shall be dismissed.

Act VII of 1870, s. 12.

The words "and such decision shall be final as between the parties to the suit" are omitted.

See *Narayan Mddhdvrao Nâik* v. *Collector of Thdnd*, I. L. R. II, Bo. 146.

Decision of questions as to valuation.

12. Every question relating to valuation for the purpose of determining the amount of any fee chargeable under this chapter on a plaint or memorandum of appeal shall be decided by the Court in which such plaint or memorandum, as the case may be, is filed.

When any suit or appeal in which any such question arises comes before a Court of appeal, reference or revision, if such Court considers that the said question has been wrongly decided, to the detriment of the revenue, it shall require the party by whom such fee has been paid to pay so much additional fee as would have been payable had the question been rightly decided, and the provisions of the second paragraph of section ten shall apply.

Act VII of 1870, s. 13.

Refund of fee paid on memorandum of appeal.

13. If a plaint or appeal which has been rejected by the lower Court on any of the grounds mentioned in the Code of Civil Procedure is ordered to be received, or if a suit is remanded in appeal, on any of the grounds mentioned in section 562 of the same Code, for a second decision by the lower Court, the Appellate Court shall grant to the appellant a certificate, authorizing him to receive back from the Collector the full amount of fee paid on the memorandum of appeal:

Provided that, if, in the case of a remand in appeal, the order of remand does not cover the whole of the subject-matter of the suit, the certificate so granted shall not authorize the appellant to receive back more than so much fee as would have been originally payable on the part or parts of such subject-matter in respect whereof the suit has been remanded.

Act VII of 1870, s. 14.

Refund of fee on application for review of judgment.

14. Where an application for a review of judgment is presented on or after the ninetieth day from the date of the decree, the Court, unless the delay was caused by the applicant's laches, may, in its discretion, grant him a certificate authorizing him to receive back from the Collector so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day.

Act VII of 1870, s. 15.

Refund where Court reverses or modifies its former decision on ground of mistake.

15. Where an application for a review of judgment is admitted, and on the rehearing the Court reverses or modifies its former decision on the ground of mistake in law or fact, the applicant shall be entitled to a certificate from the Court authorizing him to receive back from the Collector the fee paid on the application.

Stamp Bill of 1877, s. 33.

But nothing in the former part of this section shall entitle the applicant to such certificate where the reversal or modification is due, wholly or in part, to fresh evidence which might have been produced at the original hearing.

Act VII of 1870, s. 16.

Additional fee where respondent takes objection to unappealed part of decree.

16. When any appeal is presented to a Civil Court, not against the whole of a decision, but only against so much thereof as relates to a portion of the subject-matter of the suit, and, on the hearing of such appeal, the respondent takes, under section 561 of the Code of Civil Procedure, an objection to any part of the said decision other than the part appealed against, the Court shall not hear such objection until the respondent has paid the additional fee which would have been payable had the appeal comprised the part of the decision so objected to.

Mul Chund v. *Shib Charan Lal and others*, I. L. R. II All., p. 676.

Multifarious suits.

17. Where a suit comprises two or more distinct causes of action the plaint or memorandum of appeal shall be chargeable with the aggregate amount of the fees to which the plaints or memoranda of appeal in suits comprising separately each of such causes of action would be liable under this Act.

Act VII of 1870, s. 17.

Nothing in the former part of this section shall apply to suits for the price of goods sold and delivered, or shall be deemed to affect the power conferred by the Code of Civil Procedure, section 45.

Act VII of 1870, s. 18.

Written examinations of complainants.

18. When the first or only examination of a person who complains of the offence of wrongful confinement, or of wrongful restraint, or of any offence other than an offence for which police-officers may arrest without a warrant, and who has not already presented a petition on which a fee has been levied under this Act, is reduced to writing under the provisions of the Code of Criminal Procedure, the complainant shall pay a fee of eight annas, unless the Court thinks fit to remit such payment.

Act VII of 1870, s. 19.

Exemption of certain documents.

19. Nothing contained in this Act shall render the documents specified in the third schedule hereunto annexed chargeable with any fee.

CHAPTER IV.

PROBATES, LETTERS OF ADMINISTRATION AND CERTIFICATES.

Act XIII of 1875, s. 6.

Relief where too high a Court-fee has been paid on probate or letters of administration.

20. Where any person on applying for the probate of a will or letters of administration has estimated the property of the deceased to be of greater value than the same has afterwards proved to be, and has consequently paid too high a Court-fee thereon, if

within six months after the true value of the property has been ascertained, such person produces the probate or letters to the Chief Controlling Revenue Authority of the province in which the probate or letters has or have been granted,

and delivers to such Authority a particular inventory and valuation of the property of the deceased, verified by affidavit or affirmation,

and if such Authority is satisfied that a greater fee was paid on the probate or letters than the law required,

the said Authority may—

(*a*) cancel the stamp on the probate or letters, if such stamp has not been already cancelled;

(*b*) substitute another stamp for denoting the Court-fee which should have been paid thereon; and

(*c*) make an allowance for the difference between them as in the case of spoiled stamps, or repay the same in money, at his discretion.

Act XIII of 1875, s. 6.

21. Whenever it is proved to the satisfaction of such Authority that an executor or administrator has paid debts due from the deceased to such an amount as, being deducted out of the amount or value of the estate, reduces the same to a sum which, if it had been the whole gross amount or value of the estate, would have occasioned a less Court-fee to be paid on the probate or letters of administration granted in respect of such estate than has been actually paid thereon under this Act,

Relief where debts due from a deceased person have been paid out of his estate.

such Authority may return the difference, provided the same be claimed within three years after the date of such probate or letters.

But whenever, by reason of any legal proceeding, the debts due from the deceased have not been ascertained and paid, or his effects have not been recovered and made available, and in consequence thereof the executor or administrator is prevented from claiming the return of such difference within the said term of three years, the said Authority may allow such further time for making the claim as may appear to be reasonable under the circumstances.

Ibid.

22. Whenever a grant of probate or letters of administration has been or is made in respect of the whole of the property belonging to an estate, and the full fee chargeable under this Act has been or is paid thereon, no fee shall be chargeable hereunder when a like grant is made in respect of the whole or any part of the same property belonging to the same estate;

Relief in case of several grants.

Whenever such a grant has been or is made in respect of any property forming part of an estate, the amount of fees then actually paid under this Act shall be deducted when a like grant is made in respect of property belonging to the same estate, identical with or including the property to which the former grant relates.

Ibid.

23. The probate of the will, or the letters of administration of the effects, of any person deceased heretofore or hereafter granted shall be deemed valid and available by his executors or administrators for recovering, transferring or assigning any moveable or immoveable property whereof or whereto the deceased was possessed or entitled, either wholly or partially as a trustee, notwithstanding the amount or value of such property is not included in the amount or value of the estate in respect of which a Court-fee was paid on such probate or letters of administration.

Probates declared valid as to trust-property though not covered by Court-fee.

Act XIII of 1875, s. 6.

24. Where any person on applying for probate or letters of administration has estimated the estate of the deceased to be of less value than the same has afterwards proved to be, and has in consequence paid too low a Court-fee thereon, the Chief Controlling Revenue Authority of the province in which the probate or letters has or have been granted may, on the value of the estate of the deceased being verified by affidavit or affirmation, cause the probate or letters of administration to be duly stamped on payment of the full Court-fee which ought to have been originally paid thereon in respect of such value and of the further penalty, if the probate or letters is or are produced within one year from the date of the grant, of five times, or if it or they is or are produced after one year from such date, of twenty times, such proper Court-fee, without any deduction of the Court-fee originally paid on such probate or letters:

Provision for case where too low a Court-fee has been paid on probates, &c.

Provided that, if the application be made within six months after the ascertainment of the true value of the estate and the discovery that too low a Court-fee was at first paid on the probate or letters, and if the said Authority is satisfied that such fee was paid in consequence of a mistake or of its not being known at the time that some particular part of the estate belonged to the deceased, and without any intention of fraud or to delay the payment of the proper Court-fee, the said Authority may remit the said penalty, and cause the probate or letters to be duly stamped on payment only of the sum wanting to make up the fee which should have been at first paid thereon.

Ibid.

25. In case of letters of administration on which too low a Court-fee has been paid at first, the said Authority shall not cause the same to be duly stamped in manner aforesaid until the Administrator has given such security to the Court by which the letters of administration have been granted as ought by law to have been given on the granting thereof in case the full value of the estate of the deceased had been then ascertained.

Administrator to give proper security before letters stamped under section 24.

Ibid.

26. Where too low a Court-fee has been paid on any probate or letters of administration in consequence of any mistake, or of its not being known at the time that some particular part of the estate belonged to the deceased, if any executor or administrator acting under such probate or letters does not, within six months after the discovery of the mistake or of any effects not known at the time to have belonged to the deceased, apply to the said Authority and pay what is wanting to make up the Court-fee which ought to have been paid at first on such probate or letters, he shall forfeit the sum of one thousand rupees and also a further sum at the rate of ten rupees per cent. on the amount of the sum wanting to make up the proper Court-fee.

Executors, &c., not paying full Court-fee on probates, &c., within six months after discovery of underpayment.

Act XIII of 1875, s. 6. Stamp Bill of 1877, s. 76.

27. The provisions of this chapter shall, *mutatis mutandis*, apply to certificates and to the holders of certificates granted under—

This chapter applied to certificates under Act XL of 1858 and other Acts.

Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*, or

Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*), or

Act No. XX of 1864 (*for making better provision for the care of the persons and property of Minors in the Presidency of Bombay*), or

Bombay Regulation VIII of 1827 (*to provide for the formal recognition of Heirs, Executors and Administrators, and for the appointment of Administrators and Managers of property by the Courts*).

Act VII of 1870, Sch. I, 12, Note.

28. The person to whom any such certificate is granted, or his representative, shall after the expiration of twelve months from the date of such certificate and thereafter whenever the Court granting such certificate requires him so to do, file a statement on oath of all property recovered or realized by him under such certificate.

Statement of property realized under certificate to be filed.

If the property so recovered or realized exceed the amount of debts or other property as sworn to by the person to whom the certificate is granted, the Court may cancel the same and order such person to take out a fresh certificate and pay the fee prescribed by this Act for such excess.

In default of filing such statement within the time allowed, the Court may cancel the certificate.

Govindappah v. Kondappah Sastralu, VI Madras Rep., p. 181.

A certificate which has become liable to cancellation under any of the provisions of this section shall remain in force until it is actually cancelled.

CHAPTER V.

PROCESS FEES.

Act VII of 1870, s. 20.

29. The High Court may, from time to time, make rules as to the following matters:—

Rules as to costs of processes.

(*a*) the fees chargeable for serving and executing processes issued by such Court in its appellate jurisdiction, and by the other Civil and Revenue Courts established within the local limits of such jurisdiction:

(*b*) the fees chargeable for serving and executing processes issued by the Criminal Courts established within such limits in the case of offences other than offences for which police-officers may arrest without a warrant; and

(*c*) the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes.

The High Court may from time to time alter and add to the rules so made.

All such rules, alterations and additions shall, after being confirmed by the Local Government, and sanctioned by the Governor General in Council, be published in the local official Gazette, and shall thereupon have the force of law.

Confirmation and publication of rules.

VII of s. 21.

30. A table in the English and vernacular languages, showing the fees chargeable for such service and execution, shall be exposed to view in a conspicuous part of each court.

Tables of process-fees.

Act VII of 1870, s. 22.

31. Subject to rules to be made by the High Court and approved by the Local Government and the Governor General in Council,

Number of peons in District and subordinate Courts.

every District Judge and every Magistrate of a District may from time to time fix the number of peons necessary to be employed for the service and execution of processes issued out of his Court and each of the Courts subordinate thereto,

and for the purposes of this section, every Court of Small Causes established under Act No. XI of 1865 (*to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature*) shall be deemed to be subordinate to the Court of the District Judge.

Number of peons in mufassal Small Cause Courts.

Act VII of 1870, s. 23.

32. Subject to rules to be framed by the Chief Controlling Revenue Authority and approved by the Local Government and the Governor General in Council, every officer performing the functions of a Collector of a District may from time to time fix the number of peons necessary to be employed for the service and execution of processes issued out of his Court or the Courts subordinate to him.

Number of peons in Revenue Courts.

Act VII of 1870, s. 24.

33. The costs of every process served or executed under this chapter shall be held to be costs within the meaning of the Code of Civil Procedure.

Costs of process served under this chapter to be costs under Civil Procedure Code.

CHAPTER VI.

OF THE MODE OF LEVYING FEES.

Act VII of 1870, s. 25. Conf. Act I of 1879, s. 9.

34. All fees referred to in section three or chargeable under this Act shall be collected by stamps.

Collection of fees by stamps.

Act VII of 1870, s. 26.

35. The stamps used to denote any fee chargeable under this Act shall be impressed or adhesive, or partly impressed and partly adhesive, as the Governor General in Council may, by notification in the *Gazette of India*, from time to time direct.

Stamps to be impressed or adhesive.

Act VII of 1870, s. 27.

36. The Local Government may, from time to time, make rules for regulating—

Rules for supply, sale number, renewal and keeping accounts of stamps.

Mr. Cockerell's note, para. 55; Act I of 1879, s. 55.

(*a*) the supply and sale of stamps to be used under this Act, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons,

Act VII of 1870, s. 27.

(*b*) the number of stamps to be used for denoting any fee chargeable under this Act,

(*c*) the renewal of damaged or spoiled stamps, and

(*d*) the keeping accounts of all stamps used under this Act:

Provided that, in the case of stamps used under section three in a High Court, such rules shall be made with the concurrence of the Chief Justice of such Court.

All such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

Act VII of 1870, s. 28.

37. No document which ought to bear a stamp under this Act shall be of any validity unless and until it is properly stamped.

Stamping documents inadvertently received.

But if any such document is through mistake or inadvertence received, filed or used in any Court or office without being properly stamped, the presiding Judge or the head of the office, as the case may be, or in the case of a High Court, any Judge of such Court, may, if he thinks fit, order that such document be stamped as he may direct; and on such document being stamped accordingly, the same and every proceeding relative thereto shall be as valid as if it had been properly stamped in the first instance.

Act. VII of 1870, s. 29, modified as in Stamp Bill of 1877, s. 55.

38. Where any such document is amended in form to the original intention of the parties, and the duty with which it is chargeable is not thereby increased, it shall not be necessary to impose a fresh stamp.

Amended document.

order merely to correct a mistake and to make it con-

Act VII of 1870, s. 30.

39. No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

Cancellation of stamp.

Mr. Cockerell's note, para. 55.

The Local Government may from time to time, with the previous sanction of the Governor General in Council, make rules for regulating the mode of cancelling stamps and the persons by whom such cancellation is to be effected.

Such rules shall be published in the local official Gazette, and shall thereupon have the force of law.

CHAPTER VII.

CRIMINAL OFFENCES AND PROCEDURE.

Mr. Cockerell's note, paras 55, 56, and Act I of 1879, s. 63.

40. Whoever, being bound to file a statement on oath under the provisions of section twenty-eight, fails or neglects to file such statement within the time mentioned in that section, or, when required by an order of the Court to file such statement, within the time which may be specified in such order, shall be punished with fine which may extend to one thousand rupees.

Failing to file statement on oath under section twenty-eight.

Act I of 1879, s. 68.

41. Any person appointed to sell stamps who disobeys any rule made under section thirty-six, and any person not so appointed who sells or offers for sale any stamp, shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Penalty for breach of rule relating to sale of stamps and for unauthorized sale.

New.

42. Whoever, fraudulently or with intent to cause loss to Government, has in his possession any adhesive stamp which has been used and cancelled under this Act and has been removed from the document to which it was affixed, shall be punished, in addition to any other penalty to which he may be liable, with fine which may extend to five hundred rupees.

Fraudulent possession of used and cancelled stamp.

Act I of 1879, s. 69.

43. No prosecution in respect of any offence punishable hereunder shall be instituted without the sanction of the Collector or such other officer as the Local Government generally, or the Collector specially, authorizes in that behalf.

Institution and conduct of prosecution.

The Chief Controlling Revenue Authority, or any officer authorized by it in this behalf, may stay any such prosecution or compound any such offence.

Act I of 1879, s. 72.

44. Nothing herein contained shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act, or the rules made hereunder:

Operation of other laws not barred.

Provided that no person shall be punished twice for the same offence.

CHAPTER VIII.

MISCELLANEOUS.

Act VII of 1870, s. 36.

45. Nothing in this Act applies to the commission payable to the Accountant General of the High Court at Fort William, or to the fees which any officer of a High Court is allowed to receive in addition to a fixed salary.

Saving of certain fees to certain officers of High Courts.

Act VII of 1870, s. 31.

46. Whenever an application or petition containing a complaint or charge of an offence other than an offence for which police-officers may arrest without warrant is presented to a criminal Court, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay to the complainant the fee paid on such application or petition.

Repayment of fees paid on applications to Criminal Courts.

In the case mentioned in section eighteen the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay to the complainant the fee, if any, paid by the latter for the examination.

When the complainant has paid fees for serving processes in either of the cases mentioned in the first and second paragraphs of this section, the Court, if it convict the accused person, shall, in addition to the penalty imposed upon him, order him to repay such fees to the complainant.

All fees ordered to be repaid under this section may be recovered as if they were fines imposed by the Court.

Act VII of 1870, s. 33.

47. Whenever the filing or exhibition in a Criminal Court of a document in respect of which the proper fee has not been paid is, in the opinion of the presiding Judge, necessary to prevent a failure of justice, nothing contained in section four or section six shall be deemed to prohibit such filing or exhibition.

Admission in criminal cases of documents for which proper fee has not been paid.

Act I of 1879, s. 54.

48. When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Collector shall repay to such person the value of such stamp in money, deducting one anna for each rupee or portion of a rupee, upon such person delivering up the same to be cancelled, and proving to the Collector's satisfaction that it was purchased by such person in good faith with intention to use it, and that he has paid the full price thereof, and that it was so purchased within the period of six months next preceding the date on which it is so delivered.

Allowance for stamps not required for use.

Act I of 1879, s. 8.

49. The Governor General in Council may from time to time, by notification in the *Gazette of India*,

Power to reduce or remit fees.

(*a*) reduce or remit, whether prospectively or retrospectively, in the whole or in any part of British India, all or any of the fees chargeable under this Act in respect of any documents or any particular class of documents, or any of the documents belonging to such class, when filed, exhibited or recorded in any Court, or in any specified Court of justice, or when received from, or furnished or granted under his seal or signature to, any particular class of persons by any public officer, and

(*b*) cancel or vary such order to the extent of the powers hereby given.

SCHEDULE I.

Ad valorem fees.

Number.		Proper Fee.	
Act VII of 1870, Sch. I, 1.	When the amount or value of the subject-matter in dispute does not exceed five rupees ...	Six annas.	
Ditto.	When such amount or value exceeds five rupees,—For every five rupees or part thereof in excess of five rupees, up to one hundred rupees ...	Six annas.	
Ditto.	When such amount or value exceeds one hundred rupees—For every ten rupees or part thereof in excess of one hundred rupees, up to one thousand rupees ...	Twelve annas.	
Ditto.	When such amount or value exceeds one thousand rupees—For every one hundred rupees or part thereof in excess of one thousand rupees, up to five thousand rupees ...	Five rupees.	
Mr. Cockerell's note, para. 54.	When such amount or value exceeds five thousand rupees—For every five hundred rupees or part thereof in excess of five thousand rupees, up to ten thousand rupees ...	Twenty-five rupees.	
	When such amount or value exceeds ten thousand rupees—For every one thousand rupees or part thereof in excess of ten thousand rupees, up to twenty-five thousand rupees ...	Twenty-five rupees.	
	When such amount or value exceeds twenty-five thousand rupees—For every five thousand rupees or part thereof in excess of twenty-five thousand rupees up to fifty thousand rupees ...	One hundred rupees.	
	When such amount or value exceeds fifty thousand rupees—For every twenty-five thousand rupees or part thereof in excess of fifty thousand rupees, up to four hundred thousand rupees ...	One hundred rupees.	Mr. Cockerell's note, para. 54.
	When such amount or value exceeds four hundred thousand rupees—For every fifty thousand rupees or part thereof in excess of four hundred thousand rupees:	One hundred rupees.	Ditto.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be three thousand rupees.		Act VII of 1870, Sch. I, 1.
1. Plaint or memorandum of appeal (not otherwise provided for in this Act) presented to any Civil or Revenue Court, except those mentioned in section three.*			
2. Plaint in a suit for possession under the Specific Relief Act, 1877, section nine.	.....	A fee of one-half the amount prescribed in the foregoing scale.	Notification, Financial Department, No. 2127, dated 27th July, 1877.
3. Application for review of judgment, if presented on or after the ninetieth day from the date of the decree.	.....	The fee leviable on the plaint or memorandum of appeal.	Act VII of 1870, Sch. I, 4.
4. Application for review of judgment if presented before the ninetieth day from the date of the decree.	.....	One-half of the fee leviable on the plaint or memorandum of appeal.	Act VII of 1870, Sch. I, 5.
5. An authenticated copy or translation of a judgment or order not being, or having the force of, a decree.	When such judgment or order is passed by any Civil Court other than a High Court, or by the presiding officer of any Revenue Court or office, or by any other judicial or executive authority—		Act VII of 1870, Sch. I, 6.
	(*a*) If the amount or value of the subject-matter is fifty or less than fifty rupees	Four annas.	
	(*b*) If such amount or value exceeds fifty rupees ...	Eight annas.	
	When such judgment or order is passed by a High Court ...	One rupee.	

* To ascertain the proper fee leviable on the institution of a suit or the presentation of an appeal, see the table annexed to this schedule.

SCHEDULE I—*continued.*

Ad valorem fees.

Number.		Proper fee.	
1. Plaint, &c.—*continued.*	When such amount or value exceeds fifty thousand rupees—For every twenty-five thousand rupees or part thereof in excess of fifty thousand rupees, up to four hundred thousand rupees ...	One hundred rupees.	Mr. Cockerell's note, para. 54.
	When such amount or value exceeds four hundred thousand rupees—For every fifty thousand rupees or part thereof in excess of four hundred thousand rupees:	One hundred rupees.	Ditto.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be three thousand rupees.		Act VII of 1870, Sch. I, 1.
2. Plaint in a suit for possession under the Specific Relief Act, 1877, section nine.	.....	A fee of one-half the amount prescribed in the foregoing scale.	Notification, Financial Department, No. 2127, dated 27th July, 1877.
3. Application for review of judgment, if presented on or after the ninetieth day from the date of the decree.	.....	The fee leviable on the plaint or memorandum of appeal.	Act VII of 1870, Sch. I, 4.
4. Application for review of judgment if presented before the ninetieth day from the date of the decree.	.....	One-half of the fee leviable on the plaint or memorandum of appeal.	Act VII of 1870, Sch. I, 5.
5. An authenticated copy or translation of a judgment or order not being, or having the force of, a decree.	When such judgment or order is passed by any Civil Court other than a High Court, or by the presiding officer of any Revenue Court or office, or by any other judicial or executive authority—		Act VII of 1870, Sch. I, 6.
	(*a*) If the amount or value of the subject-matter is fifty or less than fifty rupees	Four annas.	
	(*b*) If such amount or value exceeds fifty rupees ...	Eight annas.	
	When such judgment or order is passed by a High Court ...	One rupee.	

SCHEDULE I—*continued.*

Ad valorem fees.

Number.		Proper fee.
Act VII of 1870, Sch. I, 7.	6. An authenticated copy of a decree or order having the force of a decree.	When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court—
		(*a*) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees ... — Eight annas.
		(*b*) If such amount or value exceeds fifty rupees ... — One rupee.
		When such decree or order is made by a High Court ... — Four rupees.
Act VII of 1870, Sch. I, 8.	7. An authenticated copy of any document liable to stamp-duty under the Indian Stamp Act, 1879, when left by any party to a suit or proceeding in place of the original withdrawn.	(*a*) When the stamp-duty chargeable on the original does not exceed eight annas. — The amount of the duty chargeable on the original.
		(*b*) In any other case — Eight annas.
Act VII of 1870, Sch. I, 9.	8. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office, or from the office of any chief officer charged with the executive administration of a Division.	For every three hundred and sixty words or fraction of three hundred and sixty words ... — Eight annas.
Act VII of 1870, Sch. I, 10.	9. Certificate of administration granted under Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*), or under Act No. XX of 1864 (*for making better provision for the care of the persons and property of Minors in the Presidency of Bombay*).	If the amount or value of the property in respect to which such certificate is granted does not exceed five hundred rupees ... — Five rupees.
		If such amount or value exceeds five hundred rupees, but not one thousand rupees ... — Ten rupees.
		And for every one thousand rupees, or part thereof, in excess of one thousand rupees ... — Five rupees.

SCHEDULE I—*concluded.*

Ad valorem fees.

Number.		Proper fee.
Act VII of 1870, Sch. I, 11. Act VII of 1870, Sch. I, 12. Act V of 1881, s. 153.	10. Probate of a will or letters of administration with or without will annexed. 11. Certificate granted under Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*), or under Bombay Regulation VIII of 1827 (*to provide for the formal recognition of Heirs, Executors and Administrators, and for the appointment of Administrators and Managers of Property by the Courts*).	If the amount or value of the property in respect of which the probate or letters or certificate shall be granted exceeds one thousand rupees. — Two per centum on such amount or value: Provided that when, after a certificate has been granted as aforesaid in respect of any estate, probate or letters of administration is or are granted in respect of the same estate, the fee payable in respect of such latter grant shall be reduced by the amount of the fee paid in respect of the former grant.

Table of rates of ad valorem fees leviable on the institution of suits or presentation of appeals. Act VII, 1870, table annexed to Sch. I: with modifications.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
...	5	0 6 0
5	10	0 12 0
10	15	1 2 0
15	20	1 8 0
20	25	1 14 0
25	30	2 4 0
30	35	2 10 0
35	40	3 0 0
40	45	3 6 0
45	50	3 12 0
50	55	4 2 0
55	60	4 8 0
60	65	4 14 0
65	70	5 4 0
70	75	5 10 0
75	80	6 0 0
80	85	6 6 0
85	90	6 12 0
90	95	7 2 0
95	100	7 8 0
100	110	8 4 0
110	120	9 0 0
120	130	9 12 0
130	140	10 8 0

Table of rates of ad valorem fees, &c.—continued.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
140	150	11 4 0
150	160	12 0 0
160	170	12 12 0
170	180	13 8 0
180	190	14 4 0
190	200	15 0 0
200	210	15 12 0
210	220	16 8 0
220	230	17 4 0
230	240	18 0 0
240	250	18 12 0
250	260	19 8 0
260	270	20 4 0
270	280	21 0 0
280	290	21 12 0
290	300	22 8 0
300	310	23 4 0
310	320	24 0 0
320	330	24 12 0
330	340	25 8 0
340	350	26 4 0
350	360	27 0 0
360	370	27 12 0
370	380	28 8 0
380	390	29 4 0
390	400	30 0 0
400	410	30 12 0
410	420	31 8 0
420	430	32 4 0
430	440	33 0 0
440	450	33 12 0
450	460	34 8 0
460	470	35 4 0
470	480	36 0 0
480	490	36 12 0
490	500	37 8 0
500	510	38 4 0
510	520	39 0 0
520	530	39 12 0
530	540	40 8 0
540	550	41 4 0
550	560	42 0 0
560	570	42 12 0
570	580	43 8 0
580	590	44 4 0
590	600	45 0 0
600	610	45 12 0
610	620	46 8 0
620	630	47 4 0
630	640	48 0 0
640	650	48 12 0
650	660	49 8 0
660	670	50 4 0
670	680	51 0 0
680	690	51 12 0
690	700	52 8 0
700	710	53 4 0
710	720	54 0 0
720	730	54 12 0
730	740	55 8 0
740	750	56 4 0
750	760	57 0 0
760	770	57 12 0
770	780	58 8 0
780	790	59 4 0
790	800	60 0 0
800	810	60 12 0
810	820	61 8 0
820	830	62 4 0

Table of rates of ad valorem fees, &c.—continued.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
830	840	63 0 0
840	850	63 12 0
850	860	64 8 0
860	870	65 4 0
870	880	66 0 0
880	890	66 12 0
890	900	67 8 0
900	910	68 4 0
910	920	69 0 0
920	930	69 12 0
930	940	70 8 0
940	950	71 4 0
950	960	72 0 0
960	970	72 12 0
970	980	73 8 0
980	990	74 4 0
990	1,000	75 0 0
1,000	1,100	80 0 0
1,100	1,200	85 0 0
1,200	1,300	90 0 0
1,300	1,400	95 0 0
1,400	1,500	100 0 0
1,500	1,600	105 0 0
1,600	1,700	110 0 0
1,700	1,800	115 0 0
1,800	1,900	120 0 0
1,900	2,000	125 0 0
2,000	2,100	130 0 0
2,100	2,200	135 0 0
2,200	2,300	140 0 0
2,300	2,400	145 0 0
2,400	2,500	150 0 0
2,500	2,600	155 0 0
2,600	2,700	160 0 0
2,700	2,800	165 0 0
2,800	2,900	170 0 0
2,900	3,000	175 0 0
3,000	3,100	180 0 0
3,100	3,200	185 0 0
3,200	3,300	190 0 0
3,300	3,400	195 0 0
3,400	3,500	200 0 0
3,500	3,600	205 0 0
3,600	3,700	210 0 0
3,700	3,800	215 0 0
3,800	3,900	220 0 0
3,900	4,000	225 0 0
4,000	4,100	230 0 0
4,100	4,200	235 0 0
4,200	4,300	240 0 0
4,300	4,400	245 0 0
4,400	4,500	250 0 0
4,500	4,600	255 0 0
4,600	4,700	260 0 0
4,700	4,800	265 0 0
4,800	4,900	270 0 0
4,900	5,000	275 0 0
5,000	5,500	300 0 0
5,500	6,000	325 0 0
6,000	6,500	350 0 0
6,500	7,000	375 0 0
7,000	7,500	400 0 0
7,500	8,000	425 0 0
8,000	8,500	450 0 0
8,500	9,000	475 0 0
9,000	9,500	500 0 0
9,500	10,000	525 0 0
10,000	11,000	550 0 0
11,000	12,000	575 0 0

Table of rates of ad valorem fees, &c.—concluded.

When the amount or value of the subject-matter in dispute exceeds	But does not exceed	Proper fee.
Rs.	Rs.	Rs. A. P.
12,000	13,000	600 0 0
13,000	14,000	625 0 0
14,000	15,000	650 0 0
15,000	16,000	675 0 0
16,000	17,000	700 0 0
17,000	18,000	725 0 0
18,000	19,000	750 0 0
19,000	20,000	775 0 0
20,000	21,000	800 0 0
21,000	22,000	825 0 0
22,000	23,000	850 0 0
23,000	24,000	875 0 0
24,000	25,000	900 0 0
25,000	30,000	1,000 0 0
30,000	35,000	1,100 0 0
35,000	40,000	1,200 0 0
40,000	45,000	1,300 0 0
45,000	50,000	1,400 0 0
50,000	75,000	1,500 0 0
75,000	1,00,000	1,600 0 0
1,00,000	1,25,000	1,700 0 0
1,25,000	1,50,000	1,800 0 0
1,50,000	1,75,000	1,900 0 0
1,75,000	2,00,000	2,000 0 0
2,00,000	2,25,000	2,100 0 0
2,25,000	2,50,000	2,200 0 0
2,50,000	2,75,000	2,300 0 0
2,75,000	3,00,000	2,400 0 0
3,00,000	3,25,000	2,500 0 0
3,25,000	3,50,000	2,600 0 0
3,50,000	3,75,000	2,700 0 0
3,75,000	4,00,000	2,800 0 0
4,00,000	4,50,000	2,900 0 0
4,50,000	.....	3,000 0 0

SCHEDULE II.

Fixed Fees.

Number.		Proper fee.
Act VII of 1870, Sch. II, 1.	Application or petition—	
	(*a*) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings;	One anna.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper fee.
1. Application or petition—(*continued*).	or when presented to any officer of land revenue by any person holding temporarily-settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement;	
	or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement;	
	or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Cantonment Magistrate sitting as a Court of Civil Judicature under Act No. III of 1859, or to any Court of Small Causes constituted under Act No. XI of 1865, or under Act No. VI of 1871, section twenty-nine, or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees;	One anna.
	or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record in such Court or Office:	

Act VII of 1870, Sch. II, 1.

VII of 70, Sch. II,

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper fee.
1. Application or petition—(*continued*).	or when presented to a Collector for the purpose of obtaining the renewal or refund of value of stamps spoiled or not required for use.	One anna.
	(*b*) When containing a complaint or charge of any offence other than an offence for which police-officers may, under the Criminal Procedure Code, arrest without warrant, and presented to any Criminal Court;	
	or when presented to a Civil, Criminal or Revenue Court, or to a Collector, or any revenue officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity, and not otherwise provided for by this Act;	Eight annas.
	or to deposit in Court revenue or rent;	
	or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.	
	(*c*) When presented to a Chief Commissioner or other chief controlling revenue or executive authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a Division and not otherwise provided for by this Act ...	One rupee.
	(*d*) When presented to a High Court	Two rupees.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper Fee.	
2. Application for leave to sue as a pauper ...	...	Eight annas.	Act VII of 1870, Sch. II, 2.
3. Application for leave to appeal as a pauper ...	(*a*) When presented to a District Court.	One rupee.	Act VII of 1870, Sch. II, 3.
	(*b*) When presented to a Commissioner or a High Court.	Two rupees.	
4. Plaint or memorandum of appeal in a suit to obtain possession under Act No. XVI of 1838, or the Mamlatdárs' Courts Act, Bombay Act No. III of 1876 ...			Act VII of 1870, Sch. II,
5. Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy ...	...	Eight annas.	Act VII of 1870, Sch. II, 5.
6. Bail-bond or other instrument of obligation not otherwise provided for by this Act, when given by the direction of any court or executive authority ...			Act VII of 1870, Sch. II, 6.
7. Undertaking under section forty-nine of the Indian Divorce Act ...			Act VII of 1870, Sch. II, 7.
8. Petition of objection to assessment under the Northern India License Act, 1878	When presented to a Collector—		
	(*a*) By a person charged under class III	One anna.	Notification, Financial Department, No. 1465, dated 5th July, 1878.
	(*b*) By a person charged under class II	Four annas.	
	(*c*) By a person charged under class I	Eight annas.	
9. Application for revision under the Northern India License Act, 1878, section 15 ...	...	One rupee.	New.
10. Mukhtárnáma, vakálatnáma or document empowering an Advocate of a High Court to act ...	When presented for the conduct of any one case—		
	(*a*) to any Civil or Criminal Court other than a High Court, or to any Revenue Court, or to any Collector or Magistrate, or other executive officer, except such as are mentioned in clauses (*b*) and (*c*) of this Number ...	Eight annas.	Act VII of 1870, Sch. II, 10.

SCHEDULE II—*continued.*

Fixed Fees.

Number.		Proper Fee.
Act VII of 1870, Sch. II, 10.	10. Mukhtárnáma, &c.—*contd.*	
	(*b*) to a Commissioner of Revenue, Circuit or Customs, or to any officer charged with the executive administration of a Division, not being the chief revenue or executive authority ...	One rupee.
	(*c*) to a High Court, Chief Commissioner, Board of Revenue, or other chief controlling revenue or executive authority ...	Two rupees.
Act VII of 1870, Sch. II 11.	11. Memorandum of appeal when the appeal is not from an order rejecting a plaint or from a decree or an order having the force of a decree, and is presented—	
	(*a*) to any Civil Court other than a High Court, or to any Revenue Court or executive officer other than the High Court or chief controlling revenue or executive authority ...	Eight annas.
	(*b*) to a High Court or Chief Commissioner, or other chief controlling executive or revenue authority ...	Two rupees.
	12. Caveat ...	
	13. Application under Act No. X of 1859, section twenty-six, or Bengal Act No. VI of 1862, section nine, or Bengal Act No. VIII of 1869, section thirty-seven.	
	14. Petition in	Five rupees.
Act VII of 1870, Sch. II,	a suit under the Native Converts' Marriage Dissolution Act, 1866.	
See Stamp Act of 1877, Sch. V, 25.]	15. Plaint or memorandum of appeal in a suit (other than a suit or proceeding under the Indian Divorce Act) for the restitution of conjugal rights.	

SCHEDULE II—*continued.*

Fixed fees.

Number.		Proper Fee.
	16. Petition under the European British Minors Act, 1874, section five ...	..... Five rupees.
	17. Administration-bond, including a bond given under the Probate and Administration Act, 1881, section 8 ...	..... Eight rupees.
	18. Plaint or memorandum of appeal in each of the following suits:—	
	(i) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court:	
	(ii) to alter or cancel any entry in a register of the names of proprietors of revenue-paying estates:	
	(iii) to set aside an award:	
	(iv) to set aside an adoption:	..... Ten rupees.
	(v) to obtain a declaratory decree where no consequential relief is prayed:	
	(vi) every other suit where it is not possible to estimate at a money-value the subject-matter in dispute, and which is not otherwise provided for by this Act ...	
	19. Application under section five hundred and twenty-three of the Code of Civil Procedure ...	
	20. Agreement under section five hundred and twenty-seven of the same Code ...	
	21. Every petition under the Indian Divorce Act, except petitions under section forty-four of the same Act, and every memorandum of appeal under section fifty-five of the same Act ...	..... Twenty rupees.
	22. Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1865	..... Twenty rupees.

SCHEDULE III.

Exemptions from Court-fees.

1. Application in writing—

(*a*) Or petition, to a Collector or other officer making a settlement of land-revenue, or to a Board of Revenue, or a Commissioner of Revenue, relating to matters connected with the assessment of land, or the ascertainment of rights thereto or interests therein, if presented previous to the final confirmation of such settlement;

(*b*) Relating to a supply, for irrigation, of water belonging to Government;

(*c*) For leave to extend cultivation, or to relinquish land, when presented to an officer of land-revenue by a person holding, under direct engagement with Government, land of which the revenue is settled but not permanently;

(*d*) For service of notice of relinquishment of land or of enhancement of rent;

(*e*) Or petition, containing any charge or information respecting any offence, when presented, made or laid to or before a police-officer, or to or before the heads of villages or the village-police in the territories respectively subject to the Governors in Council of Madras and Bombay;

(*f*) For permission to cut timber in Government forests, or otherwise relating to such forests;

(*g*) For compensation under any law for the time being in force relating to the acquisition of property for public purposes;

(*h*) Relating exclusively to the purchase of salt the property of Government;

(*i*) For the payment of money due by Government to the applicant;

(*j*) Or petition, to a Chief Commissioner, when such application or petition is accompanied by a petition to the Government of India and contains merely a request that such petition may be forwarded to the Government of India.

2. Authenticated copy—

(*a*) Of a final sentence or order passed by a criminal Court, which parties desirous of appealing from such sentence or order are required by section 275 of the Code of Criminal Procedure to file with their petition of appeal: Provided that the party who is desirous of appealing is in confinement under the operation of the sentence or order at the time that he applies for a copy of the same;

Of the judgment, or reasons for passing or making such sentence or order, as above;

SCHEDULE III—*continued.*

Exemptions from Court-fees.

(*b*) Or translation of the charge furnished to an accused person under section 199 of the Code of Criminal Procedure; — Notification, Home Department, No. 996, dated 6th June, 1873.

(*c*) Of a deposition furnished to an accused person under section 201 of the Code of Criminal Procedure; — Ditto.

(*d*) Of the judgment or order passed by a criminal Court, and of a Judge's charge to the jury, furnished under the Code of Criminal Procedure to any person affected by such judgment or order: Provided that such person is in jail, or the Court, for some special reason, sees fit to grant such copy free of expense; — Notification, Financial Department, No. 7317, dated 18th December, 1874.

(*e*) Of the examination of witnesses given to an accused person under the Code of Criminal Procedure; — Notification, Home Department, No. 996, dated 6th June 1873.

(*f*) Of a charge given to an accused person under the Code of Criminal Procedure; — Ditto.

(*g*) Of an order of maintenance given under the Code of Criminal Procedure; — Ditto.

(*h*) Of a judgment or decision passed on a claim preferred under the provisions of Madras Regulation No. VI of 1831; — Notification, Financial Department, No. 3307, dated 3rd October, 1872.

(*i*) Of a certificate granted under the Code of Civil Procedure, section 316. — Notification, Financial Department, No. 3906, dated 24th October, 1873.

(*j*) Of a village-settlement-record furnished to a landholder and cultivator during the currency or at the termination of settlement-operations; — Notification, Financial Department, No. 4193, dated 3rd July, 1874.

Of a list of fields extracted from village-settlement-records for the purpose of being filed with a plaint in Settlement-Courts;

Authenticated copy—

Nothing in this clause applies to copies of judicial proceedings or copies of village-settlement-records (other than lists of fields extracted as aforesaid) which may be filed in any Court or office;

(*k*) Of a document furnished under the orders of any Court or Magistrate to any Government Advocate or Pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of Government before any criminal Court; — Notification, Financial Department, No. 3041, dated 20th July 1877.

(*l*) Of a document which any Government Advocate, Pleader or other person is required to take in connection with any such trial or investigation for the use of any Court or Magistrate, or may consider necessary for the purpose of advising the Government in connection with any criminal proceeding; — Ditto.

SCHEDULE III—*continued.*

Exemptions from Court-fees.

Notification, Financial Department, No. 2041, dated 20th July, 1877.

(*m*) Of a judgment or deposition required by an officer of the Police Department for conducting an appeal on behalf of Government before any criminal Court;

Notification, Financial Department, No. 1446, dated 27th June, 1879.

(*n*) Of an order which the Collector is required to furnish under section 14 of Madras Act No. III of 1878.

Act VII of 1870, s. 19, cl. 13.

3. Authority in writing to an agent to distrain.

Act VII of 1870, s. 19, cl. 15.

4. Bail-bonds in criminal cases, and recognizances to prosecute or give evidence, or for personal appearance or otherwise.

Act VII of 1870, s. 19, cl. 18.

5. Complaint by a public servant (as defined in the Indian Penal Code), a municipal officer, or an officer or servant of a Railway Company.

Notification, Financial Department, No. 3421, dated 22nd December, 1876.

6. Documents described as Form II in Rule 13 of the rules laid down by the Governor of Bombay in Council under the provisions of section 28 of the Bombay Survey and Settlement Act, No. I of 1865.

Notification, Financial Department, No. 11, dated 3rd January, 1880.

7. Documents filed in suits instituted before village munsifs under Chapter V of Act No. XVII of 1879.

Act VII of 1870, s. 19, cl. 14.

8. First application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to attend either to give evidence or to produce a document, or in respect of the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court.

9. Petition—

Act VII of 1870, s. 19, cl. 17.

(*a*) by a prisoner or other person in duress or under restraint of any Court or its officers;

Act VII of 1870, s. 19, cl. 21.

(*b*) of appeal against the chaukídárí assessment under Act No. XX of 1856, or against any municipal tax;

Act VII of 1870, s. 19, cl. 23.

(*c*) presented to the Special Commissioner appointed under Bengal Act No. II of 1869 (*to ascertain, regulate and record certain tenures in Chutiá Nágpur*);

Act VII of 1870, s. 19, cl. 24.

(*d*) under the Indian Christian Marriage Act, 1872, section 45 or section 48;

Notification, Financial Department, No. [illegible], dated 27th January, 1879.

(*e*) of appeal presented to Revenue-officers in accordance with section 55 of the Madras Act No. IV of 1871;

Stamp Bill of 1877, Sch. VI, 8 (*f*).

(*f*) or application, memorandum of appeal or other proceeding under the Oudh Taluqdárs' Relief Act, 1870.

10. Plaint—

Act VII of 1870, s. 19, cl. 1.

(*a*) presented to a Military Court of Requests, and petition for execution of a decree of such Court;

SCHEDULE III—*continued.*

Exemptions from Court-fees.

Act VII of 1870, s. 19, cl. 5.

(*b*) in a suit tried by village munsifs in the Presidency of Fort St. George;

Act VII of 1870, s. 19, cl. 6.

(*c*) and processes in a suit before district panchâyats in the same Presidency;

Act VII of 1870, s. 19, cl. 7.

(*d*) in a suit before a Collector under Madras Regulation XII of 1816;

Notification, Financial Department, No. 1511, dated 6th March, 1874.

(*e*) in a summary suit before a Collector under Madras Act No. VIII of 1865;

Notification, Financial Department, No. 3237, dated 16th October, 1880.

(*f*) in a suit under Act No. XVII of 1879, section 16.

Act VII of 1870, s. 19, cl. 1, modified as in Stamp Bill of 1877, Sch. VI, 10.

11. Power-of-Attorney to institute or defend a suit when executed by an officer, warrant-officer, non-commissioned officer or private of Her Majesty's army whilst serving in such capacity.

Notification, Financial Department, No. 11, dated 3rd January, 1880.

12. Powers-of-attorney furnished to a relative, servant or dependent under Act No. XVII of 1879, section 68.

Act VII of 1870, s. 19, cl. 8.

13. Probate of a will, letters of administration and certificate mentioned in the first schedule to this Act, No. 11, where the amount or value of the property in respect of which the probate, letters or certificate shall be granted does not exceed one thousand rupees.

Notification, Financial Department, No. 1481, dated 27th March, 1880.

14. Security-bond for keeping of the peace by, or for the good behaviour of, a person other than the executant.

Act VII of 1870, s. 19, cl. 3.

15. Written statements called for by the Court after the first hearing of a suit.

SCHEDULE IV.

Enactments repealed.

NUMBER AND YEAR.	SUBJECT OR SHORT TITLE.	EXTENT OF REPEAL.
VII of 1870 ...	The Court Fees' Act...	The whole.
XX of 1870 ...	Amending Act VII of 1870.	The whole.
XXIV of 1870 ...	The Taluqdárs' Relief Act.	Section twenty-four.
XIII of 1874 ...	The European British Minors Act.	In section five, the words "shall bear a stamp of five rupees, and the statements therein contained."
XIII of 1875 ...	Probates and Letters of Administration.	Section six.
V of 1881 ...	The Probate and Administration Act, 1881.	Section one hundred and fifty-three.

Stamp Bill of 1877, Sch. VI

STATEMENT OF OBJECTS AND REASONS.

IN the year 1879 Mr. F. R. Cockerell was instructed by the Government of India to place himself on his arrival in England in communication with Messrs. De La Rue & Co., the eminent stamp-manufacturers. He was to bring before them the whole question of the stamp forgeries recently discovered in Oudh and the North-Western Provinces and to submit, for their inspection and examination, some specimens of those forgeries, together with the apparatus employed, or supposed to have been employed, in the manufacture of the forged labels. He was then, in consultation with Messrs. De La Rue and with the aid of their practical experience, to devise some kind of stamping machinery which would protect the revenue against the fraudulent practices by which its security has been menaced from time to time, and to submit, as the result of this conference, his conclusions on the whole question, and any recommendations for the alteration of the existing system of collecting fees, stating at the same time how far these conclusions and recommendations had the concurrence of that firm.

2. Mr. Cockerell has now submitted his report. The principal question for consideration was whether adhesive labels were to be retained for the collection of Court-fees wholly or partly.

3. The frauds to which the use of adhesive stamps has given rise are of two kinds:—

1st—Abstraction of the labels from the papers to which they have been affixed and re-use of such labels.

2nd—The production as genuine of counterfeit labels and making them pass current.

4. Messrs. De La Rue were of opinion that from the stamp-manufacturers' point of view there is no way of preventing such attempts at counterfeiting adhesive labels as had been recently discovered, or rendering their accomplishment more difficult. The Government of India had therefore to choose between persevering with the adhesive stamps and a partial or complete recourse to the use of stamped papers in lieu of the labels. Messrs. De La Rue advocated a complete re-introduction of stamped papers for the collection of Court-fees generally. They were of opinion that it is more profitable for forgers to work upon labels of the smaller values, as they pass with less scrutiny than labels of the higher values, and that the forgeries discovered were of so clumsy and inaccurate a nature that they should have been detected at once with ordinary care. The real difficulty and danger to the revenue, Messrs. De La Rue considered, arose out of the other kind of fraud, namely, the abstraction and re-use of the adhesive labels.

5. On the other hand, Mr. Cockerell was of opinion that the wisest course, under the present circumstances, would be a partial substitution of stamped papers for adhesive labels. If after a fair trial of such a measure it was found necessary to go further in the direction of the discontinuance of the use of adhesive labels, such progressive action would not have been rendered more difficult by the adoption of what he proposed, inasmuch as his proposals did not involve any considerable initial outlay, the value of which would be lost in the event of any closely following change of system. Mr. Cockerell also thought that, considering the great difficulty which forgers have in this country, owing to deficient mechanical appliances, in manufacturing forged stamps rapidly, and the great expense incurred in paying persons to pass the counterfeit labels, it was unlikely that forgers would work upon the smaller values. With regard to the abstraction and re-use of adhesive labels, he thought that an inquiry into the cases in which such frauds have been committed showed that they might have been prevented by a due examination and cancellation of the labels affixed to documents when presented to the Court or office in which the fraud occurred. He therefore came to the conclusion that it would be premature to condemn a system the checks and precautions for the proper working of which had never been fairly and perseveringly enforced.

6. The great advantage which the substitution of stamped papers for adhesive labels in the collection of the Court-fees of the higher values instead of those of the lower values possesses is that the increase of expenditure entailed by the former change is very much less than that entailed by the latter. Mr. Cockerell calculates that the average consumption of stamps of the value of ten rupees and upwards is less than Rs. 3,00,000, out of a total consumption of more than 25½ millions. Then the cost of the lower values of adhesive labels is two shillings and sixpence per thousand, while the cost of the smallest size of stamped papers is 37 shillings per thousand. Besides this vast difference in the cost of production, the introduction of stamped papers involves a great increase in the cost of carriage.

7. For these reasons Mr. Cockerell recommended that stamped papers should be used for the collection of all Court-fees of ten rupees' value and upwards, and that the use of adhesive labels in respect of all denominations of fees below that amount should be continued. His reasons for thinking that the change should commence at the ten rupees' denomination are briefly as follows:—

(1) that this would include all values of substantial amount in regard to which the greatest risk to the revenue from forgeries is to be apprehended;

(2) that, to avoid expense in the introduction of stamped papers, it will be necessary to manufacture them on the same pattern, using the same plates, &c., as the stamped papers used under the Indian Stamp Act, 1879. The classification of stamped papers for Court-fees should, therefore, be the same as that for stamp-duties, and class III of the latter commences at ten rupees.

(3) that it is of great importance that the denominations below one rupee should be represented by adhesive labels, as these denominations are specially required for the purpose of making up the fractional parts of five rupees where the whole value of the stamp required exceeds ten rupees.

8. Mr. Cockerell proposed no change in the present scale of fees payable in suits the amount or value of the subject-matter of which does not exceed Rs. 5,000. With regard to the fees chargeable on suits of higher values, he proposed to re-adjust the scale of fees prescribed by Schedule I of the Court-fees' Act so as to reduce materially the number of denominations of stamps required for the collection of fees. The sliding scale fixed by the present law comprises no less than one hundred and thirty-five denominations of fees above Rs. 275, which is the fee chargeable on a suit for an amount or value of Rs. 5,000. To meet the requirements of this scale very many new denominations of stamped papers would have to be provided. Great additional expense would have to be incurred in making the proposed change, while the new stamp papers would, comparatively speaking, be seldom used, the number of suits for large amounts forming so small a portion of the entire litigation of the country.

9. The greatest enhancement in the fees which this change in the law will involve will be in suits for Rs. 7,000 and Rs. 10,000. In the former suits there will be an increase of twenty rupees and in the latter an increase of fifty. In the case of suits for sums exceeding Rs. 10,000 the increase will be less in proportion. Thus, the fee on a suit for Rs. 15,000 will be only twenty-five rupees above its amount under the existing scale, and the fee on a suit for Rs. 20,000 will be the same as that on a suit for Rs. 30,000 and only twenty-five rupees more than the present fee. The proposed increase, it is calculated, affects only about one per cent. of the entire litigation of the country.

10. Mr. Cockerell calculates that the annual cost of substituting stamped papers for all values of ten rupees and upwards, and continuing the use of adhesive labels, will be about £8,600, or an increase of rather more than £5,000 over the present cost. The total cost of substituting stamped papers in respect of all denominations of Court-fees and discontinuing the use of labels absolutely will be about £56,000, or an increase over the present expenditure for manufacture alone of about £53,000.

11. The Government of India has resolved to adopt Mr. Cockerell's recommendations, and it is therefore necessary to legislate and to amend the first article of Schedule I of the Court-fees' Act in accordance with his suggestions. The Act will also be amended so as to prevent the fraudulent removal and re-use of adhesive labels. The opportunity will be taken to make certain other amendments of the law which the reported decisions of the High Courts and the experience of the last eleven years have shewn to be desirable.

12. The following are the principal amendments which are made in the present law by the Bill.

13. In clause (*a*), section 36, of the Bill, corresponding to clause (*a*), section 27, of the present Act, power is given to the Local Government to make rules for regulating the supply and sale of Court-fee stamps, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons. The Local Government has similar powers under the Indian Stamp Act, and such powers will be useful in preventing frauds against the revenue. It is easier to detect the fraudulent removal and re-use of labels when there are means of tracing the persons by whom and to whom the labels were sold. If the stamp-vendors are placed under the control of the Local Government and sales by non-authorized persons prohibited, means can be provided for tracing the vendors and purchasers of stamps with respect to which fraud is suspected.

14. This amendment has involved other changes in the law. In order to enforce the rules made under clause (*a*), section 36, a penalty is provided by section 41 for breach of the rules by authorized vendors and for the sale of stamps by a person not authorized. Then, as no one but a duly authorised person can sell stamps, section 48 provides for making an allowance for stamps which a person has purchased but afterwards finds that he has no use for.

15. In order to prevent the fraudulent removal and re-use of labels it is necessary to provide for the proper cancellation of stamps. The present law (section 30) directs that cancellation shall be effected by punching out the figure-head so as to leave the amount designated on the stamp untouched, and that the part removed by punching shall be burnt or otherwise destroyed. These provisions have not been found to work well in practice. The duty which they impose has not been fully performed, and experience has shown that there is more chance of getting the responsible officers concerned to observe regulations of this kind when they are prescribed by rules which can be adapted to the varying circumstances of the different provinces of the empire. Accordingly, section 39 of the Bill gives each Local Government power, with the previous sanction of the Governor General in Council, to make rules for regulating the mode of cancelling stamps and the persons by whom such cancellation is to be effected.

16. The other amendment involved by Mr. Cockerell's proposals is the alteration in the scale of *ad valorem* fees: the cause of this change in the law has been already explained. In suits when the amount or value of the subject-matter in dispute exceeds Rs. 5,000, instead of charging a fee of ten rupees for every Rs. 250 or part thereof in excess of Rs. 5,000 up to Rs. 10,000, the Bill provides a charge of Rs. 25 for every Rs. 500 or part thereof. When such amount or value exceeds Rs. 10,000, instead of a fee of fifteen rupees for every Rs. 500 or part thereof in excess of Rs. 10,000 up to Rs. 20,000, the Bill provides a fee of Rs. 25 for every Rs. 1,000 or part thereof up to Rs. 25,000. So the next class of suits, instead of ranging from Rs. 20,000 to Rs. 30,000 with an additional fee of Rs. 20 for every Rs. 1,000 or part thereof in excess of Rs. 20,000, ranges from Rs. 25,000 to Rs. 50,000 with an additional fee of Rs. 100 for every Rs. 5,000 or part thereof in excess of Rs. 25,000. The next class of suits, instead of ranging from Rs. 30,000 to Rs. 50,000 is to range from Rs. 50,000 to Rs. 4,00,000 with an increased fee of Rs. 100 on every Rs. 25,000 or part thereof. Lastly, instead of a fee of Rs. 25 for every Rs. 5,000 or part thereof in excess of Rs. 50,000, the Bill prescribes a fee of Rs. 100 for every Rs. 50,000 or part thereof in excess of Rs. 4,00,000.

17. The Bill also provides in section 42 a penalty for the fraudulent possession of used and cancelled stamps which have been removed from the documents to which they have been affixed. The fact of a person having such stamps in his possession is a clear indication of an intent to use them fraudulently.

18. A penalty has also been provided (section 40) for failing to file the statement on oath of all property received or realized under a certificate granted under Act No. XL of 1858, Act No. XXVII of 1860, Act No. XX of 1864, or Bombay Regulation VIII of 1827. At present the law requiring such statements to be furnished may be evaded to the detriment of the revenue, for the only penalty is cancellation of the certificate, and default in filing the statement is probably in many cases never brought to the notice of the Court.

19. To prevent vexatious prosecutions the Bill (section 43), following the Indian Stamp Act, provides that no prosecution for any offence punishable thereunder shall be instituted without the sanction of the Collector or an officer duly authorized in that behalf.

20. The above are the principal amendments; but opportunity has been taken to make some other alterations in the law, which appear to be advisable.

21. In section 6 of the Bill the words "granted under his seal and signature" have been substituted for the word "furnished." The practice was for many years to grant copies unauthenticated by seal or signature without payment of Court-fee. It is held that this practice is under the present law illegal; but as copies are frequently required for private use and not for filing, exhibiting and recording in a Court of justice, it is thought advisable in the interests of the public to render the former practice legal.

22. In section 7, paragraph xi, the fee in suits to enhance the rent of a tenant having a right of occupancy and for abatement of rent is directed to be calculated on five times the amount by which the rent is sought to be enhanced or abated, instead of, as at present, according to the amount of the rent of the land to which the suit refers payable for the year next before the date of presenting the plaint. The amendment gives a fairer method of calculating the fee chargeable in such suits.

23. In section 12, corresponding with section 12 of the present law, the words "and such decision shall be final as between the parties to the suit" have been omitted. It has been held by the High Court at Calcutta, in the case of *Ajoodhya Pershad* v. *Gunga Pershad* (I. L. R., 6 Calc., p. 249), that an appeal lies against an order rejecting a plaint on the ground of its being insufficiently stamped, such an order being a decree within the meaning of the definition in the Code of Civil Procedure. An appeal should be allowed from an order so rejecting a plaint, and if the words "and such decision shall be final as between the parties to the suit" are retained in the Bill, it will probably be held that the right of appeal is taken away.

24. In section 17, which relates to the fee payable in multifarious suits, the expression "causes of action" is substituted for the expression "subjects" in accordance with a recent decision of the High Court at Allahabad.

25. The list of exemptions in section 19 of the Act has been transferred to Schedule III. The words "whilst serving in such capacity" have been substituted for the words "not in civil employment" in the eleventh exemption, and petitions, applications and memoranda of appeal under the Oudh Taluqdárs Act, 1870, have been added to the exemptions; and section twenty-four of that Act, which exempted those documents from Court-fees, has been entered in the schedule of enactments repealed. Other exemptions which have been made by the Governor General in Council under section 35 of the present Act have also for convenience been included in the schedule of exemptions and the whole has been arranged in alphabetical order.

26. The provisions as to probates, letters of administration and certificates which were inserted in the Court-fees' Act by the Probates and Letters of Administration Act of 1875 are printed in their proper place in Chapter IV of the Bill. By section 27 the provisions of this chapter are made applicable to certificates under Act XXVII of 1860 and Bom. Reg. VIII of 1827, as well as to certificates granted under Acts XL of 1858 and XX of 1864, and the note to Article 12, Schedule I, which requires a statement on oath of all property recovered or realized under a certificate to be filed by the certificate-holder, is removed from the schedule and added to the chapter as section 28. A provision has also been added to

section 28, in accordance with a decision of the High Court of Madras, that a certificate which has become liable to cancellation under the section shall remain in force until it is actually cancelled.

27. In section 38 words are added to make it clear that an amended document is not exempted from the payment of an additional fee, when the duty with which it is chargeable is increased by the amendment.

28. Some obsolete portions of the Court-fees' Act have been omitted, but the general arrangement of the Bill remains the same as that of the Act.

WHITLEY STOKES.

The 27th August, 1881.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 31st August, 1881, and was referred to a Select Committee:—

No. 17 OF 1881.

A Bill to amend the Panjáb Laws Act, 1872.

Preamble.

WHEREAS, in order to provide for the establishment of a system of municipal-watchmen in certain municipalities in the territories administered by the Lieutenant-Governor of the Panjáb, it is expedient to amend the Panjáb Laws Act, 1872; It is hereby enacted as follows:—

Short title. Commencement.

1. This Act may be called "The Panjáb Laws Amendment Act, 1881," and shall come into force at once.

Substitution of new sections for sections 39A and 39B.

2. For sections 39A and 39B of the said Act, the following sections shall be substituted:—

Power to establish system of village-watchmen and municipal-watchmen, and to make rules.

"39A. The Local Government may establish a system of village-watchmen or municipal-watchmen in any part of the territories under its administration, and in furtherance of this object may, from time to time, make rules to provide for the following matters:—

(*a*) the definition of the limits of watchmen's beats;

(*b*) the determination of the several grades of watchmen, and the number of each grade to be appointed to each beat;

(*c*) the appointment, suspension, dismissal and resignation of watchmen of each grade;

(*d*) the equipment and discipline of, and the control and supervision over, such watchmen;

(*e*) the conferring upon them, and the exercise by them, of any powers, and the enjoyment by them of any protection or privilege, which may be exercised and enjoyed by a police-officer under any law for the time being in force;

(*f*) the performance by them of such duties relating to police, sanitation or statistics, or for the benefit of the village-communities or municipalities within their beat, as the Local Government thinks fit;

(*g*) the exercise of authority over, and the rendering of aid to, such watchmen by headmen of the villages or members of the Municipal Committees of the towns comprised in their respective beats;

(*h*) the performance by the headmen of villages comprised in the beat of any of the duties of a village-watchman in aid of, or substitution for, such watchman;

(*i*) the exercise by such village-headmen for the purposes referred to in clauses (*g*) and (*h*), or by members of Municipal Committees for the purposes referred to in clause (*g*) of this section, of any of the powers, and the enjoyment by them of any privilege or protection, of a village-watchman or a municipal-watchman;

(*j*) the determination of the rate at which, and the mode in which, watchmen shall be paid, and, in the case of village-watchmen, of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchman system shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in, or resorting to, such villages, or partly in one of these ways and partly in the other;

(*k*) the collection with or without the aid of the village-headmen, and by any process available for the realization of the land-revenue, of any tax imposed under clause (*j*) of this section, and the application of, and the mode of accounting for, the same; and generally for

(*l*) the efficient working of the system of village-watchmen or municipal-watchmen:

"Provided—

1*st*,—that the rules to be made regarding the appointment of village-watchmen shall allow to the headmen of the villages comprised in the beat to which such a watchman is to be appointed a power of nomination to be exercised in such manner, and subject to such reasonable conditions, as may be prescribed by such rules;

2ndly,—that the rules to be made under clause (*j*) of this section with regard to village-watchmen shall include provisions for recording and securing due consideration of the views and opinions of the village-headmen of such beat on the matters therein referred to.

"39B. Every person is bound to render to a village-watchman, or municipal-watchman, or village-headman discharging the duties of a police-officer under the rules made hereunder, all the assistance which he is bound to render to a police-officer.

Obligation to assist watchmen and headmen.

"Any person who obstructs such watchman or headman in the discharge of such duties may be arrested without warrant by a police-officer or by any watchman or village-headman empowered in this behalf by the Local Government."

Person obstructing watchman or headman may be arrested without warrant.

STATEMENT OF OBJECTS AND REASONS.

UNDER section 12 of the Panjáb Municipal Act, 1873, every Municipal Committee is bound to set apart, out of the Municipal Fund, a sum for the maintenance of a police establishment in the town for which the Committee is appointed. Within the last few years certain small Municipalities in the Panjáb have represented that their income was insufficient to maintain a regular police force, as constituted under the Police Act (V of 1861), and have requested the Local Government to permit the employment by them of a cheaper form of guard in the shape of chaukídárs or watchmen. As there appeared to be considerable weight in these representations, the Local Government has permitted the Municipalities in question to employ watchmen instead of regular police. It appears, however, to Government that there is no suitable provision in the law as it now stands under which such watchmen can be appointed.

Except Act V of 1861, which, as shewn above, is inapplicable to the Municipalities in question, the only Acts in force in the Panjáb under which police establishments can be constituted are Act XX of 1856 (known as the Chaukídárí Act) and Act IV of 1872 (the Panjáb Laws Act). The former of these Acts is unsuited to the case of these Municipalities, as it necessarily carries with it additional taxation, while sufficient special local taxation is already levied within them under the Municipal Act. The provisions of the latter of these Acts, which provide for the appointment of watchmen, are specially framed so as to exclude Municipalities from their operation.

Under these circumstances, it has been deemed advisable to have recourse to legislation, so that these watchmen may be appointed on a definite legal basis. It appears to the Government of India that the simplest plan is to modify the provisions of the Panjáb Laws Act, 1872, and make them applicable to the case of Municipalities as well as to that of other places; and with this object the present Bill has been prepared.

SIMLA;
The 26th August, 1881.

R. E. EGERTON.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September, 1881, and was referred to a Select Committee:—

No. 18 OF 1881.

THE INLAND EMIGRATION BILL, 1881.

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A Bill to amend the law relating to Emigration to the Labour-districts of Bengal and Assam.

[The sections first noted on the margin are the corresponding sections of Act VII (B.C.) of 1873. The draft sections referred to in the margin are sections of the draft prepared by the Commissioners appointed to amend the Inland Emigration Act, VII (B.C.) of 1873.

WHEREAS it is expedient to amend the law relating to the emigration of natives of India to the districts of Chittagong, the Chittagong Hill Tracts, the Assam Valley, Cachar and Sylhet; It is hereby enacted as follows:— Preamble.

CHAPTER I.

PRELIMINARY.

Section 1. Draft, s. 1.

1. This Act may be called "The Inland Emigration Act, 1881." Short title.

It extends to the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioners of Oudh and Assam; Local extent.

New. and it shall come into force at once. Commencement.

Section 2. Draft, s. 2.

2. Bengal Act No. VII of 1873, (*to amend the law relating to the emigration of labourers to the districts of Assam, Cachar and Sylhet and to regulate contract-labour and service*), Bengal Act No. II of 1878 (*to extend the provisions of Bengal Act VII of 1873 to the district of Chittagong and to the Chittagong Hill Tracts*) and Regulation No. IV of 1877 (*a Regulation for extending to the Chief Commissionership of Assam Chapter 13 of Bengal Act VII of 1873*) are hereby repealed. Repeal of enactments.

New. All contracts entered into, rules and appointments made, orders and notifications published and licenses granted under the said Bengal Act No. VII of 1873, or any of the Acts thereby repealed, and now in force, shall, so far as they relate to the territories administered by the Lieutenant-Governor of Bengal and the Chief Commissioner of Assam, be deemed to have been respectively entered into, made, published and granted under this Act.

Section 3. Draft, s. 3

3. In this Act, unless there is something repugnant in the subject or context,— Interpretation-clause.

"Labour-districts": The expression "the labour-districts" means the districts of Chittagong the Chittagong Hill Tracts, Assam Valley, Cachar and Sylhet, and the expression "a labour-district" means any one of such districts:

Cf. Indian Emigration Bill, s. 3. "Magistrate": "Magistrate" means a Magistrate of a district, a Magistrate of a division of a district, and any other person appointed by the local Government to perform the functions of a Magistrate under this Act:

"Superintendent," "Inspector" and "Assistant Inspector": "Superintendent," "Inspector" and "Assistant Inspector" mean respectively a Superintendent of Emigration, an Inspector of Labourers and an Assistant Inspector of Labourers appointed under this Act:

New. "Contractor," "Sub-Contractor," "Recruiter" and "Local Agent": "Contractor," "Sub-Contractor," "Recruiter" and "Local Agent" mean respectively a Contractor, a Sub-Contractor, a Recruiter and a Local Agent licensed under this Act:

"Labour-contract": "Labour-contract" means a contract to labour for hire in a labour-district, otherwise than as a domestic servant, entered into in accordance with the provisions of this Act:

"Labourer": "Labourer" means any person bound by a contract under the provisions of the said Bengal Act VII of 1873 or by a labour-contract under the provisions of this Act. And, except in sections one hundred and sixty-eight to one hundred and eighty-two both inclusive, it also includes any person intending to enter into such labour-contract:

"Estate": "Estate" means the land upon which any labourers or more than fifty other persons have been engaged to labour:

"Employer": "Employer" means the chief person for the time being in charge of any estate upon which labourers or more than fifty other persons are employed:

"Emigrate": "Emigrate" denotes the departure of any native of India of the age of sixteen years and upwards (other than a native of a labour-district) from any part of the territories administered by the Lieutenant-Governor of Bengal, not being a labour-district, or from the territories administered by the Lieutenant-Governor of the North-Western Provinces and the Chief Commissioner of Oudh, for the purpose of labouring for hire in a labour-district otherwise than as a domestic servant.

"Dependent": "Dependent" means any woman (not being a labourer), any child, and any aged or incapacitated relative or friend accompanying any emigrant with the consent of a contractor, sub-contractor, recruiter, local agent or garden-sardár:

"Vessel": "Vessel" includes anything made for the conveyance by water of human beings or property:

"Master." "Master" means the person for the time being in charge of a vessel:

Words to be understood as defined in Contract Act. And all words defined in the Indian Contract Act, 1872, and used in this Act shall have the meanings respectively assigned to them by that Act.

New. Draft, s. 4.

4. The local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, declare that any labour-district within the territories administered by such Government shall, from a day specified in such notification, cease to be subject to all the provisions, or any specified provision of this Act; and from such day such labour-district shall cease to be subject to the provisions of this Act or to the provision so specified, as the case may be. Power to withdraw the Act from any labour-district.

Section 10. Draft, s. 14.

5. The local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, prohibit, from a day specified in such notification, all natives of India, or any specified class of such natives, from emigrating from the whole or any specified part of the territories under its administration to any labour-district or to any specified portion of any such district. Local Government may prohibit emigration to any labour-district or part thereof.

The local Government may with the like sanction in like manner vary or cancel any such notification.

Cf. Indian Emigration Bill, s. 10.

6. The publication of a notification under section four or section five shall not affect any act done, offence committed or proceedings commenced before such publication. Notification under sections 4 and 5 not to affect prior acts, &c.

Draft, s. 16.

7. The local Government may appoint, either by name or by virtue of their office, so many persons as it thinks necessary to be Superintendents of Emigration, Embarkation Agents, Debarkation Agents, Inspectors of Labourers, Assistant Inspectors of Labourers and Medical Inspectors under this Act respectively, and, with respect to any such officer, may declare the local area situate in the territories subject to its administration within which he shall exercise the powers and perform the duties conferred and imposed upon him by this Act or any rule made hereunder. Appointment of officers.

The local Government may suspend or remove any persons whom it so appoints.

Every person so appointed shall be deemed a public servant within the meaning of the Indian Penal Code.

Section 7. Draft, s. 11.

8. Save as provided by section five, nothing in this Act shall be deemed to prohibit any native of India from emigrating to, or entering into a contract to labour in, a labour-district otherwise than under the provisions of this Act. Saving of free emigration and of ordinary contract law.

CHAPTER II.

LABOUR-CONTRACTS GENERALLY.

Section 15. Draft, s. 10.

9. Every labour-contract shall be in writing, and shall be executed in duplicate on substantial paper. Every such contract shall specify— Essentials of labour-contract.

(*a*) the name of the labourer and his employer;

(*b*) the term for which the labourer is to labour;

(*c*) his monthly wages in money;

(*d*) the labour-district in which, and, if the labourer so request, the estate on which, he is to labour.

Every such contract shall be in the form prescribed in the schedule hereto annexed.

No such contract shall be made for a term exceeding five years, commencing from the date of its execution; or shall stipulate for a less rate of monthly wages for a completed daily task regulated in accordance with the provisions of this Act than five rupees in the case of a man and four rupees in the case of a woman for the first three years of the term of the contract, or six rupees in the case of a man and five rupees in the case of a woman for the fourth and fifth years of such term.

No contract made in contravention of, or not in accordance with, the provisions of this section shall be enforceable under this Act as a labour-contract against the labourer entering into it.

Section 13. Draft, s. 10, para. 2.

10. Unless the labour-contract specifies the particular estate on which the labourer is to labour, the labourer shall be deemed to have contracted to labour on any estate in charge of the employer for whom he has contracted to labour, and situate in the labour-district specified in the contract: If contract does not specify estate, labourer to be deemed to have contracted to labour on any estate in charge of employer situate in labour-district.

Provided that no labourer shall, without his own consent, be separated from his dependents (if any) or from any other labourer who is the wife, husband, son or daughter of such labourer.

Section 6. Draft, s. 9. Cf. Indian Emigration Act, s. 34.

11. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter into a labour-contract. Persons of sixteen years of age may contract to emigrate.

CHAPTER III.

RECRUITING BY CONTRACTORS, SUB-CONTRACTORS AND RECRUITERS.

A.—Contractors and Sub-contractors.

Section 14. Cf. draft, s. 45.

Superintendent may license contractors.

12. Any Superintendent specially empowered in this behalf by the local Government may, from time to time, grant to such persons as he thinks fit licenses to be contractors within the whole or any part of the local area for which such Superintendent has been appointed. He may also, on the application of any contractor, grant to such persons as he thinks fit licenses to be sub-contractors on behalf of such contractor, within the whole or any part of the local area for which such contractor is licensed.

Section 14. Cf. draft, s. 45.

Superintendent may license sub-contractors.

Section 33. Cf. draft, ss. 46 & 50.

Form of, and fee for, contractor's and sub-contractor's licenses.

13. Every license to a contractor or sub-contractor shall be in such form, and subject to the payment of such fee, not exceeding, in the case of a contractor, one hundred rupees and, in the case of a sub-contractor, fifty rupees, as the local Government may by rule prescribe.

Section 33. Cf. draft, ss. 46 & 50.

Period for which contractor's and sub-contractor's license to remain in force.

14. No such license shall be granted for a longer period than one year from the date thereof, and, if the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may at any time be cancelled by the Superintendent who granted the same.

Section 33. Cf. draft, ss. 46 & 50.

Appeal against order cancelling license.

A contractor or sub-contractor may, within one month from the date of any order of a Superintendent cancelling his license, appeal against such order to the local Government.

The order of the local Government on such appeal shall be final.

Section 34. Cf. draft, s. 47.

Duties of contractors.

15. Every contractor, in addition to the special duties herein assigned to him, shall afford such information to the Superintendent and furnish him with such returns and reports as he may, subject to any rules which may be framed by the local Government in this behalf, from time to time require.

New. Cf. draft, s. 50.

Sub-contractor may be licensed to represent more than one contractor.

16. A sub-contractor may be licensed to act on behalf of more than one contractor:

Provided that he obtains a separate license in the case of each contractor for whom he desires to act.

Section 36. Cf. draft, s. 51.

Contractor or sub-contractor may act as recruiter.

17. A contractor or sub-contractor may act as a recruiter, and shall, when so acting, be subject to all the provisions hereinafter contained relating to recruiters.

New. Cf. draft, s. 54.

Liability of contractors for sub-contractors' and recruiters' acts and defaults.

18. Every contractor shall be liable for the acts and defaults of any person licensed to be a sub-contractor or recruiter on his behalf, and shall be bound to make good all payments which under this Act or any rule made hereunder any such person is ordered to make.

The Superintendent may cancel the license of any contractor whenever the license of any person so licensed on his behalf is liable to be cancelled under this Act.

Nothing in this section shall be deemed to render a contractor criminally liable for any act or default on the part of any person licensed to be a sub-contractor or recruiter on his behalf when such act or default has been committed without his knowledge or consent.

Contractor to establish depôts.

19. Every contractor shall establish and maintain, at such places as the local Government may direct, suitable depôts for the reception and lodging, previous to their despatch to the labour-districts, of labourers engaged by him or by sub-contractors or recruiters licensed to act on his behalf, and shall provide at his own expense all necessary food, clothing and medical treatment for such labourers during their stay at such depôts.

Section 35. Cf. draft, s. 48.

Inspection and supervision of depôts.

20. No such depôt shall be used for the reception and lodging of labourers until it has been inspected and approved of by the Superintendent and the Medical Inspector. Every such depôt shall be under the supervision of the Superintendent or such other officer as the local Government may appoint in this behalf, and shall be open at all times to inspection by the Superintendent or such officer and by the Medical Inspector.

The Superintendent may by order in writing prohibit the using of any depôt for the reception and lodging of labourers if he considers that the depôt is unhealthy, or has become unsuitable for the purpose for which it was established.

Section 37. Cf. draft, s. 49.

Establishment of hospital depôts.

21. In addition to the depôts hereinbefore provided for, the local Government may establish a separate hospital depôt for the reception of labourers suffering from any dangerously infectious or contagious disease.

Contractor to contribute towards establishment and maintenance of hospital depôt.

22. Whenever any such hospital depôt is established by any local Government, such Government may require any contractor having a depôt in the neighbourhood of such hospital depôt to contribute to the expense of the establishment and maintenance of such hospital depôt such reasonable sum as it may direct. Such sum may be recovered as an arrear of revenue from any contractor so required.

Every hospital depôt so established shall be under the charge of a medical officer appointed by the local Government. Any Medical Inspector may direct the transfer of any labourer from a depôt established within the local limits of his jurisdiction to a hospital depôt established within such local limits.

B.—Recruiters.

Section 14. Cf. draft, s.

Superintendent may license recruiters.

23. Any Superintendent empowered in this behalf by the local Government may on the application of any contractor or of any sub-contractor acting on behalf of a contractor, grant to such persons as he thinks fit licenses to be recruiters on behalf of such contractor within the whole or any specified part of the local area for which such contractor has been licensed.

Section 38. Cf. draft, s. 52.

Form of, and fee for, recruiter's license.

24. Every license to a recruiter shall be in such form and subject to the payment of such fee not exceeding sixteen rupees as the local Government may by rule prescribe.

Section 38. Cf. draft, s. 52.

Period for which license is granted.

25. No such license shall be granted for a longer period than one year from the date thereof; and, if the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may be cancelled by the Superintendent who granted the same.

Section 39. Cf. draft, s. 53.

Recruiter must hold a certificate.

26. Every recruiter shall hold a certificate in writing authorizing him to act as such and signed by the contractor or sub-contractor on whose application he was licensed.

Section 40. Cf. draft, s. 55. (Cf. also Indian Emigration Bill, s. 26.)

Countersignature of recruiter's license.

27. No recruiter shall in any local area engage or attempt to engage any person as a labourer unless his license bears the countersignature of a Magistrate having jurisdiction throughout such local area.

No such Magistrate shall countersign a recruiter's license unless and until he has satisfied himself by such enquiry as he thinks fit that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act, and that sufficient and proper accommodation has been provided in a suitable place and is available for such labourers as may be collected by such recruiter pending their removal to a depôt.

Section 41. Cf. draft, s. 56. (Cf. also Indian Emigration Bill, s. 27.)

Magistrate to supervise accommodation.

28. Every Magistrate shall have for the supervision, inspection and regulation of the place situate within the local limits of his jurisdiction where such accommodation is provided the same powers as are by this Act conferred on the Superintendent in respect of depôts.

New. Cf. Indian Emigration Bill, s. 27, last para.

Any Magistrate of a district or division of a district may authorize any Magistrate subordinate to him, or any officer of police above the rank of Sub-Inspector, to visit and inspect such place at any time; and all recruiters or other persons in charge of such place shall afford to subordinate Magistrates and officers of police so authorized every facility for making such visits and inspections.

Section 40. Cf. draft, s. 55. (Cf. also Indian Emigration Bill, s. 26.)

Magistrate may cancel countersignature in certain cases.

29. If any Magistrate who has countersigned a recruiter's license afterwards finds reason to think that the licensee is by character or from any other cause unfitted to be a recruiter under this Act, or that the accommodation provided for the labourers as aforesaid has become insufficient or improper or has ceased to be available, or that the place in which it is provided has become unsuitable, he may require the licensee to produce his license, and may cancel his countersignature thereon; or he may impound the license and send it for cancellation to the Superintendent who granted the same.

New. Cf. Indian Emigration Bill, s. 29.

Notice to Superintendent of refusal to countersign or cancellation.

Every Magistrate refusing to countersign a recruiter's license or cancelling his countersignature thereon shall at once report such refusal or cancellation and the grounds thereof to the Superintendent who granted such license.

C.—Procedure before Arrival at Depôt.

Section 4. Draft, s. 57.

Labourer to be taken for examination to medical officer.

30. Every recruiter who desires to engage any person as a labourer shall appear with such person before such medical officer as the local Government may appoint to examine such persons within the local limits of the jurisdiction of the Magistrate by whom such recruiter's license was countersigned; or, if no such officer has been appointed, before such medical officer as the Magistrate or Superintendent before whom such person is taken for registration, as hereinafter provided, may direct.

The medical officer shall thereupon examine such person, and shall, if satisfied that he is in a fit state of health and able in point of physical condition to proceed to the labour-district in which he intends to labour, give him a certificate to that effect.

Section 42. Draft, s. 58.

If certified to be fit, labourer to be brought before Magistrate or Superintendent.

31. Every person who obtains a certificate under section thirty, together with any persons about to proceed to a labour-district as his dependents shall thereupon be brought by the recruiter before the Magistrate by whom such recruiter's license was countersigned, or before a Magistrate having jurisdiction within the same district as such Magistrate, or before the Superintendent of the local area within which such person resides. The recruiter shall at the same time produce and show his license to such Magistrate or Superintendent.

Section 43. Draft, s. 58.

Labourer to be examined by Magistrate or Superintendent.

32. The Magistrate or Superintendent shall thereupon inspect the certificate given under section thirty, and the license of the recruiter, and shall then examine such person with reference to his intended labour-contract.

Section 43. Draft, s. 58. Cf. Indian Emigration Act, s. 38.

Labourer to be registered.

If it appears that such person is competent to enter into such contract, and understands the nature of the same as regards the locality, period and nature of the service, and the rate of wages specified therein, that the terms thereof are in accordance with law, that he has not been induced to agree to enter thereinto by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Magistrate or Superintendent shall register in a book to be kept for the purpose such particulars regarding him and his dependents (if any) as the local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

Section 44. Draft, s. 59.

Copy of registration to be given to labourer.

33. The Magistrate or Superintendent shall furnish to the person so registered a certified copy of such particulars written on substantial paper.

Section 45. Draft, s. 60.

Copy of registration and medical certificate to be sent to Superintendent.

34. Every Magistrate or Superintendent registering any person under section thirty-two shall forthwith forward a certified copy of such particulars and the original certificate of the medical officer regarding him to the Superintendent having jurisdiction over the depôt to which such person is to proceed.

Section 46. Draft, s. 61.

35. For every such person produced before a Magistrate or Superintendent for the purpose of being registered as aforesaid the recruiter shall pay such fee not exceeding one rupee as the local Government may by rule direct.

Fee for registration.

New. Cf. Indian Emigration Bill, s. 44.

36. No recruiter shall remove or attempt to remove any labourer to a depôt, or induce or attempt to induce him to go to a depôt, or to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license was countersigned, or aid or attempt to aid him in going to a depôt, or leaving any such local limits, until such labourer has been registered under section thirty-two.

Recruiter when to remove labourer to depôt.

Section 50. Draft, s. 65.

37. Every labourer shall, after he has been registered under this Act, be conveyed with all convenient despatch to the depôt established by the contractor on whose behalf the recruiter by whom he has been engaged has been licensed.

Conveyance of labourer to depôt.

All labourers shall, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself, or by a competent person deputed by him with the approval of the Magistrate or Superintendent by whom such labourers have been registered. The Magistrate or Superintendent, as the case may be, shall give to the person so deputed a certificate under his signature, stating that he has been deputed for the journey to the depôt.

Recruiter to accompany labourer, or depute person approved by registering officer.

Section 51. Draft, s. 66.

38. Every recruiter or person deputed by him as aforesaid shall, throughout the journey to the depôt, provide such labourer and his dependents (if any) with proper and sufficient food and lodging.

Recruiter must provide food and lodging for labourer on journey.

Procedure at Contractors' Depôts.

Section 52. Draft, s. 67.

39. Within twenty-four hours after the arrival at a depôt of a labourer, the contractor by whom such depôt is maintained, or the person in charge thereof, shall give to the Superintendent, within the local limits of whose jurisdiction such depôt is situate, a notice in writing of such arrival, which notice shall be in such form, and shall contain such particulars, as the local Government may by rule prescribe.

Contractor to report arrival of labourer.

Section 53. Draft, s. 68.

40. The Medical Inspector shall as soon as may be after the arrival of the labourer at the depôt, examine such labourer and his dependents (if any) to ascertain that they are in a fit state of health to undertake the journey to the labour-district to which they intend to proceed.

Duties of Medical Inspector.

The Medical Inspector shall give a certificate to the Superintendent stating whether he is or is not satisfied of the fitness of the labourer and his dependents (if any) to undertake such journey.

Section 57. Draft, s. 72.

41. If the Medical Inspector gives a certificate of fitness under section forty with respect to any labourer, and in the opinion of the Superintendent there is no valid reason why such labourer should not enter into a labour-contract, such labourer and the employer with whom he intends to contract, or the agent of such employer, shall, within thirty days after the arrival of the labourer at the depôt, execute in the presence of the Superintendent a labour-contract.

If certificate of fitness granted, labourer to enter into labour-contract.

42. Before the labourer executes such contract, the Superintendent shall personally explain it to him, and shall, after the same has been executed by such labourer and his employer, or the agent of such employer, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Contract to be explained to labourer by Superintendent.

An abstract of every such contract shall be entered in a register to be kept by the Superintendent for the purpose; and after such abstract has been so entered, one copy of the contract shall be given to the labourer and the other to his employer or his agent.

Abstract to be made of contract, and copies of contract given to labourer and employer.

Section 57, fifth paragraph. New. Cf. Indian Emigration Bill, s. 38, fifth para.

Power to cancel contract and order payment of expenses home of labourer in certain cases.

43. In the following cases (namely) :—

Section 54. Draft, ss. 69 & 74. Cf. Indian Emigration Bill, s. 54.

(*a*) where the Medical Inspector, on making the examination required by section forty, or at any subsequent time during the stay at the depôt of any labourer, finds that such labourer is or has become unfit to undertake the journey to the labour district to which he intends to proceed, and the Superintendent considers that such labourer has not dishonestly represented himself as fit to undertake such journey, or

(*b*) where the Superintendent finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any such labourer as makes it just to refuse to permit a labour-contract to be executed or to rescind such contract if executed, or

(*c*) where the contractor on whose behalf or by whom the labourer has been registered does not within thirty days after the arrival of such labourer at the depôt tender to him a labour-contract for execution under section forty-one,

the Superintendent may rescind the labour-contract executed by such labourer, and in that case, or if no labour-contract has been executed, may order the contractor at once to pay such labourer such reasonable sum as is necessary to enable him to return to the place at which he was registered, and such further sum by way of compensation as the Superintendent thinks reasonable; and may take any other steps he thinks necessary for the conveyance of such labourer to such place.

Section 58. Draft, s. 69. Cf. Indian Emigration Bill, s. 54 *ast para.*

Labourer when to be lodged, &c., at depôt till he can return home.

44. Any labourer who from his state of health is, in the opinion of the Medical Inspector, unfit to undertake such return-journey shall be entitled to be fed, lodged, clothed and (if necessary) medically treated at the depôt at the expense of the contractor by whom such depôt is maintained, until he is reported by the Medical Inspector to be fit to undertake such return-journey.

Contractor omitting to provide food, &c., for labourer.

If such contractor negligently or wilfully omits to provide food, clothing, lodging or medical treatment for such labourer, the Superintendent may order the contractor at once to pay such reasonable sum as is necessary to provide such food, lodging, clothing and medical treatment.

Section 55. Draft, s. 70. Cf. Indian Emigration Act, s. 55.

45. When an order is made under section forty-three with reference to any labourer, any person registered as his dependent, or any labourer being the wife, husband, son or daughter of such labourer, may claim—

Like provisions in case of dependents and relatives.

(*a*) to be conveyed at the expense of the contractor with such labourer to the place at which he was registered, and

(*b*) if such labourer is unable to travel, to be lodged, fed, clothed and (if necessary) medically treated in the depôt at the expense of the contractor until such labourer is able to travel;

and the Superintendent may include such expenses in an order made under section forty-three or section forty-four with respect to such labourer.

Section 53. Draft, s. 71.

46. If, upon the arrival of any labourer at a depôt, it appears that during the journey to the depôt such labourer or any person registered as his dependent has suffered any ill-treatment at the hands of the recruiter or person deputed by him to accompany such labourer, or that such recruiter or such person has failed to provide the labourer or any person registered as his dependent with proper and sufficient food and lodging, the Superintendent may order the contractor by whom such depôt is maintained to pay such labourer a reasonable sum by way of compensation.

Compensation to labourer for ill-treatment on the journey.

Cf. draft, s. 70. Cf. Act V of 1877, s. 29.

47. If the Medical Inspector has reason to think that any person registered as the dependent of a labourer is not in a fit state of health to undertake the journey to the labour-district to which the labourer whose dependent he is intends to proceed, the Medical Inspector shall so certify to the Superintendent to whom notice of the arrival of such labourer was given. The provisions of sections forty-three and forty-four shall thereupon apply to such dependent as if he were a labourer, and the Superintendent may make such orders regarding him as he may make under those sections with regard to a labourer.

Procedure when dependent declared medically unfit to proceed to labour-district.

48. The labourer to whom such dependent is attached shall thereupon be entitled, if he or she so wishes, and if he or she be the husband, wife, son or daughter of such dependent, to receive from the contractor at whose depôt he or she arrived such reasonable sum as is necessary to enable him or her to return to the place where he or she was registered. If such labourer so return, then any other persons registered as his or her dependents, or any other labourer being the wife, husband, son or daughter of such labourer, shall also be entitled to receive such sum from such contractor.

Labourer and relatives entitled to be returned with dependent.

Section 60. Draft, s. 75. Cf. Indian Emigration Act, s. 49.

49. On failure of the contractor for twenty-four hours to comply with an order of the Superintendent to pay any sum ordered to be paid under section forty-three, section forty-four, section forty-five, section forty-six, section forty-seven or section forty-eight, the Superintendent may pay the same to or on behalf of the labourer or dependent.

Failure of contractor to pay sums ordered to be paid under sections 43, 44, 45, 46, 47 or 48.

Every sum so paid shall be recoverable from the contractor with interest thereon at the rate of twelve per cent. per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Superintendent gave the contractor an order to pay such sum, and that the contractor for twenty-four hours failed to comply with such order.

New. Cf. last para. of s. 49. Cf. Indian Emigration Act.

New. Draft, s. 76. Cf. ss. 75 and 73 infra.

50. All labourers despatched from a contractor's depôt to a labour-district shall during their journey be accompanied by a person appointed by such contractor. Such person shall take with him a way-bill in such form and containing such particulars as the local Government may prescribe.

Provisions for way-bill.

CHAPTER IV.

RECRUITING BY GARDEN-SARDARS AND LOCAL AGENTS.

A.—Garden-sardárs.

Section 13. Draft, s. 17.

51. Any employer may grant to any person a certificate authorizing him, within such local area as may be specified in such certificate, to enter into labour-contracts with persons desirous of becoming labourers upon any estate of which such employer is in charge.

Employer may grant certificate to garden-sardár.

Every person to whom such certificate has been granted is hereinafter called a garden-sardár.

Draft, s. 10.

If any labourer is granted a certificate under this section, his employment as a garden-sardár shall be deemed to be employment under his labour-contract.

Section 16. Draft, s. 18.

52. Every such certificate shall be in such form and shall contain such particulars as the local Government may prescribe.

Form and particulars to be contained in such certificate.

Section 16. Draft, s. 18.

Any employer granting a certificate to a garden-sardár may, before such certificate is accepted and signed as hereinafter provided, specify therein the name of the local agent (if any) to whom such garden sardár is to report himself for orders, and the time within which he is to return to such employer, and any other instructions for his conduct that he may think proper.

Section 16. Draft, s. 18.

53. Every such certificate shall be accepted and signed by the garden-sardár in the presence of the Inspector or a Magistrate having jurisdiction over the place where the employer granting such certificate resides.

Certificate to be accepted and signed in presence of Inspector or Magistrate.

Section 17. Draft, s. 19.

54. Such Inspector or Magistrate shall inquire into the facts stated in such certificate; and upon being satisfied of the truth of the statement shall, unless it appears to him that the person so accepting and signing such certificate is by character or from any other cause unfitted to be a garden-sardár, countersign and date such certificate.

Inspector or Magistrate to countersign certificate.

New. Draft, s. 20.

55. On the application of the employer by whom any certificate so countersigned has been granted to a garden-sardár, such Inspector or Magistrate may, without requiring the appearance of the garden-sardár or making the inquiry

Provision for grant of fresh certificate.

prescribed by section fifty-four, countersign a fresh certificate to be granted by such employer to such garden-sardár in renewal of any existing certificate.

Every such fresh certificate shall be forwarded by the Inspector or Magistrate countersigning it to the Magistrate of the district in which the garden-sardár to whom it is granted is employed; and such sardár shall, on receiving notice from such Magistrate, appear before him and accept and sign such fresh certificate in his presence.

Such fresh certificate to be accepted and signed by garden-sardár before Magistrate of district where he is employed.

Section 17. *Draft*, s. 20.

56. No certificate granted to a garden-sardár shall be in force for a longer period than one year from the date of its countersignature.

Period for which certificate to be in force.

New. Draft, s. 33.

57. Every garden-sardár shall provide sufficient and proper accommodation in a suitable place for such labourers as may be engaged by him pending their removal to a labour district.

Accommodation to be provided by garden-sardár.

Any Magistrate of a district or of a division of a district, or any Magistrate subordinate to him, or any officer of police above the rank of Sub-Inspector authorized by him in this behalf, may visit and inspect such accommodation at any time; and all garden-sardárs or other persons in charge of such places shall afford to such Magistrate, subordinate Magistrate or officer of police every facility for making such visits and inspections.

In every such place the garden-sardár providing the accommodation shall make such sanitary arrangements as the local Government may prescribe.

58. Whenever a garden-sardár contravenes any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any Magistrate, Superintendent or Inspector, within the local limits of whose jurisdiction such garden-sardár is employed, may cancel his certificate.

Certificate may be cancelled in certain cases.

B.—Local Agents.

New. Draft, s. 21.

59. Any Superintendent authorized in this behalf by the local Government may, on the application of any employer, grant licenses to persons to be local agents for the purpose of representing such employer within such local area as such employer may desire: Provided that no contractor shall be licensed as a local agent.

Local agents may be licensed.

New. Draft, s. 21.

60. A local agent may within such local area represent his employer in all matters connected with the engagement of labourers; and shall furnish such information and make such returns as the local Government may by rule direct.

Powers and duties of local agents.

Draft, s. 21.

61. The Superintendent authorized as aforesaid may, on the application of any employer other than the employer on whose application a local agent has been licensed, make an order in writing permitting such agent to become the local agent of such additional employer within the local area for which he was licensed. The Superintendent making such order shall forthwith send a copy thereof to the Magistrate of the district in which such agent resides; and such Magistrate shall, on the agent's application, insert in his license the name of such additional employer.

Local agent may represent more than one employer.

Draft, s. 23.

62. Any Superintendent authorized as aforesaid may, with the consent of all the employers of a local agent, grant a special license to such agent, permitting him to engage labourers on behalf of any employer specified in such special license without the intervention of a garden-sardár.

Local agent may be specially licensed to contract direct with labourers.

Every agent when so engaging labourers may, if he thinks fit, appear with them for registration before a Magistrate, and require them when so registered to execute a labour-contract; and in such case the agent shall be subject to the provisions hereinafter contained as to garden-sardárs so far as the same are applicable.

Draft, s. 21.

63. When any garden-sardár to whom a certificate has been granted under this Act by any employer commits any offence punishable under this Act, any local agent of such employer may prosecute the sardár for such offence.

Local agent may prosecute garden-sardár.

Draft, s. 22.

64. The Magistrate of any district within which a local agent acts as such may by order cancel the license of such local agent if it is shown to the satisfaction of such Magistrate that such local agent has—

On what grounds local agent's license may be cancelled.

(*a*) employed any contractor's recruiter to engage labourers on his behalf; or

(*b*) permitted the labourers engaged by or on behalf of any contractor to use the accommodation provided for the labourers engaged by any garden-sardár under such local agent's control; or

(*c*) allowed any garden-sardár under his control to transfer labourers engaged by him to contractors or to their recruiters or to any employer other than the employer by whom such sardár's certificate was granted; or

(*d*) himself taken over the labourers engaged by any garden-sardár with intent to despatch them to any employer other than the employer by whom such sardár's certificate was granted.

An appeal shall lie to the local Government from any order made under this section. Such appeal must be presented within three months next after the date of the order, and the decision of the local Government thereon shall be final.

C.—Procedure to be followed by Garden-sardárs.

Draft, s. 24.

65. Every garden-sardár who desires to engage any person as a labourer shall appear with such person, together with any persons about to proceed to a labour-district as dependents of such person before a Magistrate having jurisdiction within the local area specified in the certificate of such sardár.

Garden-sardár and labourer to appear before Magistrate for registration.

Sections 21 & 22. *Draft*, ss. 25 & 26.

66. The Magistrate shall thereupon inspect the certificate of the garden-sardár, and examine the person whom the sardár so desires to engage with reference to the intended labour-contract.

Registration of persons engaged by garden-sardár.

If it appears that such person is competent to enter into such contract, and understands the nature of the same, as regards the locality, period and nature of the service, and the rate of wages specified therein, that the terms thereof are in accordance with law, that he has not been induced to agree to enter therein by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Magistrate shall register in a book to be kept for the purpose such particulars regarding him and his dependents (if any) as the local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

New. *Cf.* Ben. Act VII of 1873, s. 21. *Draft*, s. 31.

67. If it appears to such Magistrate that any such person, or any dependent of such person, is not in a fit state of health to undertake the journey to the labour district to which he intends to proceed, the Magistrate may, before registering any such person or dependent, if himself a medical man, medically examine such person or dependent, or, if not himself a medical man, send such person or dependent to a medical man for such examination. If upon such examination such person or dependent is declared unfit to undertake the journey to such place, the Magistrate may refuse to register such person or dependent.

Medical examination.

Section 23. *Draft*, s. 18.

68. For every person appearing before a Magistrate for the purpose of being registered as a labourer, the garden-sardár who appears with him shall pay to the Magistrate such fee not exceeding one rupee as the local Government may direct.

Fee to be paid for every labourer produced for registration.

Section 24. *Draft*, s. 26.

69. When any person has been registered under the foregoing section sixty-six he shall execute a labour-contract with the employer with whom he intends to contract. Such contract shall be signed in the presence of the Magistrate by such person and, on behalf of the employer, by the garden-sardár who appears with such person before the Magistrate. The Magistrate shall satisfy himself that the contract is in accordance with any instructions specified in the certificate of the garden-sardár. If the Magistrate is so satisfied, he shall, before the labourer signs the contract, personally explain it to him, and shall, after the same has been executed as aforesaid, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Procedure when employer furnishes medical certificate previous to registration.

An abstract of every such contract shall be entered in a register to be kept by the Magistrate for the purpose, and, of the two copies of the contract, one shall then be given to the labourer and the other to the garden-sardár or the local agent.

Section 24. *Draft*, s. 27.

70. If the employer of a garden-sardár has in the instructions specified in the certificate of the sardár directed that all labourers engaged by him shall before registration be examined by a competent medical man and certified by him to be in a fit state of health to undertake the journey to, and labour in, the labour-districts to which they intend to proceed, the Magistrate shall register any labourer appearing before him with such sardár until such certificate from such medical officer as aforesaid has been produced and shown to him.

Provision when employer furnishes medical certificate previous to registration.

71. If the employer has in the instructions specified in the certificate of the garden-sardár directed that such examination shall be made by any medical officer in the service of Government, such officer making the examination shall be entitled to receive from the local agent or sardár such a fee not exceeding eight annas for each labourer so examined as the local Government shall fix.

Medical officer entitled to fee.

New.

72. Unless and until a labourer has been registered under section sixty-six no garden-sardár shall remove or attempt to remove him to a labour-district, or induce or attempt to induce him to go to a labour-district, or to leave the local area specified in the certificate of such sardár, or aid or attempt to aid him in proceeding to a labour-district, or in leaving any such local area.

Garden-sardár when to remove labourer to labour-district.

Bengal Act VII of 1873. Section 27. *Draft*, s. 34.

73. A garden-sardár shall either himself accompany labourers engaged by him throughout their journey from the place in which the labour-contract was entered into to the labour-district wherein they have contracted to labour, or shall send with them some competent person appointed by him with the approval of the local agent of his employer; or, if his employer has no local agent, with the approval of the Magistrate by whom such labourers were registered.

Garden-sardár to accompany labourers or send competent person with them.

When the number of labourers (exclusive of dependents) proceeding on their journey to such labour-district is more than twenty, for every twenty labourers so in excess or for any number of labourers less than twenty so in excess, one additional garden-sardár or person so appointed by him shall accompany the labourers so proceeding.

New. Draft, s. 35.

74. A garden-sardár may, subject to the instructions specified in his certificate, engage any number of labourers; and, subject to the provisions of section seventy-three, any number of labourers may be despatched at the same time to the labour-districts.

No restriction on number of labourers engaged by garden-sardár.

New. Draft, s. 36.

75. Any garden-sardár may, with the previous consent in writing of the local agent of the employer by whom his certificate was granted, or, if such employer has no local agent, with the previous consent in writing of such employer, be appointed under section seventy-three as a competent person to accompany labourers other than those engaged by him.

In certain cases garden-sardár may be appointed to accompany labourers not engaged by him.

New. Draft, s. 38.

76. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall present to the Magistrate by whom such labourers have been registered a way-bill in such form and containing such particulars and instructions as the local Government may prescribe. He shall also present such way-bill at all such places and to all such officers as may be thereupon indicated; and shall carry out all instructions contained therein for his guidance.

Provision for way-bill.

Section 29. *Draft*, s. 40.

77. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall provide such labourers and their dependents (if any) with proper and sufficient food and lodging throughout the journey.

Garden-sardár must provide food and lodging for labourers and dependents on journey.

78. If it appears to any Magistrate, on the complaint of any such labourer at any place on the journey, that he or any person registered as his dependent has suffered any ill-treatment during the journey at the hands of the garden-sardár or person appointed by him accompanying such labourer, or that such sardár or person has failed to provide such labourer or any of his dependents with proper and sufficient food and lodging, or has wilfully abandoned such labourer or any of his dependents, such Magistrate may either order the sardár or person so appointed to pay to such labourer a reasonable sum by way of compensation, or may cancel the labour-contract entered into by such labourer and order such sardár or person to pay to such labourer such reasonable sum as is necessary to enable him with his dependents (if any) to return to the place at which he was registered.

If such not provided, Magistrate may award compensation or cancel contract.

Section 30. Bengal Act VII of 1873.

79. On failure for twenty-four hours by any garden-sardár or person appointed by him as aforesaid to comply with an order of a Magistrate under section seventy-eight to pay any sum, the Magistrate may pay the same to or on behalf of such labourer.

Procedure on failure of garden-sardár to comply with order.

Every sum so paid shall be recoverable from the employer by whom the certificate of such garden-sardár was granted, or from the local agent of such employer, with interest thereon at the rate of twelve per centum per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Magistrate gave such garden-sardár or person an order to pay such sum and that such garden-sardár or person for twenty-four hours failed to comply with such order.

New. *Draft*, s. 42.

80. Any Magistrate or any Embarkation Agent may, if himself a medical man, examine, and if not himself a medical man, send for examination by a medical man, any labourer or dependent who, while on the journey to the labour-districts, appears to him not to be in a fit state of health to proceed thereto.

Medical inspection of labourers *en route*.

Draft, s. 42.

81. If such labourer or dependent is on such examination declared not to be in a fit state of health to proceed to the district in which he has contracted to labour, the Magistrate or Embarkation Agent may order him to be detained at such place as he thinks fit until the labourer or dependent is in a fit state of health so to proceed, when he shall either be forwarded to such districts or sent back to the place where he was registered, according as the garden-sardár or person appointed by him accompanying such labourer or dependent, or the employer by whom the certificate of such sardár was granted, or his local agent, may direct.

Detention and return of labourer declared to be unfit to travel when *en route*.

While any labourer or dependent is so detained, he shall be entitled to be fed, lodged, clothed and (if necessary) medically treated, at the cost of the employer with whom such labourer or the labourer to whom such dependent belongs has contracted to labour.

82. If the garden-sardár or person appointed by him accompanying such labourer or dependent fails to provide such labourer or dependent with food, lodging, clothing and medical treatment or to send him back to the place where he was registered, the Magistrate or Embarkation Agent may order such sardár or person to pay such sum as is necessary to provide such food, lodging, clothing and medical treatment or to defray the cost of his return-journey to such place; and on failure for twenty-four hours of such sardár or person to comply with such order, he may pay the sum specified in the order to or on behalf of such labourer or dependent.

Payment of expenses of detention and return-journey of labourer.

The provisions of section seventy-nine shall *mutatis mutandis* apply to the recovery of sums paid by the Magistrate or Embarkation Agent under this section.

Section 31. *Draft*, s. 44.

83. If any labourer whose labour-contract has been executed by a garden-sardár on behalf of his employer is brought to Calcutta on his way to the district in which he has contracted to labour, any person empowered to act as the agent or representative of such employer may require such labourer to appear before the Superintendent for the cancelation of such labour-contract. If such reasonable sum as is necessary to enable such labourer and his dependents (if any) to return to the place at which he was registered be paid to such labourer in his presence, the Superintendent may declare the contract cancelled, and in that case shall make an endorsement to that effect on the labourer's copy of the contract, and attest it with his signature.

Agent in Calcutta may procure order from Superintendent cancelling the labour-contract on payment of expense of return.

84. If the labour-contract of any labourer is declared by the Superintendent to be cancelled, any other labourer who is the wife, husband, father, mother, son or daughter of such labourer and who may have entered into a labour-contract at the same place with the same employer, may claim to have her or his labour-contract cancelled at the same time. On such claim being made, the Superintendent shall declare the labour-contract of the claimant to be cancelled, and shall order the agent or representative of the claimant's employer to pay to the claimant such reasonable sum as is necessary to enable him and his dependents (if any) to return to the place at which he was registered.

In that case contracts of relatives to be cancelled.

On failure for twenty-four hours of the agent or representative to comply with such order, the Superintendent may pay the sum specified in the order to or on behalf of the claimant; and the provisions of section seventy-nine shall *mutatis mutandis* apply to the recovery of any sum so paid.

CHAPTER V.

TRANSPORT BY RIVER.

A.—Passenger Vessels.

New. *Draft*.

85. Nothing in this chapter shall apply to the transport by sea of natives of India to the labour-districts of Chittagong and the Chittagong Hill Tracts.

Transport by sea to Chittagong.

Section 62. *Draft*, s. 78.

86. No master shall receive more than twenty passengers being natives of India on board his vessel unless a license to carry passengers therein has been granted to him by an Embarkation Agent duly empowered in that behalf by the local Government.

Vessels must be licensed to carry more than twenty passengers.

The local Government may by notification in the official Gazette exempt from the provisions of this section any vessel or class of vessels.

Power to exempt vessels from license.

87. The master or owner of any vessel who desires to obtain a license to carry passengers therein shall make a written application for a license to an Embarkation Agent empowered as aforesaid.

Application for license.

Every such application shall state such particulars respecting the vessel as the local Government may by rule prescribe.

Contents of application.

88. If such Embarkation Agent is of opinion that the vessel is in all respects suitable for the carrying of passengers being natives of India, he shall give to the master of the vessel a license to carry passengers therein, specifying the number of passengers being natives of India which may be received on board.

Grant of license.

89. Such fee, not exceeding sixteen rupees, as the local Government may with reference to the size of such vessel, by rule direct, shall be paid for every such license. No such license shall be in force for more than one voyage:

Fee for license.

New.

Provided that the Embarkation Agent may, from time to time, with the previous sanction of the local Government, grant a license to the master of any vessel for any term not exceeding one year, on payment of such fee not exceeding one hundred rupees, and on such conditions, as the local Government may by rule direct.

Provision for annual licenses.

Draft, s. 78.

90. Any Embarkation Agent may from time to time, in accordance with such rules as the local Government may prescribe in this behalf, direct by order in writing that, on any particular voyage or part of a voyage, any master licensed hereunder shall not receive on board his vessel more than a specified number of passengers being natives of India, which number shall be less than the number specified in the license granted to such master.

Embarkation Agent may limit number to be received on board on any particular voyage.

Section 69. *Draft*, s. 83.

91. In computing the number of persons on board of any vessel, two children under the age of ten years shall for the purposes of this Act be reckoned as one person only.

Two children under ten to be counted as one person.

Section 67 [illegible] *Draft*, s. 83.

92. Every master to whom a license is granted hereunder shall keep such lists, submit such returns and make such reports in regard to the passengers carried in his vessel as the local Government may by rule prescribe.

Master to make returns.

Section 69. *Draft*, s. 84.

93. Every such master shall have on board his vessel carrying labourers and their dependents such supplies of provisions, clothing, medical drugs, and other stores, and such medical and other officers, cooks and attendants, as the local Government may by rule prescribe.

Provisions, clothing, medical and other stores, medical officers, cooks, &c.

Section 70. *Draft*, s. 85.

94. No medical officer shall be appointed to any vessel in respect of which a license is granted hereunder unless he holds a license granted by such authority as the local Government may appoint in that behalf; and any medical officer so licensed shall be forthwith removed from his appointment on the requisition of any officer empowered by the local Government to make such requisition.

Medical officer to be licensed.

B.—Departure of Passenger Vessels and Procedure during Voyage.

Section 63. *Draft*, s. 79.

95. Whenever it appears to any Embarkation Agent that the departure of any vessel in respect of which a license is granted hereunder is unduly delayed beyond the date fixed by order of a Superintendent or the local Government, or notified by advertisement in the public press, for such departure, he may order the master of such vessel to proceed on his voyage at once.

Embarkation Agent may order departure of vessel if delay occurs.

New.

96. No master licensed hereunder shall proceed on a voyage with his vessel carrying labourers until he has received from the Embarkation Agent the way-bills relating to all labourers on board. The Embarkation Agent and the master of the vessel shall together personally ascertain that the number of labourers on board corresponds with the number entered in such way-bills.

Master to receive way-bills from Embarkation Agent.

The Embarkation Agent shall send a copy of such way-bills to the Magistrate of the labour-district to which such labourers are proceeding.

Section 71. *Draft*, s. 86.

97. No such master shall cause or permit any labourer finally to leave his vessel at any place other than that named in the way-bill as the destination of such labourer:

Labourers not allowed finally to leave vessel at any place other than that mentioned in way-bill.

Provided that this section shall not be deemed to prevent the master of any vessel from permitting such labourers to disembark at any place or places on the voyage so long as such disembarkation is not intended or known to be likely to be final; nor to prevent the final disembarkation of any such labourers, or the transfer of such labourers with their dependents to any other vessel in case of accident or other unavoidable necessity. Such accident or necessity shall be forthwith reported by the master to the Embarkation Agent by whom he was licensed, and to the nearest Magistrate in the district within which such accident has occurred or necessity has arisen.

Section 72. *Draft*, s. 87.

98. Every master licensed hereunder shall stop his vessel carrying passengers being natives of India at such places, being places where a Magistrate is stationed, and shall, unless the Magistrate permits him to depart earlier, remain at each such place for such time, not exceeding six hours of daylight, as the local Government may direct. Such master shall, on arriving at any such place, immediately report to the Magistrate the number of the crew and other persons on board, the general state of their health, and the number of deaths (if any) which have occurred among the persons who embarked on board his vessel.

Master to stop his vessel at certain places where there is a Magistrate.

Section 73. Draft, s. 88.

99. A Magistrate may, while any vessel in respect of which a license is granted hereunder is within the local limits of his jurisdiction, go on board such vessel and inspect the vessel, and all persons on board. The master and officers of such vessel shall afford to such Magistrate every facility for such inspection, and give him all such information as he may reasonably require, respecting the labourers or other persons on board, the deaths, if any, which may have occurred on board, and any other facts which may affect the health of the passengers.

Magistrate may at any time inspect vessel.

Master bound to give all information required.

Section 74. Draft, s. 89.

100. At any time while any such vessel is within the local limits of his jurisdiction, the Magistrate may regulate the communication between such vessel and the land, and may prohibit all persons from leaving such vessel and all persons on land from proceeding on board her.

Magistrate may regulate communication between vessel and land.

Sections 75 & 78. Draft, s. 90.

101. Any Magistrate may, if he has reason to believe that any passengers being natives of India on board any such vessel within the local limits of his jurisdiction are, or are likely to be, affected with any dangerously infectious or contagious disease, detain such vessel and require the civil medical officer of the district or other qualified medical officer to inspect such passengers and to report on their health, stating whether any or what measures are requisite for the removal or prevention of such disease. After the receipt of such report, the Magistrate may order any passenger suffering from any such disease to be disembarked and detained for medical treatment. If in the opinion of the inspecting medical officer it is dangerous to the health of the general body of the passengers to allow such vessel to proceed until measures have been taken to cleanse and disinfect her, the Magistrate may detain the vessel for a further period not exceeding three days for the purpose of carrying out such measures.

Magistrate may detain vessel for inspection and for removal of disease, and may detain sick native passengers.

Section 76. Draft, s. 91.

102. If on receiving a report of a medical officer it appears to a Magistrate that any labourer or any dependent of any labourer, though not suffering from any such disease as last aforesaid, is not in a fit state of health to proceed to the labour-district in which such labourer has contracted to labour, he may order such labourer or dependent to be detained, and shall cause all necessary arrangements to be made for the accommodation, support and medical treatment of the labourer or dependent so detained.

Magistrate may detain sick labourers;

and shall arrange for their accommodation and treatment.

Section 77. Draft, s. 92.

103. All expenses incurred under section one hundred and two by a Magistrate in respect of any labourer or dependent so detained shall be recoverable from the employer of such labourer together with interest at six per centum per annum.

Expenses how to be recovered.

Section 79. Draft, s. 93.

104. Whenever it appears to a Magistrate making an inspection of any vessel in respect of which a license is granted hereunder that the number of passengers on board being natives of India is larger than the number specified in such license or than the number specified in an order of an Embarkation Agent made under section ninety, he may remove the excess number and detain them until another opportunity of forwarding them to their destination is found. The necessary expense of maintaining such passengers while so detained, and of forwarding them to their destination shall be paid by such Magistrate and shall be recoverable from the master or owner of such vessel.

Measures to be taken if excess number of native passengers is found on board.

Section 80. Draft, s. 94.

105. Whenever, on making an inspection of any vessel in respect of which a license is granted hereunder a Magistrate finds that any of the provisions of this Act or of any rule of the local Government made hereunder have not been complied with in respect of such vessel, he shall report the same to the Embarkation Agent by whom such license was granted; and, if he considers it necessary to do so, he may detain the vessel until such provisions have been so complied with as to make it possible for the voyage to be further prosecuted with safety and reasonable comfort to the emigrants.

Infraction of the Act and rules to be reported.

Vessel may be detained.

Sections 81 to 88. Draft, s. 95.

106. The local Goverment may make rules regulating—

Power to make rules regulating disembarkation and other matters.

(*a*) the disembarkation of labourers and their dependents, and their inspection and accommodation on arrival at their destination;

(*b*) the detention of such labourers or dependents at debarkation depôts;

(*c*) the forwarding of labourers to their destination and the closing and return of way-bills by employers.

All expenses incurred by any Magistrate or Debarkation Agent in accordance with such rules shall be recoverable from the employers of such labourers together with interest at the rate of twelve per centum per annum.

Section 89. Draft, s. 96.

107. The Magistrate of a district, or of a division of a district, may from time to time authorize any subordinate Magistrate, medical officer, or officer of police above the rank of sub-inspector to exercise the powers and authorities conferred, and to perform the duties imposed, on a Magistrate under sections ninety-eight to one hundred and five both inclusive,

Magistrate may depute a subordinate Magistrate to discharge the functions of the Magistrate.

CHAPTER VI.

PROVISIONS AS TO THE LABOUR DISTRICTS.

A.—Annual Rate payable by Employers.

Section 90. Draft, s. 97.

108. Every employer shall on the first day of January and the first day of July in each year pay in respect of each labourer then in his employ such rate not exceeding an annual sum of one rupee as the local Government may by notification in the official Gazette direct.

Annual rate payable by employer.

Section 91. Draft, s. 98.

109. If any employer fails for the space of one month to pay any sum due by him under the provisions of the last preceding section, such sum shall be recoverable as if it was an arrear of land-revenue,

Payment of rate how to be enforced.

B.—Local Labour-Contracts.

Draft, ss. 103, 104, 105, 106.

110. Notwithstanding anything hereinbefore contained, any native of India may enter into a labour-contract within a labour-district. If any employer is desirous of entering into a labour-contract with any such native within a labour-district, he shall appear with such native before the Inspector or Magistrate within the local limits of whose jurisdiction the place where such employer resides is situate.

Labour-contracts made within labour-districts.

New. Draft, s. 106.

111. Such Inspector or Magistrate shall thereupon explain the labour-contract to such native, and shall, if satisfied that he is competent to enter into and understands the same, call upon him and the employer to execute it in his presence; and if they execute it, shall attest such execution with his signature.

An abstract of every such labour-contract shall be entered in a register to be kept by the Inspector or Magistrate for the purpose; and after such abstract has been so entered, one copy of such contract shall be given to the labourer and another copy to his employer. In respect of every labour-contract so attested, the employer who executes it shall pay to the Inspector or Magistrate such fee not exceeding one rupee as the local Government may direct.

Execution of labour-contract before Inspector or Magistrate.

C.—Employers' Returns and Magistrates' Inspections.

Sections 100, 101 *and* 102. Draft, s. 109.

112. Every employer shall keep such registers of all labourers and other persons employed on the estate of which he is in charge, in such form, and shall make to the Inspector within the local limits of whose jurisdiction such estate is situate such periodical returns in writing, as the local Government may by rule prescribe. The Inspector may examine such registers and muster all labourers and other persons employed on any estate within such local limits, and may verify the accuracy of the entries in such registers, or in any prescribed periodical return.

Registers to be kept and returns made by employers.

Section 105. Draft, s. 11.

113. Any Inspector or Magistrate, or any person authorized by either of them in writing in this behalf, may at any time enter and inspect all lands and houses wholly or partially used by or for labourers, or by or for any other natives of India employed on any estate who are not natives of the labour-district in which such estate is situate, and may require that any labourer or other such Native shall be brought before him, and that a copy of the labour-contract of any labourer shall be produced, and may make any inquiries which he thinks proper touching the condition or treatment of any labourer or other such Native.

Inspector and Magistrate may at any time inspect lands, &c., used by labourers, &c.

Section 106. Draft, s. 112.

114. Every employer shall prepare a schedule specifying the daily task to be executed by each labourer employed on the estate of which such employer is in charge, and may from time to time alter any schedule so prepared.

One copy of every such schedule shall be filed in a book which shall be open to the examination of the Inspector, and another copy thereof in the Bengáli language shall be stuck up in some conspicuous place accessible to the labourers to whom such schedule relates.

Schedule of task-work to be prepared.

The minimum payment for each daily task shall be the quotient resulting from dividing the monthly wage of the labourer concerned by the whole number of days in the current month.

Section 107. Draft, s. 113.

115. No labourer shall be bound to labour more than six days in one week, or more than six consecutive hours, or more than nine hours in any one day. Every labourer shall, for one day in each week, receive wages as for a full task done, without being required to labour for the same. The employer shall, on six days in each week, provide for each labourer work sufficient to enable him to earn at least his minimum daily wage. Failing such due provision of work, the labourer shall, if he can show that he was able and willing to labour for the same, be entitled to claim his minimum daily wage.

Limitations and conditions of task-work.

Section 108. Draft, s. 114.

116. If the Inspector considers that any schedule of daily tasks, or any part thereof, is unreasonable, he may by order in writing direct that a reduction specified in such order be made of such tasks. The employer shall at once make such reduction, but may, if dissatisfied with the Inspector's order, by notice in writing require the Inspector to refer the schedule to a Committee for consideration. Such Committee shall consist of the Inspector, of some employer to be nominated by him, and of some person to be nominated by the employer whose schedule is to be considered, or if the employer fails within a reasonable time to nominate some person, by the Inspector.

Provisions for revision of schedule by Inspector subject to appeal to Committee.

Section 109. Draft, s. 115.

117. If such Committee, or a majority thereof, is of opinion that the daily tasks specified in such schedule or any of them are unreasonable, they shall modify and reduce them in such manner as they think fit. The employer shall thereupon modify his schedule accordingly, and a copy of the schedule so modified shall be filed and stuck up in the manner directed in section one hunderd and fourteen, and shall, as between him and the labourers concerned, take the place of the former schedule.

Committee to revise schedule.

New. Draft, s. 116.

118. Notwithstanding anything contained in any such schedule, the Inspector may order that any specified labourer who is in his opinion unable from weakness to earn by his labour the sum of one anna and a half per diem, according to the said schedule, shall receive, in lieu of such actual earnings, subsistence-allowance at the rate of one anna and a half per diem, or diet on a scale to be approved by such Inspector. Such subsistence-allowance shall be recoverable as if it were an arrear of wages.

Provision for weakly labourers.

E.—Incapacity for Labour.

Section 110. Draft s. 117.

119. The Inspector within the local limits of whose jurisdiction any labourer is employed may release such labourer, for such period as he thinks fit, from performing his labour-contract, if he be, in the judgment of such Inspector, temporarily unfitted for the performance thereof by reason of sickness, or other sufficient cause.

Every such release shall be endorsed by the Inspector on the labour-contract, and the time during which the release continues shall not be reckoned as

Inspector may suspend contract of any labourer temporarily unfitted for labour.

part of the term for which the labourer is bound to serve. Every such labourer shall, during such release, receive such subsistence-allowance from his employer as the Inspector thinks sufficient.

New. Draft, s. 118.

120. If any labourer is compelled to absent himself from work on account of sickness, he shall receive from his employer for each such day of absence subsistence-allowance at the rate of one anna and a half, or, if in hospital, sick diet on a scale to be approved by the Inspector.

Labourer absent from sickness.

If such absence exceeds the total number of thirty days in any one year, and the employer, as soon as such number is exceeded, gives the labourer a notice in writing to that effect, each day of absence in excess of such number shall be added to the term of the labour-contract, unless the labourer refunds to the employer the sum of one anna and a half for each day so in excess. The Inspector shall from time to time, when visiting the garden, endorse on the labourer's labour-contract, after such enquiry as may be necessary, the number of days so added to the term thereof.

Section 112. Draft, s. 120.

121. If, in the opinion of the Inspector, any labourer is permanently incapacitated for the performance of his labour-contract or any material part thereof, the Inspector shall certify to that effect in writing, and deliver such certificate to the employer of such labourer or his agent, and from the date of such certificate the labour-contract of such labourer shall wholly determine. Every labourer whose labour-contract so determines shall be entitled to receive from his employer such sum, not exceeding three months' wages, as the Inspector may award.

Discharge of labourer permanently incapacitated.

Such sum and any subsistence-allowance mentioned in sections one hundred and nineteen and one hundred and twenty shall be recoverable as if they were arrears of wages.

F.—Accommodation for Labourers.

Section 113. Draft, s. 121.

122. Every employer shall be bound to provide for the labourers employed on the estate of which he is in charge such house accommodation, water-supply and sanitary arrangements as the local Government may by rule direct.

House-accommodation, water-supply and sanitary arrangements to be provided.

New. Draft, s. 122.

123. When the food-grain commonly used by any class of labourers is not procurable by such labourers at reasonable prices in the local markets near the estate on which such labourers are employed, the employer of such labourers shall be bound to supply them, with such grain at a reasonable price. The local Government may by notification in the official Gazette determine, either generally or for each district or part of a district, what shall for the purposes of this section be deemed to be a reasonable price.

Supply of food-grain by employer.

New. Draft, s. 123.

124. Subject to any rules which may be made by the local Government in this behalf, any Inspector may, by order in writing,

Provisions for rationing.

(*a*) direct that any specified class of labourers on any estate, or all the labourers on any specified estate, within the local limits of his jurisdiction, shall be furnished by their employer with rations, cooked or uncooked, on such scale, for such period not exceeding three months from the date of their arrival on the estate, as may be specified in such order;

(*b*) exempt any specified labourer from the effect of any such general order if he is satisfied that such labourer is able to earn a full wage and desires to provide himself with proper and sufficient food;

(*c*) direct that any specified labourer shall be furnished with rations for any term not exceeding six months, and may renew any such order for a like term.

The cost of each labourer's ration furnished to him in accordance with any order made under this section shall be calculated at current rates as determined by the Inspector, and shall be deducted from any wages earned by the labourer during the period for which such order is in force.

Section 114. Draft, s. 124.

125. If any employer does not, in the opinion of the Inspector, provide such hospital accommodation in a suitable place available to the labourers employed upon the estate of which he is in charge, or does not make such provision for the medical treatment of such labourers, as the local Government may direct, the local Government may require such employer to contribute to the support of a central hospital to be established, or to the pay of a medical officer to be appointed, for the medical treatment of such labourers, such sum, proportionate to the number of labourers so employed, as it thinks fit.

Provision for hospital accommodation and medical attendance.

Section 115. Draft, s. 125.

126. Any Inspector or Assistant Inspector who is himself a Magistrate may, with respect to any estate situate within the local limits of his jurisdiction, institute an inquiry whether the employer in charge of such estate has provided for his labourers house accommodation, water-supply, sanitary arrangements, food-grains and rations in accordance with the rules prescribed by the local Government. At the instance of any Inspector or Assistant Inspector a similar inquiry may be made by a Magistrate. Every such inquiry shall be held at some place on the estate to which it relates, or within ten miles of such estate, and shall be conducted and dealt with as if it were an inquiry of a Magistrate under the Code of Criminal Procedure.

Inquiry whether employer has failed to provide as required by the rules.

G.—Localities unfit for the Residence of Labourers.

Section 118. Draft, s. 128.

127. If in the opinion of the Inspector any estate or portion of an estate situate within the local limits of his jurisdiction is at any time, by reason of climate, situation or condition, unfit for the residence of labourers, or of any particular class of labourers, he shall give notice in writing of such opinion to the Magistrate of the district; and such Magistrate shall forthwith, by order in writing, summon a Committee to inquire into the matter.

Inspector to report.

Magistrate to summon Committee.

Such Committee shall consist of the Magistrate, the Inspector, the medical officer of the district, and one or more employers of labourers, when such employers are available.

If the Magistrate is unable to procure the service on such Committee of any employer of labourers, he may, with the previous sanction of the Commissioner of the division, appoint one or more persons qualified to serve on such Committee.

Draft, s. 128.

128. Such Committee shall as soon as may be inquire into the healthiness of the estate or portion to which the order appointing the Committee relates, and shall hear and record such information on the subject as the owner of such estate or portion, or the employer in charge thereof, or the Inspector, may desire to place before it.

Proceedings of Committee.

If such Committee or the majority thereof is of opinion that such estate or portion, or any part of such estate or portion, is unfit for the residence of labourers generally, or of any particular class of labourers, it shall record a finding to that effect.

If Committee finds estate unfit, labour-contract to be void as regards such estate.

When such finding has been recorded, no labourer, or no labourer of the particular class to which such finding relates, as the case may be, and no other person, shall be bound by any labour-contract or other contract to labour on the estate or portion, or part of such estate or portion, as the case may be, which is found unfit for the residence of such labourers.

When any labourer or other person is released under this section from the performance of a labour-contract or other contract to labour on any estate, he shall be bound to labour on any other estate belonging to his employer and situate in the same labour-district; or, where the finding relates only to a portion or part of an estate, on any other portion or part of the same estate.

Labourer bound to labour elsewhere.

Section 119. Draft, s. 129.

129. Whenever it appears to the local Government that the number of labourers or other persons employed on an estate who have died thereon, or on any portion thereof, during the last preceding twelve months, or that the average annual number of labourers or other persons employed on an estate who have died thereon or on any portion thereof during the last preceding three years, bears a larger proportion to the whole number of labourers or other persons employed thereon during such period of twelve months or three years, as the case may be, than seven per centum, the local Government may direct the civil medical officer of the district or other qualified medical officer to inquire into, and report on, the following matters:—

Local Government how to proceed if mortality in past year exceeds 7 per cent., or if the average mortality for three years exceeds 7 per cent.

Matters to be enquired into.

(*a*) The cause or causes of such mortality;

(*b*) The want (if any) of due care or precaution, and of the adoption of proper and available sanitary measures, on the part of the owner of such estate or portion thereof, or the employer in charge of such estate or portion, causing or contributing to such mortality;

(*c*) The fitness or otherwise of such estate or portion for the residence of labourers.

Draft, s. 130.

130. Such medical officer shall, as soon as may be, inquire into such matters, and shall hear and record such information relating thereto as the owner of such estate or portion, or the employer in charge of the same, or the Inspector, may place before him, and shall visit and inspect such estate or portion, and shall make a report expressing the reasons for his opinion, and transmit the same to the local Government together with the information so recorded and the notes of his inspection of such estate or portion.

Medical officer to report.

Draft, s. 129.

131. If the local Government, after perusal and consideration of the said report, information and notes, is of opinion that such mortality was caused by the want, on the part of the owner of such estate or portion, or the employer in charge of the same, of due care or precaution, or of the adoption of proper and available sanitary measures, and that such estate or portion is thereby rendered unfit for the residence of labourers, it may declare in writing that such estate or portion is unfit for the residence of labourers. Such declaration of the local Government shall have the same effect as the finding of a Committee under section one hundred and twenty-eight.

Local Government may declare estate unfit for residence.

Effect of declaration.

Section 120. Draft, s. 130.

132. If it at any time appears to the Inspector or that any estate or portion thereof, or any part of such portion found under section one hundred and twenty-eight or declared under section one hundred and thirty-one to be unfit for the residence of labourers, or any particular class of labourers, has become fit for the residence of such labourers or such particular class of labourers, as the case may be, he shall, with the previous sanction of the Magistrate of the district in which such estate, portion or part is situate, give a certificate to that effect signed by him. Thereupon all labourers who have contracted to labour on such estate, portion or part shall again be bound to labour on the estate, portion or part, as the case may be, to which the certificate relates.

Power to certify fitness of estate or portion found or declared to be unfit.

H.—Complaints made by Labourers.

Section 129. Draft, s. 142.

133. If any labourer states to his employer, or any person acting on behalf of his employer, that he desires to make a complaint to the Inspector or to any Magistrate of personal ill-usage or breach, on the part of his employer or such person, of any provision of this Act or of any rule of the local Government made hereunder, the person to whom such statement is made shall forthwith send such labourer to the Inspector or Magistrate within the local limits of whose jurisdiction the estate wherein he is employed is situate: Provided that, if more than ten labourers at any one time so state their desire to make such a complaint, the person to whom the statement is made may, instead of sending such labourers to such Inspector or Magistrate, give him notice in writing of their complaint.

If labourer wishes to complain of personal ill-usage or breach of Act, employer to send him to Inspector or Magistrate.

Section 130. Draft, s. 143.

134. Whenever any such complaint is made to an Inspector or Magistrate or whenever any Inspector or Magistrate receives notice in writing of any such complaint, or has other reasonable grounds for believing that any employer or person acting on his behalf has personally ill-used, or committed any breach mentioned in section one hundred and thirty-three in respect of any labourer, such Inspector or Magistrate shall, as soon as may be, proceed to some place not more

Inspector or Magistrate how to proceed if complaint is made to him,

or if he has reason to believe that there is ground for a complaint.

than ten miles from the principal place of business of such employer situate within the local limits of his jurisdiction, and inquire into the matter complained of:

Provided that if the place in which an Inspector or Magistrate has reasonable grounds for believing that such ill-usage or breach has been committed is situate beyond the local limits of his jurisdiction, he shall, instead of inquiring into the matter himself, forthwith send information thereof in writing to the Inspector or Magistrate within the local limits of whose jurisdiction such ill-usage or breach has been committed.

Section 131. *Draft*, s. 144.

Power to summon witness.

For the purposes of an inquiry under this section, the Inspector or Magistrate may summon and examine any person as a witness.

Section 132. *Draft*, s. 145.

If complaint is untrue or frivolous.

135. If, upon such inquiry made on the complaint of a labourer, the Inspector or Magistrate is of opinion that the complaint is untrue or frivolous or vexatious, he shall dismiss the complaint; and in such case shall endorse on the employer's copy of the complainant's labour-contract the number of days during which the complainant has been absent from work in consequence of the inquiry, and the number of days so endorsed shall be added to the period for which the complainant contracted to labour.

Every such endorsement shall be conclusive evidence that the complainant has absented himself from his labour without sufficient cause during the number of days so endorsed.

Award of compensation to employer.

136. When any complaint is dismissed under section one hundred and thirty-five, the Inspector or Magistrate may award to the employer any reasonable compensation on account of any expense incurred by him in connection with such complaint, and shall endorse the amount of such compensation on the complainant's copy of the labour-contract. The complainant shall be bound to pay the amount so endorsed; and in default of such payment his labour-contract shall not be deemed to have determined until he has worked off such amount at the rate of one day's labour for each four annas of such amount.

Section 133. *Draft*, s. 146.

If on inquiry there is sufficient ground for proceeding.

137. If, upon such inquiry by a Magistrate or by an Inspector who is a Magistrate, such Magistrate or Inspector is of opinion that there is sufficient ground for proceeding with the case, he shall dispose of the same according to law. If the Inspector is not a Magistrate and is of such opinion, he shall without delay send the complainant and his witnesses (if any) to the nearest Magistrate; and such Magistrate shall thereupon dispose of the case according to law.

Section 134. *Draft*, s. 147.

Recovery of arrears of wages.

138. If, upon the complaint of any labourer, it is proved to the satisfaction of a Magistrate that the wages of such labourer are in arrear for two months, or if the wages of any labourer whose labour-contract has determined are proved to the satisfaction of a Magistrate to have been withheld for any period after such determination, the Magistrate may award to such labourer the amount which appears to be then due to him;

Compensation may be given.

and also, by way of compensation, such further sum, not exceeding that amount, as to such Magistrate seems just; and in case of default in payment of the amount so awarded the Magistrate shall levy such amount by distress and sale of any moveable property belonging to the employer of such labourer.

Power to cancel contract on conviction of employer;

Section 135. *Draft*, s. 148.

139. Whenever it is proved to the satisfaction of a Magistrate—

(*a*) that any employer, or any person placed by him in authority over any labourer, has been convicted of any offence causing injury to the person, or loss or damage to the property, of such labourer and triable under the Code of Criminal Procedure by the Court of Session, or

(*b*) that any employer, or other person as aforesaid, has been twice convicted of any such offence against such labourer and triable under the said Code by a Magistrate, or

(*c*) that the wages of any labourer are in arrear to an amount exceeding the whole of such labourer's wages for four months, or

or if wages are in arrear for more than four months.

(*d*) that any labourer has been compelled by his employer or by any person placed by his employer in authority over him to perform any labour while he was unfit for it, or has been subjected to ill-usage by his employer or any such person,

or if ill-usage is proved.

such Magistrate, may, if he thinks fit, on the application of the labourer aggrieved, cancel the labour-contract of such labourer, and award to him compensation not exceeding thirty rupees.

Every such cancelment shall be certified by the Magistrate on the back of the labourer's copy of the labour-contract; or if the same be not forthcoming, by writing under the Magistrate's hand delivered to the labourer.

I.—Determination of Labour-Contract.

Endorsement of determination on labour-contract.

Sections 136 *and* 138. *Draft*, s. 149.

140. Whenever a labour-contract determines, the employer shall endorse on the labourer's copy of the contract the fact of such determination; and, if the employer refuses or neglects to do so, the Inspector may, on application by the labourer, make such endorsement.

Power to redeem labour-contract.

Section 137. *Draft*, s. 150.

141. If any labourer is able and desirous to redeem the unexpired term of his labour-contract or of the labour-contract of any member of his family, by payment of a sum equivalent to the value of such unexpired term, such labourer may require his employer to take him, or allow him to go, before the Inspector within the local limits of whose jurisdiction he may be employed; and on his depositing such sum with such Inspector, the Inspector shall give notice to the employer that the labourer requires him, within one week, to show cause why the labourer should not be released from his contract. If no sufficient cause is shown, the Inspector shall require the labourer's copy of the contract to be produced, and on production thereof shall endorse thereon a certificate that the contract has been released by purchase, or, if such copy be not forthcoming, shall deliver to the labourer a certificate under his hand to that effect; and shall in either case hold the sum so deposited to the credit of the employer of such labourer.

Value of unexpired term of labour-contract.

The value of the unexpired term of a labour-contract shall, for the purposes of this section, be deemed to be the aggregate amount of

one rupee for every month of the unexpired portion of the first year, of three rupees for every such month of the second year, and of five rupees for every such month of the third, fourth and fifth years, of the original term of the contract.

CHAPTER VII.

SUPPLEMENTARY POWERS.

Section 4. *Draft*, s. 5.

Power of the local Government to make rules.

142. The local Government may make rules consistent with this Act—

(*a*)—To define and regulate the powers and duties of the several officers appointed by it under this Act;

(*b*)—To prescribe the periodical returns and reports to be made under this Act by any such officers or by any contractors or local agents within the territories under its administration;

(*c*)—To prescribe the forms of all registers, licenses, certificates and notices required under this Act with respect to the territories under its administration;

(*d*)—To prescribe the particulars to be registered by a Magistrate or Superintendent in respect of each labourer or dependent who is brought before him for registration in any district under its administration;

(*e*)—To prescribe the fees to be paid for any license granted under this Act by any officer appointed by it and for the registration of labourers in any district under its administration;

(*f*)—To prescribe the conditions upon which any officer appointed by it may grant licenses to masters of vessels carrying passengers to any labour-district; to provide for the ventilation, cleanliness and water-supply of such vessels in respect of which licenses are granted hereunder by any such officer; and to prescribe the lists, returns and reports to be kept and submitted by the masters of such vessels;

(*g*)—To prescribe the description, quantity and quality of provisions, medical drugs and other stores to be taken on board such vessels carrying labourers when such vessels are within the territories under its administration and the daily allowance to be issued to each labourer and dependent during the journey through such territories;

(*h*)—To provide for the accommodation, food, clothing and medical treatment of all labourers and dependents detained on account of sickness by order of a Magistrate at any place within any district under its administration;

(*i*)—To prescribe the routes through the territories under its administration by which labourers and their dependents shall travel to the labour-districts.

(*j*)—To prescribe the house-accommodation, water-supply, sanitary arrangements and amount and kind of food-grains to be provided by employers for their labourers, and to regulate the rations to be supplied to labourers under this Act in the labour-districts under its administration;

(*k*)—To provide for the hospital accommodation and medical treatment of labourers in such labour-districts, and to prescribe the nature, quality and quantity of medical drugs and other stores to be provided for such labourers; and generally

(*l*)—To give effect to the provisions of this Act within the districts subject to its administration.

Special power of the Lieutenant-Governors of Bengal and the North-Western Provinces.

Draft, s. 5.

143. The Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioner of Oudh may further respectively make rules consistent with this Act—

(*a*)—To provide for the management and regulation of contractors' depôts and of hospital depôts situate within the territories under their respective administrations and for the support and medical treatment of labourers and their dependents passing through such depôts;

(*b*)—To prescribe the clothing to be supplied to labourers and their dependents while proceeding to the labour-districts through the territories under their respective administrations.

Special power of the Chief Commissioner of Assam.

The Chief Commissioner of Assam may further make rules consistent with this Act—

(*c*)—To provide for the detention and inspection of vessels in respect of which licenses are granted hereunder and passengers being natives of India carried thereon while in transit through the labour-districts of the Assam Valley, Cachar and Sylhet.

Penalty for infringement of rules.

Section 4. *Draft*, s. 7.

144. The local Government may by rule prescribe as a penalty for the infringement of any rule made by it hereunder a fine which may extend to five hundred rupees.

Publication of rules.

All rules made under this Act by the local Government shall be published in the official Gazette, and shall thereupon have the force of law.

CHAPTER VIII.

PENALTIES AND PROCEDURE.

Inducing Native to emigrate in contravention of a notification under section 5.

Draft, s. 15.

145. Whoever knowingly induces or assists, or attempts to induce or assist, any Native of India to emigrate in contravention of a notification published under section five shall be punished with fine which may extend to fifty rupees for every such Native whom he so induces or assists, or attempts to induce or assist.

Draft, s. 64. Cf. Indian Emigration Bill, s. 88.

Recruiter removing, &c., unregistered labourers.

146. Whoever, being a recruiter—

removes, or attempts to remove, any labourer to a depôt, before he has been registered under section thirty-two, or induces or attempts to induce him to go to a depôt or to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned, or aids or attempts to aid such labourer in going to a depôt or in leaving any such local limits, before he has been so registered,

or induces or attempts to induce any labourer who has been so registered to proceed to any place other than the depôt which has been established by the contractor on whose behalf such recruiter is licensed, or conveys or attempts to convey him to such place,

shall be punished in respect of every such labourer with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to one month.

Draft, s. 66.

Recruiter not supplying proper food, &c.

147. Whoever, being a recruiter or a person deputed by him to accompany labourers to a depôt, fails to provide any labourer or any dependent whom he accompanies on his journey to the depôt, with suitable lodging and food, or otherwise ill-treats such labourer or dependent on such journey, shall be punished with fine which may extend to fifty rupees; and, in default of payment of such fine within twenty-four hours, with imprisonment for a term which may extend to one month.

Draft, s. 73.

The convicting Magistrate may award the whole or any portion of any fine levied under this section as compensation to the labourer in respect of whom, or of whose dependent, such failure or ill-treatment has occurred.

Draft, s. 73.

Labourer refusing without reasonable cause to execute contract at depôt.

148. Any labourer engaged by a recruiter and who, having been registered under section thirty-two, without reasonable cause refuses when at the depôt to execute, within thirty days after his arrival at such depôt, a labour-contract in conformity with the terms made known to him when he was registered, shall be punished with fine which may extend to the amount of the expense incurred in registering him and conveying him to the depôt and maintaining him therein; and, in default of payment of such fine, with imprisonment for a term which may extend to one month.

Any labourer so punished may be forthwith discharged from the depôt.

Every fine levied under this section shall be paid to the contractor, sub-contractor or recruiter by whom such expense was incurred.

Draft, s. 37.

Garden-sardár failing to report himself, &c.

149. Whoever, being a garden-sardár,

fails, within fourteen days after his arrival in the local area within which he is authorized to enter into contracts with labourers, to report himself to the local agent (if any) specified in his certificate, or

removes or attempts to remove any labourer to a labour-district, before he has been registered as provided by section sixty-six, or

induces or attempts to induce him to leave the district wherein which he was engaged before he has been so registered, or aids or attempts to aid him in leaving such district or proceeding to a labour-district before he has been so registered, or

fails without sufficient cause to return to his employer within the time specified in his certificate, or

fails to account for the money advanced to him by his employer for the purpose of engaging labourers, or

wilfully abandons any labourer or his dependent on the way to a labour-district,

shall be punished with imprisonment for a term which may extend to one month.

Draft, s. 38.

Garden-sardár making over labourers to contractors, &c.

150. Any garden-sardár who makes over any labourers engaged by him to any contractor, sub-contractor or recruiter, or to the garden-sardár or local agent of any employer other than the employer by whom his certificate was granted, or

allows any labourers engaged by any other contractor or sub-contractor or recruiter to share the accommodation provided by him under section fifty-seven, or

places any labourer engaged by him in a contractor's depôt or in the place of accommodation provided by a recruiter in accordance with the provisions of section twenty-seven,

shall be punished with fine which may extend to ten rupees; and his certificate may be impounded by the convicting Magistrate.

Any Magistrate impounding a certificate under this section shall send it for cancellation to the Magistrate by whom it was countersigned.

Draft, s. 39.

Garden-sardár failing to comply with instructions indorsed on way-bill.

151. Any garden-sardár or person appointed by him as provided by section seventy-three, who accompanies labourers to the labour-districts, and fails to comply with any of the instructions entered in the way-bill relating to such labourers, shall be punished with fine which may extend to five rupees.

Draft, s. 78. Cf. Indian Emigration Bill, s. 92. Draft, s. 81.

Master receiving native passengers on board in contravention of Act.

152. Any Master not licensed under section eighty-eight who knowingly receives on board his vessel more than twenty passengers being natives of India, and

any Master licensed as aforesaid who knowingly receives on board his vessel any such passengers in excess of the number specified in his license or in any order of an Embarkation Agent under section ninety,

shall be punished with fine which may extend to two hundred rupees for each emigrant so received.

Draft, s.

Fraudulent alteration of vessel after grant of license.

153. Any Master licensed under section eighty-eight who with intent to defraud does or suffers to be done any act or thing whereby the state of his vessel is altered, so that such vessel is unfit for the accommodation of the number of passengers specified in his license or in any order of an Embarkation Agent under section ninety, shall be punished with fine which may extend to two hundred rupees.

Draft, s. 84.

Master not complying with section 93.

154. Any Master licensed as aforesaid who proceeds on his voyage with his vessel carrying labourers without having complied with the provisions of section ninety-three shall be punished with fine which may extend to five hundred rupees or with

imprisonment for a term which may extend to three months.

Draft, s. 79.

Master not complying with order under section 95.

155. Any Master licensed as aforesaid who fails to comply with an order of an Embarkation Agent made under section ninety-five shall be punished with fine which may extend to two hundred rupees for each day during which he fails to comply with such order after the day on which the order was received by him.

Draft, s. 86.

Master permitting labourer to leave vessel contrary to section 97.

156. Any Master licensed as aforesaid causing or permitting a labourer finally to leave his vessel contrary to the provisions of section ninety-seven shall be punished with fine which may extend to two hundred rupees for each labourer so leaving his vessel.

Draft, s. 87.

Master or officer wilfully omitting to stop vessel at certain places.

157. Any Master licensed as aforesaid who wilfully omits to comply with the provisions of section ninety-eight shall be punished with fine which may extend to two hundred rupees.

Draft, s. 89.

Person disobeying Magistrate's order as to communication between vessel and shore.

158. Any person who disobeys any order made under section one hundred by a Magistrate shall be punished with fine which may extend to two hundred rupees.

Draft, s. 97.

Master or medical officer disobeying or neglecting to enforce rules.

159. Any Master licensed as aforesaid, or any medical officer in charge of his vessel, who wilfully omits or neglects to obey or enforce on board of such vessel any provision of this Act or any rule made hereunder, shall be punished with fine which may extend to two hundred rupees.

Draft, s. 99.

Labourer deserting, &c., after registration.

160. Any labourer who, having been registered by a Magistrate under section thirty-two or section sixty-six, deserts while on his journey from the district in which he has been so registered to a labour-district, or

without reasonable cause refuses or neglects to proceed from the district in which he has been so registered, or to embark in any vessel when called upon to do so by an Embarkation Agent,

shall be punished with imprisonment for a term which may extend to three months.

Section 108. Draft, s. 110.

Employer refusing or omitting to keep registers, &c.

161. Any employer who refuses or wilfully omits to keep such registers, or to make such periodical returns in writing to the Inspector, as may be prescribed by any rule made hereunder, or who knowingly keeps an incorrect register or makes an incorrect return, shall be punished with fine which may extend to two hundred rupees.

Section 106. s. 111.

Employer or other person obstructing inspection under section 118.

162. Any employer, and any person acting under his orders or on his behalf, who wilfully obstructs any entry, inspection or inquiry made under section one hundred and thirteen shall for every such offence be punished with fine which may extend to two hundred rupees.

Section 111. Draft, s. 119.

Employer or other person compelling labourer to perform labour for which he is unfit.

163. Any employer, or any person acting under his orders or on his behalf, who compels any labourer to perform any labour, knowing that he is at the time unfit to perform such labour, shall be punished with fine which may extend to two hundred rupees.

Draft, s. 123.

Persons buying labourer's rations.

164. Any person who buys the rations which have been furnished under section one hundred and twenty-four to any labourer, and any labourer who sells any such rations, shall be punished with fine which may extend to fifty rupees or with imprisonment for a term which may extend to one month.

Section 116. Draft, s. 126.

Employer omitting to provide house-accommodation, &c.

165. Any employer who wilfully omits to provide house-accommodation, water-supply, sanitary arrangements, food-grains or rations in accordance with the provisions of this Act or any rule made hereunder, shall be punished with fine which may extend to five hundred rupees; and the convicting Magistrate may order him to comply with such provisions within a reasonable time to be fixed in the order.

If the employer wilfully omits to comply with such order within the time so fixed, he shall be punished with fine which may extend to one hundred rupees for each day during which such omission continues.

If the employer fails to pay the last-mentioned fine, the person on whose account he has been acting shall be liable to pay such fine.

Section 117. Draft, s. 127.

Employer neglecting to provide hospital accommodation.

166. Any employer who fails to provide such hospital accommodation, or to make such provision for the medical care and treatment of labourers, as is required by any rule made under this Act, shall be punished with fine which may extend to two hundred rupees for each week during which such default continues.

Section 120. Draft, s. 130.

Employer causing labourer to reside on estate declared unfit.

167. Every employer who causes or permits any labourers, or class of labourers, to reside or labour upon any estate or portion thereof which may have been found under section one hundred and twenty-eight, or declared under section one hundred and thirty-one, unfit for the residence of such labourers or class of labourers shall be punished with fine which may extend to two hundred rupees.

New. Draft, s. 131.

Unlawful absence from work.

168. Every employer may, on or before the fifteenth day of each month, send to the Inspector a statement in writing containing the names of all or any of his labourers who, voluntarily and without reasonable cause, absented themselves from labour during the preceding month, and specifying the periods of such absence. When any employer sends any such statement in writing, he shall at the same time notify to each labourer concerned the fact that he has done so.

Any Inspector who receives any such statement shall, when next visiting the estate on which the labourers to whom such statement relates are employed, inquire into each such case of absence, in the presence of the labourer concerned, and if satisfied that the labourer has wilfully and without reasonable cause absented himself, shall,

unless the labourer consents to forfeit to his employer the sum of four annas for each such day of absence, endorse such days of absence on the labour-contract of such labourer, and add them to the term of such contract.

Section 121. Draft, s. 131.

169. Any labourer who, voluntarily and without reasonable cause, has absented himself from his labour for more than seven consecutive days, or for more than seven days in any one month, shall be liable to forfeit his wages for the period of such absence, and to pay to his employer a sum not exceeding four annas for each such day of absence, and shall also be liable to imprisonment for a term which may extend to fourteen days; and in case such absence has extended to twenty days in any two consecutive months, to imprisonment for a term which may extend to one month.

Labourer absent without cause.

Explanation.—Ill-treatment of such labourer by his employer, or failure of the employer to fulfil any condition of the labour-contract binding on the employer, is reasonable cause within the meaning of section one hundred and sixty-eight and this section.

Section 122. Draft, s. 131.

170. If any labourer deserts from his employer's service, such employer, or any person acting on his behalf, may, without a warrant, and without the assistance of any police-officer, arrest such labourer wherever he may be found: Provided that, if such labourer be found within ten miles of the place where a Magistrate resides or in the service of another employer, he shall not be arrested without warrant.

Deserter may be apprehended without warrant.

Every police-officer shall assist in arresting any such labourer if so required by the employer or person acting on his behalf.

Whoever arrests a labourer under this section shall without delay take him to the police-station nearest to the place of the arrest; and if he fails to do so shall be punished with fine which may extend to two hundred rupees.

171. The police-officer in charge of such station shall, on the appearance of the parties, take down in writing the statement of the person arresting the labourer, and shall then forthwith send the labourer to the nearest Magistrate.

Procedure at police-station.

Such Magistrate shall either inquire into and dispose of the case himself, or, if the estate of the employer from whose service the labourer deserted is not situate within the local limits of such Magistrate's jurisdiction, he shall forward the labourer to the Magistrate within the local limits of whose jurisdiction such estate is situate.

Draft, s. 131.

172. Whenever an employer or a person acting on his behalf complains to a Magistrate that a labourer has deserted from his employer's service, such Magistrate may, without previously examining the complainant, issue a summons for the attendance of such labourer, or a warrant for his arrest, and fix a day for hearing the complaint.

Procedure on complaint of desertion.

Draft, s. 133.

173. Every labourer who deserts from his employer's service shall be punished with imprisonment for a term which may extend to one month. For a second conviction for a like offence he shall be punished with imprisonment for a term which may extend to two months. For a third and every subsequent conviction for a like offence he shall be punished with imprisonment for a term which may extend to three months.

Punishment for desertion.

Draft, s. 134.

174. If it appears to the Magistrate trying a labourer for deserting from his employer's service that such labourer was arrested without sufficient cause, such Magistrate may impose a fine which may extend to fifty rupees on the employer or person acting on his behalf by whom, or at whose instance, such labourer was arrested. The Magistrate may in his sentence direct that the whole or any part of such fine be paid by way of compensation to the labourer so arrested.

Compensation for wrongful arrest.

New. Draft, s. 137.

175. Whenever any labourer has actually suffered imprisonment for terms amounting on the whole to six months for desertion from his employer's service, the Inspector shall cancel the labour-contract of such labourer, and shall endorse on his copy of the contract, a certificate of such cancellation; or, if such copy be not forthcoming, he shall deliver to the labourer a written certificate of such cancellation.

Cancellation of contract by desertion.

Section 124. Draft, s. 135.

176. Any labourer guilty of habitual drunkenness, or wilfully disregarding any sanitary regulation approved by the Inspector and duly notified for the guidance of the labourers on the estate on which such labourer is employed, shall be punished with fine which may extend to five rupees or with imprisonment for a term which may extend to one week.

Penalty for drunkenness or neglect of sanitary regulations.

Section 125. Draft, s. 138.

177. The employer of any labourer sentenced to imprisonment for any offence under this Act, or any person authorized to act in this behalf for such employer, may apply to the Magistrate, at any time previous to the expiry of such sentence, that such labourer be made over to him for the purpose of completing his labour-contract. On such application being made, the Magistrate may, if he thinks fit, order that such labourer be made over or forwarded to his employer;

Portion of sentence may be cancelled on application of employer.

and in that case such Magistrate shall cancel the remainder of the sentence passed on the labourer and shall endorse on his copy of the labour-contract a certificate of such cancellation or, if such copy is not forthcoming, shall give him a written certificate of such cancellation.

Section 126. Draft, s. 139.

178. Every employer who obtains an order of a Magistrate for the making over or forwarding of any labourer shall be liable to defray the expense (if any) incurred in such making over or forwarding; and shall, before the order is issued, deposit with the Magistrate a sum sufficient in the Magistrate's opinion to defray such expense.

Expense of forwarding labourer to be paid by employer.

Section 127. Draft, s. 140.

179. On the expiry of any sentence of imprisonment for any offence under this Act, the Magistrate shall, subject to the provisions of section one hundred and seventy-five, make over such labourer to any person appointed on the part of his employer to take charge of him; and no conviction under this Act, or imprisonment under such conviction, shall, save as aforesaid, operate as a release to any labourer from the terms of his labour-contract:

Conviction not to operate as a release.

If no person is present on the part of the employer to take charge of the labourer at the expiry of his sentence, the Magistrate shall forward such labourer to the principal place of business of his employer situate within the local limits of such Magistrate's jurisdiction, and the expense of such forwarding shall be recoverable from such employer as if it were an arrear of land-revenue.

Section 127. Draft, s. 140.

180. When any labourer is convicted under section one hundred and sixty-nine of absence from labour or is sentenced to imprisonment for an offence under this Act, the Magistrate so convicting or sentencing him shall endorse on the employer's copy of the labour-contract the period during which such labourer is convicted of being absent from his labour, or the term for which he is sentenced to imprisonment, or both, as the case may be.

Time of unlawful absence or imprisonment to be excluded from contract period.

The period so endorsed shall be added to the term for which such labourer contracted to serve; and such labourer shall not be deemed to have performed his labour-contract till he has served for the term specified therein in addition to the period so endorsed.

Section 128. Draft, s. 141.

181. Whoever, knowing that any labourer is bound by his labour-contract to labour for any employer, voluntarily entices or attempts to entice such labourer to leave such employer, or harbours or employs any such labourer who has, in contravention of the terms of his labour-contract, left his employer, shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.

Other person enticing away, harbouring or employing labourer under labour-contract.

The convicting Magistrate may in his discretion award to the employer with whom such labourer has contracted the whole or any part of any fine levied under this section.

Section 129. Draft, s. 142.

182. Whoever, being bound by section one hundred and thirty-three to send any labourer before, or to give notice of any complaint to, an Inspector or Magistrate, refuses or neglects so to send such labourer, or to give such notice, shall be punished with fine which may extend to two hundred rupees.

Employer or other person neglecting to send labourer before Magistrate as provided by section 133.

Section 130. Draft, s. 143.

183. Any employer who—

Employer refusing to endorse labour-contract, &c., as required by section 140.

refuses or neglects to endorse the labourer's copy of his contract as required by section one hundred and forty, or

detains a labourer after the determination of his labour-contract, or

fails to give notice to the Inspector of such determination within one month of the date thereof,

shall be punished with fine which may extend to two hundred rupees.

Draft, s. 150.

184. Any employer or person acting for an employer who refuses or neglects to comply with the request of a labourer made under section one hundred and forty-one shall be punished with fine which may extend to two hundred rupees.

Employer or other person neglecting to comply with request of labourer wishing to redeem unexpired term.

185. Whoever abets within the meaning of the Indian Penal Code any offence against this Act or any rule made hereunder shall be punished with the punishment provided for such offence.

Abetment.

Cf. Indian Emigration Bill, s. 101.

Draft, s. 98. Cf. Indian Railway Act, 1879, s. 50.

186. Whoever commits any offence against this Act or any rule made hereunder shall be triable for such offence in any place in which he may be found as well as in any other place in which he might be tried under any law for the time being in force.

Place of trial for offences.

New. Cf.

187. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made hereunder, or from being liable under any other law to any penalty higher than that provided by this Act for such offence: Provided that no person shall be punished twice for the same offence.

Saving of prosecutions under other laws.

CHAPTER IX.

MISCELLANEOUS.

Section 5. Draft, s. 8.

188. All arrears of wages due under any labour-contract shall be a charge upon the estate upon which the labourer to whom such labour-contract relates has been engaged to labour; or if such labourer has engaged to labour upon any one of several estates managed by the same employer, shall be a charge upon that one of such estates upon which such labourer for the time being actually labours.

Wages due under labour-contract, charge upon estate.

Draft, s. 8.

189. Whenever an estate on which any labourer has under this Act contracted to labour is transferred by act of parties or operation of law, or devolves, the person to whom it is so transferred or on whom it devolves shall be bound by the labour-contract of such labourer in the same manner and to the same extent as the person by or from whom it is transferred or devolves would have been bound by such contract, and shall have the same rights and remedies under such contract as such person would have had thereunder, if the estate had not been transferred or had not devolved.

Owner of estate for time being has all rights and remedies in respect of labour-contracts charged on it.

No person who has ceased to be the owner of the estate upon which any labourer has under this Act contracted to labour shall be liable in respect of any breach of the labour-contract of such labourer which occurs after he has ceased to be such owner.

Determination of ownership determines liability.

Section 97. Draft, s. 102.

190. Subject to the power of a Magistrate under this Act or the Code of Criminal Procedure to award fines in whole or in part as compensation to or for the benefit of any complainant or other person, all fines, fees and rates levied and paid under this Act in the territories under its administration shall be credited to a fund which shall be

Fines, fees and rates to be credited to "Inland Labour Transport Fund."

called the "Inland Labour Transport Fund"; and such fund shall be at the disposal of the local Government, in such manner as the Government of India may direct, for paying the salaries and allowances of all officers and establishments appointed under this Act by such local Government and their pensionary and leave allowances, and generally for defraying the expenses of carrying out the purposes of this Act and the rules of the local Government made hereunder. The annual surplus accruing in such fund shall be applied to reducing the yearly rate or the registration fees leviable under this Act, and not otherwise.

Expenditure on roads legalized.

191. All sums heretofore expended on roads or other communications by the Lieutenant-Governor of Bengal out of the Inland Labour Transport Fund constituted by the said Bengal Act No. VII of 1873, shall be deemed to have been expended in accordance with law.

Section 99. Draft, s. 108.

Duty of Assistant Inspector.

192. An Assistant Inspector shall perform all such duties and exercise all such powers of an Inspector as he is authorized in writing by the Inspector to perform or exercise.

Powers of local Government and officers exercisable from time to time.

193. All powers conferred by this Act on the local Government or on any Superintendent, Medical Inspector or other officer may be exercised from time to time as occasion requires.

THE SCHEDULE.

(*See section* 9.)

Form of Labour-contract between Labourer and Employer.

This contract, made under the Inland Emigration Act, 1881, between A B (hereinafter called *the labourer*) of the one part, and* [C D (*agent* or *local agent* or *garden-sardár*) on behalf of] E F (hereinafter called the *employer*) on the other part, witnesseth that the said* [*agent* or *local agent* or *garden-sardár* on behalf of the said] employer doth hereby promise the said labourer, that if he, the said labourer, do remain and labour on the $\frac{X \text{ estate}}{Y \text{ estates}}$† of his said employer in the labour district of for the term of years from the date of the execution of this contract, he, the said employer, will, from the date on which the said labourer commences to labour on such $\frac{\text{estate}}{\text{estates}}$ pay or cause to be paid, to the said labourer, monthly wages at the rate of Rs. ‡ for a completed daily task regulated in accordance with the provisions of the said Act, and, when such task is not completed, monthly wages calculated at the same rate in proportion to the amount of work actually done, and that during such period he, the said employer, will faithfully comply with all rules regarding house-accommodation, medical treatment, and the supply of food-grains or rations to the said labourer, which the local Government may from time to time prescribe; and this contract further witnesseth that the said labourer doth hereby, in consideration of the aforesaid promise, agree so to remain and labour for the said employer. In witness whereof the said parties to these presents, have hereunto set their hands at this day of 18 .

* Parts in brackets to be omitted if the contract is made without the intervention of an agent, local agent or garden-sardár.

† As the case may be.

‡ State rates for various periods of contract.

Signature of labourer and of employer (or of his agent, local agent or garden-sardár).

Form of Description of Labourer.

NAME.	Father's Name.	Age.	Sex.	Caste.	RESIDENCE.			Descriptive marks.
					District.	Thana.	Village.	

[*Endorsement to be filled up by registering officer before whom the contract is executed.*]

I hereby certify that, before the said A B signed this contract, I personally explained it to him.

Signed_____

Registering Officer.

[*Endorsement on labourer's copy of contract, to be left blank until the contract is determined.*]

I hereby certify that the foregoing contract has been determined by effluxion of time (or by mutual consent, or under the provisions of section of Act , as the case may be).

Dated at

This day of }

Signature of Employer or of Inspector.

STATEMENT OF OBJECTS AND REASONS.

This Bill has been drawn on the lines of a draft prepared by a Commission which recently met in Calcutta to consider and amend Bengal Act VII of 1873 (the Labour Districts Emigration Act). The attention of Government had previously been directed by certain persons interested in the large and important tea industry in Assam to several points in which the law relating to inland emigration appeared to require amendment. As the subject seemed to be one which affected not only the tea interest, but to a certain extent the interest of the whole country, the Government of India decided, in communication with His Honour the Lieutenant-Governor of Bengal, to refer it to the consideration of a Commission. This Commission, which consisted of members of the mercantile community of Calcutta and the tea interest in Assam, as well as of official members under each of those administrations especially conversant with the details of inland emigration, reviewed the whole question in all its details, and submitted a report, to which was annexed the draft Bill above referred to, which embodied the amendments of the law considered desirable. The Government of India resolved on legislating in accordance generally with the provisions of this draft, and accordingly the present Bill has been prepared. It differs considerably in form, but does not, it is believed, in substance differ materially (save in certain points which will be mentioned below) from the draft prepared by the Commission.

2. It does not seem necessary to specify in this place the numerous amendments of the existing law which the Bill, in common with the draft of the Commission, proposes to make. Many of these deal with minor and unimportant points, and all will be found enumerated in detail in the Report of the Commission. It will be sufficient here to state the main points in which the Commission found the present law defective and the changes which the Bill proposes with the view of removing these defects.

3. These points are four in number,—

(*a*) that the existing law does not afford sufficient encouragement to free emigration;

(*b*) that it imposes unnecessary restrictions upon sardári recruiting;

(*c*) that it fails to provide for the enforcement of contracts made otherwise than under its provisions even in the case of imported labourers;

(*d*) that it is defective in respect of the remedies provided for employers in the event of the unlawful absence, idleness or desertion of their contract labourers.

4. With regard to the first of these points, no labour-contracts can be entered into under the existing law (Bengal Act VII of 1873) after the emigrant has arrived in a labour-district; and further, under section 7 of the same Act, no contract to labour in a labour-district for more than one year is binding upon an emigrant unless it is made and executed according to the provisions of the Act. To remove these restrictions the Bill permits emigrants to make labour-contracts under its provisions after their arrival in a labour-district, and, by omitting any provision of the nature of section 7 of Bengal Act VII of 1873, leaves employers free to make with any persons, whether within or without the labour-districts, any labour-contract which the ordinary law will recognize and enforce.

5. As to the second point, under the present law, a garden-sardár in order to get his certificate countersigned is compelled to present himself at the Court of the Magistrate of the District in which he proposes to engage labourers; his certificate is only allowed to run for six months; he is not allowed to travel with another garden-sardár if the total number of their united bands of emigrants exceeds twenty; whilst if he recruits more than twenty emigrants himself, he must take them to a contractor's depôt. Such restrictions, besides unnecessarily impeding the garden-sardár in his operations, bring him into dangerous connection with contractors and recruiters who not unfrequently tempt him to make over to them for a consideration labourers recruited at his employer's expense. The Bill severs all connection between garden-sardárs and contractor's depôts; and, though providing, in the employer's interest, for the effective control of garden-sardárs when on recruiting duty, removes the restrictions above mentioned, and gives the widest scope to the working of the sardári system.

6. With respect to the third point, labour-contracts cannot be made under Bengal Act VII of 1873 in a labour-district. Consequently labour-contracts entered into in such districts must be made under the ordinary law. Though Act XIII of 1859 (*to provide for the punishment of breaches of contract by Artificers, workmen and labourers in certain cases*) has in some districts been applied to these locally made labour-contracts, its provisions were obviously never intended to meet such cases. As employers may incur serious loss in the event of their labourers refusing to fulfil their agreements, it is clear that they are insufficiently protected under the present law in respect of locally made labour-contracts. Nothing short of a penal labour-law is sufficient for their protection. At the same time it appears only just that, if a labourer is to be subjected to a penal labour-law, he should obtain also the protection of law in respect of his general relations with his employer. Under these circumstances it seems preferable, instead of providing that locally made contracts may be enforced under the Act,

to remove the restrictions which at present exist against labour-contracts under the Act being made in labour-districts, and this the Bill accordingly does.

7. As to the fourth point, under the existing law the penalty prescribed for the unlawful absence of the labourer from his work can only be enforced by complaint before a Magistrate. Such a provision is obviously very inconvenient to employers, who cannot spare time to make a journey to Court every time one of their labourers is unlawfully absent from his work. The Bill therefore provides for a system of monthly lists of defaulters to be submitted by the employer to the Inspector, who will, on his next visit to the garden, enquire into the case of each defaulter mentioned in such list; and if satisfied that the labourer is guilty of the offence charged, punish him by entering such days of absence on his contract and adding them to the term thereof, unless the labourer consents to forfeit to his employer the sum of four annas for each such day of absence. Prolonged and repeated absence may, however, be still punished by a Magistrate, if the employer chooses to complain.

The Government of India have resolved to make no change in the provisions of the existing law as to desertion, and the proposals of the Commission with regard to these provisions have not therefore been adopted in the Bill.

8. It may also be noticed that the Bill (section 9) extends the term for which a labourer may contract to labour. Under the present law the term is limited to three years from the date of the arrival of the labourer on his employer's estate. It is now proposed to extend it to five years from the date of the execution of the contract. This extension will enable the employer to recoup himself for his preliminary outlay incurred in importing the labourer and maintaining him while he learns his work and becomes acclimatized. At the same time provision has been made in the interest of the labourer that, for the last two years of the term, he shall receive an increase of one rupee per mensem to his wages. At the end of three years he is presumably better acquainted with his work, more valuable to his employer, and therefore entitled to a higher rate of wages.

9. Certain other points in which the Bill differs from the draft prepared by the Commission may now be noticed. Under that draft, sections 24 and 63, labourers engaged in districts not under the administration of the Lieutenant-Governor of Bengal need not, when recruited by garden-sardárs, and cannot when recruited by recruiters, be registered until they are brought within a district of the Lower Provinces. The Government of India is of opinion that it is necessary, for the purpose of protecting the labourer and preventing fraudulent practices on the part of the garden-sardár or recruiter, that all labourers, in whose case the registration of the engagement before proceeding to the labour-districts is imperative, should be registered in the districts in which they are engaged. The provisions of the draft have accordingly been modified so as to carry out these views.

10. Again, the draft of the Commission permitted the transport to the labour-districts of labourers, whether engaged by garden-sardárs or recruiters, by any route. As it is known that on certain routes great mortality has occurred, it seems advisable that power should be taken to enable the Local Government to prescribe the routes by which only labourers may travel to the labour-districts. A power of this nature has therefore been inserted in the Bill (section 142).

11. Lastly, under the draft of the Commission it is not necessary that contracts of locally engaged labourers should always be registered before a Magistrate or other officer. The Government of India is, however, of opinion that, unless such registration is made compulsory in all cases, there is not sufficient security that the nature of the engagement shall be fully understood by the labourer. The provisions of the draft have therefore been so altered in the Bill (section 111) that it will be necessary to have all contracts of locally engaged labourers executed before and registered by an Inspector of labourers or a Magistrate.

In the case of certain offences the Commission proposed that a penalty of rigorous imprisonment should be inflicted. It is considered that the Magistrates should be allowed a discretion as to the infliction of rigorous or simple imprisonment, and the Bill therefore substitutes the expression "imprisonment," which means imprisonment either simple or rigorous, in the places where in the draft prepared by the Commission the expression "rigorous imprisonment" is used.

SIMLA;
The 5th September, 1881.

RIVERS THOMPSON.

R. J. CROSTHWAITE,
Officiating Secretary to the Government of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September, 1881, and was referred to a Select Committee:—

No. 19 OF 1881.

THE INDIAN COMPANIES BILL, 1881.

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255. Construction of "Registrar of Joint Stock Companies" in Act No. XXI of 1860.
256. Act not to apply to Bank of Bengal, Madras or Bombay.

FIRST SCHEDULE.

SECOND SCHEDULE.

A Bill for the incorporation, regulation and winding-up of Trading Companies and other Associations.

WHEREAS it is expedient to amend the law relating to the incorporation, regulation and winding-up of Trading Companies and other Associations; It is hereby enacted as follows:

Preamble.

PRELIMINARY.

Act X of 1866, s. 1. Short title. Local extent. **1.** This Act may be cited as "The Indian Companies Act, 1882": it extends to the whole of British India; Ibid., s. 2. and it shall come into force on the first day of March 1882; and the time at which it comes into force is hereinafter referred to as the commencement of this Act.

Commencement.

Ibid., s. 32. Repeal of Act X of 1866. **2.** On and from the commencement of this Act, the Indian Companies Act, 1866, shall be repealed. But such repeal shall not affect—

Ibid., s. 220. (*a*) the incorporation of any Company registered under the said Act or any Act thereby repealed;

(*b*) any right or privilege acquired or liability incurred under the said Act or any Act thereby repealed;

(*c*) table B in the schedule annexed to Act No. XIX of 1857 or any part thereof, so far as the same applies to any Company existing at the time of the commencement of this Act.

And all references to the said Indian Companies Act, 1866, shall be read as if made to this Act, and all rules made, fees directed, resolutions passed and other things duly done under the same Act shall be deemed to be respectively made, directed, passed and done under this Act; and all Companies under the same Act shall be deemed to be Companies under this Act.

Act X of 1866, s. 3. Interpretation-clause. **3.** In this Act, unless there be something repugnant in the subject or context,—

"Insurance Company" means a Company that carries on the business of insurance either solely or in common with any other business or businesses;

"Insurance Company";

"Court" means the principal civil Court of original jurisdiction in a district, and includes the High Court in the exercise of its ordinary original civil jurisdiction;

"Court";

"District Court" means the principal civil Court of original jurisdiction in a district, but does not include the High Court in the exercise of its ordinary original civil jurisdiction;

"District Court";

Ibid., s. 4. Prohibition of partnerships exceeding certain number. **4.** No Company, Association or Partnership consisting of more than ten persons shall be formed for the purpose of carrying on the business of banking, unless it is registered as a Company under this Act, or is formed in pursuance of an Act of Parliament or some other Act of the Governor General in Council, or by Royal Charter or Letters Patent; and no Company, Association or Partnership consisting of more than twenty persons shall be formed for the purpose of carrying on any other business that has for its object the acquisition of gain by the Company, Association or Partnership, or by the individual members thereof, unless it is registered as a Company under this Act, or is formed in pursuance of some other Act or of Letters Patent.

Ibid., s. 5. Division of Act. **5.** This Act is divided into nine Parts relating to the following subject-matters:—

The first Part—to the constitution and incorporation of Companies and Associations under this Act;

The second Part—to the distribution of the capital and liability of members of Companies and associations under this Act;

The third Part—to the management and administration of Companies and Associations under this Act;

The fourth Part—to the winding-up of Companies and Associations under this Act;

The fifth Part—to the registration office;

The sixth Part—to the application of this Act to Companies registered under Act No. XIX of 1857 (*for the incorporation and regulation of Joint Stock Companies and other Associations either with or without limited liability of the members thereof*), and Act No. VII of 1860 (*to enable Joint Stock Banking Companies to be formed on the principle of limited liability*), or either of them;

The seventh Part—to Companies authorized to register under this Act;

The eighth Part—to the application of this Act to unregistered Companies;

The ninth Part—to miscellaneous provisions.

PART I.

CONSTITUTION AND INCORPORATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Memorandum of Association.

Act X of 1866, s. 6.

6. Any seven or more persons associated for any lawful purpose may, by subscribing their names to a memorandum of association and otherwise complying with the requisitions of this Act in respect of registration, form an incorporated Company, with or without limited liability.

Mode of forming Company.

Princess of Reuss v. *Bos*, L. R. 5 H. L. 1876.

Explanation.—Foreigners are persons within the meaning of this section, although the whole or any part of the business of the proposed Company is intended to be transacted abroad.

Act X of 1866, s. 7.

7. The liability of the members of a Company formed under this Act may, according to the memorandum of association, be limited either to the amount, if any, unpaid on the shares respectively held by them, or to such amount as the members may respectively undertake by the memorandum of association to contribute to the assets of the Company in the event of its being wound up.

Mode of limiting liability of members.

30 & 31 Vic., c. 131, s. 4.

When a Company is formed as a limited Company, the liability of the directors or managers of such Company, or the managing director, may, if so provided by the memorandum of association, be unlimited.

Directors with unlimited liability.

Act X of 1866, s. 8.

8. Where a Company is formed on the principle of having the liability of its members limited to the amount unpaid on their shares, hereinafter referred to as a Company limited by shares, the memorandum of association shall contain the following things (that is to say) :—

Memorandum of association of a Company limited by shares.

(*a*) The name of the proposed Company with the addition of the word "limited" as the last word in such name :

(*b*) The part of British India in which the registered office of the Company is proposed to be situate :

(*c*) The objects for which the proposed Company is to be established :

(*d*) A declaration that the liability of the members is limited :

(*e*) The amount of capital with which the Company proposes to be registered divided into shares of a certain fixed amount :

Subject to the following regulations :—

(*f*) That no subscriber shall take less than one share ;

(*g*) That each subscriber of the memorandum of association shall write opposite to his name the number of shares he takes.

Ibid., s. 9.

9. Where a Company is formed on the principle of having the liability of its members limited to such amount as the members respectively undertake to contribute to the assets of the Company in the event of the same being wound-up (hereinafter referred to as a Company limited by guarantee), the memorandum of association shall contain the following things (that is to say) :—

Memorandum of association of a Company limited by guarantee.

(*a*) The name of the proposed Company, with the addition of the word "limited" as the last word, in such name :

(*b*) The part of British India in which the registered office of the Company is proposed to be situate :

(*c*) The objects for which the proposed Company is to be established :

(*d*) A declaration that each member undertakes to contribute to the assets of the Company in the event of the same being wound up during the time that he is a member, or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and of the costs, charges and expenses of winding-up the Company, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding a specified amount.

Act X of 1866, s. 10.

10. Where a Company is formed on the principle of having no limit placed on the liability of its members (hereinafter referred to as an unlimited Company), the memorandum of association shall contain the following things (that is to say) :—

Memorandum of association of an unlimited Company.

(*a*) The name of the proposed Company :

(*b*) The part of British India in which the registered office of the Company is proposed to be situate :

(*c*) The objects for which the proposed Company is to be established.

Ibid., s. 11.

11. The memorandum of association shall be signed by each subscriber in the presence of, and be attested by, one witness at the least. It shall, when registered, bind the Company and the members thereof to the same extent as if each member had subscribed his name thereto, and there were in the memorandum contained on the part of himself, his heirs, executors and administrators, a covenant to observe all the conditions of such memorandum, subject to the provisions of this Act.

Signature and effect of memorandum of association.

Ibid., s. 12.

12. Any Company limited by shares may so far modify the conditions contained in its memorandum of association, if authorized to do so by its regulations as originally framed, or as altered by Special Resolution in manner hereinafter mentioned, as to increase its capital, by the issue of new shares of such amount as it thinks expedient, or to consolidate and divide its capital into shares of larger amount than its existing shares, or to convert its paid-up shares into stock, but, save as aforesaid, and save as hereinafter provided, no alteration shall be made by any Company in the conditions contained in its memorandum of association.

Power of certain Companies to alter memorandum of association.

Reduction of Capital and Shares.

30 & 31 Vic., c. 131, s. 9.

13. Any Company limited by shares may, by special resolution, so far modify the conditions contained in its memorandum of association, if authorized so to do by its regulations as originally framed, or as altered by special resolution, as to reduce its capital; but no such resolution for reducing the capital of any Company shall come into operation until an order of the Court is registered by the Registrar of Joint Stock Companies, as is hereinafter mentioned.

Power to Company to reduce capital.

40 & 41 Vic., c. 26, s. 3.

Explanation I.—The word 'capital' includes paid-up capital.

Ibid.

Explanation II.—The power to reduce capital conferred by this section includes a power to cancel any lost capital, or any capital unrepresented by available assets, or to pay off any capital which may be in excess of the wants of the Company; and paid-up capital may be reduced either with or without extinguishing or reducing the liability (if any) remaining on the shares of the Company; and to the extent to which such liability is not extinguished or reduced, it shall be deemed to be preserved, notwithstanding anything hereinafter contained.

30 & 31 Vic., c. 131, s. 10.

14. The Company shall, after the date of the passing of any special resolution for reducing its capital, add to its name, until such date as the Court may fix, the words "and reduced," as the last words in its name, and those words shall, until such date, be deemed to be part of the name of the Company.

Company to add "and reduced" to its name for a limited period.

Ibid., s. 11.

15. A Company which has passed a special resolution for reducing its capital, may apply to the Court by petition for an order confirming the reduction, and on the hearing of the petition, the Court, if satisfied that, with respect to every creditor of the Company who, under the provisions of this Act, is entitled to object to the reduction, either his consent to the reduction has been obtained, or his debt or claim has been discharged or has determined, or has been secured as hereinafter provided, may make an order confirming the reduction on such terms and subject to such conditions as it deems fit.

Company to apply to the Court for an order confirming reduction.

40 & 41 Vic., c. 26, s. 4.

When the reduction does not involve either the diminution of any liability in respect of unpaid capital or the payment to any shareholder of any paid-up capital, it shall not be necessary, before the presentation of any petition under this section; and the Court may, if it thinks fit so to do, dispense with the addition of the words "and reduced," as mentioned in section fourteen.

In any case that the Court thinks fit so to do, it may require the Company to publish, in such manner as the Court thinks fit, the reasons for the reduction or such other information regarding the same as the Court may think expedient with a view to give proper information to the public in relation to such reduction, and if the Court think fit, the cause which led thereto.

Ibid., s. 12.

16. Where a Company proposes to reduce its capital, every creditor of the Company who, at the date fixed by the Court, is entitled to any debt or claim which, if that date were the commencement of the winding-up of the Company, would be admissible in proof against the Company, shall be entitled to object to the proposed reduction, and to be entered in the list of creditors who are so entitled to object.

Creditors may object to reduction and list of objecting creditors to be settled by the Court.

The Court shall settle a list of such creditors, and for that purpose shall ascertain as far as possible, without requiring an application from any creditor, the names of such creditors and the nature and amount of their debts or claims, and may publish notices fixing a certain day or days within which creditors of the Company who are not entered on the list are to claim to be so entered, or to be excluded from the right of objecting to the proposed reduction :

40 & 41 Vic., c. 26, s. 4.

Provided that when the reduction does not involve either the diminution of any liability in respect of unpaid capital or the payment to any shareholder of any paid-up capital, the creditors of the Company shall not, unless the Court otherwise directs, be entitled to object, or required to consent, to the reduction.

30 & 31 Vic., c. 131, s. 14.

17. Where a creditor whose name is entered on the list of creditors, and whose debt or claim is not discharged or determined, does not consent to the proposed reduction, the Court may (if it think fit) dispense with such consent on the Company securing the payment of the debt or claim of such creditor by setting apart and appropriating in such manner as the Court may direct a sum of such amount as is hereinafter mentioned, (that is to say),

Court may dispense with consent of creditor on security being given for his debt.

(*a*) If the full amount of the debt or claim of the creditor is admitted by the Company, or, though not admitted, is such as the Company are willing to set apart and appropriate, then the full amount of the debt or claim shall be set apart and appropriated.

(*b*) If the full amount of the debt or claim of the creditor is not admitted by the Company, and is not such as the Company are willing to set apart and appropriate, or if the amount is contingent or not ascertained, then the Court may, if it think fit, inquire into and adjudicate upon the validity of such debt or claim, and the amount for which the Company may be liable in respect thereof, in the same manner as if the Company were being wound up by the Court, and the amount fixed by the Court on such inquiry and adjudication shall be set apart and appropriated.

Ibid., s. 13.

18. The Registrar of Joint Stock Companies, upon the production to him of an order of the Court confirming the reduction of the capital of a Company, and the delivery to him of a copy of the order and of a minute (approved by the Court), showing with respect to the capital of the Company, as altered by the order, the amount of such capital, the number of shares in which it is to be divided, and the amount of each share, and the amount (if any) at the date of the registration of the minute, proposed to be deemed to have been paid-up on each share shall register the order and minute; and, on the registration, the special resolution confirmed by the order so registered shall take effect.

Order and minute to be registered.

40 & 41 Vic., c. 26, s. last pa

Notice of such registration shall be published in such manner as the Court may direct.

The Registrar shall certify under his hand the registration of the order and minute; and his certificate shall be conclusive evidence that all the requisitions of this Act with respect to the reduction of capital have been complied with, and that the capital of the Company is such as is stated in the minute.

30 & 31 Vic., c. 131 s. 16.

19. The minute, when registered, shall be deemed to be substituted for the corresponding part of the memorandum of association of the Company, and shall be of the same validity, and subject to the same alterations, as if it had been originally contained in the memorandum of association; and, subject as in this Act mentioned, no member of the Company, whether past or present, shall be liable in respect of any share to any call or contribution exceeding in amount the difference (if any) between the amount which has been paid on such share and the amount of the share as fixed by the minute.

Minute to form part of memorandum of association.

Ibid., s. 17.

20. If any creditor who is entitled in respect of any debt or claim to object to the reduction of the capital of a Company under this Act is, in consequence of his ignorance of the proceedings taken with a view to such reduction, or of their nature and effect with respect to his claim, not entered on the list of creditors, and after such reduction the Company is unable, within the meaning of this Act, to pay to the creditor the amount of such debt or claim, every person who was a member of the Company at the date of the registration of the order and minute relating to the reduction of its capital, shall be liable to contribute for the payment of such debt or claim an amount not exceeding the amount which he would have been liable to contribute if the Company had commenced to be wound up on the day prior to such registration;

Saving of rights of creditors who are ignorant of proceedings.

(See sec. 144.)

and on the Company being wound up, the Court, on the application of such creditor, and on proof that he was ignorant of the proceedings taken with a view to the reduction, or of their nature and effect with respect to his claim, may, if it think fit, settle a list of such contributories accordingly, and make and enforce calls and orders on the contributories settled on such list in the same manner in all respects as if they were ordinary contributories in a winding-up.

Nothing in this section shall affect the rights of the contributories of the Company among themselves.

30 & 31 Vic., c. 131, s. 18.

21. A minute, when registered, shall be embodied in every copy of the memorandum of association issued after its registration; and if any Company makes default in complying with the provisions of this section, it shall incur a penalty not exceeding *ten rupees* for each copy in respect of which such default is made; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Copy of registered minute.

Ibid., s. 19.

22. If any director, manager or officer of the Company wilfully conceals the name of any creditor of the Company who is entitled to object to the proposed reduction, or wilfully misrepresents the nature or amount of the debt or claim of any creditor of the Company, or if any director or manager of the Company abets *within the meaning of the Indian Penal Code*, or is privy to any such concealment or mis-representation as aforesaid, every such director, manager or officer shall be *punished with imprisonment for a term which may extend to one year, or with fine, or with both.*

Penalty on concealment of name of creditor.

40 & 41 Vic., c. 26, s. 5.

23. Any Company limited by shares may so far modify the conditions contained in its memorandum of association, if authorised so to do by its regulations as originally framed or as altered by special resolution, as to reduce its capital by cancelling any shares which at the date of passing such resolution, have not been taken or agreed to be taken by any persons; and the provisions as to reduction of capital contained in the other sections of this Act, shall not apply to any reduction made in pursuance of this section.

Power to reduce capital by cancellation of unissued shares.

Sub-division of shares.

30 & 31 Vic., c. 131, s. 21.

24. Any Company limited by shares may, by special resolution, so far modify the conditions contained in its memorandum of association, if authorized so to do by its regulations as originally framed or as altered by special resolution, as by sub-division of its existing shares or any of them, to divide its capital, or any part thereof, into shares of smaller amount than is fixed by its memorandum of association:

Shares may be divided into shares of smaller amount.

Provided that in the sub-division of the existing shares the proportion between the amount which is paid and the amount (if any) which is unpaid on each share of reduced amount shall be the same as it was in the case of the existing share or shares from which the share of reduced amount is derived.

Ibid., s. 22.

25. The statement of the number and amount of the shares into which the capital of the Company is divided, contained in every copy of the memorandum of association issued after the passing of any such special resolution, shall be in accordance with such resolution: and any Company which makes default in complying with the provisions of this section shall incur a penalty not exceeding twenty rupees for each copy in respect of which such default is made; and every director and manager of the Company who knowingly or wilfully authorizes or permits such default shall incur the like penalty.

Special resolution to be embodied in memorandum of association.

Associations not for Profit.

Ibid., s. 23.

26. Where any association which might be formed under this Act as a limited Company proves to the Local Government that it is formed for the purpose of promoting commerce, art, science, charity, or any other useful object, and that it is the intention of such association to apply the profits, if any, or other income of the association, in promoting its objects, and to prohibit the payment of any dividend to its members, the Local Government may by license, under the hand of one of its secretaries, direct such association to be registered with limited liability, without the addition of the word limited to its name, and such association may be registered accordingly, and upon registration shall enjoy all the privileges and be subject to the obligations by this Act imposed on limited Companies with the exceptions that none of the provisions of this Act that require a limited Company to use the word 'limited' as any part of its name, or to publish its name, or to send a list of its members, directors, or managers to the Registrar, shall apply to an association so registered.

Special provisions as to associations formed for purposes not of gain.

The license by the Local Government may be granted upon such conditions and subject to such

regulations as the Local Government think fit to impose, and such conditions and regulations shall be binding on the association, and may at the option of the Local Government be inserted in the memorandum and articles of association, or in both or one of such documents.

Calls upon shares.

30 & 31 Vic., c. 131, s. 24.

27. Nothing herein contained shall be deemed to prevent any Company under this Act, if authorized by its regulations as originally framed or as altered by special resolution, from doing any one or more of the following things, namely:—

Company may have some shares fully paid, and others not.

(*a*) Making arrangements on the issue of shares for a difference between the holders of such shares in the amount of calls to be paid, and in the time of payment of such calls:

(*b*) Accepting from any member of the Company who assents thereto the whole or a part of the amount remaining unpaid on any share or shares held by him, either in discharge of the amount of a call payable in respect of any other share or shares held by him or without any call having been made:

(*c*) Paying dividend in proportion to the amount paid up on each share in cases where a larger amount is paid up on some shares than on others.

Ibid., s. 25. 26 L. J. (N.L.), 179.

28. Every share in any Company shall be deemed and taken to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless the same has been otherwise determined by a contract duly made in writing, and filed with the Registrar of Joint Stock Companies at or before the issue of such shares.

Manner in which shares are to be issued and held.

Transfer of Shares.

31 Vic., c. 26.

29. A Company shall, on the application of the transferor of any share or interest in the Company, enter in its register of members the name of the transferee of such share or interest in the same manner and subject to the same conditions as if the application for such entry were made by the transferee.

Transfer may be registered at request of transferor.

Share-warrants to Bearer.

Ibid., s. 27.

30. In the case of a Company limited by shares, the Company, if authorized so to do by its regulations as originally framed or as altered by special resolution, and subject to the provisions of such regulations, may, with respect to any share which is fully paid up, or with respect to stock, issue under their common seal a warrant (hereinafter referred to as a share-warrant) stating that the bearer thereof is entitled to the shares or stock therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on such shares or stock.

Warrant of limited shares fully paid up may be issued in name of bearer.

Coupons.

Ibid., s. 28.

31. A share-warrant shall entitle the bearer thereof to the shares or stock specified therein; and such shares or stock may be transferred by the delivery of the share-warrant.

Effect of share-warrant.

30 & 31 Vic., c. 131, s. 29.

32. The bearer of a share-warrant shall, subject to the regulations of the Company, be entitled, on surrendering such warrant for cancellation, to have his name entered as a member in the register of members; and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its register of members the name of any bearer of a share-warrant in respect of the shares or stock specified therein without the share-warrant being surrendered and cancelled.

Re-registration of bearer of a share-warrant in the register.

Ibid., s. 30.

33. The bearer of a share-warrant may, if the regulations of the Company so provide, be deemed to be a member of the Company within the meaning of this Act, either to the full extent or for such purposes as may be prescribed by the regulations:

Regulations of the Company may make the bearer of a share-warrant a member.

Provided that the bearer of a share-warrant shall not be qualified in respect of the shares or stock specified in such warrant for being a director or manager of the Company in cases where such a qualification is prescribed by the regulations of the Company.

Ibid., s. 31.

34. On the issue of a share-warrant in respect of any share or stock the Company shall strike out of its register of members the name of the member then entered therein as holding such share or stock as if he had ceased to be a member, and shall enter in the register the following particulars:—

Entries in register where share-warrant is issued.

(*a*) The fact of the issue of the warrant:

(*b*) A statement of the shares or stock included in the warrant, distinguishing each share by its number:

(*c*) The date of the issue of the warrant.

Ibid., s. 32.

35. There shall be charged on every share-warrant a stamp duty of an amount equal to three times the amount of the *ad valorem* stamp duty which would be chargeable on an instrument transferring the shares or stock specified in the warrant if the consideration for the transfer were the nominal value of such shares or stock.

Stamps on share-warrants.

If a share-warrant is issued without being duly stamped, the Company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary, or other principal officer of the Company, shall forfeit the sum of five hundred rupees.

English Stamp Act, 1870, s. 127.

Penalty for issuing share-warrant not duly stamped.

Change of name.

Act X of 1866, s. 18.

36. Any Company under this Act, with the sanction of a special resolution of the Company passed in manner hereinafter mentioned, and with the approval of the Local Government testified in writing under the hand of one of the Secretaries to such Government, may change its name; and upon such change being made, the Registrar shall enter the new name on the register in the place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case; but no such alteration of name shall affect any rights or obligations of the Company, or render defective any legal proceedings instituted or to be instituted by

Power of Companies to change name.

or against the Company; and any legal proceedings may be continued or commenced against the Company by its new name that might have been continued or commenced against the Company by its former name.

Shackleford, &c., Co. v. Dangerfield, L. R. 3 C. P. 407.

Explanation.—The issue of the certificate of incorporation is necessary to complete the change of name.

Articles of Association.

Act X of 1866, s. 14.

37. The memorandum of association may, in the case of a Company limited by shares, and shall, in the case of a Company limited by guarantee or unlimited, be accompanied, when registered, by articles of association signed by the subscribers to the memorandum of association, and prescribing such regulations for the Company as the subscribers to the memorandum of association deem expedient.

Regulations to be prescribed by articles of association.

The articles shall be expressed in separate paragraphs, numbered arithmetically. They may adopt all or any of the provisions contained in the table marked A in the first schedule hereto. They shall, in the case of a Company, whether limited by guarantee or unlimited, that has a capital divided into shares, state the amount of capital with which the Company proposes to be registered and in the case of a Company, whether limited by guarantee or unlimited, that has not a captial divided into shares, state the number of members with which the Company proposes to be registered, for the purpose of enabling the Registrar to determine the fees payable on registration.

In a Company limited by guarantee or unlimited, and having a capital divided into shares, each subscriber shall take one share at the least, and shall write opposite to his name in the memorandum of association the number of shares he takes.

Ibid., s. 15.

38. In the case of a Company limited by shares, if the memorandum of association is not accompanied by articles of association, or, in so far as the articles do not exclude or modify the regulations contained in the table marked A in the first schedule hereto, the last mentioned regulations shall, so far as the same are applicable, be deemed to be the regulations of the Company in the same manner and to the same extent as if they had been inserted in articles of association, and the articles had been duly registered.

Application of Table A.

Ibid., s. 16.

39. The articles of association shall be printed, and shall be signed by each subscriber in the presence of, and be attested by, one witness at the least.

Signature and effect of articles of association.

When registered, they shall bind the Company and the members thereof to the same extent as if each member had subscribed his name thereto, and there were in such articles contained a covenant on the part of himself, his heirs, executors and administrators, to conform to all the regulations contained in such articles, subject to the provisions of this Act.

All monies payable by any member to the Company, in pursuance of the conditions and regulations of the Company, or any of such conditions or regulations, shall be deemed to be a debt due from such member to the Company.

General Provisions.

Act of 1866, s. 17.

40. The memorandum of association and the articles of association, if any, shall be delivered to the Registrar of Joint Stock Companies hereinafter mentioned, who shall retain and register the same. *It is not his duty to require evidence as to whether the several subscribers to a memorandum of association so delivered are competent to contract.*

Registration of memorandum of association and articles of association with fees as in Table B.

Nassau Phosphate Co. 45 L. J. Ch. 584.

There shall be paid to the Registrar by a Company having a capital divided into shares, in respect of the several matters mentioned in the table marked B in the first schedule hereto, the several fees therein specified, or such smaller fees as the Governor General in Council may from time to time direct, and by a Company not having a capital divided into shares, in respect of the several matters mentioned in the table marked C in the first schedule hereto, the several fees therein specified, or such smaller fees as the Governor General in Council may from time to time direct.

All fees paid to the said Registrar in pursuance of this Act shall be accounted for to Government.

Act X of 1866, s. 18.

41. Upon the registration of the memorandum of association and of the articles of association in cases where articles of association are required by this Act, or by the desire of the parties to be registered, the Registrar shall certify under his hand that the Company is incorporated, and in the case of a Limited Company that the Company is limited; the subscribers of the memorandum of association, together with such other persons as may from time to time become members of the Company, shall thereupon be a Body Corporate by the name contained in the memorandum of association, capable forthwith of exercising all the functions of an incorporated Company, and having perpetual succession and a common seal, but with such liability on the part of the members to contribute to the assets of the Company, in the event of the same being wound up, as is hereinafter mentioned.

Effect of registration.

Minor subscribing memo. *Nassau Phosphate Co.*, 45 *L. J. Ch.* 584.

A certificate of the incorporation of any Company given by the Registrar shall be conclusive evidence that all the requisitions of this Act in respect of registration have been complied with.

Act X of 1866, s. 19.

42. A copy of the memorandum of association having annexed thereto the articles of association, if any, shall be forwarded to every member, at his request, on payment of the sum of one rupee, or such less sum as may be prescribed by the Company for each copy; and if any Company makes default in forwarding a copy of the memorandum of association and articles of association, if any, to a member in pursuance of this section, the Company so making default shall for each offence incur a penalty not exceeding twenty rupees.

Copies of memorandum and articles to be given to members.

Ibid., s. 20.

43. No Company shall be registered under a name identical with that by which a subsisting Company is already registered, or so nearly resembling the same as to be calculated to deceive, except in a case where such subsisting Company is in the course of being

Prohibition against identity of names in Companies.

dissolved and testifies its consent in such manner as the Registrar requires.

If any Company, through inadvertence or otherwise, is, without such consent as aforesaid, registered by a name identical with that by which a subsisting Company is registered, or so nearly resembling the same as to be calculated to deceive, such first-mentioned Company may, with the sanction of the Registrar, change its name, and upon such change being made, the Registrar shall enter the new name on the register in the place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case; but no such alteration of name shall affect any rights or obligations of the Company, or render defective any legal proceedings instituted or to be instituted by or against the Company, and any legal proceedings may be continued or commenced against the Company by its new name that might have been continued or commenced against the Company by its former name.

PART II.

DISTRIBUTION OF CAPITAL AND LIABILITY OF MEMBERS OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Distribution of Capital.

Act X of 1866, s. 21.

44. The shares or other interest of any member in a Company under this Act shall be moveable property capable of being transferred in manner provided by the regulations of the Company, and shall not be of the nature of real estate or immoveable property; and each share shall, in the case of a Company having a capital divided into shares, be distinguished by its appropriate number.

Nature of interest in Company.

Ibid., s. 22.

45. The subscribers of the memorandum of association of any Company under this Act shall be deemed to have agreed to become members of the Company whose memorandum they have subscribed, and upon the registration of the Company shall be entered as members on the register of members hereinafter mentioned; and every other person who has agreed *with a Company under this Act* to become a member of *such* Company, and whose name is entered on the register of members, shall be deemed to be a member of the Company.

Definition of "member."

Gujarat Spinning, &c. Co. v. Girdhardi, Bombay High Court, 15th March, 1880, not yet reported

Act X of 1866, s. 39.

46. Any transfer of the share or other interest of a deceased member of a Company under this Act, made by his personal representative shall, notwithstanding such personal representative may not himself be a member, be of the same validity as if he had been a member at the time of the execution of the instrument of transfer.

Transfer by personal representative.

Ibid., s. 24. Companies Act 1862, s. [illegible]

47. Every Company under this Act shall cause to be kept in one or more books a register of its members, and there shall be entered therein the following particulars:—

Register of members.

(*a*) The names and addresses, and the occupations, if any, of the members of the Company, with the addition, in the case of a Company having a capital divided into shares, of a statement of the shares held by each member, distinguishing each share by its number; and of the amount paid or agreed to be considered as paid on the shares of each member.

(*b*) The date at which the name of any person was entered in the register as a member:

(*c*) The date at which any person ceased to be a member.

30 & 31 Vic., c. 131, s. 31, para. 2.

Where a share-warrant has been issued under section thirty, until the warrant is surrendered, the particulars mentioned in section thirty-four shall be deemed to be the particulars which are required by this section to be entered in the register of members of a Company; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a member.

Any Company acting in contravention of this section shall incur a penalty not exceeding fifty rupees for every day during which its default in complying with the provisions of this section continues, and every director or manager of the Company who knowingly and wilfully authorizes or permits such contravention shall incur the like penalty.

Act X of 1866, s. 25.

48. Every Company under this Act and having a capital divided into shares shall make, once at least in every year, a list of all persons who, on the fourteenth day succeeding the day on which the ordinary general meeting, or if there is more than one ordinary meeting in each year the first of such ordinary general meetings is held, are members of the Company. Such list shall state the names, addresses and occupations of all the members therein mentioned, and the number of shares held by each of them, and shall contain a summary specifying the following particulars:—

Annual list of members.

(*a*) The amount of the capital of the Company and the number of shares into which it is divided:

(*b*) The number of shares taken from the commencement of the Company up to the date of the summary:

(*c*) The amount of calls made on each share:

(*d*) The total amount of calls received:

(*e*) The total amount of calls unpaid:

(*f*) The total amount of shares forfeited:

(*g*) The names, addresses and occupations of the persons who have ceased to be members since the last list was made, and the number of shares held by each of them.

The above list and summary shall be contained in a separate part of the register, and shall be completed within seven days after such fourteenth day as is mentioned in this section; and a copy shall forthwith be forwarded to the Registrar of Joint Stock Companies.

30 & 31 Vic., c. 131, s. 32.

49. After the issue by the Company of a share-warrant the annual summary required by section forty-eight shall contain the following particulars, (namely) the total amount of shares or stock for which share-warrants are outstanding at the date of the summary, and the total amount of share-warrants which have been issued and surrendered respectively since the last summary was made, and the number of shares or amount of stock comprised in each warrant.

Particulars to be contained in annual summary.

Act X of 1866, s. 26.

50. If any Company under this Act and having a capital divided into shares makes default in complying with the provisions of this Act with respect to forwarding

Penalty on Company, &c., not keeping a proper register.

such list of members or summary as is hereinbefore mentioned to the Registrar, such Company shall incur a penalty not exceeding fifty rupees for every day during which such default continues; and every director and manager of the Company who knowingly and wilfully authorizes or permits such default shall incur the like penalty.

Act X of 1866, s. 27.

51. Every Company under this Act having a capital divided into shares that has consolidated and divided its capital into shares of larger amount than its existing shares, or converted any portion of its capital into stock, shall within fifteen days of such consolidation, division or conversion, give notice to the Registrar of Joint Stock Companies of the same, specifying the shares so consolidated, divided or converted.

Company to give notice of consolidation or of conversion of capital into stock.

Ibid., s. 28.

52. Where any Company under this Act and having a capital divided into shares has converted any portion of its capital into stock, and given notice of such conversion to the Registrar, all the provisions of this Act which are applicable to shares only shall cease as to so much of the capital as is converted into stock; and the register of members hereby required to be kept by the Company, and the list of members to be forwarded to the Registrar shall show the amount of stock held by each member in the list instead of the amount of shares and the particulars relating to shares hereinbefore required.

Effect of conversion of shares into stock.

Ibid., s. 29.

53. No notice of any trust, express, implied or constructive, shall be entered on the register or be receivable by the Registrar in the case of Companies under this Act and registered in British India.

Entry of trusts on register.

Ibid., s. 30.

54. A certificate under the common seal of the Company, specifying any shares or stock held by any member of a Company, shall be *primâ facie* evidence of the title of the member to the share or shares or stock therein specified.

Certificate of shares or stock.

Ibid., s. 31.

55. The register of members, commencing from the date of the registration of the Company, shall be kept at the registered office of the Company hereinafter mentioned. Except when closed as hereinafter mentioned, it shall, during business hours, but subject to such reasonable restrictions as the Company in general meeting may impose, so that not less than two hours in each day be appointed for inspection, be open to the inspection of any member gratis, and to the inspection of any other person on the payment of one rupee or such less sum as the Company may prescribe for each inspection.

Inspection of register.

Every such member or other person may require a copy of such register, or of any part thereof, or of such list or summary of members as is hereinbefore mentioned, on payment of two annas for every hundred words required to be copied.

If such inspection or copy is refused, the Company shall incur for each refusal a penalty not exceeding fifty rupees, and a further penalty not exceeding twenty rupees for every day during which such refusal continues.

Every director and manager of the Company who knowingly authorizes or permits such refusal shall incur the like penalty.

In addition to the above penalty any Judge of a High Court may by order compel an immediate inspection of the register.

Act X of 1866, s. 32.

56. Any Company under this Act may, upon giving notice by advertisement in some newspaper circulating in the district in which the registered office of the Company is situated, close the register of members for any time or times not exceeding in the whole thirty days in each year.

Power to close register.

Ibid., s. 33.

57. Where a Company has a capital divided into shares, whether such shares may or may not have been converted into stock, notice of any increase in such capital beyond the registered capital, and where a Company has not a capital divided into shares, notice of any increase in the number of members beyond the registered number, shall be given to the Registrar, in the case of an increase of capital within fifteen days from the date of the passing of the resolution by which such increase has been authorized, and in the case of an increase of members within fifteen days from the time at which such increase of members has been resolved on or has taken place; and the Registrar shall forthwith record the amount of such increase of capital or members.

Notice of increase of capital and of members to be given to Registrar.

If such notice is not given within the period aforesaid, the Company in default shall incur a penalty not exceeding one hundred rupees for every day during which such neglect to give notice continues; and every director and manager of the Company who knowingly and wilfully authorizes or permits such default shall incur the like penalty.

Ibid., s. 34 *Exp. Kintrea*, 5 *Ch.* 95.

58. If the name of any person is *fraudulently or* without sufficient cause entered in, or omitted from, the register of members of any Company under this Act, or if default is made, or unnecessary delay takes place in entering on the register the fact of any person having ceased to be a member of the Company, the person or member aggrieved or any member of the Company, or the Company itself, may, by application to the principal Court of original civil jurisdiction in the district or place in which the registered office of the Company is situate, apply for an order of the Court that the register may be rectified; and the Court may either refuse such application, with or without costs to be paid by the applicant, or it may, if satisfied of the justice of the case, make an order for the rectification of the register, and may direct the Company to pay all the costs of such application, and any damages the party aggrieved may have sustained.

Remedy for improper entry or omission of entry in register.

The Court may in any proceeding under this section decide on any question relating to the title of any person who is a party to such proceeding to have his name entered in, or omitted from, the register, whether such question arises between two or more members or alleged members, or between any members or alleged members and the Company, *and whether there has or has not been default on the part of the Company;* and generally the Court may, in any such proceeding, decide any question that it may be necessary or expedient to decide for the rectification of the register; provided that the Court may direct an issue to be tried in which any question of law may be raised and an appeal in the manner directed by the Code of Civil Procedure shall lie.

In re Shaw, 4 *L. J. Q. B.* 394.

Act X of 1866, s. 35.

59. Whenever any order has been made for rectifying the register in the case of a Company hereby required to send a list of its members to the Registrar, the Court shall, by its order, direct that due notice of such rectification be given to the Registrar.

Notice to registrar of rectification of register.

Ibid., s. 36.

60. The register of members shall be *primâ facie* evidence of any matters by this Act directed or authorized to be inserted therein.

Register to be evidence.

Liability of Members.

Ibid., s. 37.

61. In the event of a Company formed under this Act being wound up, every present and past member of such Company shall be liable to contribute to the assets of the Company to an amount sufficient for payment of the debts and liabilities of the Company, and the costs, charges and expenses of the winding-up, and for the payment of such sums as may be required for the adjustment of the rights of the contributories amongst themselves, with the qualifications following, (that is to say):—

Liability of present and past members of Company.

(*a*) No past member shall be liable to contribute to the assets of the Company if he has ceased to be a member for a period of one year or upwards prior to the commencement of the winding-up:

(*b*) No past members shall be liable to contribute in respect of any debt or liability of the Company contracted after the time at which he ceased to be a member:

(*c*) No past member shall be liable to contribute to the assets of the Company, unless it appears to the Court that the existing members are unable to satisfy the contributions required to be made by them in pursuance of this Act:

(*d*) In the case of a Company limited by shares no contribution shall be required from any member exceeding the amount, if any, unpaid on the shares in respect of which he is liable as a present or past member:

(*e*) In the case of a Company limited by guarantee, no contribution shall be required from any member exceeding the amount of the undertaking entered into on his behalf by the memorandum of association:

(*f*) Nothing in this Act contained shall invalidate any provision contained in any policy of insurance or other contract, whereby the liability of individual members upon any such policy or contract is restricted, or whereby the funds of the Company are alone made liable in respect of such policy or contract:

(*g*) No sum due to any member of a Company in his character of a member by way of dividends, profits or otherwise shall be deemed to be a debt of the Company payable to such member in a case of competition between himself and any other creditor not being a member of the Company; but any such sum may be taken into account for the purposes of the final adjustment of the rights of the contributories amongst themselves.

Wms. Wms. L.R. 5 H. 711.

Explanation I.—The liability of past members is a liability to contribute to the general assets of the Company, against which assets creditors (at whatever time their debts may have been contracted) have equal rights.

Explanation II.—In estimating the debts to which a past member is liable, all dividends paid on these debts under the winding-up must be deducted.

Rrett's case, 8 *Ch.* 800.

62. With respect to the contributions to be required in the event of the winding-up of a limited Company from any director or manager whose liability is unlimited the following modifications shall be made in the last preceding section:—

Liability of director whose liability is unlimited.

(*a*) Subject to the provisions hereinafter contained, any such director or manager, whether past or present, shall, in addition to his liability (if any) to contribute as an ordinary member, be liable to contribute as if he were at the date of the commencement of such winding up a member of an unlimited Company: 30 & 31 Vic., c. 131, s. 5.

(*b*) No contribution required from any past director or manager who has ceased to hold such office for a period of one year or upwards prior to the commencement of the winding-up shall exceed the amount (if any) which he is liable to contribute as an ordinary member of the Company:

(*c*) No contribution required from any past director or manager in respect of any debt on liability of the Company contracted after the time at which he ceased to hold such office shall exceed the amount (if any) which he is liable to contribute as an ordinary member of the Company:

(*d*) Subject to the provisions contained in the regulations of the Company, no contribution required from any director or manager shall exceed the amount (if any) which he is liable to contribute as an ordinary member unless the Court think it necessary to require such contribution in order to satisfy the debts and liabilities of the Company, or the costs, charges and expenses of the winding-up.

PART III.

MANAGEMENT AND ADMINISTRATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Provisions for Protection of Creditors.

Act X of 1866, s. 38.

63. Every Company under this Act shall have a registered office to which all communications and notices may be addressed. If any Company under this Act carries on business without having such an office, it shall incur a penalty not exceeding fifty rupees for every day during which business is so carried on.

Registered office of Company.

Ibid., s. 39.

64. Notice of the situation of such registered office and of any change therein shall be given to the Registrar and recorded by him. Until such notice is given, the Company shall not be deemed to have complied with the provisions of this Act with respect to having a registered office.

Notice of situation of registered office.

Ibid., s. 40.

65. Every limited Company under this Act whether limited by shares or by guarantee, shall paint or affix, and shall keep painted or affixed, its name on the outside of every office or place in which the business of the Company is carried on, in a conspicuous position, in letters easily legible, in the English language, and also, if the registered office be situate in a district beyond the local limits of the ordinary original civil jurisdiction of a High Court, in one of the vernacular languages used

Publication of name by a limited Company.

in such district and shall have its name engraven in legible characters in such language or languages on its seal, and shall have its name mentioned in legible characters in such language or languages in all notices, advertisements and other official publications of such Company, and in all bills of exchange, hundís, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of such Company, and in all bills of parcels, invoices receipts and letters of credit of the Company.

Act X of 1866, s. 41.

66. If any limited Company under this Act does not paint or affix and keep painted or affixed its name, in manner directed by this Act, it shall be liable to a penalty not exceeding fifty rupees for not so painting or affixing its name, and for every day during which such name is not so kept painted or affixed.

Penalties on non-publication of name.

Every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall be liable to the like penalty.

If any director, manager or officer of such Company, or any person on its behalf, uses or authorizes the use of any seal purporting to be a seal of the Company whereon its name is not so engraven as aforesaid, or issues or authorizes the issue of any notice, advertisement or other official publication of such Company, or signs or authorizes to be signed on behalf of such Company any bill of exchange, hundí, promissory note, endorsement, cheque, order for money or goods, or issues or authorizes to be issued any bill of parcels, invoice, receipt or letter of credit of the Company wherein its name is not mentioned in manner aforesaid, he shall be liable to a penalty of one thousand rupees, and shall further be personally liable to the holder of any such bill of exchange, hundí, promissory note, cheque or order for money or goods, for the amount thereof, unless the same is duly paid by the Company.

Contracts.

Ibid., s. 42. English Companies Act, 1867, s. 37.

67. Contracts on behalf of any Company registered under this Act may be made as follows (that is to say):—

Contracts how made.

(*a*) Any contract, which, if made between private persons would be by law required to be in writing, and if made according to English law to be under seal, may be made on behalf of the Company in writing under the common seal of the Company; and such contract may be in the same manner varied or discharged;

(*b*) Any contract, which, if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith may be made on behalf of the Company in writing signed by any person acting under the express or implied authority of the Company; and such contract may in the same manner be varied or discharged:

(*c*) Any contract, which, if made between private persons would by law be valid, although made by parol only and not reduced into writing, may be made by parol on behalf of the Company by any person acting under the express or implied authority of the Company; and such contract may in the same way be varied or discharged. And all contracts made according to the provisions herein contained shall be effectual in law, and shall be binding upon the Company and their successors, and all other parties thereto, their heirs, executors or administrators, as the case may be.

Act X of 1866, s. 49.

68. Every limited Company under this Act shall keep a register of all mortgages and charges specifically affecting property of the Company, and shall enter in such register, in respect of each mortgage or charge, a short description of the property mortgaged or charged, the amount of charge created, and the names of the mortgagees or persons entitled to such charge.

Register of mortgages.

If any property of the Company is mortgaged or charged without such entry as aforesaid being made, every director, manager or other officer of the Company who knowingly and wilfully authorizes or permits the omission of such entry shall incur a penalty not exceeding five hundred rupees.

The register of mortgages required by this section shall be open to inspection by any creditor or member of the Company at all reasonable times. If such inspection is refused, any officer of the Company refusing the same and every director and manager of the Company authorizing or knowingly and wilfully permitting such refusal shall incur a penalty not exceeding fifty rupees, and a further penalty not exceeding twenty rupees for every day during which such refusal continues.

The High Court or any judge thereof may by order compel the performance of the duty imposed by this section on a limited Company, and in addition to the above penalty may by order compel an immediate inspection of the register.

South Durham Iron Company, 48 L. J., Ch. 480, where it was doubted whether the duty could be enforced by mandamus. Wynn Hall Coal Co., 10 Eq. 516. Ex p. Phipps, 7 Ch. 289.

Explanation.—Omission to register under this section a mortgage or charge does not render the same invalid. But the officers of the Company cannot avail themselves as such of a mortgage or charge specifically affecting property of the Company and not so registered.

Act X of 1866, s. 44.

69. Every limited banking Company, and every Insurance Company, and Deposit, Provident or Benefit Society under this Act, shall, before it commences business, and also on the first Monday in February and the first Monday in August in every year during which it carries on business, make a statement in the form marked D in the first schedule hereto, or as near thereto as circumstances will admit and a copy of such statement shall be put up in a conspicuous place in the registered office of the Company and in every branch office or place where the business of the Company is carried on.

Certain Companies to publish statement entered in schedule.

If default is made in compliance with the provisions of this section, the Company shall be liable to a penalty not exceeding fifty rupees for every day during which such default continues; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Every member and every creditor of any Company mentioned in this section shall be entitled to a copy of the above-mentioned statement on payment of a sum not exceeding eight annas.

Ibid., s. 45.

70. Every Company under this Act and not having a capital divided into shares shall keep at its registered office a register containing the names and addresses and the occupations of its directors or managers, and shall send to the Registrar of Joint Stock Companies a copy of such register, and

List of directors to be sent to Registrar.

shall from time to time notify to the Registrar any change that takes place in such directors or managers.

Act X of 1866, s. 46.

71. If any Company under this Act and not having a capital divided into shares makes default in keeping a register of its directors or managers, or in sending a copy of such register to the Registrar in compliance with the foregoing rules, or in notifying to the Registrar any change that takes place in such directors or managers, such delinquent Company shall incur a penalty not exceeding one hundred rupees for every day during which such default continues; and every director or manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Penalty on Company not keeping register of directors.

Ibid., s. 47.

72. A promissory note, bill of exchange or hundí shall be deemed to have been made, accepted or endorsed on behalf of any Company under this Act, if made, accepted or endorsed in the name of the Company by any person acting under the authority of the Company, or if made, accepted or endorsed by or on behalf or on account of the Company, by any person acting under the authority of the Company.

Promissory notes, bills of exchange and hundís.

Ibid., s. 48.

73. If any Company under this Act carries on business when the number of its members is less than seven, for a period of six months after the number has been so reduced, every person who is a member of such Company during the time that it so carries on business after such period of six months, and is cognizant of the fact that it is so carrying on business with fewer than seven members, shall be severally liable for the payment of the whole debt of the Company contracted during such time, and may be sued for the same without the joinder in the suit of any other member.

Prohibition against carrying on business with less than seven members.

Provisions for Protection of Members.

Ibid., s. 49.

74. A general meeting of every Company under this Act shall be held once at the least in every year. A balance-sheet shall be made out and filed with the Registrar of Joint Stock Companies, within twelve months after the Company has been registered, and once at least in every year afterwards within twelve months from the filing of the balance-sheet immediately preceding; and such balance-sheet shall contain a summary of the property and liabilities of the Company arranged under the heads appearing in the form annexed to Table A in the first schedule hereto, or as near thereto as circumstances admit *and shall have been laid before and adopted by the Company in general meeting.*

General meeting of Company. Balance-sheet.

Audit.

And once at the least in every year the accounts of the Company shall be examined and the correctness of the balance-sheet ascertained by one or more auditor or auditors.

If default is made in compliance with any of the provisions of this section, every director and manager of the Company who shall knowingly and wilfully authorize or permit such default, shall be liable to a penalty of one thousand rupees.

Meetings.

30 & 31 Vic., c. 131, s. 39.

75. Every Company formed under this Act after the commencement of this Act shall hold a general meeting within four months after its memorandum of association is registered; and if such meeting is not held, the Company shall be liable to a penalty not exceeding fifty rupees a day for every day after the expiration of such four months, until the meeting is held; and every director or manager of the Company and every subscriber of the memorandum of association who knowingly authorizes or permits such default shall be liable to the same penalty.

Company to hold meeting within four months after registration.

Act X of 1866, s. 50.

76. Subject to the provisions of this Act, and to the conditions contained in the memorandum of association, any Company formed under this Act or the Indian Companies Act, 1866, may, in general meeting, from time to time, by passing a special resolution in manner hereinafter mentioned, alter all or any of the regulations of the Company contained in the articles of association, or in the table marked A in the first schedule, where such table is applicable to the Company, or make new regulations to the exclusion of or in addition to all or any of the regulations of the Company.

Power to alter regulations by special resolution.

Any regulations so made by special resolution shall be deemed to be regulations of the Company of the same validity as if they had been originally contained in the articles of association, and shall be subject in like manner to be altered or modified by any subsequent special resolution.

30 & 31 Vic., c. 131, s. 8.

Any limited Company formed under this Act or the Indian Companies Act, 1866, may by a special resolution, if authorized to do so by its regulations, as originally framed or as altered by special resolution, from time to time modify the conditions contained in its memorandum of association so far as to render unlimited the liability of its directors or managers, or of the managing director. Such special resolution shall be of the same validity as if it had been originally contained in the memorandum of association, and a copy thereof shall be embodied in or annexed to every copy of the memorandum of association which is issued after the passing of the resolution.

Power to make liability of directors unlimited.

Act X of 1866, s. 51.

77. A resolution passed by a Company under this Act shall be deemed to be special, whenever a resolution has been passed by a majority of not less than three-fourths of such members of the Company for the time being entitled, according to the regulations of the Company, to vote, as may be present in person or by proxy (in cases where by the regulations of the Company proxies are allowed), at any general meeting of which notice specifying the intention to propose such resolution has been duly given and such resolution has been confirmed by a majority of such members for the time being entitled, according to the regulations of the Company, to vote, as may be present in person or by proxy at a subsequent general meeting of which notice has been duly given and held at an interval of not less than fourteen days, nor more than one month from the date of the meeting at which such resolution was first passed.

Definition of special resolution.

At any meeting mentioned in this section, unless a poll is demanded by at least five members, a declaration of the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against the same.

Notice of any meeting shall, for the purposes of this section, be deemed to be duly given, and the meeting to be duly held whenever such notice is given and meeting held in manner prescribed by the regulations of the Company.

In computing the majority under this section, when a poll is demanded, reference shall be had to the number of votes to which each member is entitled by the regulations of the Company.

Act X of 1866, s. 52.

78. Provision where no regulations as to meetings. In default of any regulations as to voting, every member shall have one vote, and in default of any regulations as to summoning general meetings, a meeting shall be held to be duly summoned of which seven days' notice in writing has been served on every member in manner in which notices are required to be served by the table marked A in the first schedule hereto.

In default of any regulations as to the persons to summon meetings, five members shall be competent to summon the same; and in default of any regulations as to who is to be chairman of such meeting, it shall be competent for any person elected by the members present to preside.

Ibid., s. 53.

79. Registry of special resolutions. A copy of every special resolution that is passed by any Company under this Act shall be printed and forwarded to the Registrar of Joint Stock Companies, and be recorded by him.

If such copy is not so forwarded within fifteen days from the date of the confirmation of the resolution, the Company shall incur a penalty not exceeding twenty rupees for every day after the expiration of such fifteen days during which such copy is omitted to be forwarded; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Ibid., s. 54.

80. Copies of special resolutions. Where articles of association have been registered, a copy of every special resolution for the time being in force shall be annexed to or embodied in every copy of the articles of association that may be issued after the passing of such resolution. Where no articles of association have been registered, a copy of every special resolution shall be forwarded in print to any member requesting the same on payment of one rupee or such less sum as the Company may direct.

If any Company makes default in complying with the provisions of this section or section seventy-six, it shall incur a penalty not exceeding twenty rupees for each copy in respect of which such default is made; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Ibid., s. 55.

81. Execution of deeds abroad. Any Company under this Act may, by instrument in writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney, to execute deeds on its behalf in any place not situate in British India; and every deed signed by such attorney on behalf of the Company and under his seal, shall be binding on the Company and have the same effect as if it were under the common seal of the Company.

Act X of 1866, s. 56.

82. Examination of affairs of Company by Inspectors. The local Government may appoint one or more competent Inspectors to examine into the affairs of any Company under this Act, and to report thereon in such manner as the local Government may direct upon the applications following, (that is to say):—

(*a*) In the case of a Banking or any other Company that has a capital divided into shares, upon the application of members holding not less than one-fifth part of the whole shares of the Company for the time being issued:

(*b*) In the case of any Company not having a capital divided into shares, upon the application of members being in number not less than one-fifth of the whole number of persons for the time being entered on the register of the Company as members.

Ibid., s. 57.

83. Application for inspection to be supported by evidence. The application shall be supported by such evidence as the local Government may require for the purpose of showing that the applicants have good reason for requiring such investigation to be made, and that they are not actuated by malicious motives in instituting the same.

The local Government may also require the applicants to give security for payment of the costs of the inquiry before appointing any inspector or inspectors.

Ibid, s. 58.

84. Inspection of books. It shall be the duty of all officers and agents of the Company to produce for the examination of the inspectors all books and documents in their custody or power.

Any inspector may examine upon oath the officers and agents of the Company in relation to its business, and may administer such oath accordingly.

If any such officer or agent refuses to produce any book or document hereby directed to be produced, or to answer any question relating to the affairs of the Company, he shall incur a penalty not exceeding one hundred rupees in respect of each offence.

Ibid, s. 59.

85. Result of examination how dealt with. Upon the conclusion of the examination, the inspectors shall report their opinions to the local Government. Such report shall be written or printed as the local Government directs.

A copy shall be forwarded by the local Government to the registered office of the Company, and a further copy shall, at the request of the members upon whose application the inspection was made, be delivered to them or to any one or more of them.

All expenses of and incidental to any such examination as aforesaid shall be defrayed by the members upon whose application the inspectors were appointed, unless the local Government shall direct the same to be paid out of the assets of the Company, which the local Government is hereby authorized to do.

86. Power of Company to appoint inspectors. Any Company under this Act may, by special resolution, appoint inspectors for the purpose of examining into the affairs of the Company.

The inspectors so appointed shall have the same powers and perform the same duties as inspectors appointed by the local Government, with this exception, that, instead of making their report to the local Government, they shall make the same in such manner and to such persons as the Company in general meeting directs.

The officers and agents of the Company shall incur the same penalties in case of any refusal to produce any book or document hereby required to be produced to such inspectors or to answer any question, as they would have incurred if such inspectors had been appointed by the local Government.

Act X of 1866, s. 61.

87. Report of inspectors to be evidence. A copy of the report of any inspectors appointed under this Act, authenticated by the seal of the Company into whose affairs they have made inspection, shall be admissible in any legal proceeding as evidence of the opinion of the Inspectors in relation to any matter contained in such report.

30 & 31 Vic, c. 131, s. 38.

88. Prospectus, &c., to specify dates and names of parties to certain prior contracts. Every prospectus of a Company, and every notice inviting persons to subscribe for shares in any joint stock Company, shall specify the dates and the names of the parties to any agreement enforceable by law, which has been entered into by the Company, or the promoters, directors or trustees thereof, before the issue of such prospectus or notice (whether subject to adoption by the directors or the Company, or otherwise), and which might reasonably influence a person in determining whether he would or would not become a shareholder in the Company; and any prospectus or notice not specifying the same shall be deemed fraudulent on the part of the promoters, directors and officers of the Company knowingly issuing the same, as regards any person taking shares in the Company on the faith of such prospectus, unless he has had notice of such contract.

Sullivan v. Metcalfe, 4 L. J. C. P. 235.

Notices.

Act X of 1866, s. 62.

89. Service of notices on Company. Any summons, notice, order or other document required to be served upon the Company, may be served by leaving the same, or sending it through the post by a registered letter addressed to the Company at their registered office; and any notice to the Registrar of Joint Stock Companies may be served by sending it to him through the post by a registered letter, or by delivering it to him, or by leaving it for him at his office.

90. Rules as to notices by letter. Every document to be served by post on the Company shall be posted in such time as to admit of its being delivered in the due course of delivery within the period (if any) prescribed for the service thereof; and in proving service of such document, it shall be sufficient to prove that such document was properly directed, and that it was put as a registered letter into the post office.

91. Authentication of notices by Company. Any summons, notice, order or proceeding requiring authentication by the Company may be signed by any director, secretary or other authorized officer of the Company, and need not be under the common seal of the Company; and the same may be in writing or in print, or partly in writing and partly in print.

Legal Proceedings.

Act X of 1866, s. 65.

92. Evidence of proceedings at meetings. Every Company under this Act shall cause minutes of all resolutions and proceedings of general meetings of the Company, and of the directors or managers of the Company, in cases where there are directors or managers, to be duly entered in books to be from time to time provided for the purpose; and any such minute as aforesaid, if purporting to be signed by the chairman of the meeting at which such resolutions were passed or proceedings had, or by the chairman of the next succeeding meeting, shall be received as evidence in all legal proceedings.

Until the contrary is proved, every general meeting of the Company or meeting of directors or managers in respect of the proceedings of which minutes have been so made shall be deemed to have been duly held and convened, and all resolutions passed thereat or proceedings had, to have been duly passed and had, and all appointments of directors, managers or liquidators shall be deemed to be valid, and all acts done by such directors, managers or liquidators shall be valid, notwithstanding any defect that may afterwards be discovered in their appointments or qualifications.

Explanation.—Nothing in this section shall be deemed to give validity to acts done by a liquidator after his appointment has been shown to be invalid.

Bridport Old Brewery Co. 2 *Ch.* 119.

Act X of 1866, s. 66.

93. Provision as to costs in suits brought by certain limited Companies. Where a limited Company is plaintiff in any suit, any judge having jurisdiction in the matter may, if it appears by any credible testimony that there is reason to believe that if the defendant be successful in his defence, the assets of the Company will be insufficient to pay his costs, require sufficient security to be given for such costs, and may stay all proceedings until such security is given.

Ibid., s. 67.

94. Plaint in suits against members. In any suit brought by the Company against any member to recover any call or other monies due from such member in his character of member, it shall be sufficient to allege that the defendant is a member of the Company and is indebted to the Company in respect of a call made or other monies due whereby a suit has accrued to the Company.

Alteration of Forms.

Ibid., s. 68.

95. Governor General in Council may alter forms in schedule. The forms set forth in the second schedule hereto, or forms as near thereto as circumstances admit, shall be used in all matters to which such forms refer.

The Governor General in Council may from time to time make such alterations in the tables and forms contained in the first schedule hereto, so that he does not increase the amount of fees payable to the Registrar in the said schedule mentioned, and in the forms in the second schedule, or make such additions to the last-mentioned forms, as he deems requisite.

Any such table or form, when altered, shall be published in the *Gazette of India*, and upon such publication being made, such table or form shall have the same force as if it were included in the schedule to this Act but no alteration made by the Governor General in Council in the table marked A contained in the first schedule shall affect any Company registered prior to the date of such

alteration, or repeal, as respects such Company, any portion of such table.

Arbitrations.

Act X of 1866, s. 69.

96. Any Company under this Act may from time to time, by writing under its common seal, agree to refer and may refer to arbitration any matter whatsoever in dispute between itself and any other Company or person; and the Companies, parties to the arbitration, may delegate to the person or persons to whom the reference is made, power to settle any terms or to determine any matter capable of being lawfully settled or determined by the Companies themselves, or by the directors or other managing body of such Companies.

Power for Companies to refer matters to arbitration.

Ibid., s. 70.

97. The Companies jointly, but not otherwise, from time to time, by writing under their respective common seals, may add to, alter or revoke any agreement for reference in accordance with this Act theretofore entered into between the Companies, or any of the terms, conditions or stipulations thereof.

Power to alter or revoke agreements for reference.

Ibid., s. 71.

98. Every reference or agreement in accordance with this Act, except so far as it is from time to time revoked or modified in accordance with this Act, shall bind the Companies, and may and shall be carried into full effect.

Agreements to be carried into effect.

Ibid., s. 72.

99. Where the Companies agree, the reference shall be made to a single arbitrator.

Reference to arbitrator.

Ibid., s. 73.

100. Except where the Companies agree that the reference shall be made to a single arbitrator, the reference shall be made as follows, to wit—

Reference to two or more arbitrators.

Where there are two Companies, the reference shall be made to two arbitrators:

Where there are three or more Companies, the reference shall be made to so many arbitrators as there are Companies.

Ibid., s. 74.

101. Where there are to be two or more arbitrators, every Company shall by writing under their common seal appoint one of the arbitrators, and shall give notice in writing thereof to the other Company or Companies.

Appointment of arbitrators by Companies.

Ibid., s. 75.

102. Where there are to be two or more arbitrators, if any of the Companies fail to appoint an arbitrator within fourteen days after being thereunto requested in writing by the other Company, or by the other Companies or any of them, then, on the application of the Companies or any of them, the local Government, instead of the Company so failing to appoint an arbitrator, may appoint an arbitrator. The arbitrator so appointed shall for the purposes of this Act be deemed to be appointed by the Company so failing.

Appointment of arbitrators by local Government.

Ibid., s. 76.

103. Where the reference is made to two or more arbitrators, if before the matters referred to them are determined any arbitrator dies, or becomes incapable or unfit, or for seven consecutive days fails to act as arbitrator, the Company by which he was appointed shall by writing under their common seal appoint an arbitrator in his place.

Appointment of arbitrators by Companies to supply vacancies.

Act X of 1866, s. 77.

104. Where the Company by which an arbitrator ought to be appointed in the place of the arbitrator so deceased, incapable, unfit or failing to act, fails to make the appointment within fourteen days after being thereunto requested in writing by the other Company, or by the other Companies or any of them, then, on the application of the Companies or any of them, the Local Government may appoint an arbitrator.

Appointment of arbitrators by local Government to supply vacancies.

The arbitrator so appointed shall for the purposes of this Act be deemed to be appointed by the Company so failing.

Ibid., s. 78.

105. When any appointment of an arbitrator is made, the Company making the appointment shall have no power to revoke the same without the previous consent in writing of the other Company or every other Company in writing under their common seal.

Appointment of arbitrator not revocable.

Ibid., s. 79.

106. Where two or more arbitrators are appointed, they shall, before entering on the business of the reference, appoint by writing under their hands an impartial and qualified person to be their umpire.

Appointment of umpire by arbitrators.

Ibid., s. 80.

107. If the arbitrators do not appoint an umpire within seven days after the reference is made to the arbitrators, then, on the application of the Companies or any of them, the local Government may appoint an umpire; and the umpire so appointed shall for the purposes of this Act be deemed to be appointed by the arbitrators.

Appointment of umpire by local Government.

Ibid., s. 81.

108. Where two or more arbitrators are appointed, if before the matters referred to them are determined their umpire dies, or becomes incapable or unfit, or for seven consecutive days fails to act as umpire, the arbitrators shall by writing under their hands appoint an impartial and qualified person to be their umpire in his place.

Appointment of umpire by arbitrators to supply vacancy.

Ibid., s. 82.

109. If the arbitrators fail to appoint an umpire within seven days after notice in writing to them of the decease, incapacity, unfitness or failure to act of their umpire, then, on the application of the Companies or any of them, the local Government may appoint an umpire.

Appointment of umpire by local Government to supply vacancy.

The umpire so appointed shall for the purposes of this Act be deemed to be appointed by the arbitrators so failing.

Ibid., s. 83.

110. Every arbitrator appointed in the place of a preceding arbitrator, and every umpire appointed in the place of a preceding umpire, shall respectively have the like powers and authorities as his respective predecessor.

Succeeding arbitrators and umpires to have powers of predecessors.

Ibid., s. 84.

111. Where there are two or more arbitrators, if they do not within such a time as the Companies agree on, or, failing such agreement, within thirty days next after the reference is made to the arbitrators, agree on their award thereon, then the matters referred to them, or such of those matters as are not then determined, shall stand referred to their umpire.

Reference to umpire.

Act X of 1866, s. 85.

112. The arbitrator, and the arbitrators, and the umpire respectively may call for the production of any documents or evidence in the possession or power of the Companies respectively, or which they respectively can produce, and which the arbitrator, or the arbitrators, or the umpire shall think necessary for determining the matters referred, and may examine the witnesses of the Companies respectively on oath, and may administer the requisite oath.

Power for arbitrators, &c., to call for books, &c., and administer oath.

Ibid., s. 86.

113. Except where and as the Companies otherwise agree, the arbitrator, and the arbitrators, and the umpire respectively may proceed in the business of the reference in such manner as he and they respectively shall think fit.

Procedure in the arbitration.

Ibid., s. 87.

114. The arbitrator, and the arbitrators, and the umpire respectively may proceed in the absence of all or any of the Companies in every case in which, after giving notice in that behalf to the Companies respectively, the arbitrator, or the arbitrators, or the umpire shall think fit so to proceed.

Arbitration may proceed in absence of Companies.

Ibid., s. 88.

115. The arbitrator, and the arbitrators, and the umpire respectively may, if he and they respectively think fit, make several awards, each on part of the matters referred, instead of one award on all the matters referred.

Several awards may be made.

The making of an award on part of the matters shall be within such time as shall be stated in the award, the same being such as shall have been specified, in the agreement for arbitration, or in the event of no time having been so specified, for any time which the arbitrator may be legally entitled to fix, be binding as to all the matters to which it extends, and as if the matters awarded on were all the matters referred, and that notwithstanding the other matters or any of them be not then or thereafter awarded on.

Ibid., s. 89.

116. The award of the arbitrator, or of the arbitrators, or of the umpire, if made in writing under his or their respective hand or hands and ready to be delivered to the Companies within such a time as the Companies agree on, or failing such agreement within thirty days next after the matters in difference are referred to (as the case may be) the arbitrator, or the arbitrators, or the umpire, shall be binding and conclusive on all the Companies.

Awards made in due time to bind all parties.

Ibid., s. 90.

117. Provided always that (except where and as the Companies otherwise agree) the umpire, from time to time by writing under his hand, may extend the period within which his award is to be made. If it be made and ready to be delivered within the extended time, it shall be as valid and effectual as if made within the prescribed period.

Power for umpire to extend period for making his award.

Ibid., s. 91.

118. No award made on any arbitration in accordance with this Act shall be set aside for any irregularity or informality.

Awards not to be set aside for informality.

Act X of 1866, s. 92.

119. Except only so far as the Companies bound by any award in accordance with this Act from time to time otherwise agree, all things by every award in accordance with this Act lawfully required to be done, omitted or suffered shall be done, omitted or suffered accordingly.

Awards to be obeyed.

Ibid., s. 93.

120. Full effect shall be given by the Courts accordingly to their respective jurisdictions, and by the Companies respectively, and otherwise, to all agreements, references, arbitrations and awards in accordance with this Act; and the performance or observance thereof may, where the Courts think fit, be compelled by any process against the Companies respectively or their respective property that the Courts or any Judge thereof shall direct, and where requisite frame, for the purpose.

Agreements, arbitrations and awards to have effect.

Ibid., s. 94.

121. Except where and as the Companies otherwise agree, the costs of and attending the arbitration and the award shall be in the discretion of the arbitrator, and the arbitrators, and the umpire respectively.

Costs of arbitration and award.

Ibid., s. 95.

122. Except where and as the Companies otherwise agree, and if and so far as the award does not otherwise determine, the costs of and attending the arbitration and the award shall be borne and paid by the Companies in equal shares, and in other respects the Companies shall bear their own respective costs.

Payment of costs.

Ibid., s. 96.

123. On the application of any party interested, the submission to any such arbitration may be filed in the High Court, and an order of reference may be made thereon, with any directions the Court thinks fit; and the provisions of the Code of Civil Procedure shall, so far as the same are applicable, apply to every such order and to all proceedings thereunder.

Submission to arbitration to be filed in Court.

PART IV.

WINDING-UP OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Preliminary.

Ibid., s. 97.

124. The term "contributory" shall mean every person liable to contribute to the assets of a Company under this Act in the event of the same being wound up; it shall also, in all proceedings for determining the persons who are to be deemed contributories, and in all proceedings prior to the final determination of such persons, include any person alleged to be a contributory.

Meaning of "contributory."

Ibid., s. 98.

125. The liability of any person to contribute to the assets of a Company under this Act in the event of the same being wound up shall be deemed to create a debt accruing due from such person at the time when his liability commenced, but payable at the time or respective times when calls are made as hereinafter mentioned for enforcing such liability; and it shall be lawful in the case of the insolvency of any contributory to prove against his estate the estimated value of his liability to future calls, as well as calls already made.

Nature of liability of contributory.

Act X of 1866, s. 99.

126. If any contributory dies either before or after he has been placed on the list of contributories hereinafter mentioned, his personal representatives, heirs and devisees shall be liable in due course of administration to contribute to the assets of the Company in discharge of the liability of such deceased contributory; and such personal representatives, heirs and devisees shall be deemed to be contributories accordingly.

Contributories in case of death.

Ibid., s. 100.

127. If any contributory becomes insolvent, either before or after he has been placed on the list of contributories, his assignees shall be deemed to represent such insolvent for all the purposes of the winding-up, and shall be deemed to be contributories accordingly, and may be called upon to admit to prove against the estate of such insolvent, or otherwise to allow to be paid out of his assets in due course of law, any monies due from such insolvent in respect of his liability to contribute to the assets of the Company being wound up.

Contributories in case of insolvency.

Winding-up by Court.

Ibid., s. 101.

128. A Company under this Act may be wound up by the Court as hereinafter defined under the following circumstances, (that is to say):—

Circumstances under which Company may be wound up by Court.

(*a*) Whenever the Company has passed a special resolution requiring the Company to be wound up by the Court:

(*b*) Whenever the Company does not commence its business within a year from its incorporation, or suspends its business for the space of a whole year:

(*c*) Whenever the members are reduced in number to less than seven:

(*d*) Whenever the Company is unable to pay its debts:

Factage Parisien Co., 11 Jur. N. S. 121.

(*e*) Whenever *for any other reason of a like nature* the Court is of opinion that it is just an equitable that the Company should be wound up.

Act X of 1866, s. 102.

129. A Company under this Act shall be deemed to be unable to pay its debts—

Company when deemed unable to pay its debts.

(*a*) Whenever a creditor, by assignment or otherwise, to whom the Company is indebted in a sum exceeding five hundred rupees then due, has served on the Company, by leaving the same at its registered office, a demand under his hand requiring the Company to pay the sum so due, and the Company has for the space of three weeks succeeding the service of such demand neglected to pay such sum, or to secure or compound for the same to the reasonable satisfaction of the creditor:

(*b*) Whenever execution or other process issued on a decree or order obtained in any Court in favour of any creditor in any proceeding instituted by such creditor against the Company is returned unsatisfied in whole or in part:

(*c*) Whenever it is proved to the satisfaction of the Court that the Company is unable to pay its debts.

Ibid., s. 103.

130. The expression "the Court" as used in this part of this Act shall mean the principal Court having original civil jurisdiction in the place in which the registered office of the Company is situate; unless in the regulations for the management of the Company it shall be stipulated that the Company, if wound up, shall be wound up by the High Court of Judicature at Fort William, Madras or Bombay (as the case may be), or by the Chief Court of the Panjáb, in which case the word "Court" shall mean the said High Court or Chief Court (as the case may be) in the exercise of its original civil jurisdiction.

Definition of "the Court."

The expression "debts" as used in this part of this Act means debts actually due, of which the creditor could claim immediate payment, except in the case of a Company issuing or liable under policies of assurance upon human life within British India, or granting annuities upon human life within British India. In the case of such a Company (hereinafter called a life-assurance Company), the expression "debts" as so used, includes also contingent or prospective liability under policies and annuity and other existing contracts.

Definition of "debts."

European L. A. Society, 9 Eq. 122.

L. A. Companies Act, 1870, (33 & 34 Vic., c. 61) s. 21.

Act X of 1866, s. 104.

131. Any application to the Court for the winding-up of a Company under this Act shall be by petition, which may be presented by the Company, or by any one or more creditor or creditors, contributory or contributories of the Company, or by all or any of the above parties, together or separately.

Application for winding-up to be made by petition.

The petition must allege facts which, if proved, will justify an order for winding-up the Company. Every order which may be made on any such petition shall operate in favour of all the creditors and all the contributories of the Company in the same manner as if it had been made upon the joint petition of a creditor and a contributory.

Wear Engine Works Co., 10 Ch. 188.

In the case of a life-assurance Company the Court shall not give a hearing to the petition until security for costs for such amount as the judge thinks reasonable is given, and until a *primâ facie* case is also established to the satisfaction of the judge; and where the Company has an uncalled capital of an amount sufficient, with the future premiums receivable by the Company, to make up the actual invested assets equal to the amount of the estimated liabilities, the Court shall suspend further proceedings on the petition for a reasonable time to enable the uncalled capital, or a sufficient part thereof, to be called up; and if at the end of the original or any suspended time for which the proceedings have been suspended such an amount has not been realised by means of calls as with the already invested assets is equal to the liabilities, an order shall be made on the petition as if the Company had been proved to be unable to pay its debts.

36 & 34 Vic., c. 61, s. 21.

Explanation.—Nothing in this section authorizes the presentation of a petition by a member of a Company who is indebted to the Company in respect of a call made, or other moneys due.

European A. Society, 10 Eq. 408.

132. No contributory of a Company under this Act shall be capable of presenting a petition for winding-up such Company unless the members of the Company are reduced in number to less than seven, or unless the shares in respect of which he is a contributory, or some of them, either were originally allotted to him, or have been held by him, and registered in his name, for a period of at least six months during the eighteen months previously to the commencement of the winding-up, or have devolved upon him through the death of a former holder.

30 & 31 Vic., c. 40.

Contributory when not qualified to present winding-up petition.

Provided that where a share has during the whole or any part of the six months been held by

or registered in the name of the wife of a contributory either before or after her marriage, or by or in the name of any trustee for such wife, or for the contributory, such share shall, for the purposes of this section, be deemed to have been held by and registered in the name of the contributory.

Act X of 1866, s. 105.

133. A winding-up of a Company by the Court shall be deemed to commence at the time of the presentation of the petition for the winding-up.

Commencement of winding-up by Court.

Ibid., s. 106.

134. The Court may, at any time after the presentation of a petition for winding-up a Company under this Act, and before making an order for winding-up the Company, upon the application of the Company or of any creditor or contributory of the Company, restrain further proceedings in any suit or proceeding against the Company, upon such terms as the Court thinks fit.

Court may grant injunction.

The Court may also at any time after the presentation of such petition, and before the first appointment of liquidators, appoint provisionally an official liquidator of the estate and effects of the Company.

Ibid., s. 107.

135. Upon hearing the petition, the Court may dismiss the same with or without costs, may adjourn the hearing conditionally or unconditionally, and may make any interim order or any other order that it deems just.

Course to be pursued by Court on hearing petition.

Ibid., s. 108.

136. When an order has been made for winding-up a Company under this Act, no suit or other proceeding shall be proceeded with or commenced against the Company except with the leave of the Court and subject to such terms as the Court may impose.

Suits to be stayed after order for winding-up.

Ibid., s. 109.

137. When an order has been made for winding up a Company under this Act, a copy of such order shall forthwith be forwarded by the Company to the Registrar of Joint Stock Companies, who shall make a minute thereof in his books relating to the Company.

Copy of order to be forwarded to Registrar.

The order shall be deemed to be notice of discharge to the servants of the Company, except when the business of the Company is continued.

Chapman's case, 1 Eq. Rep. Exp. Harding, 3 Eq. 341.

Act X of 1866, s. 110.

138. The Court may at any time after an order has been made for winding-up a Company, upon the application of any creditor or contributory of the Company, and upon proof to the satisfaction of the Court that all proceedings in relation to such winding-up ought to be stayed, make an order staying the same, either altogether or for a limited time, on such terms and subject to such conditions as it deems fit.

Power of Court to stay proceedings.

Ibid., s. 111.

139. When an order has been made for winding-up a Company limited by guarantee and having a capital divided into shares, any share-capital that may not have been called up shall be deemed to be assets of the Company and to be a debt due to the Company from such member to the extent of any sums that may be unpaid on any shares held by him, and payable at such time as may be appointed by the Court.

Effect of order on share-capital of Company limited by guarantee.

Act X of 1866, s. 112.

140. The Court may, as to all matters relating to the winding-up, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence, and may, if it thinks it expedient, direct meetings of the creditors or contributories to be summoned, held and conducted in such manner as the Court directs, for the purpose of ascertaining their wishes, and may appoint a person to act as chairman of any such meeting, and to report the result of such meeting to the Court.

Court may have regard to wishes of creditors or contributories.

In the case of creditors, regard is to be had to the value of the debts due to each creditor, and in the case of contributories, to the number of votes conferred on each contributory by the regulations of the Company.

Official Liquidators.

Ibid., s. 113.

141. For the purpose of conducting the proceedings in winding-up a Company and assisting the Court therein, there may be appointed a person or persons to be called an official liquidator or official liquidators.

Appointment of official liquidator.

The Court may appoint such person or persons, either provisionally or otherwise, as it thinks fit, to the office of official liquidator or official liquidators.

In all cases, if more persons than one are appointed to the office of official liquidator, the Court shall declare whether any act hereby required or authorized to be done by the official liquidator is to be done by all or any one or more of such persons.

The Court may also determine whether any and what security is to be given by any official liquidator on his appointment.

If no official liquidator is appointed, or during any vacancy in such appointment, all the property of the Company shall be deemed to be in the custody of the Court.

A receiver shall not be appointed of assets in the hands of an official liquidator.

Perry v. Oriental Hotel Co., 5 Ch. 420.

Act X of 1866, s. 114.

142. Any official liquidator may resign or be removed by the Court on due cause shown. Any vacancy in the office of an official liquidator appointed by the Court shall be filled by the Court. There shall be paid to the official liquidator such salary or remuneration, by way of percentage or otherwise, as the Court may direct; and if more liquidators than one are appointed, such remuneration shall be distributed amongst them in such proportions as the Court directs.

Resignations, removals, filling up vacancies, and compensation.

Ibid., s. 115.

143. The official liquidator shall be described by the style of the official liquidator of the particular Company in respect of which he is appointed, and not by his individual name. He shall take into his custody, or under his control, all the property, effects and things in action to which the Company is or appears to be entitled, and shall perform such duties in reference to the winding-up of the Company as may be imposed by the Court.

Style and duties of official liquidator.

Ibid., s. 116.

144. The official liquidator shall have power with the sanction of the Court to do the following things:—

Power of official liquidator.

(*a*) To bring or defend any suit or prosecution, or other legal proceeding, civil or criminal, in the name and on behalf of the Company:

(*b*) To carry on the business of the Company so far as may be necessary for the beneficial winding-up of the same :

(*c*) To sell the immoveable and moveable property of the Company by public auction or private contract, with power to transfer the whole thereof to any person or Company, or to sell the same in parcels :

(*d*) To do all acts, and to execute, in the name and on behalf of the Company, all deeds, receipts and other documents, and for that purpose to use, when necessary, the Company's seal :

(*e*) To prove, rank, claim and draw a dividend, in the matter of the insolvency of any contributory, for any balance against the estate of such contributory, and to take and receive dividends in respect of such balance, in the matter of insolvency, as a separate debt due from such insolvent, and rateably with the other separate creditors :

(*f*) To draw, accept, make and endorse any bill of exchange, hundí or promissory note in the name and on behalf of the Company ; also to raise upon the security of the assets of the Company from time to time any requisite sum or sums of money ; and the drawing, accepting, making or endorsing of every such bill of exchange, hundí or promissory note as aforesaid on behalf of the Company, shall have the same effect with respect to the liability of such Company as if such bill or note had been drawn, accepted, made or endorsed by or on behalf of such Company in the course of carrying on the business thereof :

(*g*) To take out, if necessary, in his official name, letters of administration to any deceased contributory, and to do in his official name any other act that may be necessary for obtaining payment of any monies due from a contributory or from his estate, and which act cannot be conveniently done in the name of the Company ; and in all cases where he takes out letters of administration, or otherwise uses his official name for obtaining payment of any monies due from a contributory, such monies shall, for the purpose of enabling him to take out such letters or recover such monies, be deemed to be due to the official liquidator himself : Provided that nothing herein contained shall be deemed to affect the rights, duties and privileges of the Administrators General of Bengal, Madras and Bombay respectively :

(*h*) To do and execute all such other things as may be necessary for winding up the affairs of the Company and distributing its assets.

Act X of 1866, s. 117.

145. The Court may provide by any order that the official liquidator may exercise any of the above powers without the sanction or intervention of the Court, and, where an official liquidator is provisionally appointed, may limit and restrict his powers by the order appointing him.

Discretion of official liquidator.

Ibid., s. 118.

146. The official liquidator may, with the sanction of the Court, appoint an attorney or vakíl to assist him in the performance of his duties : *Provided that where the official liquidator is an attorney he shall not appoint his partner, unless the latter consents to act without remuneration.*

Appointment of attorney or vakíl to official liquidator.

Universal Private Telegraph Co., 10 W. R., 201.

Ordinary Powers of Court.

Act X of 1866, s. 119.

147. As soon as may be after making an order for winding-up the Company the Court shall settle a list of contributories, with power to rectify the register of members in all cases where such rectification is required in pursuance of section fifty-eight, and shall cause the assets of the Company to be collected and applied in discharge of its liabilities *as they exist at the date of the order.*

Collection and application of assets.

General Rolling Stock Company, 7 Ch. 656.

148. In settling the list of contributories, the Court shall distinguish between persons who are contributories in their own right, and persons who are contributories as being representatives of or being liable to the debts of others.

Act X of 1866, s. 120.

Provision as to representative contributories.

Ibid., s. 121.

149. The Court may, at any time after making an order for winding-up a Company, require any contributory for the time being settled on the list of contributories, trustee, receiver, banker or agent, or officer of the Company to pay, deliver, convey, surrender or transfer forthwith, or within such time as the Court directs, to or into the hands of the official liquidator, any sum or balance, books, papers, estate or effects which happen to be in his hands for the time being, and to which the Company is *primâ facie* entitled.

Power of Court to require delivery of property.

Ibid., s.

150. The Court may, at any time after making an order for winding-up the Company, make an order on any contributory for the time being settled on the list of contributories, directing payment to be made, in manner in the said order mentioned, of any monies due from him or from the estate of the person whom he represents to the Company, exclusive of any monies which he or the estate of the person whom he represents may be liable to contribute by virtue of any call made or to be made by the Court in pursuance of this part of this Act.

Power of Court to order payment of debts by contributory.

The Court may, in making such order, when the Company is not limited, allow to such contributory by way of set-off any monies due to him or the estate which he represents from the Company on any independent dealing or contract with the Company, but not any monies due to him as a member of the Company in respect of any dividend or profits :

Provided that, when all the creditors of any Company, whether limited or unlimited, are paid in full, any monies due on any account whatever to any contributory from the Company may be allowed to him by way of set-off against any subsequent call or calls.

In the event of the winding-up of any limited Company the Court, if it think fit, may make to any director or manager of such Company, whose liability is unlimited, the same allowance by way of set-off as under this section it may make to a contributory where the Company is not limited.

151. The Court may, at any time after making an order for winding-up a Company, and either before or after it has ascertained the sufficiency of the assets of the Company, make calls on and order payment thereof by all or any of the contributories for the time being settled on the list of contributories, to the extent of their liability for payment of all or any sums it deems necessary to satisfy the debts and liabilities of the Company, and the costs, charges and expenses of winding it up, and for the adjustment of the rights of the contributories amongst themselves.

Powers of Court to make calls.

The Court may, in making a call, take into consideration the probability that some of the contributories upon whom the same is made may partly or wholly fail to pay their respective portions of the same.

152. The Court may order any contributory, purchaser or other person from whom money is due to the Company to pay the same into the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, as the case may be, or any branch thereof respectively, to the account of the official liquidator instead of to the official liquidator, and such order may be enforced in the same manner as if it had directed payment to the official liquidator.

Power of Court to order payment into Bank.

153. All monies, bills, notes and other securities, paid and delivered into the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, or any branch thereof respectively, in the event of a Company being wound-up by the Court, shall be subject to such order and regulation for the keeping of the account of such monies and other effects, and for the payment and delivery in, or investment and payment and delivery out, of the same, as the Court may direct.

Regulation of account with Court.

154. If any person made a contributory as personal representative of a deceased contributory makes default in paying any sum ordered to be paid by him, proceedings may be taken for administering the property of such deceased contributory, whether moveable or immoveable, or both, and of compelling payment thereout of the monies due.

Provision in case of representative contributory not paying monies ordered.

155. Any order made by the Court in pursuance of this Act upon any contributory shall, subject to the provisions herein contained for appealing against such order, be conclusive evidence that the monies, if any, thereby appearing to be due or ordered to be paid are due, and all other pertinent matters stated in such order are be taken to be truly stated as against all persons and in all proceedings whatsoever.

Conclusive evidence.

156. The Court may fix a certain day or certain days on or within which creditors of the Company are to prove their debts or claims, or to be excluded from the benefit of any distribution made before such debts are proved.

Court may exclude creditors not proving within certain time.

157. The Court shall adjust the rights of the contributories amongst themselves, and distribute any surplus that may remain amongst the parties entitled thereto.

Court to adjust rights of contributories.

158. The Court may, in the event of the assets being insufficient to satisfy the liabilities, make an order as to the payment out of the estate of the Company of the costs, charges and expenses incurred in winding-up any Company in such order of priority as the Court thinks just.

Court to order costs.

159. When the affairs of the Company have been completely wound up, the Court shall make an order that the Company be dissolved from the date of such order, and the Company shall be dissolved accordingly.

Dissolution of Company.

160. Any order so made shall be reported by the official liquidator to the Registrar, who shall make a minute accordingly in his books of the dissolution of such Company.

Act X of 1866, s. 132.

Registrar to make Minute of dissolution of Company.

161. If the official liquidator makes default in reporting to the Registrar, in the case of a Company being wound-up by the Court the order that the Company be dissolved, he shall be liable to a penalty not exceeding one hundred rupees for every day during which he is so in default.

Ibid., s. 133.

Penalty on not reporting dissolution of Company.

Extraordinary Powers of Court.

162. The Court may, after it has made an order for winding-up the Company, summon before it any officer of the Company, or person known or suspected to have in his possession any of the estate or effects of the Company, or supposed to be indebted to the Company, or any person whom the Court may deem capable of giving information concerning the trade, dealings, estate or effects of the Company.

Ibid., s. 134.

Power of Court to summon persons before it suspected of having property of Company.

If any person so summoned, after being tendered a reasonable sum for his expenses, refuses to come before the Court at the time appointed, having no lawful impediment (made known to the Court at the time of its sitting and allowed by it), the Court may cause such person to be apprehended and brought before the Court for examination.

The Court may require any such officer or person to produce any documents in his custody or power relating to the Company. Nevertheless, in cases where any person claims any lien on documents produced by him, such production shall be without prejudice to such lien, and the Court shall have jurisdiction in the winding-up to determine all questions relating to such lien.

163. The Court may examine upon oath either by word of mouth or upon written interrogatories, any person appearing or brought before it in manner aforesaid, concerning the affairs, dealings, estate or effects of the Company, and may reduce into writing the answers of every such person, and require him to subscribe the same.

Ibid., s. 136.

Examination of parties by Court.

164. The Court may, at any time before or after it has made an order for winding-up a Company, upon proof being given that there is probable cause for believing that any contributory to such Company is about to quit British India or otherwise abscond, or to remove or conceal any of his goods or chattels, for the purpose of evading payment of calls, or for avoiding examination in respect of the affairs of the Company, cause such contributory to be arrested, and his books, papers, monies, securites for monies, goods and chattels to be seized, and him and them to be safely kept until such time as the Court may order.

Ibid., s. 137.

Power to arrest contributory about to abscond or to remove or conceal any of his property.

165. Any powers by this Act conferred on the Court shall be deemed to be in addition to, and not in restriction of, any other powers subsisting of instituting proceedings against any contributory, or the estate of any contributory,

Powers of Court cumulative.

or against any debtor of the Company, for the recovery of any call or other sums due from such contributory or debtor, or his estate, and such proceedings may be instituted accordingly.

Enforcement of, and Appeal from, Orders.

Act X of 1866, s. 138.

Power to enforce orders.

166. All orders made by a Court under this Act may be enforced in the same manner in which decrees of such Court made in any suit pending therein may be enforced.

Ibid., s. 139.

Order made in any Court to be enforced by other Courts.

167. Any order made by a Court for or in the course of the winding-up of a Company under this Act shall be enforced in any part of British India other than that in which such Court is situate, in the Court that would have had jurisdiction in respect of such Company if the registered office of the Company had been situate in such other part, and in the same manner in all respects as if such order had been made by the Court that is hereby required to enforce the same.

Ibid., s. 140.

Mode of dealing with orders to be enforced by other Courts.

168. Where any order or decree made by one Court is required to be enforced by another Court as hereinbefore provided, a certified copy of the order or decree so made shall be produced to the proper officer of the Court required to enforce the same, and the production of such certified copy shall be sufficient evidence of such order or decree having been made, and thereupon such last-mentioned Court shall take such steps in the matter as may be requisite for enforcing such order or decree, in the same manner as if it were the order or decree of the Court enforcing the same.

Ibid., s. 141.

Appeals from orders.

169. Re-hearings of and appeals from any order or decision made or given in the matter of the winding-up of a Company by the Court, may be had in the same manner and subject to the same conditions in and subject to which appeals may be had from any order or decision of the same Court in cases within its ordinary jurisdiction; subject to this restriction, that no such re-hearing or appeal shall be heard unless notice of the same is given within three weeks after any order complained of has been made, in manner in which notices of appeal are ordinarily given under the Code of Civil Procedure, unless such time is extended by the Court of Appeal.

Ibid., s. 142.

Judicial notice to be taken of signature of officers.

170. In all proceedings under this part of this Act, every Court, judge and person judicially acting, and all other officers, judicial or ministerial, of any Court, or employed in enforcing the process of any Court, shall take judicial notice of the signature of any officer of any other Court, and also of the official seal of any other Court when such seal is appended to any document made, issued, or signed under the provisions of this part of the Act, or any official copy thereof.

Act I of 1872, s. 57, (6), (7).

[illegible] s. 143.

Special Commissioners for receiving evidence.

171. The judges of the district Courts who sit at places more than twenty English miles from the usual place of sitting of the High Court, shall be Commissioners for the purpose of taking evidence under this Act in cases where any Company is wound-up in a High Court, and it shall be lawful for the High Court to refer the whole or any part of the examination of any witnesses under this Act to any person hereby appointed Commissioner, although such Commissioner is out of the jurisdiction of the Court that made the order or decree for winding-up the Company.

Every such Commissioner shall, in addition to any power of summoning and examining witnesses, and requiring the production or delivery of documents and certifying or punishing defaults by witnesses, which he might lawfully exercise as a judge of a district Court, have, in the matter so referred to him, all the same powers of summoning and examining witnesses and requiring the production or delivery of documents and punishing defaults by witnesses, and allowing costs and charges and expenses to witnesses, as the Court which made the order for winding-up the Company has; and the examination so taken shall be returned or reported to such last-mentioned Court in such manner as it directs.

Act X of 1[illegible] s. 144.

Affidavits, &c., may be sworn in British India, Great Britain or Ireland, or abroad, before any competent Court or person.

172. If any affidavit, affirmation or declaration required to be sworn or made under the provisions or for the purposes of this part of this Act, be lawfully sworn or made in British India, or in Great Britain or Ireland, or in any colony, island, plantation or place under the dominion of Her Majesty in foreign parts, before any Court, judge or person lawfully authorized to take and receive affidavits, affirmations or declarations, or before any of Her Majesty's consuls or vice-consuls in any foreign parts out of Her Majesty's dominions, all Courts, judges, justices, commissioners and persons acting judicially in British India shall take judicial notice of the seal or stamp or signature (as the case may be) of any such Court, judge, person, consul or vice-consul, attached, appended or subscribed to any such affidavit, affirmation or declaration, or to any other document to be used for the purposes of this part of this Act.

Voluntary Winding-up of Company.

Circumstances under which Company may be wound up voluntarily.

173. A Company under this Act may be wound up voluntarily—

(*a*) Whenever the period, if any, fixed for the duration of the Company by the articles of association expires, or whenever the event, if any, occurs upon the occurrence of which it is provided by the articles of association that the Company is to be dissolved, and the Company in general meeting has passed a resolution requiring the Company to be wound up voluntarily:

(*b*) Whenever the Company has passed a special resolution requiring the Company to be wound up voluntarily:

(*c*) Whenever the Company has passed an extraordinary resolution to the effect that it has been proved to their satisfaction that Company cannot by reason of its liabilities continue its business, and that it is advisable to wind-up the same:

For the purposes of this Act any resolution shall be deemed to be extraordinary which is passed in such manner as would, if it had been confirmed by a subsequent meeting, have constituted a special resolution as hereinbefore defined.

Commencement of voluntary winding-up.

174. A voluntary winding-up shall be deemed to commence at the [illegible] the passing of the [illegible]

Dowe's case Eq. 232.

When the winding-up is in pursuance of a special resolution, it shall be deemed to commence at the time of the passing, under section seventy-seven, of the confirmatory resolution.

Act X of 1866, s. 147.

Effect of voluntary winding-up on status of Company.

175. Whenever a Company is wound-up voluntarily, the Company shall, from the date of the commencement of such winding-up, cease to carry on its business except in so far as may be required for the beneficial winding-up thereof; and all transfers of shares except transfers made to or with the sanction of the liquidators, or alteration in the status of the members of the Company taking place after the commencement of such winding-up, shall be void, but its corporate state and all its corporate powers shall, notwithstanding it is otherwise provided by its regulations, continue until the affairs of the Company are wound up.

Ibid., s. 148.

Notice of resolution to wind-up voluntarily.

176. Notice of any special resolution or extraordinary resolution passed for winding-up a Company voluntarily shall be given by advertisement in the local official Gazette and also in some newspaper (if any) circulating in the place where the registered office of the Company is situate.

Ibid., s. 149.

Consequence of voluntary winding-up.

177. The following consequences shall ensue upon the voluntary winding-up of a Company:—

[illegible] v. Whitehouse, L. R. 5 L. 711.

(*a*) The *assets* of the Company shall be applied in satisfaction of its liabilities *pari passu as they exist at the commencement of the winding-up*, and subject thereto shall, unless it be otherwise provided by the regulations of the Company, be distributed amongst the members according to their rights and interests in the Company:

(*b*) Liquidators shall be appointed for the purpose of winding-up the affairs of the Company and distributing the assets:

(*c*) The Company in general meeting shall appoint such persons or person as it thinks fit to be liquidators or a liquidator, and may fix the remuneration to be paid to them or him:

(*d*) If one person only is appointed, all the provisions herein contained in reference to several liquidators shall apply to him:

(*e*) Upon the appointment of liquidators, all the powers of the directors shall cease, except in so far as the Company in general meeting or the liquidators may sanction the continuance of such powers:

(*f*) When several liquidators are appointed, every power hereby given may be exercised by such one or more of them as may be determined at the time of their appointment, or, in default of such determination, by any number not less than [illegible]:

(*g*) The liquidators may, without the sanction of the Court, exercise all powers by this Act given to the official liquidators:

(*h*) The liquidators may exercise the powers hereinbefore given to the Court of settling the list of contributories of the Company, and any list so settled shall be *primâ facie* evidence of the liability of the persons named therein to be contributories:

(*i*) The liquidators may at any time after the passing of the resolution for winding-up the Company, and before they have ascertained the sufficiency of the assets of the Company, call on all or any of the contributories for the time being settled on the list of contributories, to the extent of their liability, to pay all or any sums they deem necessary to satisfy the debts and liabilities of the Company, and the costs, charges and expenses of winding it up, and for the adjustment of the rights of the contributories amongst themselves, and the liquidators may, in making a call, take into consideration the probability that some of the contributories upon whom the same is made may partly or wholly fail to pay their respective portions of the same:

(*j*) The liquidators shall pay the debts of the Company, and adjust the rights of the contributories amongst themselves.

Act X of 1866, s. 150.

Effect of winding-up on share-capital of Company limited by guarantee.

178. Where a Company limited by guarantee and having a capital divided into shares is being wound up voluntarily, any share-capital that may not have been called up shall be deemed to be assets of the Company, and to be a debt due from each member to the Company to the extent of any sums that may be unpaid on any shares held by him, and payable at such time as may be appointed by the liquidators.

Ibid., s. 151.

Power of Company to delegate authority to appoint liquidators.

179. A Company about to be wound up voluntarily or in the course of being wound up voluntarily may, by an extraordinary resolution, delegate to its creditors, or to any committee of its creditors, the power of appointing liquidators or any of them, and supplying any vacancies in the appointment of liquidators, or may by a like resolution enter into any arrangement with respect to the powers to be exercised by the liquidators and the manner in which they are to be exercised.

Any act done by the creditors in pursuance of such delegated power shall have the same effect as if it had been done by the Company.

Ibid., s. 152.

Arrangement when binding on creditors.

180. Any arrangement which a Company about to be wound-up voluntarily or in the course of being wound-up voluntarily shall have entered into with its creditors, shall be binding on the Company if sanctioned by an extraordinary resolution, and on the creditors if acceded to by three-fourths in number and value of the creditors, subject to such right of appeal as is hereinafter mentioned.

Ibid., s. 153.

Power of creditor or contributory to appeal.

181. Any creditor or contributory of a Company that has in manner aforesaid entered into any arrangement with its creditors may, within three weeks from the date of the completion of such arrangement, appeal to the Court against such arrangement, and the Court may thereupon, as it thinks just, amend, vary or confirm the same.

Ibid., s. 154.

Power for liquidators or contributories in voluntary winding-up to apply to Court.

182. Where a Company is being wound up voluntarily, the liquidators or any contributory of the Company may apply to the Court to determine any question arising in the matter of such winding-up, or to exercise as respects the enforcing of calls or in respect of any other matter all or any of the powers which the Court might exercise if the

Company were being wound up by the Court. *Any such application may by made by motion.* The Court, if satisfied that the determination of such question or the required exercise of power will be just and beneficial, may accede, wholly or partially, to such application, on such terms and subject to such conditions as the Court thinks fit, or it may make such other order or decree on such application as the Court thinks just.

40 L. J., Ch. 265.

Act X of 1866, s. 155.

183. Where a Company is being wound up voluntarily, the liquidators may from time to time during the continuance of such winding-up, summon general meetings of the Company for the purpose of obtaining the sanction of the Company by special resolution or extraordinary resolution, or for any other purposes they think fit.

Power of liquidators to call general meeting.

In the event of the winding-up continuing for more than one year, the liquidators shall summon a general meeting of the Company at the end of the first year and of each succeeding year from the commencement of the winding-up, or as soon thereafter as may be convenient, and shall lay before such meeting an account showing their acts and dealings and the manner in which the winding-up has been conducted during the preceding year.

Ibid., s. 156.

184. If any vacancy occurs in the office of liquidators appointed by the Company, by death, resignation or otherwise, the Company in general meeting may, subject to any arrangement they may have entered into with their creditors, fill up such vacancy, and a general meeting for the purpose of filling up such vacancy may be convened by the continuing liquidators, if any, or by any contributory of the Company, and shall be deemed to have been duly held if held in manner prescribed by the regulations of the Company, or in such other manner as may, on application by the continuing liquidator, if any, or by any contributory of the Company, be determined by the Court.

Power to fill up vacancy in office of liquidators.

Ibid., s. 157.

185. If from any cause whatever there is no liquidator acting in the case of a voluntary winding-up, the Court may, on the application of a contributory, appoint a liquidator or liquidators. The Court may also, on due cause shown, remove any liquidator, and appoint another liquidator to act in the matter of a voluntary winding-up.

Power of Court to appoint liquidators.

Ibid., s. 158.

186. As soon as the affairs of the Company are fully wound-up, the liquidators shall make up an account showing the manner in which such winding-up has been conducted and the property of the Company disposed of: and thereupon they shall call a general meeting of the Company for the purpose of having the account laid before them, and hearing any explanation that may be given by the liquidators.

Liquidators on conclusion of winding-up to make up an account.

The meeting shall be called by advertisement, specifying the time, place and object of such meeting, and such advertisement shall be published one month at least previously to the meeting, in the manner specified in section one hundred and seventy-six.

Ibid., s. 159

187. The liquidators shall make a return to the Registrar of such meeting having been held, and of the date at which the same was held, and on the expiration of three months from the date of the registration of such return, the Company shall be deemed to be dissolved.

Liquidators to report meeting to Registrar.

If the liquidators make default in making such return to the Registrar, they shall incur a penalty not exceeding fifty rupees for every day during which such default continues.

Act X of 1866, s. 160.

188. All costs, charges and expenses properly incurred in the voluntary winding-up of a Company, including the remuneration of the liquidators, shall be payable out of the assets of the Company in priority to all other claims.

Costs of voluntary liquidation.

Ibid., s. 161.

189. The voluntary winding-up of a Company shall not be a bar to the right of any creditor of such Company to have the same wound up by the Court, if the Court is of opinion that the rights of such creditor will be prejudiced by a voluntary winding-up.

Saving of rights of creditors.

Ibid., s. 162.

190. Where a Company is in course of being wound-up voluntarily, and proceedings are taken for the purpose of having the same wound-up by the Court, the Court may, if it thinks fit, notwithstanding that it makes an order directing the Company to be wound-up by the Court provide in such order or in any other order for the adoption of all or any of the proceedings taken in the course of the voluntary winding-up.

Power of Court to adopt proceedings of voluntary winding-up.

Winding-up subject to the supervision of the Court.

Ibid., s. 163.

191. When a Resolution has been passed by a Company to wind up voluntarily, the Court may make an order directing that the voluntary winding-up should continue but subject to such supervision of the Court, and with such liberty for creditors, contributories or others to apply to the Court, and generally upon such terms and subject to such conditions as the Court thinks just.

Power of Court, on application, to direct winding-up subject to supervision.

Ibid., s. 164.

192. A petition praying wholly or in part that a voluntary winding-up should continue, but subject to the supervision of the Court, and which winding-up is hereinafter referred to as a winding-up subject to the supervision of the Court, shall, for the purpose of giving jurisdiction to the Court over suits, be deemed to be a petition for winding up the Company by the Court.

Petition for winding-up subject to supervision.

Ibid., s. 165.

193. The Court may, in determining whether a Company is to be wound up altogether by the Court, or subject to the supervision of the Court, in the appointment of a liquidator or of liquidators, and in all other matters relating to the winding-up subject to supervision, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence, and may direct meetings of the creditors or contributories to be summoned, held and regulated in such manner as the Court directs for the purpose of ascertaining their wishes, and may appoint a person to act as chairman of any such meeting, and to report the result of such meeting to the Court.

Court may have regard to wishes of creditors.

In the case of creditors, regard shall be had to the value of the debts due to such creditors, and in the case of contributories to the number of votes

conferred on each contributory by the regulations of the Company.

Act X of 1866, s. 166.

194. Where any order is made by the Court for a winding-up subject to the supervision of the Court, the Court may, in such order or in any subsequent order, appoint any additional liquidator.

Power to Court to appoint additional liquidator in winding-up subject to supervision.

Any liquidator so appointed by the Court shall have the same powers, be subject to the same obligations, and in all respects stand in the same position as if he had been appointed by the Company.

The Court may from time to time remove any liquidator so appointed by the Court, and fill up any vacancy occasioned by such removal, or by death or resignation.

Ibid., s. 167.

195. Where an order is made for a winding-up subject to the supervision of the Court, the liquidator appointed to conduct such winding-up may, subject to any restrictions imposed by the Court, exercise all his powers, without the sanction or intervention of the Court, in the same manner as if the Company were being wound-up altogether voluntarily.

Effect of order of Court for winding-up subject to supervision.

Save as aforesaid, any order made by the Court for a winding-up subject to the supervision of the Court, shall for all purposes, including the staying of suits and other proceedings, be deemed to be an order of the Court for winding-up the Company by the Court, and shall confer full authority on the Court to make calls, or to enforce calls made by the liquidators, and to exercise all other powers which it might have exercised if an order had been made for winding-up the Company altogether by the Court.

In the construction of the provisions whereby the Court is empowered to direct any act or thing to be done to or in favour of the official liquidators, the expression official liquidator shall be deemed to mean the liquidator conducting the winding-up subject to the supervision of the Court.

Ibid., s. 168.

196. Where an order has been made for the winding-up of a Company subject to the supervision of the Court, and such order is afterwards superseded by an order directing the Company to be wound up compulsorily, the Court may, in such last-mentioned order or in any subsequent order, appoint the voluntary liquidators or any of them, either provisionally or permanently, and either with or without the addition of any other person to be official liquidator.

Appointment in certain cases of voluntary liquidators to office of official liquidators.

Supplemental Provisions.

197. Where any Company is being wound up by the Court or subject to the supervision of the Court, all dispositions of the property of the Company and every transfer of shares or alteration in the status of the members of the Company, made between the commencement of the winding-up and the order for winding-up, shall, unless the Court otherwise orders, be void.

Dispositions after the commencement of the winding-up avoided.

198. Where any Company is being wound up all books, accounts and documents of the Company and of the liquidators shall, as between the contributories of the Company, be *primâ facie* evidence of the truth of all matters purporting to be therein recorded.

The books of the Company to be evidence.

Act X of 1866, s. 171.

199. Where any Company has been wound up under this Act, and is about to dissolved, the books, accounts and documents of the Company and of the liquidator may be disposed of in the following way; that is to say, where the Company has been wound up by or subject to the supervision of the Court, in such way as the Court directs, and where the Company has been wound up voluntarily, in such way as the Company by an extraordinary resolution directs.

As to disposal of books, accounts and documents of the Company.

But after the lapse of five years from the date of such dissolution, no responsibility shall rest on the Company or the liquidators, or any one to whom the custody of such books, accounts and documents has been committed, by reason that the same or any of them cannot be made forthcoming to any party or parties claiming to be interested therein.

Ibid., s. 172.

200. Where an order has been made for winding-up a Company by the Court or subject to the supervision of the Court, the Court may make such order for the inspection by the creditors and contributories of the Company of its books and papers as the Court thinks just, and any books and papers in the possession of the Company may be inspected by creditors or contributories in conformity with the order of the Court, but not further or otherwise.

Inspection of books.

Ibid., s. 173.

201. The liquidator may, with the sanction of the Court, where the Company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an extraordinary resolution of the Company where the Company is being wound up altogether voluntarily, pay any classes of creditors in full, or make such compromise or other arrangement as the liquidator may deem expedient with creditors or persons claiming to be creditors, or persons having or alleging themselves to have any claim, present or future, whereby the Company may be rendered liable.

General scheme of liquidation may be sanctioned.

Ibid., s. 174.

202. The liquidator may, with the sanction of the Court where the Company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an Extraordinary resolution of the Company where the Company is being wound up altogether voluntarily, compromise all calls and liabilities to calls, debts and liabilities capable of resulting in debts, and all claims, whether present or future, subsisting or supposed to subsist between the Company and any contributory or alleged contributory, or other debtor or person apprehending liability to the Company, and all questions in any way relating to or affecting the assets of the Company or the winding-up of the Company generally upon such terms as may be agreed upon, with power for the liquidator to take any security for the discharge of such debts or liabilities, and to give complete discharges in respect of all or any such calls, debts or liabilities.

Power to compromise.

33 & 34 Vic., c. 104, s. 2.

203. Where any compromise or arrangement shall be proposed between a Company which is, at the time of the passing of this Act or afterwards, in the course of being wound up, either voluntarily or by or under the supervision of the Court, and the creditors of such Company, or any class of such creditors, it shall be lawful for the Court, in addition to any other of its powers, on the application in a summary way of any creditor or the liquidator, to order that a meeting of such creditors or class of creditors shall be summoned in such manner as the Court shall direct, and if a majority in number representing three-fourths in value of such creditors or class of creditors present either in person or by proxy at such meeting shall agree to any arrangement or compromise, such arrangement or compromise shall, if sanctioned by an order of the Court, be binding on all such creditors or class of creditors, as the case may be, and also on the liquidator and contributories of the said Company.

Where compromise proposed, Court may order a meeting of creditors, &c., to decide as to such compromise.

Act X of 1866, s. 175.

204. Where any Company is proposed to be or is in the course of being wound up altogether voluntarily, and the whole or a portion of its business or property is proposed to be transferred or sold to another Company, the liquidators of the first-mentioned Company may, with the sanction of a special resolution of the Company by whom they were appointed, conferring either a general authority on the liquidators, or an authority in respect of any particular arrangement, receive in compensation or part compensation for such transfer or sale, shares, debentures, policies or other like interests in such other Company, for the purpose of distribution amongst the members of the Company being wound up, or may enter into any other arrangement whereby the members of the Company being wound up may, in lieu of receiving cash, shares, debentures, policies or other like interests, or in addition thereto, participate in the profits of or receive any other benefit from the purchasing Company.

Power for liquidators to accept shares, &c., as a consideration for sale of property of Company.

Any sale made or arrangement entered into by the liquidator in pursuance of this section shall be binding on the members of the Company being wound up; subject to this proviso that, if any member of the Company being wound up who has not voted in favour of the special resolution passed by the Company of which he is a member at either of the meetings held for passing the same, expresses his dissent from any such special resolution in writing addressed to the liquidators or one of them, and left at the registered office of the Company not later than seven days after the date of the meeting at which such special resolution was passed, such dissentient member may require the liquidator to do one of the following things as the liquidator may prefer (that is to say), either to abstain from carrying such resolution into effect, or to purchase the interest held by such dissentient member at a price to be determined in manner hereinafter mentioned, such purchase-money to be paid before the Company is dissolved, and to be raised by the liquidator in such manner as may be determined by special resolution.

Union Bank of Kingston upon Hull, 49 L. J. Ch. 264. *by writing addressed and left as last aforesaid,*

No special resolution shall be deemed invalid for the purposes of this section by reason that it is passed antecedently to or concurrently with any resolution for winding-up the Company, or for appointing liquidators; but if an order be made within a year for winding-up the Company by or subject to the supervision of the Court, such resolution shall not be of any validity unless it is sanctioned by the Court.

Act X of 1866, s. 176.

205. The price to be paid for the purchase of the interest of any dissentient member may be determined by agreement. If the parties dispute about the same, such dispute shall be settled by arbitration under the provisions next hereinafter contained.

Mode of determining price.

Ibid., s. 177.

206. When any dispute so directed to be settled by arbitration has arisen, then, unless both parties concur in the appointment of a single arbitrator, each party, on the request of the other party, shall by writing under his hand nominate and appoint an arbitrator to whom such dispute shall be referred.

Appointment of arbitrator when questions are to be determined by arbitration.

After any such appointment has been made, neither party shall have power to revoke the same without the consent of the other, nor shall the death of either party operate as such revocation.

If for the space of fourteen days after any such dispute has arisen and after a request in writing has been served by the one party on the other party to appoint an arbitrator, such last mentioned party fail to appoint such arbitrator, then upon such failure the party making the request, and having himself appointed an arbitrator, may appoint such arbitrator to act on behalf of both parties, and such arbitrator may proceed to hear and determine the matters in dispute; and in such case the award or determination of such single arbitrator shall be final.

Ibid., s. 178.

207. If before the matters so referred are determined, any arbitrator appointed by either party die, or become incapable or refuse, or for seven days neglect to act as arbitrator, the party by whom such arbitrator was appointed may nominate and appoint in writing some other person to act in his place; and if for the space of seven days after notice in writing from the other party for that purpose he fail to do so, the remaining or other arbitrator may proceed *ex parte*; and every arbitrator so substituted as aforesaid shall have the same powers and authorities as were vested in the former arbitrator at the time of such his death, refusal or disability as aforesaid.

Vacancy of arbitrator to be supplied.

Ibid., s. 179.

208. Where more arbitrators than one have been appointed, they shall, before entering upon the matters referred to them, nominate and appoint by writing under their hands an umpire to decide on any such matters on which they shall differ.

Appointment of umpire.

If such umpire die, or refuse or for seven days neglect to act, they shall forthwith, after such death, refusal or neglect, appoint another umpire in his place; and the decision of every such umpire on the matters so referred to him shall be final.

Ibid., s. 180.

209. The said arbitrators or their umpire may call for the production of any documents in the possession or power of either party which they or he may think necessary for determining the question in dis-

Power of arbitrators to call for books, &c.

pute, and may examine the parties or their witnesses on oath.

Act X of 1866, s. 181.

210. The costs of and attending every such arbitration to be determined by the arbitrators shall be in the discretion of the arbitrators or their umpire, as the case may be.

Costs to be in the discretion of the arbitrators.

Ibid., s. 182.

211. On the application of either of the parties, the submission to any such arbitration may be filed in the Court, and an order of reference may be made thereon; and the provisions of the Code of Civil Procedure shall, so far as the same are applicable, apply to every such order and to all proceedings thereunder.

Submission to arbitration may be filed in Court.

Ibid., s. 183.

212. Where any Company is being wound up by the Court, or subject to the supervision of the Court, any attachment, distress or execution put in force, *without the leave of the Court*, against the estate or effects of the Company after the commencement of the winding-up, shall be void.

Certain attachments, distresses and executions to be void.

Exhall Mining Co. 4 D. J. & S. 377.

See Thring, p. 377. *Nothing in this section applies to proceedings by the Government.*

Act X of 1866, s. 184.

213. Every conveyance, mortgage, delivery of goods, payment, execution or other act relating to property, which would, if made or done by or against any individual trader, be deemed in the event of his insolvency to have been made or done by way of undue or fraudulent preference of the creditors of such trader, shall, if made or done by or against any Company, be deemed, in the event of such Company being wound up under this Act, to have been made or done by way of undue or fraudulent preference of the creditors of such Company, and shall be invalid accordingly.

Fraudulent preference.

For the purposes of this section, the making of an application for winding-up a Company shall, in the case of a Company being wound up by the Court or subject to the supervision of the Court, and a resolution for winding-up the Company shall, in the case of a voluntary winding-up, be deemed to correspond with the act of insolvency in the case of an individual trader; and any conveyance or assignment made by any Company formed under this Act, of all its estate and effects to trustees for the benefit of all its creditors, shall be void.

Ibid., s. 185.

214. Where in the course of the winding-up, of any Company under this Act, it appears that any past or present director, manager, official or other liquidator, or any officer of such Company, has misapplied or retained in his own hands or become liable or accountable for any monies of the Company, or been guilty of any misfeasance or breach of trust in relation to the Company, the Court may, on the application of any liquidator, or of any creditor or contributory of the Company, notwithstanding that the offence is one for which the offender is criminally responsible, examine into the conduct of such director, manager or other officer, and compel him to repay any monies so misapplied or retained, or for which such officer has become liable or accountable, together with interest after such rate as the Court thinks just, or to contribute such sums of money to the assets of the Company by way of compensation in respect of such misapplication, retainer, misfeasance or breach of trust, as the Court thinks just.

Power of Court to assess damages against delinquent directors and officers.

Explanation I.—The banker of a Company is not as such an officer within the meaning of this section. *Imp. Land Co. of Marseilles, 10 Eq. 298.*

Explanation II.—Proceedings cannot be taken under this section against the representatives of a deceased officer. 49 L. J. Ch. 446.

Act X of 1866, s. 186.

215. If any director, officer or contributory of any Company wound up under this Act, destroys, mutilates, alters, falsifies or fraudulently secretes any books, papers, writings or securities, or makes, or is privy to the making of any false or fraudulent entry in any register, book of account or other document belonging to the Company with intent to defraud or deceive any person, every person so offending shall be punished with imprisonment for a term which may extend to two years, and shall also be liable to fine which may extend to five hundred rupees.

Penalty on falsification of books.

Ibid., s. 187.

216. Where any order is made for winding-up a Company by the Court or subject to the supervision of the Court, if it appear in the course of such winding-up that any past or present director, manager, officer or member of such Company has been guilty of any offence in relation to the Company for which he is criminally responsible, the Court may, on the application of any person interested in such winding-up or of its own motion, direct the official liquidators, or the liquidators (as the case may be), to institute a prosecution for such offence, and may order the costs and expenses of such prosecution to be paid out of the assets of the Company.

Prosecution of delinquent directors in the case of winding-up by Court.

Ibid., s. 188.

217. If any person, upon any examination upon oath authorized under this Act, or in any affidavit, deposition or solemn affirmation in or about the winding-up of any Company under this Act, or otherwise in or about any matter arising under this Act, intentionally gives false evidence, he shall be liable to imprisonment for a term which may extend to seven years and shall also be liable to fine.

Penalty of false evidence.

30 & 31 Vic., c. 131, s. 41.

218. Where the High Court makes an order for winding-up a Company under this Act, it may, if it thinks fit, direct all subsequent proceedings to be had in a District Court, and thereupon such District Court shall, for the purpose of winding-up the Company, be deemed to be "the Court" within the meaning of this Act, and shall have, for the purposes of such winding-up, all the jurisdiction and powers of the High Court.

Winding-up may be referred to district Court.

Ibid., s. 42.

219. If during the progress of a winding-up in a District Court it is made to appear to the High Court that the same could be more conveniently prosecuted in any other District Court, it shall be competent for the High Court to transfer the same to such other Court, and thereupon the winding-up shall proceed in such other District Court.

As to transfer of winding-up from one district Court to another.

PART V.

REGISTRATION OFFICE.

Act X of 1866, s. 190.

Constitution of registration office.

220. The registration of Companies under this Act shall be conducted as follows (that is to say):—

(*a*) The Local Government may, after the sanction of the Governor General in Council to the creation of any such offices shall have been obtained, from time to time appoint such registrars, assistant registrars, clerks and servants as it may think necessary for the registration of Companies under this Act, and remove them at pleasure:

(*b*) The Local Government may make such regulations as it thinks fit with respect to the duties to be performed by any such registrars, assistant registrars, clerks and servants as aforesaid:

(*c*) The Local Government may from time to time determine the places at which offices for the registration of Companies are to be established, so that there be at all times maintained in each of the towns of Calcutta, Madras and Bombay at least one such office, and that no Company shall be registered except at an office within that part of British India in which by the memorandum of association the registered office of the Company is declared to be established:

(*d*) The Local Government may from time to time direct a seal or seals to be prepared for the authentication of any documents required for or connected with the registration of Companies:

(*e*) Every person may inspect the documents kept by the Registrar of Joint Stock Companies. There shall be paid for such inspection such fees as may be appointed by the Local Government not exceeding one rupee for each inspection. Any person may require a certificate of the incorporation of any Company, or a copy or extract of any other document or any part of any other document, to be certified by the registrar. There shall be paid for such certificate of incorporation, certified copy or extract, such fees as the Local Government may direct, not exceeding three rupees for the certificate of incorporation, and not exceeding two annas for each hundred words of such copy or extract:

(*f*) The existing registrar, assistant registrars, clerks and other officers and servants in the office for the registration of joint stock companies shall, during the pleasure of the Local Government hold the offices and receive the salaries hitherto held and received by them, but they shall in the execution of their duties conform to any regulations that may be issued by the Local Government.

(*g*) There shall be paid to any registrar, assistant registrar, clerk or servant that may hereafter be employed in the registration of joint stock Companies, such salary as the Local Government may, with the sanction of the Governor General in Council, direct:

(*h*) Whenever any act is herein directed to be done to or by the Registrar of Joint Stock Companies, such act shall, until the Local Government otherwise directs, be done to or by the existing Registrar of Joint Stock Companies, or in his absence to or by such person as the local Government may for the time being authorize. But in the event of the Local Government altering the constitution of the existing registry office, such act shall be done to or by such officer or officers and at such place or places with reference to the local situation of the registered offices of the Companies to be registered as the Local Government may appoint.

PART VI.

APPLICATION OF ACT TO COMPANIES REGISTERED UNDER THE JOINT STOCK COMPANIES' ACTS.

Act X of 1866, s. 191.

Application of Act to Companies formed under Act XIX of 1857 or VII of 1860.

221. Subject as hereinafter mentioned, this Act with the exception of Table A in the first schedule shall apply to Companies formed and registered under Act No. XIX of 1857 and Act No. VII of 1860 or either of them, in the same manner in the case of a limited Company as if such Company had been formed and registered under this Act as a Company limited by shares; and in the case of a Company other than a limited Company, as if such Company had been formed and registered as an unlimited Company under this Act, with this qualification, that wherever reference is made expressly or impliedly to the date of registration, such date shall be deemed to refer to the date at which such Companies were respectively registered under the said Acts or either of them, and the power of altering regulations by special resolution given by this Act shall, in the case of any Company formed and registered under the said Acts or either of them, extend to altering any provisions contained in the table marked B annexed to Act No. XIX of 1857, and shall also, in the case of an unlimited Company formed and registered as last aforesaid, extend to altering any regulations relating to the amount of capital or its distribution into shares, notwithstanding such regulations are contained in the memorandum of association.

Application of Act to Companies registered under Act XIX of 1857 or VII of 1860.

222. This Act shall apply to Companies registered but not formed under the said Acts or either of them, in the same manner as it is hereinafter declared to apply to Companies registered but not formed under this Act, with this qualification, that wherever reference is made expressly or impliedly to the date of registration, such date shall be deemed to refer to the date at which such Companies were respectively registered under the said Acts or either of them.

Mode of transferring shares.

223. Any Company registered under the said Acts or either of them may cause its shares to be transferred in manner hitherto in use, or in such other manner as the Company may direct.

PART VII.

COMPANIES AUTHORIZED TO REGISTER UNDER THIS ACT.

Companies capable of being registered.

224. With the exceptions made in the next following section and subject to the regulations therein contained, every Company existing at the time of the commencement of this Act, including any Company registered under either of the said Acts, consisting of seven or more members, and any Company hereafter formed in pursuance of any Act of Parliament, or Act of the Governor General in Council other than this Act, or of letters patent, or being otherwise duly constituted by law, and consisting of seven or more members, may at any time hereafter register itself under

this Act as an unlimited Company, or a Company limited by shares, or a Company limited by guarantee, and no such registration shall be invalid by reason that it has taken place with a view to the Company being wound up.

Act X of 1866, s. 195.

Regulations as to registration of existing Companies.

225. The following regulations shall be observed with respect to the registration of Companies under this part of this Act (that is to say)—

(*a*) No Company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council other than this Act, or by letters patent, and not being a joint stock company as hereinafter defined, shall register under this Act in pursuance of this part thereof;

(*b*) No Company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council other than this Act, or by letters patent, shall register under this Act in pursuance of this part thereof as an unlimited Company, or as a Company limited by guarantee:

(*c*) No life-assurance Company existing at the time of the commencement of this Act, and no Company that is not a joint stock company as hereinafter defined, shall in pursuance of this part of this Act register under this Act as a Company limited by shares:

(*d*) No Company shall register under this Act in pursuance of this part thereof unless an assent to its so registering is given by a majority of such of its members as may be present personally, or by proxy in cases where proxies are allowed by the regulations of the Company, at some general meeting summoned for the purpose:

(*e*) Where a Company not having the liability of its members limited by Act of Parliament or Act of the Governor General in Council, or by letters patent, is about to register as a limited Company, the majority required to assent as aforesaid shall consist of not less than three-fourths of the members present, personally or by proxy, at such last-mentioned general meeting:

(*f*) Where a Company is about to register as a Company limited by guarantee, the assent to its being so registered shall be accompanied by a resolution declaring that each member undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceased to be a member, and of the costs, charges and expenses of winding-up the Company, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding a specified amount.

In computing any majority under this section, when a poll is demanded, regard shall be had to the number of votes to which each member is entitled according to the regulations of the Company of which he is a member.

Definition of joint stock Company.

226. For the purposes of this part of this Act so far as the same relates to the description of Companies empowered to register as Companies limited by shares, a joint stock Company shall be deemed, to be a Company having a permanent paid-up or nominal capital of fixed amount, divided into shares, also of fixed amount, or held and transferable as stock, or divided and held partly in one way and partly in the other, and formed on the principle of having for its members the holders of shares in such capital, or the holders of such stock, and no other persons; and such Company when registered with limited liability under this Act shall be deemed to be a Company limited by shares.

Act X of 1866, s. 197.

Requisitions for registration by Companies.

227. Previously to the registration, in pursuance of this part of this Act, of any joint stock Company, there shall be delivered to the registrar the following documents (that is to say),—

(*a*) A list showing the names, addresses and occupations of all persons who, on a day named in such list and not being more than six clear days before the day of registration, were members of such Company, with the addition of the shares held by such persons respectively, distinguishing, in cases where such shares are numbered, each shared by its number:

(*b*) A copy of any Act of Parliament or Act of the Governor General in Council, royal charter, letters patent, deed of settlement, contract of copartnery or other instrument constituting or regulating the Company:

(*c*) If any such joint stock Company is intended to be registered as a limited Company, the above list and copy shall be accompanied by a statement specifying the following particulars (that is to say)—

The nominal capital of the Company and the number of shares into which it is divided:

The number of shares taken and the amount paid on each share:

The name of the Company, with the addition of the word "limited" as the last word thereof:

With the addition, in the case of a Company intended to be registered as a Company limited by guarantee, of the resolution declaring the amount of the guarantee.

Ibid., s. 198.

Requisitions for registration by existing Company not being a joint stock Company.

228. Previously to the registration in pursuance of this part of this Act of any Company not being a joint stock Company, there shall be delivered to the Registrar a list showing the names, addresses and occupations of the directors or other managers (if any) of the Company, also a copy of any Act of Parliament, Act of the Governor General in Council, letters patent, deed of settlement, contract of copartnery or other instrument constituting or regulating the Company, with the addition, in the case of a Company intended to be registered as a Company limited by guarantee, of the resolution declaring the amount of guarantee.

Ibid., s. 199.

Power for existing Company to register amount of stock instead of shares.

229. Where a joint stock Company authorized to register under this Act has had the whole or any portion of its capital converted into stock, such Company shall, as to the capital so converted, instead of delivering to the Registrar a statement of shares, deliver to the Registrar a statement of the amount of stock belonging to the Company, and the names of the persons who were holders of such stock, on some day to be named in the statement not more than six clear days before the day of registration.

Act X of 1866, s. 200.

230. The lists of members and directors and any other particulars relating to the Company hereby required to be delivered to the Registrar, shall be verified by declaration of the directors of the Company delivering the same or any two of them, or of any two other principal officers of the Company made before a justice of the peace or a district judge.

Authentication of statements of existing Companies.

Ibid., s. 201.

231. The Registrar may require such evidence as he thinks necessary for the purpose of satisfying himself whether an existing Company is or not a joint stock Company as hereinbefore defined.

Registrar may require evidence as to nature of Company.

Ibid., s. 202.

232. Every banking Company existing at the date of the passing of this Act which registers itself as a limited Company shall, at least thirty days previous to obtaining a certificate of registration with limited liability, give notice that it is intended so to register the same to every person and partnership firm having a banking account with the Company.

On registration of banking Company with limited liability notice to be given to customers.

Such notice shall be given either by delivering the same to such person or firm, or leaving the same, or putting the same into the post addressed to him or them, at such address as shall have been last communicated or otherwise become known as his or their address to or by the Company.

In case the Company omits to give any such notice as is hereinbefore required to be given, then, as between the Company and the person or persons only who are for the time being interested in the account in respect of which such notice ought to have been given, and so far as respects such account and all variations thereof down to the time at which such notice shall be given, but not further or otherwise, the certificate of registration with limited liability shall have no operation.

Ibid., s. 203.

233. No fees shall be charged in respect of the registration in pursuance of this part of this Act of any Company in cases where such Company is not registered as a limited Company, or where, previously to its being registered as a limited Company, the liability of the shareholders was limited by some Act of Parliament, or Act of the Governor General in Council, or by letters patent.

Exemption of certain Companies from payment of fees.

Ibid., s. 204.

234. Any Company authorized by this part of this Act to register with limited liability shall, for the purpose of obtaining registration with limited liability, change its name by adding thereto the word "limited."

Company to change name.

Ibid., s. 205.

235. Upon compliance with the requisitions in this part of this Act contained with respect to registration, and on payment of such fees, if any, as are payable under the tables marked B and C in the first schedule hereto, the Registrar shall certify under his hand that the Company so applying for registration is incorporated as a Company under this Act, and, in the case of a limited Company, that it is limited, and thereupon such Company shall be incorporated, and shall have perpetual succession and a common seal.

Certificate of registration of existing Companies.

Act X of 1866, s. 206.

236. A certificate of incorporation given at any time to any Company registered in pursuance of this part of this Act shall be conclusive evidence that all the requisitions herein contained in respect of registration under this Act have been complied with, and that the Company is authorized to be registered under this Act as a limited or unlimited Company, as the case may be, and the date of incorporation mentioned in such certificate shall be deemed to be the date at which the Company is incorporated under this Act.

Certificate to be evidence of compliance with Act.

Ibid., s. 207.

237. All such property, moveable and immoveable, including all interests and rights in, to, and out of property, moveable and immoveable, and including obligations and things in action, as may belong to or be vested in the Company at the date of its registration under this Act, shall, on registration, pass to and vest in the Company as incorporated under this Act for all the estate and interest of the Company therein.

Transfer of property to Company.

Ibid., s. 208.

238. The registration in pursuance of this part of this Act of any Company shall not affect or prejudice the liability of such Company to have enforced against it, or its right to enforce, any debt or obligation incurred, or any contract entered into, by, to, with or on behalf of such Company previously to such registration.

Registration under this Act not to affect obligations incurred previously to registration.

Ibid., s. 209.

239. All such suits and other legal proceedings as may at the time of the registration of any Company registered in pursuance of this part of this Act have been commenced by or against such Company, or the public officer or any member thereof, may be continued in the same manner as if such registration had not taken place. Nevertheless, execution shall not issue against the effects of any individual member of such Company upon any decree or order obtained in any suit or proceeding so commenced as aforesaid; but in the event of the property and effects of the Company being insufficient to satisfy such decree or order, an order may be obtained for winding-up the Company.

Continuation of existing suits.

Ibid., s. 210.

240. When a Company is registered under this Act in pursuance of this part thereof, all provisions contained in any Act of Parliament, Act of the Governor General in Council, deed of settlement, contract of copartnery, letters patent or other instrument constituting or regulating the Company, including, in the case of a Company registered as a Company limited by guarantee, the resolution declaring the amount of the guarantee, shall be deemed to be conditions and regulations of the Company, in the same manner and with the same incidents as if they were contained in a registered memorandum of association and articles of association; and all the provisions of this Act shall apply to such Company and the members, contributories and creditors thereof, in the same manner in all respects as if it had been formed under this Act, subject to the provisions following (that is to say),—

Effect of registration under Act.

(*a*) That Table A in the first schedule to this Act shall not, unless adopted by special resolution, apply to any Company registered under this Act in pursuance of this part thereof;

(*b*) That the provisions of this Act relating to the numbering of shares shall not apply to any joint stock Company whose shares are not numbered:

(*c*) That no Company shall have power to alter any provisions contained in any Act of Parliament, Act of the Legislative Council or Act of the Governor General in Council relating to the Company:

(*d*) That no Company shall have power, without the sanction of the Governor General in Council, to alter any provision contained in any letters patent relating to the Company:

(*e*) In the event of the Company being wound up, every person shall be a contributory, in respect of the debts and liabilities of the Company contracted prior to registration, who is liable to pay or contribute to the payment of any debt or liability of the Company contracted prior to registration, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members amongst themselves in respect of any such debt or liability; or to pay or contribute to the payment of the costs, charges and expenses of winding-up the Company, so far as relates to such debts or liabilities as aforesaid. Every such contributory shall be liable to contribute to the assests of the Company, in the course of the winding-up, all sums due from him in respect of any such liability as aforesaid. In the event of the death or insolvency of any such contributory as last aforesaid, or marriage of any such contributory being a female, the provisions hereinbefore contained with respect to the representatives, heirs and devisees of deceased contributories, and with reference to the assignees of insolvent contributories, and to the husbands of married contributories, shall apply:

(*f*) Nothing herein contained shall authorize any Company to alter any such provisions contained in any deed of settlement, contract of copartnery, letters patent or other instrument constituting or regulating the Company, as would, if such Company had originally been formed under this Act, have been contained in the memorandum of association, and are not authorized to be altered by this Act:

But nothing herein contained shall derogate from any power of altering its constitution or regulations which may be vested in any Company registering under this Act in pursuance of this Part thereof by virtue of any Act of Parliament, Act of the Governor General in Council, deed of settlement contract of copartnery, letters patent or other instrument constituting or regulating the Company.

241. The Court may, at any time after the presentation of a petition for winding-up a Company registered in pursuance of this part of this Act, and before making an order for winding-up the Company, upon the application of any creditor of the Company restrain further proceedings in any suit or legal proceeding against any contributory of the Company as well as against the Company as hereinbefore provided, upon such terms as the Court thinks fit.

Powers of Court to restrain further proceedings.

242. Where an order has been made for winding-up a Company registered in pursuance of this part of the Act, in addition to the provisions hereinbefore contained, it is hereby further provided that no suit or other legal proceeding shall be commenced or proceeded with against any contributory of the Company in respect of any debt of the Company, except with the leave of the Court and subject to such terms as the Court may impose.

Order for winding-up Company.

PART VIII.

APPLICATION OF ACT TO UNREGISTERED COMPANIES.

Act X of 1866, s. 213.

243. Subject as hereinafter mentioned, any partnership, association or Company, except railway Companies incorporated by Act of Parliament or Act of the Governor General in Council, consisting of more than seven members and not registered under this Act, and hereinafter included under the term unregistered Company, may be wound up under this Act, and all the provisions of this Act with respect to winding-up shall apply to such Company, with the following exceptions and additions:—

Winding-up unregistered Companies.

(1) An unregistered Company shall, for the purpose of determining the Court having jurisdiction in the matter of the winding-up, be deemed to be registered in that part of British India where its principal place of business is situate; or if it has a principal place of business situate in more than one part of British India, then in each part of British India where it has a principal place of business. Moreover, the principal place of business of an unregistered Company, or (where it has a principal place of business situate in more than one part of British India) such one of its principal places of business as is situated in that part of British India in which proceedings are being instituted, shall, for all the purposes of the winding-up of such Company, be deemed to be the registered office of the Company:

(2) No unregistered Company shall be wound up under this Act voluntarily, or subject to the supervision of the Court:

(3) The circumstances under which an unregistered Company may be wound up are as follows (that is to say),—

(*a*) Whenever the Company is dissolved or has ceased to carry on business, or is carrying on business only for the purpose of winding-up its affairs:

(*b*) Whenever the Company is unable to pay its debts:

(*c*) Whenever the Court is of opinion that it is just and equitable that the Company should be wound up:

(4) An Unregistered Company shall, for the the purposes of this Act, be deemed to be unable to pay its debts:—

(*a*) Whenever a creditor to whom the Company is indebted, by assignment or otherwise, in a sum exceeding five hundred rupees then due, has served on the Company, by leaving the same at the principal place of business of the Company or by delivering to the secretary or some director or principal officer of the Company, or by otherwise serving the same in such manner as the Court may approve or direct, a demand under his hand requiring the Company to pay the sum so due, and the Company has for the space of three weeks succeeding the service of such demand neglected to pay such sum, or to secure or compound for the same to the satisfaction of the creditor;

(*b*) Whenever any suit or other proceeding has been instituted against any member of the Company for any debt or demand due or claimed to be due from the Company, or from him in his character of member of the Company, and notice in writing of the institution of such suit or other legal proceeding having been served upon the Company by leaving the same at the principal place of business of the Company, or by delivering it to the secretary, or some director, manager or principal officer of the Company, or by otherwise serving the same in such manner as the Court may approve or direct, the Company has not within ten days after service of such notice paid, secured or compounded for such debt or demand, or procured such suit or other legal proceeding to be stayed, or indemnified the defendant to his reasonable satisfaction against such suit or other legal proceeding, and against all costs, damages and expenses to be incurred by him by reason of the same:

(*c*) Whenever execution or other process issued on a decree or order obtained in any Court in favour of any creditor in any proceeding instituted by such creditor against the Company, or any member thereof as such, or against any person authorized to be sued as nominal defendant on behalf of the Company, is returned unsatisfied:

(*d*) Whenever it is otherwise proved to the satisfaction of the Court that the Company is unable to pay its debts.

Act X of 1866, s. 214.

244. In the event of an unregistered Company being wound up, every person shall be deemed to be a contributory who is liable to pay or contribute to the payment of any debt or liability of the Company, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members amongst themselves, or to pay or contribute to the payment of the costs, charges and expenses of winding-up the Company.

Who to be deemed a contributory in the event of Company being wound up.

Every such contributory shall be liable to contribute to the assets of the Company in the course of the winding-up all sums due from him in respect of any such liability as aforesaid.

In the event of the death or insolvency of any contributory, the provisions hereinbefore contained with respect to the personal representatives, heirs and devisees of a deceased contributory, and to the assignees of an insolvent contributory, shall apply.

Ibid., s. 215.

245. The Court may, at any time after the making of an application for winding-up an unregistered Company, and before making an order for winding-up the Company, upon the application of any creditor of the Company, restrain further proceedings in any suit or proceeding against any contributory of the Company, or against the Company as hereinbefore provided, upon such terms as the Court thinks fit.

Power of Court to restrain further proceedings.

Ibid., s. 216.

246. Where an order has been made for winding-up an unregistered Company, in addition to the provisions hereinbefore contained in the case of Companies formed under this Act, it is hereby further provided that no suit shall be commenced or proceeded with against any contributory of the Company in respect of any debt of the Company, except with the leave of the Court and subject to such terms as the Court may impose.

Effect of order for winding-up Company.

Act X of 1866, s. 217.

247. If any unregistered Company has no power to sue and be sued in a common name, or if, for any reason, it appears expedient, the Court may by the order made for winding-up such Company or by any subsequent order, direct that all such property, moveable and immoveable, including all interests, claims and rights into and out of property, moveable and immoveable, and including things in action, as may belong to or be vested in the Company, or to or in any person or persons on trust for or on behalf of the Company or any part of such property, is to vest in the official liquidator or official liquidators by his or their official name or names, and thereupon the same or such part thereof as may be specified in the order shall vest accordingly, and the official liquidator or official liquidators may, in his or their official name or names, or in such name or names and after giving such indemnity as the Court directs, bring or defend any suits or other legal proceedings relating to any property vested in him or them, or any suits or other legal proceedings necessary to be brought or defended for the purposes of effectually winding-up the Company and recovering the property thereof.

Provision in case of unregistered Company.

Ibid., s. 218.

248. The provisions made by this part of the Act with respect to unregistered Companies shall be deemed to be made in addition to and not in restriction of any provisions hereinbefore contained with respect to winding-up Companies by the Court.

Provisions of this part of Act cumulative.

The Court or official liquidator may, in addition to any thing contained in this part of the Act, exercise any powers or do any act in the case of unregistered Companies which might be exercised or done by it or him in winding-up Companies formed under this Act; but an unregistered Company shall not, except in the event of its being wound up, be deemed to be a Company under this Act, and then only to the extent provided by this part of this Act.

PART IX.

MISCELLANEOUS PROVISIONS.

Ibid., s. 221.

249. Where previously to the commencement of this Act an order has been made for winding-up a Company under the Indian Companies Act, 1866, or a resolution has been passed for winding-up a Company voluntarily, such Company shall be wound-up in the same manner and with the same incidents as if this Act were not passed, and for the purposes of such winding-up, the Indian Companies Act, 1866, shall be deemed to remain in full force.

Saving of existing proceedings for winding-up.

Ibid., s. 222.

250. Where previously to the commencement of this Act any conveyance, mortgage or other deed has been made in pursuance of the Indian Companies Act, 1866, such deed shall be of the same force as if this Act had not passed, and for the purposes of such deed, the Indian Companies Act, 1866, shall be deemed to remain in full force.

Saving of conveyance deeds.

Ibid., s. 223.

251. All offences under this Act may be tried by any magistrate of the first class unless the period of imprisonment to which the offender is liable exceeds that which such officer is competent to award under the law for the time being in force in the place in which he is employed. When the period of imprisonment provided by this Act exceeds the period that may be awarded by such officer, the offender shall be committed for trial before the Court of Session.

Cognizance of offences under this Act.

Act X of 1866, s. 226.

252. If any offence which by this Act is declared to be punishable by any penalty is committed by any person within the local limits of the ordinary original civil jurisdiction of the High Court, such offence shall be punishable upon summary conviction by any magistrate of police of the place at which such Court is held.

Punishment of offences under this Act, committed within local limits of High Court.

English Companies Act, 1867, s. 12.

253. Subject to the provisions hereinbefore contained, the Court may, in any proceedings under this Act, make such order as to costs as it thinks fit.

Power to make orders as to costs.

Act X of 1866, s. 189.

254. The High Court may from time to time make rules consistent with this Act and with the Code of Civil Procedure concerning the mode of proceeding to be had for winding-up a Company in such Court and in the Courts subordinate thereto, *and for giving effect to the provisions hereinbefore contained as to the reduction of the capital and the subdivision of the shares of a Company.*

Power of High Court to make rules.

English Companies Act, 1867, s. 20.

Act X of 1866, s. 230.

255. In sections one and eighteen of Act No. XXI of 1860 (*for the registration of Literary, Scientific and Charitable Societies*), the words "Registrar of Joint Stock Companies" shall be construed to mean Registrar of Joint Stock Companies under this Act or any Act for the time being in force.

Construction of "Registrar of Joint Stock Companies" in Act No. XXI of 1860.

Ibid., s. 231.

256. Save as provided in sections one hundred and fifty-two and one hundred and fifty-three, nothing in this Act shall be deemed to apply to the Bank of Bengal, the Bank of Madras and the Bank of Bombay.

Act not to apply to Bank of Bengal, Madras or Bombay.

FIRST SCHEDULE.

TABLE A.

REGULATIONS FOR MANAGEMENT OF A COMPANY LIMITED BY SHARES.

Shares.

(1) If several persons are registered as joint holders of any share, any one of such persons may give effectual receipts for any dividend payable in respect of such share.

(2) Every member shall, on payment of eight annas or such less sum as the Company in general meeting may prescribe, be entitled to a certificate under the common seal of the Company, specifying the share or shares held by him, and the amount paid up thereon.

(3) If such certificate is worn out or lost, it may be renewed, on payment of eight annas or such less sum as the Company in general meeting may prescribe.

Calls on Shares.

(4) The directors may from time to time make such calls upon the members in respect of all monies unpaid on their shares as they think fit, provided that twenty-one days' notice at least is given of each call; and each member shall be liable to pay the amount of calls so made to the persons and at the times and places appointed by the directors.

(5) A call shall be deemed to have been made at the time when the resolution of the directors authorizing such call was passed.

(6) If the call payable in respect of any share is not paid before or on the day appointed for payment thereof, the holder for the time being of such share shall be liable to pay interest for the same at the rate of five per cent. per annum from the day appointed for the payment thereof to the time of the actual payment.

(7) The directors may, if they think fit, receive from any member willing to advance the same all or any part of the monies due upon the shares held by him beyond the sums actually called for; and upon the monies so paid in advance, or so much thereof as from time to time exceeds the amount of the calls then made upon the shares in respect of which such advance has been made, the Company may pay interest at such rate as the member paying such sum in advance and the directors agree upon.

Transfers of Shares.

(8) The instrument of transfer of any share in the Company shall be executed both by the transferor and transferee, and the transferor shall be deemed to remain a holder of such share until the name of the transferee is entered in the register book in respect thereof.

(9) Shares in the Company shall be transferred in the folowing form:—

I, *A B*, of in consideration of the sum of rupees paid to me by *C D* of do hereby transfer to the said *C D* the share (or shares) numbered standing in my name in the books of the Company, to hold unto the said *C D*, his executors, administrators and assigns, subject to the several conditions on which I held the same at the time of the execution hereof; and I, the said *C D*, do hereby agree to take the said share (or shares) subject to the same conditions. As witness our hands, the day of

(10) The Company may decline to register any transfer of shares made by a member who is indebted to them.

(11) The transfer books shall be closed during the fourteen days immediately preceding the ordinary general meeting in each year.

Transmission of Shares.

(12) The executors or administrators of a deceased member shall be the only persons recognized by the Company as having any title to his share.

(13) Any person becoming entitled to a share in consequence of the death, bankruptcy or insolvency of any member, or in consequence of the marriage of any female member, may be registered as a member upon such evidence being produced as may from time to time be required by the Company.

(14) Any person who has become entitled to a share in consequence of the death, bankruptcy or insolvency of any member, or in consequence of the marriage of any female member, may, instead of being registered himself, elect to have some

person to be named by him registered as a transferee of such share.

(15) The person so becoming entitled shall testify such election by executing to his nominee an instrument of transfer of such share.

(16) The instrument of transfer shall be presented to the Company, together with such evidence as the directors may require to prove the title of the transferee, and thereupon the Company shall regsiter the transferee as a member.

Forfeiture of Shares.

(17) If any member fails to pay any call on the day appointed for payment thereof, the directors may, at any time thereafter, during such time as the call remains unpaid, serve a notice on him requiring him to pay such call, together with interest and any expenses that may have accrued by reason of such non-payment.

(18) The notice shall name a further day on or before which such call and all interest and expenses that have accrued by reason of such non-payment are to be paid. It shall also name the place where payment is to be made, the place so named being either the registered office of the Company or some other place at which calls of the Company are usually made payable. The notice shall also state that in the event of non-payment at or before the time and at the place appointed, the shares in respect of which such call was made will be liable to be forfeited.

(19) If the requisitions of any such notice as aforesaid are not complied with, any share in respect of which such notice has been given may at any time thereafter before payment of all calls, interest and expenses due in respect thereof has been made, be forfeited by a resolution of the directors to that effect.

(20) Any share so forfeited shall be deemed to be the property of the Company, and may be disposed of in such manner as the Company in general meeting thinks fit.

(21) Any member whose shares have been forfeited shall notwithstanding be liable to pay to the Company all calls owing upon such shares at the time of the forfeiture.

(22) A solemn declaration in writing, made before a magistrate, that the call in respect of a share was made and notice thereof given, and that default in payment of the call was made, and that the forfeiture of the share was made by a resolution of the directors to that effect, shall be sufficient evidence of the facts therein stated, as against all persons entitled to such share, and such declaration and the receipt of the Company for the price of such share shall constitute a good title to such share, and a certificate of proprietorship shall be delivered to a purchaser, and thereupon he shall be deemed the holder of such share discharged from all calls due prior to such purchase, and he shall not be bound to see to the application of the purchase-money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

Conversion of Shares into Stock.

(23) The directors may, with the sanction of the Company previously given in general meeting convert any paid-up shares into stock.

(24) When any shares have been converted into stock, the several holders of such stock may thenceforth transfer their respective interests therein or any part of such interests, in the same manner and subject to the same regulations as and subject to which any shares in the capital of the Company may be transferred, or as near thereto as circumstances admit.

(25) The several holders of stock shall be entitled to participate in the dividends and profits of the Company according to the amount of their respective interests in such stock, and such interests shall, in proportion to the amount thereof, confer on the holders there of respectively, the same privileges and advantages for the purpose of voting at meetings of the Company and for other purposes, as would have been conferred by shares of equal amount in the capital of the Company; but so that none of such privileges or advantages, except the participation in the dividends and profits of the Company, shall be conferred by any such aliquot part of consolidated stock as would not, if existing in shares, have conferred such privileges or advantages.

Increase in Capital.

(26) The directors may, with the sanction of a special resolution of the Company previously given in the general meeting, increase its capital by the issue of new shares, such aggregate increase to be of such amount, and to be divided into shares of such respective amounts, as the Company in general meeting directs, or, if no direction is given, as the directors think expedient.

(27) Subject to any direction to the contrary that may be given by the meeting that sanctions the increase of capital, all new shares shall be offered to the members in proportion to the existing shares held by them, and such offer shall be made by notice specifying the number of shares to which the member is entitled and limiting a time within which the offer, if not accepted, will be deemed to be declined; and after the expiration of such time, or on the receipt of an intimation from the member to whom such notice is given that he declines to accept the shares offered, the directors may dispose of the same in such manner as they think most beneficial to the Company.

(28) Any capital raised by the creation of new shares shall be considered as part of the original capital, and shall be subject to the same provisions with reference to the payment of calls, and the forfeiture of shares on non-payment of calls, or otherwise, as if it had been part of the original capital.

General Meetings.

(29) The first general meeting shall be held at such time, not being more than six months after the registration of the Company, and at such place, as the directors may determine.

(30) Subsequent general meetings shall be held at such time and place as may be prescribed by the Company in general meeting; and if no other time or place is prescribed, a general meeting shall be held on the first Monday in February in every year, at such place as may be determined by the directors.

(31) The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

(32) The directors may, whenever they think fit, and they shall upon a requisition made in writing by not less than one-fifth in number of the members of the Company, convene an extraordinary general meeting.

(33) Any requisition made by the members shall express the object of the meeting proposed to be called, and shall be left at the registered office of the Company.

(34) Upon the receipt of such requisition the directors shall forthwith proceed to convene an extraordinary general meeting. If they do not proceed to convene the same within twenty-one days from the date of the requisition, the requisitionists or any other members amounting to the required number, may themselves convene an extraordinary general meeting.

Proceedings at General Meeting.

(35) Seven days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business the general nature of such business, shall be given to the members in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the Company in general meeting; but the non-receipt of such notice by any member shall not invalidate the proceedings at any general meeting.

(36) All business shall be deemed special that is transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of sanctioning a dividend, and the consideration of the accounts, balance-sheets and the ordinary report of the directors.

(37) No business shall be transacted at any general meeting, except the declaration of a dividend, unless a quorum of members is present at the time when the meeting proceeds to business. Such quorum shall be ascertained as follows, that is to say, if the persons who have taken shares in the Company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members up to fifty, and one for every ten additional members after fifty, with this limitation, that no quorum shall in any case exceed twenty.

(38) If within one hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same time and place; and if at such adjourned meeting a quorum is not present, it shall be adjourned *sine die*.

(39) The chairman (if any) of the board of directors shall preside as chairman at every general meeting of the Company.

(40) If there is no such chairman, or if at any meeting he is not present within fifteen minutes after the time appointed for holding the meeting, the members present shall choose some one of their number to be chairman.

(41) The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place; but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(42) At any general meeting, unless a poll is demanded by at least five members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the Company, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against such resolution.

(43) If a poll is demanded by five or more members, it shall be taken in such manner as the chairman directs, and the result of such poll shall be deemed to be the resolution of the Company in general meeting. In the case of an equality of votes at any general meeting the Chairman shall be entitled to a second or casting vote.

Votes of Members.

(44) Every member shall have one vote for every share up to ten. He shall have an additional vote for every five shares beyond the first ten shares up to one hundred, and an additional vote for every ten shares beyond the first hundred shares.

(45) If any member is a lunatic or idiot, he may vote by his committee or other legal curator and if any member is a minor, he may vote by his guardian or any one of his guardians if more than one.

(46) If one or more persons are jointly entitled to a share or shares, the member whose name stands first in the register of members as one of the holders of such share or shares, and no other, shall be entitled to vote in respect of the same.

(47) No member shall be entitled to vote at any general meeting unless all calls due from him have been paid, and no member shall be entitled to vote in respect of any share that he has acquired by transfer, at any meeting held after the expiration of three months from the registration of the Company, unless he has been possessed of the share in respect of which he claims to vote for at least three months previously to the time of holding the meeting at which he proposes to vote.

(48) Votes may be given either personally or by proxy.

(49) The instrument appointing a proxy shall be in writing, under the hand of the appointor, or if such appointor is a corporation, under their common seal, and shall be attested by one or more witness or witnesses. No person shall be appointed a proxy who is not a member of the Company.

(50) The instrument appointing a proxy shall be deposited at the registered office of the Company not less than seventy-two hours before the time for holding the meeting at which the person named in such instrument proposes to vote; but no instrument appointing a proxy shall be valid after the expiration of twelve months from the date of its execution.

(51) Any instrument appointing a proxy shall be in the following form:—

Company Limited.

I of

being a member of the Company Limited, and entitled to vote or votes, hereby appoint of as my proxy, to vote for me and on my behalf at the (ordinary *or* extraordinary, *as the case may be*) general meeting of the Company to be held on the day of and at any adjournment thereof (*or*, at any meeting of the Company that may be held in the year). As witness my hand, this day of

Signed by the said in the presence of

Directors.

(52) The number of the directors, and the names of the first directors, shall be determined by the subscribers of the memorandum of association,

(53) Until directors are appointed, the subscribers of the memorandum of association shall be deemed to be directors.

(54) The future remuneration of the directors and their remuneration for services performed previously to the first general meeting, shall be determined by the Company in general meeting.

Powers of Directors.

(55) The business of the Company shall be managed by the directors, who may pay all expenses incurred in getting up and registering the Company, and may exercise all such powers of the Company as are not by the foregoing Act, or by these articles, required to be exercised by the Company in general meeting subject nevertheless to any regulations of these articles, to the provisions of the foregoing Act, and to such regulations, being not inconsistent with the aforesaid regulations, or provisions as may be prescribed by the Company in general meeting; but no regulation made by the Company in general meeting shall invalidate any prior act of the directors which would have been valid if such regulation had not been made.

(56) The continuing directors may act notwithstanding any vacancy in their body.

Disqualification of Directors.

(57) The office of director shall be vacated—

If he holds any other office or place of profit under the Company;

If he becomes bankrupt or insolvent;

If he is concerned in or participates in the profits of any contract with the Company;

But the above rules shall be subject to the following exceptions: That no director shall vacate his office by reason of his being a member of any Company which has entered into contracts with or done any work for the Company of which he is director; nevertheless he shall not vote in respect of such contract or work; and if he does so vote his vote shall not be counted.

Rotation of Directors.

(58) At the first ordinary meeting after the registration of the Company, the whole of the directors shall retire from office; and at the first ordinary meeting in every subsequent year, one-third of the directors for the time being, or, if their number is not a multiple of three, then the number nearest to one-third, shall retire from office.

(59) The one-third or other nearest number to retire during the first and second years ensuing the first ordinary meeting of the Company shall, unless the directors agree among themselves, be determined by ballot. In every subsequent year, the one-third or other nearest number who have been longest in office shall retire.

(60) A retiring director shall be re-eligible.

(61) The Company at the general meeting at which any directors retire in manner aforesaid shall fill up the vacated offices by electing a like number of persons.

(62) If at any meeting at which an election of directors ought to take place the places of the vacating directors are not filled up, the meeting shall stand adjourned till the same day in the next week, at same time and place; and if at such adjourned meeting the places of the vacating directors are not filled up, the vacating directors or such of them as have not had their places filled up, shall continue in office until the ordinary meeting in the next year, and so on from time to time until their places are filled up.

(63) The Company may from time to time, in general meeting, increase or reduce the number of directors, and may also determine in what rotation such increased or reduced number is to go out of office.

(64) Any casual vacancy occurring in the board of directors may be filled up by the directors, but any person so chosen shall retain his office so long only as the vacating director would have retained the same if no vacancy had occurred.

(65) The Company in general meeting may, by a special resolution, remove any director before the expiration of his period of office, and may by an ordinary resolution appoint another person in his stead. The person so appointed shall hold office during such time only as the director in whose place he is appointed would have held the same if he had not been removed.

Proceedings of Directors.

(66) The directors may meet together for the despatch of business, adjourn and otherwise regulate their meetings as they think fit, and determine the quorum necessary for the transaction of business. Questions arising at any meeting shall be decided by a majority of votes. In case of an equality of votes, the chairman shall have a second or casting vote. A director may at any time summon a meeting of the directors.

(67) The directors may elect a chariman of their meetings, and determine the period for which he is to hold office; but if no such chairman is elected, or if at any meeting the chairman is not present at the time appointed for holding the same, the directors present shall choose some one of their number to be chairman of such meeting.

(68) The directors may delegate any of their powers to committees consisting of such member or members of their body as they think fit. Any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the directors.

(69) A committee may elect a chairman of its meetings. If no such chairman is elected, or if he is not present at the time appointed for holding the same, the members present shall choose one of their number to be chairman of such meeting.

(70) A committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present; and in case of an equality of votes the chairman shall have a second or casting vote.

(71) All acts done by any meeting of the directors, or of a committee of directors, or by any person acting as a director, shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such directors or persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a director.

Dividends.

(72) The directors may, with the sanction of the Company in general meeting, declare a dividend to be paid to the members in proportion to their shares.

(73) No dividend shall be payable except out of the profits arising from the business of the Company.

(74) The directors may, before recommending any dividend, set aside out of the profits of the Company such sum as they think proper as a reserved fund to meet contingencies, or for equalizing

dividends, or for repairing or maintaining the works connected with the business of the Company or any part thereof; and the directors may invest the sum so set part as a reserved fund upon such securities as they may select.

(75) The directors may deduct from the dividends payable to any member all such sums of money as may be due from him to the Company on account of calls or otherwise.

(76) Notice of any dividend that may have been declared shall be given to each member in manner hereinafter mentioned; and all dividends unclaimed for three years after having been declared may be forfeited by the directors for the benefit of the Company.

(77) No dividend shall bear interest as against the Company.

Accounts.

(78) The directors shall cause true accounts to be kept,

of the stock in trade of the Company;

of the sums of money received and expended by the Company, and the matters in respect of which such receipt and expenditure take place; and

of the credits and liabilities of the Company.

The books of account shall be kept at the registered office of the Company, and subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed by the Company in general meeting, shall be open to the inspection of the members during the hours of business.

(79) Once at the least in every year the directors shall lay before the Company in general meeting a statement of the income and expenditure for the past year, made up to a date not more than three months before such meeting.

(80) The statement so made shall show, arranged under the most convenient heads, the amount of gross income, distinguishing the several sources from which it has been derived, and the amount of gross expenditure, distinguishing the expense of the establishment, salaries and other like matters. Every item of expenditure fairly chargeable against the year's income shall be brought into account, so that a just balance of profit and loss may be laid before the meeting; and in cases where any item of expenditure which may in fairness be distributed over several years has been incurred in any one year, the whole amount of such item shall be stated, with the addition of the reasons why only a portion of such expenditure is charged against the income of the year.

(81) A balance-sheet shall be made out in every year and laid before the Company in general meeting, and such balance-sheet shall contain a summary of the property and liabilities of the Company arranged under the heads appearing in the form annexed to this table, or as near thereto as circumstances admit.

(82) A printed copy of such balance-sheet shall, seven days previously to such meeting, be served on every member in the manner in which notices are hereinafter directed to be served.

Audit.

(83) Once at the least in every year the accounts of the Company shall be examined, and the correctness of the balance-sheet ascertained by one or more auditor or auditors.

(84) The first auditors shall be appointed by the directors; subsequent auditors shall be appointed by the Company in general meeting.

(85) If one auditor only is appointed, all the provisions herein contained relating to auditors shall apply to him.

(86) The auditors may be members of the Company; but no person is eligible as an auditor who is interested otherwise than as a member in any transaction of the Company; and no director or other officer of the Company is eligible during his continuance in office.

(87) The election of auditors shall be made by the Company at their ordinary meeting in each year.

(88) The remuneration of the first auditors shall be fixed by the directors; that of subsequent auditors shall be fixed by the Company in general meeting.

(89) Any auditor shall be re-eligible on his quitting office.

(90) If any casual vacancy occurs in the office of any auditor appointed by the Company, the directors shall forthwith call an extraordinary general meeting for the purpose of supplying the same.

(91) If no election of auditors is made in manner aforesaid, the local Government may, on the application of not less than five members of the Company, appoint an auditor for the current year, and fix the remuneration to be paid to him by the Company for his services.

(92) Every auditor shall be supplied with a copy of the balance-sheet, and it shall be his duty the examine the same with the accounts and vouchers relating thereto.

(93) Every auditor shall have a list delivered to him of all books kept by the Company, and shall at all reasonable times have access to the books and accounts of the Company. He may, at the expense of the Company, employ accountants or other persons to assist him in investigating such accounts, and he may, in relation to such accounts, examine the directors or any other officer of the Company.

(94) The auditors shall make a report to the members upon the balance-sheet and accounts, and in every such report they shall state whether, in their opinion, the balance-sheet is a full and fair balance-sheet, containing the particulars required by these regulations, and properly drawn up so as to exhibit a true and correct view of the state of the Company's affairs; and in case they have called for explanations or information from the directors, whether such explanations or information have or has been given by the directors, and whether they or it have or has been satisfactory. Such report shall be read, together with the report of the directors, at the ordinary meeting.

Notices.

(95) A notice may be served by the Company upon any member either personally or by sending it through the post in a letter addressed to such member at his registered place of abode.

(96) All notices directed to be given to the members shall, with respect to any share to which persons are jointly entitled, be given to whichever of such persons is named first in the register of members; and notice so given shall be sufficient notice to all the holders of such share.

(97) Any notice, if served by post, shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office.

Balance-sheet (a) of the Company made up to 18

Dr.			Cr.		
		Rs. A.			Rs. A.
I. Capital.			**III. Property held by the Company.**		
	Showing:			Showing:	
	1 The number of shares			7 Immoveable property. Distinguishing—	
	2 The amount paid per share			(a) Freehold land	
	3 If any arrears of calls, the nature of the arrear, and the names of the defaulter			(b) " buildings	
	4 The particulars of any forfeited shares			(c) Leasehold property	
				8 Moveable property. Distinguishing—	
II. Debts and Liabilities of the Company.				(d) Stock in trade	
	Showing:			(e) Plant	
	5 The amount of loans on mortgages or debenture bonds			The cost to be stated with deductions for deterioration in value as charged to the reserve fund or profit and loss	
	6 The amount of debts owing by the Company. Distinguishing—				
	(a) Debts for which acceptances have been given		**IV. Debts owing to the Company.**		
	(b) Debts to tradesmen for supplies of stock in trade or other articles			Showing:	
	(c) Debts for law expenses			9 Debts considered good for which the Company hold bills or others securities	
	(d) Debts for interest on debentures or other loans			10 Debts considered good for which the Company hold no security	
	(e) Declared dividends			11 Debts considered doubtful and bad	
	(f) Debts not enumerated above			Any debt due from a director or other officer of the Company to be separately stated.	
	Showing:		**V. Cash and Investments.**		
VI. Reserve Fund.				Showing:	
	The amount set aside from profits to meet contingencies			12 The nature of investment and rate of interest	
VII. Profit and Loss.				13 The amount of cash, where lodged, and if bearing interest ...	
	Showing:				
	The disposable balance for payment of dividends, &c.				
Contingent Liabilities.					
	Claims against the Company not acknowledged as debts				
	Monies for which the Company is contingently liable				

(a) See clauses 81 and 82 of the foregoing Table A.

TABLE B.

TABLE OF FEES to be paid to the Registrar of Joint Stock Companies by a Company having a capital divided into shares.

	Rs.	A.	P.
For registration of a Company whose nominal capital does not exceed Rs. 20,000, a fee of ...	40	0	0
For registration of a Company whose nominal capital exceeds Rs. 20,000 the above fee of forty rupees, with the following additional fees regulated according to the amount of nominal capital, (that is to say)—			
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 20,000 rupees up to 50,000 rupees	20	0	0
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 50,000 rupees up to 10,00,000 rupees	5	0	0
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 10,00,000 rupees ...	1	0	0
For registration of any increase of capital made after the first registration of the Company, the same fees per 10,000 rupees or part of 10,000 rupees as would have been payable if such increased capital had formed part of the original capital at the time of registration.			
Provided that no Company shall be liable to pay in respect of nominal capital on registration, or afterwards, any greater amount of fees than 1,000 rupees, taking into account in the case of fees payable on an increase of capital after registration the fees paid on registration.			
For registration of any existing Company, except such Companies as are by this Act exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new Company.			
For registering any document hereby required or authorized to be registered, other than the memorandum of association ...	5	0	0
For making a record of any fact hereby authorized or required to be recorded by the Registrar of Companies, a fee of	5	0	0

TABLE C.

TABLE OF FEES to be paid to the Registrar of Joint Stock Companies by a Company not having a capital divided into shares :—

	Rs.	A.	P.
For registration of a Company whose number of members, as stated in the articles of association, does not exceed 20	40	0	0
For registration of a Company whose number of members, as stated in the articles of association, exceeds 20, but does not exceed 100	100	0	0
For registration of a Company whose number of members, as stated in the articles of association, exceeds 100, but is not stated to be unlimited, the above fee of Rs. 100 with an additional Rs. 5 for every 50 members or less number than 50 members after the first 100.			
For registration of a Company in which the number of members is stated in the articles of association to be unlimited, a fee of ...	400	0	0
For registration of any increase on the number of members made after the registration of the Company, in respect of every 50 members, or less than 50 members of such increase	5	0	0
Provided that no one Company shall be liable to pay on the whole a greater fee than Rs. 400 in respect of its number of members, taking into account the fee paid on the first registration of the Company.			
For registration of any existing Company, except such Companies as are by this Act exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new Company.			
For registering any document hereby required or authorized to be registered, other than the memorandum of association ...	5	0	0
For making a record of any fact hereby authorized or required to be recorded by the Registrar of Companies, a fee of ...	5	0	0

FORM D.

FORM OF STATEMENT REFERRED TO IN PART III OF THE ACT.

* The Capital of the Company is Rs. , divided into shares of each.

The number of shares issued is . Calls to the amount of Rs. per share have been made, under which the sum of Rs. has been received.

The liabilities of the Company on the first day of January (or July) were :—

Debts owing to sundry person by the Company :

Under decree, Rs.

On specialty, Rs.

On notes or bills, Rs.

On simple contracts, Rs.

On estimated liabilities, Rs.

The Assets of the Company on that day were :—

Government securities [stating them], Rs.

Bills of exchange and promissory notes, Rs.

Cash at the bankers, Rs.

Other securities, Rs.

* If the Company has no capital divided into shares, the portion of the statement relating to capital and shares must be omitted.

SECOND SCHEDULE.

(SEE SECTION 95.)

FORM A.

Memorandum of association of a Company limited by shares.

1st.—The name of the Company is "The Company, Limited."

2nd.—The registered office of the Company will be situate in

3rd.—The objects for which the Company is established are, " and the doing all such other things as are incidental or conducive to the attainment of the above object."

4th.—The liability of the members is limited.

5th.—The capital of the Company is Rs. divided into shares of Rs. each.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the Company set opposite our respective names :—

Names, addresses and description of subscribers.	Number of shares taken by each subscriber.
1. *A. B.* of ...	
2. *C. D.* " ...	
3. *E. F.* " ...	
4. *G. H.* " ...	
5. *I. J.* " ...	
6. *K. L.* " ...	
7. *M. N.* " ...	
Total shares taken ...	

Dated the day of

Witness to the above signatures.

O. P. of

FORM B.

Memorandum and articles of association of a Company limited by guarantee, and not having a capital divided into shares.

Memorandum of Association.

1*st.*—The name of the Company is "The Mutual Calcutta Marine Association, Limited."

2*nd.*—The registered office of the Company will be situate in Calcutta.

3*rd.*—The objects for which the Company is established are "the Mutual Insurance of ships belonging to members of the Company, and the doing all such other things as are incidental or conducive to the attainment of the above objects."

4*th.*—Every member of the Company undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and the costs, charges and expenses of winding-up the same, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding Rs. 100.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* „
3. *E. F.* „
4. *G. H.* „
5. *I. J.* „
6. *K. L.* „
7. *M. N.* „

Dated the *day of*

Witness to the above signatures.

O. P. of

Articles of Association to accompany preceding Memorandum of Association.

(1) The Company, for the purpose of registration, is declared to consist of five hundred members.

(2) The directors hereinafter mentioned may, whenever the business of the association requires it, register an increase of members.

Definition of Members.

(3) Every person shall be deemed to have agreed to become a member of the Company who insures any ship or share in a ship in pursuance of the regulations hereinafter contained.

General Meetings.

(4) The first general meeting shall be held at such time not being more than three months after the incorporation of the Company, and at such place as the directors may determine.

(5) Subsequent general meetings shall be held at such time and place as may be prescribed by the Company in general meeting; and if no other time or place is prescribed, a general meeting shall be held on the first Monday in February in every year at such place as may be determined by the directors.

(6) The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

(7) The directors may whenever they think fit, and they shall upon a requisition made in writing by any five or more members, convene an extraordinary general meeting.

(8) Any requisition made by the members shall express the object of the meeting proposed to be called, and shall be left at the registered office of the Company.

(9) Upon the receipt of such requisition, the directors shall forthwith proceed to convene a general meeting. If they do not proceed to convene the same within twenty-one days from the date of the requisition, the requisitionists or any other five members may themselves convene a meeting.

Proceedings at General Meetings.

(10) Seven days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business, the general nature of such business, shall be given to the members in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the Company in general meeting; but the non-receipt of such notice by any member shall not invalidate the proceedings at any general meeting.

(11) All business shall be deemed special that is transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of the consideration of the accounts, balance-sheets and the ordinary report of the directors.

(12) No business shall be transacted at any meeting except the declaration of a dividend unless a quorum of members is present at the commencement of such business. Such quorum shall be ascertained as follows; that is to say, if the members of the Company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members up to fifty, and one for every ten additional members after fifty, with this limitation, that no quorum shall in any case exceed thirty.

(13) If within one hour from the time appointed for the meeting, a quorum of members is not present, the meeting if convened upon the requisition of the members shall be dissolved. In any other case it shall stand adjourned to the same day in the following week, at the same time and place; and if at such adjourned meeting a quorum of members is not present, it shall be adjourned *sine die*.

(14) The chairman (if any) of the directors shall preside as chairman, at every general meeting of the Company.

(15) If there is no such chairman, or if at any meeting he is not present at the time of holding the same, the members present shall choose some one of their number to be chairman of such meeting.

(16) The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place; but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(17) At any general meeting, unless a poll is demanded by at least five members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the Company, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favour or against such resolution.

(18) If a poll is demanded in manner aforesaid, the same shall be taken in such manner as the chairman directs; and the result of such poll shall be deemed to be the resolution of the Company in general meeting.

Votes of Members.

(19) Every member shall have one vote and no more.

(20) If any member is a lunatic or idiot, he may vote by his committee or other legal curator; if any member is a minor, he may vote by his guardian or any one of his guardians if more than one.

(21) No member shall be entitled to vote at any meeting unless all monies due from him to the Company have been paid.

(22) Votes may be given either personally or by proxies. A proxy shall be appointed in writing under the hand of the appointor, or if such appointor is a corporation, under its common seal.

(23) No person shall be appointed a proxy who is not a member, and the instrument appointing him shall be deposited at the registered office of the Company not less then forty-eight hours before the time of holding the meeting at which he proposes to vote.

(24) Any instrument appointing a proxy shall be in the following form:—

COMPANY, LIMITED.

I of being a member of the Company, Limited, hereby appoint of as my proxy, to vote for me and on my behalf at the [ordinary *or* extraordinary, *as the case may be*] general meeting of the Company to be held on the day of , and at any adjournment thereof to be held on the day of next [*or* at any meeting of the Company that may be held in the year].

As witness my hand, this day of

Signed by the said

in the presence of

Directors.

(25) The number of the directors and the names of the first directors shall be determined by the subscribers of the memorandum of association.

(26) Until directors are appointed, the subscribers of the memorandum of association shall be deemed to be directors.

Powers of Directors.

(27) The business of the Company shall be managed by the directors, who may exercise all such powers of the Company as are not hereby required to be exercised by the Company in general meeting; but no regulation made by the Company in general meeting shall invalidate any prior act of the directors which would have been valid if such regulation had not been made.

Election of Directors.

(28) The directors shall be elected annually by the Company in general meeting.

Business of Company.

(Here insert rules as to mode in which business of insurance is to be conducted).

Accounts.

(29) The accounts of the Company shall be edited by a committee of five members, to be called the audit committee.

(30) The first audit committee shall be nominated by the directors out of the body of members.

(31) Subsequent audit committees shall be nominated by the members at the ordinary general meeting in each year.

(32) The audit committee shall be supplied with a copy of the balance-sheet, and it shall be their duty to examine the same with the accounts and vouchers relating thereto.

(33) The audit committee shall have a list delivered to them of all books kept by the Company, and they shall at all reasonable times have access to the books and accounts of the Company.

They may, at the expense of the Company, employ accountants or other persons to assist them in investigating such accounts, and they may in relation to such accounts examine the directors or any other officer of the Company.

(34) The audit committee shall make a report to the members upon the balance-sheet and accounts, and in every such report they shall state whether, in their opinion, the balance-sheet is a full and fair balance-sheet containing the particulars required by these regulations of the Company, and properly drawn up, so as to exhibit a true and correct view of the state of the Company's affairs, and in case they have called for explanations or information from the directors, whether such explanation or information have been given by the directors, and whether they have been satisfactory; and such report shall be read together with the report of the directors at the ordinary meeting.

Notices.

(35) A notice may be served by the Company upon any member, either personally or by sending it through the post in a letter addressed to such member at his registered place of abode.

(36) Any notice, if served by post, shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service, it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office.

Winding-up.

(37) The Company shall be wound up voluntarily whenever an extraordinary resolution, as defined by The Indian Companies Act, 1866, is passed, requiring the Company to be wound up voluntarily.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of ... Merchant.
2. *C. D.* of ... „
3. *E. F.* of ... „
4. *G. H.* of ... „
5. *I. J.* of ... „
6. *K. L.* of ... „
7. *M. N.* of ... „

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

FORM C.

Memorandum and articles of association of a Company limited by guarantee, and having a capital divided into shares.

Memorandum of Association.

1st.—The name of the Company is "The Hotel Company, Limited."

2nd.—The registered office of the Company will be situate in

3rd.—The objects for which the Company is established are "the facilitating travelling in by providing hotels and conveyances by sea and by land for the accommodation of travellers, and the doing all such other as are incidental or conducive to the attainment of the above object."

4th.—Every member of the Company undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and the costs, charges and expenses of winding up the same, and for the adjustment of the rights of the contributories amongst themselves such amount as may be required not exceeding Rs. 200.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* of
3. *E. F.* of
4. *G. H.* of
5. *I. J.* of
6. *K. L.* of
7. *M. N.* of

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

Articles of Association to accompany preceding Memorandum of Association.

1. The capital of the Company shall consist of five lákhs of rupees divided into five thousand shares of one hundred rupees each.

2. The directors may, with the sanction of the Company in general meeting, reduce the amount of shares.

3. The directors may, with the sanction of the Company in general meeting, cancel any shares belonging to the Company.

4. All the articles of Table A shall be deemed to be incorporated with these articles, and to apply to the Company.

We, the several persons whose names and addresses are subscribed, agree to take the number of shares in the capital of the Company set opposite our respective names.

Names, address and descriptions of subscribers.	Number of shares taken by each subscriber.
1. *A. B.* of	
2. *C. D.* of	
3. *E. F.* of	
4. *G. H.* of	
5. *I. J.* of	
6. *K. L.* of	
7. *M. N.* of	
Total shares taken	

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

Memorandum and articles of association of an unlimited Company having a capital divided into shares.

Memorandum of Association.

1st.—The name of the Company is "The Patent Company."

2nd.—The registered office of the Company will be situate in

3rd.—The objects for which the Company is established are "the working of a patent method of , of which method *O. P.* of is the sole patentee."

We, the several persons whose names are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* of
3. *E. F.* of
4. *G. H.* of
5. *I. J.* of
6. *K. L.* of
7. *M. N.* of

Dated the *day of* 18 .

Witness to be above signatures.

Q. R. of

Articles of Association to accompany the preceding Memorandum of Association. Capital of the Company.

The capital of the Company is twenty thousand rupees divided into twenty shares of one thousand rupees each.

Application of Table A.

All the articles of Table A shall be deemed to be incorporated with these articles, and to apply to the Company.

We, the several persons whose names and addresses are subscribed, agree to take the number of shares in the capital of the Company set opposite our respective names.

Names, addresses and descriptions of subscribers.	Number of shares taken by subscribers.
1. *A. B.* of	
2. *C. D.* of	
3. *E. F.* of	
4. *G. H.* of	
5. *I. J.* of	
6. *K. L.* of	
7. *M. N.* of	
Total shares taken	

Dated the *day of* 18 .

Witness to the above signatures.

Q. R. of

FORM E.

As required by the second part of the Act.

Summary of capital and shares of the Company made up to the day of , nominal capital Rs. , divided into shares of Rs. each.

Number of shares taken up to the day of
There has been called up on each share Rs.
Total amount of calls received Rs.
Total amount of calls unpaid Rs.
List of persons holding shares in the Company on the day of and of persons who have held shares therein at any time during the year immediately preceding the said day of showing their names and addresses and an account of the shares so held.

Folio in register ledger containing particulars.	Names, addresses and occupations.				Account of Shares.					Remarks.
	Surname.	Christian Name.	Address.	Occupation.	Shares held by existing members on the day of	Additional shares held by existing members during preceding year.		Shares held by persons no longer members.		
						Number.	Date of transfer.	Number.	Date of transfer.	

STATEMENT OF OBJECTS AND REASONS.

THIS Bill is occasioned by the discovery of a defect in section 40 of the Indian Companies Act (No. X of 1866), which does not provide clearly that the annual balance-sheet to be filed with the Registrar shall be the one which has been laid before, and finally adopted and passed by, a general meeting of the Company concerned, or that it shall be filed within a prescribed time as provided by Act No. XIX of 1857.

On consideration, it was determined by the Government of India that this defect should be removed, and that the opportunity should be taken to make certain other amendments in the Indian Companies Act.

These amendments fall under two heads, first, the substantial additions suggested by the English legislation regarding Companies since the year 1866, and, secondly, the verbal alterations suggested by the reported decisions of the English and Indian Courts.

Since 1866, the English Companies Act, from which our Act No. X of 1866 is for the most part copied, has been amended by 30 & 31 Vic., c. 131, 33 & 34 Vic., c. 104, and 40 & 41 Vic., c. 26.

These Statutes provide—

(i) that a limited Company may, if it declares its intention to do so, either by the memorandum of association or by special resolution, have directors with unlimited liability, such liability to be enforceable only when the Company is being wound up and the corporate assets (including the contributions of ordinary members) are insufficient to pay its debts or the costs of the winding-up;

(ii) that a Company may, by leave of the Court, reduce the aggregate amount of its nominal capital, or diminish the amount of the shares, but saving the rights of creditors who are ignorant of the proceedings;

(iii) that the capital of a Company limited by shares may be reduced by cancelling unissued shares;

(iv) that shares may be subdivided;

(v) that associations not engaged in mercantile pursuits may become incorporated under the Companies Act without annexing to their names the inappropriate term "limited";

(vi) that a Company may have some shares fully paid up and others not, and that dividends may be paid in proportion to the amount paid up on each share;

(vii) that a transfer of shares shall be registered at the request of the transferor, subject to the same conditions as if the request were made by the transferee;

(viii) that in the case of limited shares fully paid up share-warrants may be issued to bearer, and the shares will thereupon be transferred by delivery of the warrant, and that coupons may be annexed entitling the bearer to receive dividends;

(ix) that every prospectus of a Company and every notice inviting persons to subscribe for shares in a joint stock Company shall specify the dates of and parties to any contract which has been previously made by the Company or its promoters or directors, and may reasonably influence a person in determining him to take or not to take shares in the Company (*Sullivan* v. *Mitcalfe*, 49 L.J.Q.B. 815);

(x) that a general meeting must be held within four months after registration;

(xi) that a contributory shall not be qualified to present a winding-up petition unless the members are reduced to less than seven, or unless he has held his shares for at least six of the previous eighteen months, or unless the shares have devolved on him through the death of a former holder. This will prevent the practice of speculators buying shares in failing Companies with a view to wind them up and share in the plunder;

(xii) that when the High Court has made an order for winding-up a Company, it may refer all subsequent proceedings to a district Court (to use the Indian term corresponding to the English "County Court") and transfer a winding-up from one district Court to another;

(xiii) that when a compromise is proposed between a Company that is being wound up and its creditors, the Court may order a meeting of such creditors; and that if a majority representing three-fourths in value agree to the compromise, it shall, when sanctioned by the Court, be binding.

The amendment made by 30 & 31 Vic., c. 131, section 37 (as to the manner in which contracts might be made on behalf of Companies), was anticipated by the Indian legislature in section 42 of Act No. X of 1866, and will be found in section 67 of the present Bill.

It seems to the Government of India that the thirteen amendments above specified should be made for two reasons, first, because they are good in themselves, and, secondly, because it is desirable that the laws relating to such a subject as mercantile Companies should be as nearly as possible the same in India as in England. Any differences in such laws lead to mistakes in the Indian Courts, and must, to some extent, discourage English investors from putting their money into Indian Companies. The provisions as to the unlimited liability of directors (sections 7, 62) have been stigmatised in England as certain to drive from the direction men of wealth and position and to substitute in their places needy adventurers. But it need hardly be said that the experience of fourteen years has belied this prophecy. It may be added that, under the provisions in question, a director will not be liable *as such* for more than a year after he has ceased to hold office, and that he will not be liable *as such* in respect of any debt of the Company contracted after he has ceased to be a director. The other provisions suggested by recent English legislation do not seem to require further notice. They will be found in sections 13 to 35 (both inclusive), 47, 49, 75, 76, 88, 132, 150, 203, 218, 219, 253, 254.

The reported decisions of the Indian Courts regarding the law applicable to trading Companies appear to be only thirty-two in number, and of these but few turn upon the wording of Act No. X of 1866. But there is a large number of English decisions bearing on the wording of the corresponding sections of the English Statute of 1862, and the Bill embodies the result of an examination of these decisions. Most of the verbal amendments of the present law are indicated by italics, and the cases which suggested them are noted in the margins of the Bill.

SIMLA;
The 28th August, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

[First publication.]

The following Bill, and Statement of Objects and Reasons accompanying it, are published for general information, by order of His Excellency the Governor General, under the 22nd of the Rules for the Conduct of the Legislative Business of the Council of the Governor General:—

A Bill to declare the extent of the testamentary power of Hindús and Buddhists, and to regulate their Wills.

Preamble. WHEREAS it is expedient to declare the extent of the testamentary power of Hindús and Buddhists, and to provide rules for the execution, attestation, revocation, revival, interpretation and probate of their wills; It is hereby enacted as follows:—

I.—PRELIMINARY.

Short title. Local extent. Commencement. 1. This Act may be called "The Hindú Wills Act, 1882": it applies to the whole of British India; and it shall come into force on the first day of March, 1882.

Repeal of enactments. 2. On and from that day the Hindú Wills Act, 1870, and the Probate and Administration Act, 1881, section 154, shall be repealed. But all references to the former Act shall be read as if made to this Act.

II.—EXTENT OF TESTAMENTARY POWER.

When and how far Hindús and Buddhists may bequeathe property. 3. Every Hindú and Buddhist may bequeathe property in the cases and to the extent in and to which he may transfer the same:

Provided that when the testator is a member of an undivided family and his right to bequeathe conflicts, at the time of his death, with any right of the surviving members of such family, the latter right shall prevail.

III.—RULES REGULATING WILLS.

Portions of Act X of 1865 extended to wills of Hindús and Buddhists. 4. The following portions of the Indian Succession Act, 1865, namely,—

sections 46, 48, 49, 50, 51, 55 and 57 to 77 (both inclusive),

sections 82, 83, 85 and 88 to 108 (both inclusive),

sections 106 to 177 (both inclusive), and

section 187,

shall, notwithstanding anything contained in section 331 of the same Act, apply—

(*a*) to all wills and codicils made by any Hindú or Buddhist on or after the first day of March, 1882, within British India; and

(*b*) to all such wills and codicils made outside British India, so far as relates to immoveable property situate in British India.

Provisos. 5. Nothing contained in section four shall—

(*a*) render any will or codicil revocable by the testator's marriage;

(*b*) authorise any testator to bequeathe property which he could not have transferred;

(*c*) deprive any persons of any right of maintenance of which, but for section four of this Act, the testator could not deprive them by will;

(*d*) affect any law of adoption or intestate succession; or

(*e*) authorise any Hindú or Buddhist to create in property any interest which he could not have created before the first day of March, 1882.

IV.—MISCELLANEOUS.

Power to exempt from operation of section 4. 6. With the previous sanction of the Governor General in Council, any local Government may, from time to time, by notification in the local Gazette, either retrospectively from the said first day of March, 1882, or prospectively, exempt from the operation of the whole or any part of section four of this Act the members of any race, sect or tribe, throughout the whole or any specified portion of the territories administered by such local Government; and may, from time to time, revoke any such exemption, but not so that the revocation shall have any retrospective effect.

Saving of rights of Administrator General. 7. Nothing herein contained shall affect the rights, duties and privileges of the Administrators General of Bengal, Madras and Bombay, respectively.

Interpretation-clause. 8. In this Act the term "Hindús" shall include also Jainas, Síkhs and all other persons (not being Muhammadans or Buddhists) to whom the Indian Succession Act, 1865, does not apply.

And in this Act and in the said sections of the said Succession Act all words defined in the same Act shall, unless there be something repugnant in the subject or context, be deemed to have the same meaning as that Act has attached to such words respectively.

And in applying sections 62, 63, 92, 96, 98 to 103 (both inclusive) of the said Succession Act to wills and codicils made under this Act, the words "son," "sons," "child" and "children" shall be deemed to include an adopted child; and the word "grand-children" shall be deemed to include the children, whether adopted or natural born, of a child whether adopted or natural born; and the expression "daughter-in-law" shall be deemed to include the wife of an adopted son.

STATEMENT OF OBJECTS AND REASONS.

THE Hindú Wills Act, 1870, has now been in force for eleven years in the Lower Provinces of Bengal, the Chief Commissionership of Assam and the towns of Madras and Bombay. It has worked satisfactorily in preventing forgery, fraud and perjury. There is also reason to believe that it has enhanced the value of property by making the title thereto more readily ascertainable and by facilitating its transfer. The primary object of the present Bill is to extend to the rest of British India such of the provisions of the Act as have not been repealed by the Probate and Administration Act, 1881.

The opportunity has been taken to declare, in accordance with recent decisions, that a Hindú's right to bequeathe is co-extensive with his power to alienate, except where in an undivided family the right to bequeathe conflicts with the law of survivorship. See 8 Mad. H. C. 6, 13; 3 Bomb. A. C. 6, 66; Mayne's *Hindú Law and Usage*, § 349.

In British Burma the Recorder of Rangoon and the Judicial Commissioner, sitting as Judges of the Special Court, have decided that a Buddhist has no power to make a will. But both Judges are strongly in favour of conferring the power by legislative enactment. The local Government remarks that "the Burmese of the larger towns are in the habit of making wills. They are very ready to adopt the practices of advanced civilisation where they recognise their advantages, and they are quick to discover the merits of any particular custom. In the course of the rapid progress which their country is making, they have easily perceived the benefits of a power of regulating the devolution of property by will, and a genuine want for this power has in consequence grown up." The Bill accordingly expressly declares that every Buddhist may bequeathe property in the cases and to the extent to which he may transfer the same.

As there possibly are in some parts of the empire Hindús and Buddhists to whom it may be inexpedient to apply the rules for the execution, attestation, revocation, revival and interpretation of wills, power has been given to each local Government, with the previous sanction of the Governor General in Council, to exempt from all or any of those rules the members of any race, sect or tribe throughout the whole or any specified portion of the territories administered by such Government.

SIMLA;
The 14th September, 1881.

WHITLEY STOKES,
R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, SEPTEMBER 24, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September, 1881, and was referred to a Select Committee :—

No. 18 OF 1881.

THE INLAND EMIGRATION BILL, 1881.

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A Bill to amend the law relating to Emigration to the Labour-districts of Bengal and Assam.

[The sections first noted on the margin are the corresponding sections of Act VII (B.C.) of 1873. The draft sections referred to in the margin are sections of the draft prepared by the Commissioners appointed to amend the Labour Districts Emigration Act, VII (B. C.) of 1873.]

WHEREAS it is expedient to amend the law relating to the emigration of natives of India to the districts of Chittagong, the Chittagong Hill Tracts, the Assam Valley, Cachar and Sylhet; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

Section 1. *Draft*, s. 1.

1. This Act may be called "The Inland Emigration Act, 1881."

Short title.

It extends to the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioners of Oudh and Assam;

Local extent.

And it shall come into force at once.

Commencement.

Section 2. *Draft*, s. 2.

2. Bengal Act No. VII of 1873, (*to amend the law relating to the emigration of labourers to the districts of Assam, Cachar and Sylhet and to regulate contract-labour and service*), Bengal Act No. II of 1878 (*to extend the provisions of Bengal Act VII of 1873 to the district of Chittagong and to the Chittagong Hill Tracts*) and Regulation No. IV of 1877 (*a Regulation for extending to the Chief Commissionership of Assam Chapter 13 of Bengal Act VII of 1873*) are hereby repealed.

Repeal of enactments.

All contracts entered into, rules and appointments made, orders and notifications published and licenses granted under the said Bengal Act No. VII of 1873, or any of the Acts thereby repealed, and now in force, shall, so far as they relate to the territories administered by the Lieutenant-Governor of Bengal and the Chief Commissioner of Assam, be deemed to have been respectively entered into, made, published and granted under this Act.

Section 3, *Draft*, s. 3.

3. In this Act, unless there is something repugnant in the subject or context,—

Interpretation-clause.

"Labour-districts": The expression "the labour-districts" means the districts of Chittagong the Chittagong Hill Tracts, Assam Valley, Cachar and Sylhet, and the expression "a labour-district" means any one of such districts:

"Magistrate": "Magistrate" means a Magistrate of a district, a Magistrate of a division of a district, and any other person appointed by the local Government to perform the functions of a Magistrate under this Act: Cf. Indian Emigration Bill, s. 3.

"Superintendent," "Inspector" and "Assistant Inspector": "Superintendent," "Inspector" and "Assistant Inspector" mean respectively a Superintendent of Emigration, an Inspector of Labourers and an Assistant Inspector of Labourers appointed under this Act:

"Contractor," "Sub-Contractor," "Recruiter" and "Local Agent": "Contractor," "Sub-Contractor," "Recruiter" and "Local Agent" mean respectively a Contractor, a Sub-Contractor, a Recruiter and a Local Agent licensed under this Act:

"Labour-contract": "Labour-contract" means a contract to labour for hire in a labour-district, otherwise than as a domestic servant, entered into in accordance with the provisions of this Act: New.

"Labourer": "Labourer" means any person bound by a contract under the provisions of the said Bengal Act VII of 1873 or by a labour-contract under the provisions of this Act. And, except in sections one hundred and sixty-eight to one hundred and eighty-two both inclusive, it also includes any person intending to enter into such labour-contract:

"Estate": "Estate" means the land upon which any labourers or more than fifty other persons have been engaged to labour:

"Employer": "Employer" means the chief person for the time being in charge of any estate upon which labourers or more than fifty other persons are employed:

"Emigrate": "Emigrate" denotes the departure of any native of India of the age of sixteen years and upwards (other than a native of a labour-district) from any part of the territories administered by the Lieutenant-Governor of Bengal, not being a labour-district, or from the territories administered by the Lieutenant-Governor of the North-Western Provinces and the Chief Commissioner of Oudh, for the purpose of labouring for hire in a labour-district otherwise than as a domestic servant.

New.

"Dependent": "Dependent" means any woman (not being a labourer), any child, and any aged or incapacitated relative or friend accompanying any emigrant with the consent of a contractor, sub-contractor, recruiter, local agent or garden-sardár:

Now.

"Vessel": "Vessel" includes anything made for the conveyance by water of human beings or property:

"Master.": "Master" means the person for the time being in charge of a vessel:

And all words defined in the Indian Contract Act, 1872, and used in this Act shall have the meanings respectively assigned to them by that Act.

Words to be understood as defined in Contract Act.

New.

Draft, s. 4.

4. The local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, declare that any labour-district within the territories administered by such Government shall, from a day specified in such notification, cease to be subject to all the provisions, or any specified provision of this Act; and from such day such labour-district shall cease to be subject to the provisions of this Act or to the provision so specified, as the case may be.

Power to withdraw the Act from any labour-district.

Section 10. *Draft*, s. 14.

5. The local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, prohibit, from a day specified in such notification, all natives of India, or any specified class of such natives, from emigrating from the whole or any specified part of the territories under its administration to any labour-district or to any specified portion of any such district.

Local Government may prohibit emigration to any labour-district or part thereof.

The local Government may with the like sanction in like manner vary or cancel any such notification.

Cf. Indian Emigration Bill, s. 10.

6. The publication of a notification under section four or section five shall not affect any act done, offence committed or proceedings commenced before such publication.

Notification under sections 4 and 5 not to affect prior acts, &c.

Draft, s. 16.

7. The local Government may appoint, either by name or by virtue of their office, so many persons as it thinks necessary to be Superintendents of Emigration, Embarkation Agents, Debarkation Agents, Inspectors of Labourers, Assistant Inspectors of Labourers and Medical Inspectors under this Act respectively, and, with respect to any such officer, may declare the local area situate in the territories subject to its administration within which he shall exercise the powers and perform the duties conferred and imposed upon him by this Act or any rule made hereunder.

Appointment of officers.

The local Government may suspend or remove any persons whom it so appoints.

Every person so appointed shall be deemed a public servant within the meaning of the Indian Penal Code.

Section 7. *Draft*, s. 11.

8. Save as provided by section five, nothing in this Act shall be deemed to prohibit any native of India from emigrating to, or entering into a contract to labour in, a labour-district otherwise than under the provisions of this Act.

Saving of free emigration and of ordinary contract law.

CHAPTER II.

LABOUR-CONTRACTS GENERALLY.

Section 15. *Draft*, s. 10.

9. Every labour-contract shall be in writing, and shall be executed in duplicate on substantial paper. Every such contract shall specify—

Essentials of labour-contract.

(*a*) the name of the labourer and his employer;
(*b*) the term for which the labourer is to labour;
(*c*) his monthly wages in money;
(*d*) the labour-district in which, and, if the labourer so request, the estate on which, he is to labour.

Every such contract shall be in the form prescribed in the schedule hereto annexed.

No such contract shall be made for a term exceeding five years, commencing from the date of its execution; or shall stipulate for a less rate of monthly wages for a completed daily task regulated in accordance with the provisions of this Act than five rupees in the case of a man and four rupees in the case of a woman for the first three years of the term of the contract, or six rupees in the case of a man and five rupees in the case of a woman for the fourth and fifth years of such term.

No contract made in contravention of, or not in accordance with, the provisions of this section shall be enforceable under this Act as a labour-contract against the labourer entering into it.

Section 15. *Draft*, s. 10, para. 2.

10. Unless the labour-contract specifies the particular estate on which the labourer is to labour, the labourer shall be deemed to have contracted to labour on any estate in charge of the employer for whom he has contracted to labour, and situate in the labour-district specified in the contract:

If contract does not specify estate, labourer to be deemed to have contracted to labour on any estate in charge of employer situate in labour-district.

Provided that no labourer shall, without his own consent, be separated from his dependents (if any) or from any other labourer who is the wife, husband, son or daughter of such labourer.

Section 6. *Draft*, s. 9. Cf. Indian Emigration Act, s. 34.

11. Notwithstanding anything to the contrary in the Indian Contract Act, 1872, it shall be lawful for any person of the age of sixteen years or upwards to enter into a labour-contract.

Persons of sixteen years of age may contract to emigrate.

CHAPTER III.

RECRUITING BY CONTRACTORS, SUB-CONTRACTORS AND RECRUITERS.

A.—Contractors and Sub-contractors.

Section 14. Cf. draft, s. 45.

Superintendent may license contractors.

12. Any Superintendent specially empowered in this behalf by the local Government may, from time to time, grant to such persons as he thinks fit licenses to be contractors within the whole or any part of the local area for which such Superintendent has been appointed. He may also, on the application of any contractor, grant to such persons as he thinks fit licenses to be sub-contractors on behalf of such contractor, within the whole or any part of the local area for which such contractor is licensed.

Section 14. Cf. draft, s. 45.

Superintendent may license sub-contractors.

Section 33. Cf. draft, ss. 46 & 50.

Form of, and fee for, contractor's and sub-contractor's licenses.

13. Every license to a contractor or sub-contractor shall be in such form, and subject to the payment of such fee, not exceeding, in the case of a contractor, one hundred rupees and, in the case of a sub-contractor, fifty rupees, as the local Government may by rule prescribe.

Section 33. Cf. draft, ss. 46 & 50.

Period for which contractor's and sub-contractor's license to remain in force.

14. No such license shall be granted for a longer period than one year from the date thereof, and, if the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may at any time be cancelled by the Superintendent who granted the same.

Section 33. Cf. draft, ss. 46 & 50.

Appeal against order cancelling license.

A contractor or sub-contractor may, within one month from the date of any order of a Superintendent cancelling his license, appeal against such order to the local Government.

The order of the local Government on such appeal shall be final.

Section 34. Cf. draft, s. 47.

Duties of contractors.

15. Every contractor, in addition to the special duties herein assigned to him, shall afford such information to the Superintendent and furnish him with such returns and reports as he may, subject to any rules which may be framed by the local Government in this behalf, from time to time require.

New. Cf. draft, s. 50.

Sub-contractor may be licensed to represent more than one contractor.

16. A sub-contractor may be licensed to act on behalf of more than one contractor:

Provided that he obtains a separate license in the case of each contractor for whom he desires to act.

Section 36. Cf. draft, s. 51.

Contractor or sub-contractor may act as recruiter.

17. A contractor or sub-contractor may act as a recruiter, and shall, when so acting, be subject to all the provisions hereinafter contained relating to recruiters.

New. Cf. draft, s. 54.

Liability of contractors for sub-contractors' and recruiters' acts and defaults.

18. Every contractor shall be liable for the acts and defaults of any person licensed to be a sub-contractor or recruiter on his behalf, and shall be bound to make good all payments which under this Act or any rule made hereunder any such person is ordered to make.

The Superintendent may cancel the license of any contractor whenever the license of any person so licensed on his behalf is liable to be cancelled under this Act.

Nothing in this section shall be deemed to render a contractor criminally liable for any act or default on the part of any person licensed to be a sub-contractor or recruiter on his behalf when such act or default has been committed without his knowledge or consent.

Section 35. Cf. draft, s. 48.

Contractor to establish depôts.

19. Every contractor shall establish and maintain, at such places as the local Government may direct, suitable depôts for the reception and lodging, previous to their despatch to the labour-districts, of labourers engaged by him or by sub-contractors or recruiters licensed to act on his behalf, and shall provide at his own expense all necessary food, clothing and medical treatment for such labourers during their stay at such depôts.

Section 35. Cf. draft, s. 48.

Inspection and supervision of depôts.

20. No such depôt shall be used for the reception and lodging of labourers until it has been inspected and approved of by the Superintendent and the Medical Inspector. Every such depôt shall be under the supervision of the Superintendent or such other officer as the local Government may appoint in this behalf, and shall be open at all times to inspection by the Superintendent or such officer and by the Medical Inspector.

The Superintendent may by order in writing prohibit the using of any depôt for the reception and lodging of labourers if he considers that the depôt is unhealthy, or has become unsuitable for the purpose for which it was established.

Section 37. Cf. draft, s. 49.

Establishment of hospital depôts.

21. In addition to the depôts hereinbefore provided for, the local Government may establish a separate hospital depôt for the reception of labourers suffering from any dangerously infectious or contagious disease.

Contractor to contribute towards establishment and maintenance of hospital depôt.

22. Whenever any such hospital depôt is established by any local Government, such Government may require any contractor having a depôt in the neighbourhood of such hospital depôt to contribute to the expense of the establishment and maintenance of such hospital depôt such reasonable sum as it may direct. Such sum may be recovered as an arrear of revenue from any contractor so required.

Every hospital depôt so established shall be under the charge of a medical officer appointed by the local Government. Any Medical Inspector may direct the transfer of any labourer from a depôt established within the local limits of his jurisdiction to a hospital depôt established within such local limits.

B.—Recruiters.

Section 14. Cf. draft s.

Superintendent may license recruiters.

23. Any Superintendent empowered in this behalf by the local Government may on the application of any contractor or of any sub-contractor acting on behalf of a contractor, grant to such persons as he thinks fit licenses to be recruiters on behalf of such contractor within the whole or any specified part of the local a[illegible] for which such contractor has been licensed.

Section 38. Cf. draft, s. 52.

Form of, and fee for, recruiter's license.

24. Every license to a recruiter shall be in such form and subject to the payment of such fee not exceeding sixteen rupees as the local Government may by rule prescribe.

Section 38. Cf. draft, s. 52.

Period for which license is granted.

25. No such license shall be granted for a longer period than one year from the date thereof; and, if the licensee fails to comply with any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any such license may be cancelled by the Superintendent who granted the same.

Section 39. Cf. draft, s. 53.

Recruiter must hold a certificate.

26. Every recruiter shall hold a certificate in writing authorizing him to act as such and signed by the contractor or sub-contractor on whose application he was licensed.

Section 40. Cf. draft, s 55. (Cf. also Indian Emigration Bill, s. 26.)

Countersignature of recruiter's license.

27. No recruiter shall in any local area engage or attempt to engage any person as a labourer unless his license bears the countersignature of a Magistrate having jurisdiction throughout such local area.

No such Magistrate shall countersign a recruiter's license unless and until he has satisfied himself by such enquiry as he thinks fit that the licensee is not by character or from any other cause unfitted to be a recruiter under this Act, and that sufficient and proper accommodation has been provided in a suitable place and is available for such labourers as may be collected by such recruiter pending their removal to a depôt.

Section 41. Cf. draft, s. 56. (Cf. also Indian Emigration Bill, s. 27.)

Magistrate to supervise accommodation.

28. Every Magistrate shall have for the supervision, inspection and regulation of the place situate within the local limits of his jurisdiction where such accommodation is provided the same powers as are by this Act conferred on the Superintendent in respect of depôts.

New. Cf. Indian Emigration Bill, s. 27, last para.

Any Magistrate of a district or division of a district may authorize any Magistrate subordinate to him, or any officer of police above the rank of Sub-Inspector, to visit and inspect such place at any time; and all recruiters or other persons in charge of such place shall afford to subordinate Magistrates and officers of police so authorized every facility for making such visits and inspections.

Section 40. Cf. draft, s. 55. (Cf. also Indian Emigration Bill, s. 28.)

Magistrate may cancel countersignature in certain cases.

29. If any Magistrate who has countersigned a recruiter's license afterwards finds reason to think that the licensee is by character or from any other cause unfitted to be a recruiter under this Act, or that the accommodation provided for the labourers as aforesaid has become insufficient or improper or has ceased to be available, or that the place in which it is provided has become unsuitable, he may require the licensee to produce his license, and may cancel his countersignature thereon; or he may impound the license and send it for cancellation to the Superintendent who granted the same.

New. Cf. Indian Emigration Bill, s. 29.

Notice to Superintendent of refusal to countersign or cancellation.

Every Magistrate refusing to countersign a recruiter's license or cancelling his countersignature thereon shall at once report such refusal or cancellation and the grounds thereof to the Superintendent who granted such license.

C.—Procedure before Arrival at Depôt.

Section 4. Draft, s. 57.

Labourer to be taken for examination to medical officer.

30. Every recruiter who desires to engage any person as a labourer shall appear with such person before such medical officer as the local Government may appoint to examine such persons within the local limits of the jurisdiction of the Magistrate by whom such recruiter's license was countersigned; or, if no such officer has been appointed, before such medical officer as the Magistrate or Superintendent before whom such person is taken for registration, as hereinafter provided, may direct.

The medical officer shall thereupon examine such person, and shall, if satisfied that he is in a fit state of health and able in point of physical condition to proceed to the labour-district in which he intends to labour, give him a certificate to that effect.

Section 43. Draft, s. 58.

If certified to be fit, labourer to be brought before Magistrate or Superintendent.

31. Every person who obtains a certificate under section thirty, together with any persons about to proceed to a labour-district as his dependents shall thereupon be brought by the recruiter before the Magistrate by whom such recruiter's license was countersigned, or before a Magistrate having jurisdiction within the same district as such Magistrate, or before the Superintendent of the local area within which such person resides. The recruiter shall at the same time produce and show his license to such Magistrate or Superintendent.

Section 43. Draft, s. 58.

Labourer to be examined by Magistrate or Superintendent.

32. The Magistrate or Superintendent shall thereupon inspect the certificate given under section thirty, and the license of the recruiter, and shall then examine such person with reference to his intended labour-contract.

Section 48. Draft, s. 58. Cf. Indian Emigration Act, s. 88.

Labourer to be registered.

If it appears that such person is competent to enter into such contract, and understands the nature of the same as regards the locality, period and nature of the service, and the rate of wages specified therein, that the terms thereof are in accordance with law, that he has not been induced to agree to enter thereinto by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Magistrate or Superintendent shall register in a book to be kept for the purpose such particulars regarding him and his dependents (if any) as the local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

Section 44. Draft, s. 59.

Copy of registration to be given to labourer.

33. The Magistrate or Superintendent shall furnish to the person so registered a certified copy of such particulars written on substantial paper.

Section 45. Draft, s. 60.

Copy of registration and medical certificate to be sent to Superintendent.

34. Every Magistrate or Superintendent registering any person under section thirty-two shall forthwith forward a certified copy of such particulars and the original certificate of the medical officer regarding him to the Superintendent having jurisdiction over the depôt to which such person is to proceed.

Section 46. Draft, s. 61.

35. For every such person produced before a Magistrate or Superintendent for the purpose of being registered as aforesaid the recruiter shall pay such fee not exceeding one rupee as the local Government may by rule direct.

Fee for registration.

New. Cf. Indian Emigration Bill, s. 44.

36. No recruiter shall remove or attempt to remove any labourer to a depôt, or induce or attempt to induce him to go to a depôt, or to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license was countersigned, or aid or attempt to aid him in going to a depôt, or leaving any such local limits, until such labourer has been registered under section thirty-two.

Recruiter when to remove labourer to depôt.

Section 50. Draft, s. 65.

37. Every labourer shall, after he has been registered under this Act, be conveyed with all convenient despatch to the depôt established by the contractor on whose behalf the recruiter by whom he has been engaged has been licensed.

Conveyance of labourer to depôt.

All labourers shall, while proceeding to the depôt, be accompanied throughout the journey either by the recruiter himself, or by a competent person deputed by him with the approval of the Magistrate or Superintendent by whom such labourers have been registered. The Magistrate or Superintendent, as the case may be, shall give to the person so deputed a certificate under his signature, stating that he has been deputed for the journey to the depôt.

Recruiter to accompany labourer, or deputed person approved by registering officer.

Section 51. Draft, s. 66.

38. Every recruiter or person deputed by him as aforesaid shall, throughout the journey to the depôt, provide such labourer and his dependents (if any) with proper and sufficient food and lodging.

Recruiter must provide food and lodging for labourer on journey.

Procedure at Contractors' Depôts.

Section 52. Draft, s. 67.

39. Within twenty-four hours after the arrival at a depôt of a labourer, the contractor by whom such depôt is maintained, or the person in charge thereof, shall give to the Superintendent, within the local limits of whose jurisdiction such depôt is situate, a notice in writing of such arrival, which notice shall be in such form, and shall contain such particulars, as the local Government may by rule prescribe.

Contractor to report arrival of labourer.

Section 53. Draft, s. 68.

40. The Medical Inspector shall as soon as may be after the arrival of the labourer at the depôt, examine such labourer and his dependents (if any) to ascertain that they are in a fit state of health to undertake the journey to the labour-district to which they intend to proceed.

Duties of Medical Inspector.

The Medical Inspector shall give a certificate to the Superintendent stating whether he is or is not satisfied of the fitness of the labourer and his dependents (if any) to undertake such journey.

Section 57. Draft, s. 72.

41. If the Medical Inspector gives a certificate of fitness under section forty with respect to any labourer, and in the opinion of the Superintendent there is no valid reason why such labourer should not enter into a labour-contract, such labourer and the employer with whom he intends to contract, or the agent of such employer, shall, within thirty days after the arrival of the labourer at the depôt, execute in the presence of the Superintendent a labour-contract.

If certificate of fitness granted, labourer to enter into labour-contract.

42. Before the labourer executes such contract, the Superintendent shall personally explain it to him, and shall, after the same has been executed by such labourer and his employer, or the agent of such employer, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Contract to be explained to labourer by Superintendent.

An abstract of every such contract shall be entered in a register to be kept by the Superintendent for the purpose; and after such abstract has been so entered, one copy of the contract shall be given to the labourer and the other to his employer or his agent.

Abstract to be made of contract, and copies of contract given to labourer and employer.

Section 57, fifth paragraph. New. Cf. Indian Emigration Bill, s. 38, fifth para.

Power to cancel contract and order payment of expenses home of labourer in certain cases.

43. In the following cases (namely) :—

Section 54. Draft, ss. 69 & 74. Cf. Indian Emigration Bill, s. 54.

(*a*) where the Medical Inspector, on making the examination required by section forty, or at any subsequent time during the stay at the depôt of any labourer, finds that such labourer is or has become unfit to undertake the journey to the labour district to which he intends to proceed, and the Superintendent considers that such labourer has not dishonestly represented himself as fit to undertake such journey, or

(*b*) where the Superintendent finds that any such irregularity has occurred in the recruitment or treatment by the recruiter of any such labourer as makes it just to refuse to permit a labour-contract to be executed or to rescind such contract if executed, or

(*c*) where the contractor on whose behalf or by whom the labourer has been registered does not within thirty days after the arrival of such labourer at the depôt tender to him a labour-contract for execution under section forty-one,

the Superintendent may rescind the labour-contract executed by such labourer, and in that case, or if no labour-contract has been executed, may order the contractor at once to pay such labourer such reasonable sum as is necessary to enable him to return to the place at which he was registered, and such further sum by way of compensation as the Superintendent thinks reasonable; and may take any other steps he thinks necessary for the conveyance of such labourer to such place.

44. Any labourer who from his state of health is, in the opinion of the Medical Inspector, unfit to undertake such return-journey shall be entitled to be fed, lodged, clothed and (if necessary) medically treated at the depôt at the expense of the contractor by whom such depôt is maintained, until he is reported by the Medical Inspector to be fit to undertake such return-journey.

Labourer when to be lodged, &c., at depôt till he can return home.

Section 58. Draft, s. 69. Cf. Indian Emigration Bill, s. 54, last para.

If such contractor negligently or wilfully omits to provide food, clothing, lodging or medical treatment for such labourer, the Superintendent may order the contractor at once to pay such

Contractor omitting to provide food, &c., for labourer.

reasonable sum as is necessary to provide such food, lodging, clothing and medical treatment.

Section 55. Draft, s. 70. Cf. Indian Emigration Act, s. 55.

45. When an order is made under section forty-three with reference to any labourer, any person registered as his dependent, or any labourer being the wife, husband, son or daughter of such labourer, may claim—

Like provisions in case of dependents and relatives.

(*a*) to be conveyed at the expense of the contractor with such labourer to the place at which he was registered, and

(*b*) if such labourer is unable to travel, to be lodged, fed, clothed and (if necessary) medically treated in the depôt at the expense of the contractor until such labourer is able to travel;

and the Superintendent may include such expenses in an order made under section forty-three or section forty-four with respect to such labourer.

Section 53. Draft, s. 71.

46. If, upon the arrival of any labourer at a depôt, it appears that during the journey to the depôt such labourer or any person registered as his dependent has suffered any ill-treatment at the hands of the recruiter or person deputed by him to accompany such labourer, or that such recruiter or such person has failed to provide the labourer or any person registered as his dependent with proper and sufficient food and lodging, the Superintendent may order the contractor by whom such depôt is maintained to pay such labourer a reasonable sum by way of compensation.

Compensation to labourer for ill-treatment on the journey.

Cf. draft, s. 70. Cf. Act V of 1877, s. 29.

47. If the Medical Inspector has reason to think that any person registered as the dependent of a labourer is not in a fit state of health to undertake the journey to the labour-district to which the labourer whose dependent he is intends to proceed, the Medical Inspector shall so certify to the Superintendent to whom notice of the arrival of such labourer was given. The provisions of sections forty-three and forty-four shall thereupon apply to such dependent as if he were a labourer, and the Superintendent may make such orders regarding him as he may make under those sections with regard to a labourer.

Procedure when dependent declared medically unfit to proceed to labour-district.

48. The labourer to whom such dependent is attached shall thereupon be entitled, if he or she so wishes, and if he or she be the husband, wife, son or daughter of such dependent, to receive from the contractor at whose depôt he or she arrived such reasonable sum as is necessary to enable him or her to return to the place where he or she was registered. If such labourer so return, then any other persons registered as his or her dependents, or any other labourer being the wife, husband, son or daughter of such labourer, shall also be entitled to receive such sum from such contractor.

Labourer and relatives entitled to be returned with dependent.

Section 60. Draft, s. 75. Cf. Indian Emigration Act, s. 49.

49. On failure of the contractor for twenty-four hours to comply with an order of the Superintendent to pay any sum ordered to be paid under section forty-three, section forty-four, section forty-five, section forty-six, section forty-seven or section forty-eight, the Superintendent may pay the same to or on behalf of the labourer or dependent.

Failure of contractor to pay sums ordered to be paid under sections 43, 44, 45, 46, 47 or 48.

Every sum so paid shall be recoverable from the contractor with interest thereon at the rate of twelve per cent. per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Superintendent gave the contractor an order to pay such sum, and that the contractor for twenty-four hours failed to comply with such order.

New. Cf. last para. of s. 49. Cf. Indian Emigration Act.

50. All labourers despatched from a contractor's depôt to a labour-district shall during their journey be accompanied by a person appointed by such contractor. Such person shall take with him a way-bill in such form and containing such particulars as the local Government may prescribe.

Provisions for way-bill.

New. Draft, s. 76. Cf. ss. 75 and 73 infra.

CHAPTER IV.

RECRUITING BY GARDEN-SARDARS AND LOCAL AGENTS.

A.—Garden-sardárs.

Section 13. Draft, s. 17.

51. Any employer may grant to any person a certificate authorizing him, within such local area as may be specified in such certificate, to enter into labour-contracts with persons desirous of becoming labourers upon any estate of which such employer is in charge.

Employer may grant certificate to garden-sardár.

Every person to whom such certificate has been granted is hereinafter called a garden-sardár.

If any labourer is granted a certificate under this section, his employment as a garden-sardár shall be deemed to be employment under his labour-contract.

Draft, s. 10.

Section 16. Draft, s. 18.

52. Every such certificate shall be in such form and shall contain such particulars as the local Government may prescribe.

Form and particulars to be contained in such certificate.

Any employer granting a certificate to a garden-sardár may, before such certificate is accepted and signed as hereinafter provided, specify therein the name of the local agent (if any) to whom such garden sardár is to report himself for orders, and the time within which he is to return to such employer, and any other instructions for his conduct that he may think proper.

Section 16. Draft, s. 18.

Section 16. Draft, s. 18.

53. Every such certificate shall be accepted and signed by the garden-sardár in the presence of the Inspector or a Magistrate having jurisdiction over the place where the employer granting such certificate resides.

Certificate to be accepted and signed in presence of Inspector or Magistrate.

Section 17. Draft, s. 19.

54. Such Inspector or Magistrate shall inquire into the facts stated in such certificate; and upon being satisfied of the truth of the statement shall, unless it appears to him that the person so accepting and signing such certificate is by character or from any other cause unfitted to be a garden-sardár, countersign and date such certificate.

Inspector or Magistrate to countersign certificate.

New. Draft, s. 20.

55. On the application of the employer by whom any certificate so countersigned has been granted to a garden-sardár, such Inspector or Magistrate may, without requiring the appearance of the garden-sardár or making the inquiry

Provision for grant of fresh certificate.

prescribed by section fifty-four, countersign a fresh certificate to be granted by such employer to such garden-sardár in renewal of any existing certificate.

Every such fresh certificate shall be forwarded by the Inspector or Magistrate countersigning it to the Magistrate of the district in which the garden-sardár to whom it is granted is employed; and such sardár shall, on receiving notice from such Magistrate, appear before him and accept and sign such fresh certificate in his presence.

Such fresh certificate to be accepted and signed by garden-sardár

before Magistrate of district where he is employed.

Section 17. Draft, s. 20.

56. No certificate granted to a garden-sardár shall be in force for a longer period than one year from the date of its countersignature.

Period for which certificate to be in force.

New. Draft, s. 33.

57. Every garden-sardár shall provide sufficient and proper accommodation in a suitable place for such labourers as may be engaged by him pending their removal to a labour district.

Accommodation to be provided by garden-sardár.

Any Magistrate of a district or of a division of a district, or any Magistrate subordinate to him, or any officer of police above the rank of Sub-Inspector authorized by him in this behalf, may visit and inspect such accommodation at any time; and all garden-sardárs or other persons in charge of such places shall afford to such Magistrate, subordinate Magistrate or officer of police every facility for making such visits and inspections.

In every such place the garden-sardár providing the accommodation shall make such sanitary arrangements as the local Government may prescribe.

58. Whenever a garden-sardár contravenes any of the provisions of this Act or the rules made hereunder, or is guilty of any other misconduct, any Magistrate, Superintendent or Inspector, within the local limits of whose jurisdiction such garden-sardár is employed, may cancel his certificate.

Certificate may be cancelled in certain cases.

B.—Local Agents.

New. Draft, s. 21.

59. Any Superintendent authorized in this behalf by the local Government may, on the application of any employer, grant licenses to persons to be local agents for the purpose of representing such employer within such local area as such employer may desire: Provided that no contractor shall be licensed as a local agent.

Local agents may be licensed.

New. Draft, s. 21.

60. A local agent may within such local area represent his employer in all matters connected with the engagement of labourers; and shall furnish such information and make such returns as the local Government may by rule direct.

Powers and duties of local agents.

Draft, s. 21.

61. The Superintendent authorized as aforesaid may, on the application of any employer other than the employer on whose application a local agent has been licensed, make an order in writing permitting such agent to become the local agent of such additional employer within the local area for which he was licensed. The Superintendent making such order shall forthwith send a copy thereof to the Magistrate of the district in which such agent resides; and such Magistrate shall, on the agent's application, insert in his license the name of such additional employer.

Local agent may represent more than one employer.

Draft, s. 23.

62. Any Superintendent authorized as aforesaid may, with the consent of all the employers of a local agent, grant a special license to such agent, permitting him to engage labourers on behalf of any employer specified in such special license without the intervention of a garden-sardár.

Local agent may be specially licensed to contract direct with labourers.

Every agent when so engaging labourers may, if he thinks fit, appear with them for registration before a Magistrate, and require them when so registered to execute a labour-contract; and in such case the agent shall be subject to the provisions hereinafter contained as to garden-sardárs so far as the same are applicable.

Draft, s. 21.

63. When any garden-sardár to whom a certificate has been granted under this Act by any employer commits any offence punishable under this Act, any local agent of such employer may prosecute the sardár for such offence.

Local agent may prosecute garden-sardár.

Draft, s. 22.

64. The Magistrate of any district within which a local agent acts as such may by order cancel the license of such local agent if it is shown to the satisfaction of such Magistrate that such local agent has—

On what grounds local agent's license may be cancelled.

(*a*) employed any contractor's recruiter to engage labourers on his behalf; or

(*b*) permitted the labourers engaged by or on behalf of any contractor to use the accommodation provided for the labourers engaged by any garden-sardár under such local agent's control; or

(*c*) allowed any garden-sardár under his control to transfer labourers engaged by him to contractors or to their recruiters or to any employer other than the employer by whom such sardár's certificate was granted; or

(*d*) himself taken over the labourers engaged by any garden-sardár with intent to despatch them to any employer other than the employer by whom such sardár's certificate was granted.

An appeal shall lie to the local Government from any order made under this section. Such appeal must be presented within three months next after the date of the order, and the decision of the local Government thereon shall be final.

C.—Procedure to be followed by Garden-sardárs.

Draft, s. 24.

65. Every garden-sardár who desires to engage any person as a labourer shall appear with such person, together with any persons about to proceed to a labour-district as dependents of such person before a Magistrate having jurisdiction within the local area specified in the certificate of such sardár.

Garden-sardár and labourer to appear before Magistrate for registration.

Sections 21 & 22. Draft, ss. 25 & 26.

66. The Magistrate shall thereupon inspect the certificate of the garden-sardár, and examine the person whom the sardár so desires to engage with reference to the intended labour-contract.

Registration of persons engaged by garden-sardár.

If it appears that such person is competent to enter into such contract, and understands the nature of the same, as regards the locality, period and nature of the service, and the rate of wages specified therein, that the terms thereof are in accordance with law, that he has not been induced to agree to enter therein by any coercion, undue influence, fraud, misrepresentation or mistake, and that he is willing to fulfil the same, the Magistrate shall register in a book to be kept for the purpose such particulars regarding him and his dependents (if any) as the local Government may by rule prescribe; and the labourer and his dependents (if any) shall thereupon be deemed to be registered under this Act.

New. Cf. Ben. Act VII of 1873, s. 21. Draft, s. 31.

67. If it appears to such Magistrate that any such person, or any dependent of such person, is not in a fit state of health to undertake the journey to the labour district to which he intends to proceed, the Magistrate may, before registering any such person or dependent, if himself a medical man, medically examine such person or dependent, or, if not himself a medical man, send such person or dependent to a medical man for such examination. If upon such examination such person or dependent is declared unfit to undertake the journey to such place, the Magistrate may refuse to register such person or dependent.

Medical examination.

Section 23. Draft, s. 18.

68. For every person appearing before a Magistrate for the purpose of being registered as a labourer, the garden-sardár who appears with him shall pay to the Magistrate such fee not exceeding one rupee as the local Government may direct.

Fee to be paid for every labourer produced for registration.

Section 24. Draft, s. 28.

69. When any person has been registered under section sixty-six he shall execute a labour-contract with the employer with whom he intends to contract. Such contract shall be signed in the presence of the Magistrate by such person and, on behalf of the employer, by the garden-sardár who appears with such person before the Magistrate. The Magistrate shall satisfy himself that the contract is in accordance with any instructions specified in the certificate of the garden-sardár. If the Magistrate is so satisfied, he shall, before the labourer signs the contract, personally explain it to him, and shall, after the same has been executed as aforesaid, attest such contract and certify at the foot thereof that he has personally explained the same to the labourer.

Labour-contract to be executed.

Section 24.

An abstract of every such contract shall be entered in a register to be kept by the Magistrate for the purpose, and, of the two copies of the contract, one shall then be given to the labourer and the other to the garden-sardár or the local agent.

New. Draft, s. 25. Cf. Indian Emigration Bill, s. 42.

70. If the employer of a garden-sardár has in the instructions specified in the certificate of the sardár directed that all labourers engaged by him shall before registration be examined by a competent medical man and certified by him to be in a fit state of health to undertake the journey to, and labour in, the labour-districts to which they intend to proceed, no Magistrate shall register any labourer appearing before him with such sardár until such certificate from such medical officer as aforesaid has been produced and shown to him.

Procedure when employer requires medical examination previous to registration.

71. If the employer has in the instructions specified in the certificate of the garden-sardár directed that such examination shall be made by any medical officer in the service of Government, such officer making the examination shall be entitled to receive from the local agent or sardár such a fee not exceeding eight annas for each labourer so examined as the local Government shall fix.

Medical officer entitled to fee.

72. Unless and until a labourer has been registered under section sixty-six no garden-sardár shall remove or attempt to remove him to a labour-district, or induce or attempt to induce him to go to a labour-district, or to leave the local area specified in the certificate of such sardár, or aid or attempt to aid him in proceeding to a labour-district, or in leaving any such local area.

New.

Garden-sardár when to remove labourer to labour-district.

73. A garden-sardár shall either himself accompany labourers engaged by him throughout their journey from the place in which the labour-contract was entered into to the labour-district wherein they have contracted to labour, or shall send with them some competent person appointed by him with the approval of the local agent of his employer; or, if his employer has no local agent, with the approval of the Magistrate by whom such labourers were registered.

Bengal Act VII of 1873. *Section* 27. Draft, s. 34.

Garden-sardár to accompany labourers or send competent person with them.

When the number of labourers (exclusive of dependents) proceeding on their journey to such labour-district is more than twenty, for every twenty labourers so in excess or for any number of labourers less than twenty so in excess, one additional garden-sardár or person so appointed by him shall accompany the labourers so proceeding.

New. Draft, s. 35.

74. A garden-sardár may, subject to the instructions specified in his certificate, engage any number of labourers; and, subject to the provisions of section seventy-three, any number of labourers may be despatched at the same time to the labour-districts.

No restriction on number of labourers engaged by garden-sardár.

New. Draft, s. 36.

75. Any garden-sardár may, with the previous consent in writing of the local agent of the employer by whom his certificate was granted, or, if such employer has no local agent, with the previous consent in writing of such employer, be appointed under section seventy-three as a competent person to accompany labourers other than those engaged by him.

In certain cases garden-sardár may be appointed to accompany labourers not engaged by him.

New. Draft, s. 30.

76. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall present to the Magistrate by whom such labourers have been registered a way-bill in such form and containing such particulars and instructions as the local Government may prescribe. He shall also present such way-bill at all such places and to all such officers as may be thereupon indicated; and shall carry out all instructions contained therein for his guidance.

Provision for way-bill.

Section 29. Draft, s. 40.

77. Every garden-sardár or person appointed by him as aforesaid who accompanies labourers to the labour-districts shall provide such labourers and their dependents (if any) with proper and sufficient food and lodging throughout the journey.

Garden-sardár must provide food and lodging for labourers and dependents on journey.

78. If it appears to any Magistrate, on the complaint of any such labourer at any place on the journey, that he or any person registered as his dependent has suffered any ill-treatment during the journey at the hands of the garden-sardár or person appointed by him accompanying such labourer, or that such sardár or person has failed to provide such labourer or any of his dependents with proper and sufficient food and lodging, or has wilfully abandoned such labourer or any of his dependents, such Magistrate may either order the sardár or person so appointed to pay to such labourer a reasonable sum by way of compensation, or may cancel the labour-contract entered into by such labourer and order such sardár or person to pay to such labourer such reasonable sum as is necessary to enable him with his dependents (if any) to return to the place at which he was registered.

If such not provided, Magistrate may award compensation or cancel contract.

Section 30. Bengal Act VII of 1873.

79. On failure for twenty-four hours by any garden-sardár or person appointed by him as aforesaid to comply with an order of a Magistrate under section seventy-eight to pay any sum, the Magistrate may pay the same to or on behalf of such labourer.

Procedure on failure of garden-sardár to comply with order.

Every sum so paid shall be recoverable from the employer by whom the certificate of such garden-sardár was granted, or from the local agent of such employer, with interest thereon at the rate of twelve per centum per annum from the date of payment.

No further proof shall be required by any Court in any such case than that the Magistrate gave such garden-sardár or person an order to pay such sum and that such garden-sardár or person for twenty-four hours failed to comply with such order.

New. Draft, s. 42.

80. Any Magistrate or any Embarkation Agent may, if himself a medical man, examine, and if not himself a medical man, send for examination by a medical man, any labourer or dependent who, while on the journey to the labour-districts, appears to him not to be in a fit state of health to proceed thereto.

Medical inspection of labourers *en route*.

Draft, s. 42.

81. If such labourer or dependent is on such examination declared not to be in a fit state of health to proceed to the district in which he has contracted to labour, the Magistrate or Embarkation Agent may order him to be detained at such place as he thinks fit until the labourer or dependent is in a fit state of health so to proceed, when he shall either be forwarded to such districts or sent back to the place where he was registered, according as the garden-sardár or person appointed by him accompanying such labourer or dependent, or the employer by whom the certificate of such sardár was granted, or his local agent, may direct.

Detention and return of labourer declared to be unfit to travel when *en route*.

While any labourer or dependent is so detained, he shall be entitled to be fed, lodged, clothed and (if necessary) medically treated, at the cost of the employer with whom such labourer or the labourer to whom such dependent belongs has contracted to labour.

82. If the garden-sardár or person appointed by him accompanying such labourer or dependent fails to provide such labourer or dependent with food, lodging, clothing and medical treatment or to send him back to the place where he was registered, the Magistrate or Embarkation Agent may order such sardár or person to pay such sum as is necessary to provide such food, lodging, clothing and medical treatment or to defray the cost of his return-journey to such place; and on failure for twenty-four hours of such sardár or person to comply with such order, he may pay the sum specified in the order to or on behalf of such labourer or dependent.

Payment of expenses of detention and return-journey of labourer.

The provisions of section seventy-nine shall *mutatis mutandis* apply to the recovery of sums paid by the Magistrate or Embarkation Agent under this section.

Section 31. Draft, s. 44.

83. If any labourer whose labour-contract has been executed by a garden-sardár on behalf of his employer is brought to Calcutta on his way to the district in which he has contracted to labour, any person empowered to act as the agent or representative of such employer may require such labourer to appear before the Superintendent for the cancellation of such labour-contract. If such reasonable sum as is necessary to enable such labourer and his dependents (if any) to return to the place at which he was registered be paid to such labourer in his presence, the Superintendent may declare the contract cancelled, and in that case shall make an endorsement to that effect on the labourer's copy of the contract, and attest it with his signature.

Agent in Calcutta may procure order from Superintendent cancelling the labour-contract on payment of expense of return.

84. If the labour-contract of any labourer is declared by the Superintendent to be cancelled, any other labourer who is the wife, husband, father, mother, son or daughter of such labourer and who may have entered into a labour-contract at the same place with the same employer, may claim to have her or his labour-contract cancelled at the same time. On such claim being made, the Superintendent shall declare the labour-contract of the claimant to be cancelled, and shall order the agent or representative of the claimant's employer to pay to the claimant such reasonable sum as is necessary to enable him and his dependents (if any) to return to the place at which he was registered.

In that case contracts of relatives to be cancelled.

On failure for twenty-four hours of the agent or representative to comply with such order, the Superintendent may pay the sum specified in t order to or on behalf of the claimant; and t provisions of section seventy-nine shall *muta mutandis* apply to the recovery of any sum so paid.

CHAPTER V.

TRANSPORT BY RIVER.

A.—Passenger Vessels.

New. Draft.

85. Nothing in this chapter shall apply to the transport by sea of natives of India to the labour-districts of Chittagong and the Chittagong Hill Tracts.

Transport by sea to Chittagong.

Section 62. Draft, s. 78.

86. No master shall receive more than twenty passengers being natives of India on board his vessel unless a license to carry passengers therein has been granted to him by an Embarkation Agent duly empowered in that behalf by the local Government.

Vessels must be licensed to carry more than twenty passengers.

The local Government may by notification in the official Gazette exempt from the provisions of this section any vessel or class of vessels.

Power to exempt vessels from license.

87. The master or owner of any vessel who desires to obtain a license to carry passengers therein shall make a written application for a license to an Embarkation Agent empowered as aforesaid.

Application for license.

Every such application shall state such particulars respecting the vessel as the local Government may by rule prescribe.

Contents of application.

88. If such Embarkation Agent is of opinion that the vessel is in all respects suitable for the carrying of passengers being natives of India, he shall give to the master of the vessel a license to carry passengers therein, specifying the number of passengers being natives of India which may be received on board.

Grant of license.

89. Such fee, not exceeding sixteen rupees, as the local Government may with reference to the size of such vessel, by rule direct, shall be paid for every such license. No such license shall be in force for more than one voyage:

Fee for license.

New.

Provided that the Embarkation Agent may, from time to time, with the previous sanction of the local Government, grant a license to the master of any vessel for any term not exceeding one year, on payment of such fee not exceeding one hundred rupees, and on such conditions, as the local Government may by rule direct.

Provision for annual licenses.

Draft, s. 78.

90. Any Embarkation Agent may from time to time, in accordance with such rules as the local Government may prescribe in this behalf, direct by order in writing that, on any particular voyage or part of a voyage, any master licensed hereunder shall not receive on board his vessel more than a specified number of passengers being natives of India, which number shall be less than the number specified in the license granted to such master.

Embarkation Agent may limit number to be received on board on any particular voyage.

Section 67. Draft, s. 83.

91. In computing the number of persons on board of any vessel, two children under the age of ten years shall for the purposes of this Act be reckoned as one person only.

Two children under ten to be counted as one person.

Section 67. Draft, s. 86.

92. Every master to whom a license is granted hereunder shall keep such lists, submit such returns and make such reports in regard to the passengers carried in his vessel as the local Government may by rule prescribe.

Master to make returns.

Section 69. Draft, s. 84.

93. Every such master shall have on board his vessel carrying labourers and their dependents such supplies of provisions, clothing, medical drugs, and other stores, and such medical and other officers, cooks and attendants, as the local Government may by rule prescribe.

Provisions, clothing, medical and other stores, medical officers, cooks, &c.

Section 70. Draft, s. 85.

94. No medical officer shall be appointed to any vessel in respect of which a license is granted hereunder unless he holds a license granted by such authority as the local Government may appoint in that behalf; and any medical officer so licensed shall be forthwith removed from his appointment on the requisition of any officer empowered by the local Government to make such requisition.

Medical officer to be licensed.

B.—Departure of Passenger Vessels and Procedure during Voyage.

Section 63. Draft, s. 79.

95. Whenever it appears to any Embarkation Agent that the departure of any vessel in respect of which a license is granted hereunder is unduly delayed beyond the date fixed by order of a Superintendent or the local Government, or notified by advertisement in the public press, for such departure, he may order the master of such vessel to proceed on his voyage at once.

Embarkation Agent may order departure of vessel if delay occurs.

New.

96. No master licensed hereunder shall proceed on a voyage with his vessel carrying labourers until he has received from the Embarkation Agent the way-bills relating to all labourers on board. The Embarkation Agent and the master of the vessel shall together personally ascertain that the number of labourers on board corresponds with the number entered in such way-bills.

Master to receive way-bills from Embarkation Agent.

The Embarkation Agent shall send a copy of such way-bills to the Magistrate of the labour-district to which such labourers are proceeding.

Section 71. Draft, s. 86.

97. No such master shall cause or permit any labourer finally to leave his vessel at any place other than that named in the way-bill as the destination of such labourer:

Labourers not allowed finally to leave vessel at any place other than that mentioned in way-bill.

Provided that this section shall not be deemed to prevent the master of any vessel from permitting such labourers to disembark at any place or places on the voyage so long as such disembarkation is not intended or known to be likely to be final; nor to prevent the final disembarkation of any such labourers, or the transfer of such labourers with their dependents to any other vessel in case of accident or other unavoidable necessity. Such accident or necessity shall be forthwith reported by the master to the Embarkation Agent by whom he was licensed, and to the nearest Magistrate in the district within which such accident has occurred or necessity has arisen.

Section 72. Draft, s. 87.

98. Every master licensed hereunder shall stop his vessel carrying passengers being natives of India at such places, being places where a Magistrate is stationed, and shall, unless the Magistrate permits him to depart earlier, remain at each such place for such time, not exceeding six hours of daylight, as the local Government may direct. Such master shall, on arriving at any such place, immediately report to the Magistrate the number of the crew and other persons on board, the general state of their health, and the number of deaths (if any), which have occurred among the persons who embarked on board his vessel.

Master to stop his vessel at certain places where there is a Magistrate.

Section 73. Draft, s. 88.

99. A Magistrate may, while any vessel in respect of which a license is granted hereunder is within the local limits of his jurisdiction, go on board such vessel and inspect the vessel, and all persons on board. The master and officers of such vessel shall afford to such Magistrate every facility for such inspection, and give him all such information as he may reasonably require, respecting the labourers or other persons on board, the deaths, if any, which may have occurred on board, and any other facts which may affect the health of the passengers.

Magistrate may at any time inspect vessel.

Master bound to give all information required.

Section 74. Draft, s. 89.

100. At any time while any such vessel is within the local limits of his jurisdiction, the Magistrate may regulate the communication between such vessel and the land, and may prohibit all persons from leaving such vessel and all persons on land from proceeding on board her.

Magistrate may regulate communication between vessel and land.

Sections 75 & 78. Draft, s. 90.

101. Any Magistrate may, if he has reason to believe that any passengers being natives of India on board any such vessel within the local limits of his jurisdiction are, or are likely to be, affected with any dangerously infectious or contagious disease, detain such vessel and require the civil medical officer of the district or other qualified medical officer to inspect such passengers and to report on their health, stating whether any or what measures are requisite for the removal or prevention of such disease. After the receipt of such report, the Magistrate may order any passenger suffering from any such disease to be disembarked and detained for medical treatment. If in the opinion of the inspecting medical officer it is dangerous to the health of the general body of the passengers to allow such vessel to proceed until measures have been taken to cleanse and disinfect her, the Magistrate may detain the vessel for a further period not exceeding three days for the purpose of carrying out such measures.

Magistrate may detain vessel for inspection and for removal of disease, and may detain sick native passengers.

Section 76. Draft, s. 91.

102. If on receiving a report of a medical officer it appears to a Magistrate that any labourer or any dependent of any labourer, though not suffering from any such disease as last aforesaid, is not in a fit state of health to proceed to the labour-district in which such labourer has contracted to labour, he may order such labourer or dependent to be detained, and shall cause all necessary arrangements to be made for the accommodation, support and medical treatment of the labourer or dependent so detained.

Magistrate may detain sick labourers;

and shall arrange for their accommodation and treatment.

Section 77. Draft, s. 92.

103. All expenses incurred under section one hundred and two by a Magistrate in respect of any labourer or dependent so detained shall be recoverable from the employer of such labourer together with interest at six per centum per annum.

Expenses how to be recovered.

Section 79. Draft, s. 93.

104. Whenever it appears to a Magistrate making an inspection of any vessel in respect of which a license is granted hereunder that the number of passengers on board being natives of India is larger than the number specified in such license or than the number specified in an order of an Embarkation Agent made under section ninety, he may remove the excess number and detain them until another opportunity of forwarding them to their destination is found. The necessary expense of maintaining such passengers while so detained, and of forwarding them to their destination shall be paid by such Magistrate and shall be recoverable from the master or owner of such vessel.

Measures to be taken if excess number of passengers is found on board.

Section 80. Draft, s. 94.

105. Whenever, on making an inspection of any vessel in respect of which a license is granted hereunder a Magistrate finds that any of the provisions of this Act or of any rule of the local Government made hereunder have not been complied with in respect of such vessel, he shall report the same to the Embarkation Agent by whom such license was granted; and, if he considers it necessary to do so, he may detain the vessel until such provisions have been so complied with as to make it possible for the voyage to be further prosecuted with safety and reasonable comfort to the emigrants.

Infraction of the Act and rules to be reported.

Vessel may be detained.

Sections 81 *to* 88. Draft, s. 95.

106. The local Goverment may make rules regulating—

Power to make rules regulating disembarkation and other matters.

(*a*) the disembarkation of labourers and their dependents, and their inspection and accommodation on arrival at their destination:

(*b*) the detention of such labourers or dependents at debarkation depôts:

(*c*) the forwarding of labourers to their destination and the closing and return of way-bills by employers.

All expenses incurred by any Magistrate or Debarkation Agent in accordance with such rules shall be recoverable from the employers of such labourers together with interest at the rate of twelve per centum per annum.

Section 89. Draft, s. 96.

107. The Magistrate of a district, or of a division of a district, may from time to time authorize any subordinate Magistrate, medical officer, or officer of police above the rank of sub-inspector to exercise the powers and authorities conferred, and to perform the duties imposed, on a Magistrate under sections ninety-eight to one hundred and five both inclusive.

Magistrate may depute a subordinate Magistrate to discharge the functions of the Magistrate.

CHAPTER VI.

PROVISIONS AS TO THE LABOUR DISTRICTS.

A.—Annual Rate payable by Employers.

Section 90. Draft, s. 97.

108. Every employer shall on the first day of January and the first day of July in each year pay in respect of each labourer then in his employ such rate not exceeding an annual sum of one rupee as the local Government may by notification in the official Gazette direct.

Annual rate payable by employer.

Section 91. Draft, s. 98.

109. If any employer fails for the space of one month to pay any sum due by him under the provisions of the last preceding section, such sum shall be recoverable as if it was an arrear of land-revenue.

Payment of rate how to be enforced.

B.—Local Labour-Contracts.

Draft, ss. 103, 104, 105, 106.

110. Notwithstanding anything hereinbefore contained, any native of India may enter into a labour-contract within a labour-district. If any employer is desirous of entering into a labour-contract with any such native within a labour-district, he shall appear with such native before the Inspector or Magistrate within the local limits of whose jurisdiction the place where such employer resides is situate.

Labour-contracts made within labour-districts.

New. Draft, s. 106.

111. Such Inspector or Magistrate shall thereupon explain the labour-contract to such native, and shall, if satisfied that he is competent to enter into and understands the same, call upon him and the employer to execute it in his presence; and if they execute it, shall attest such execution with his signature.

An abstract of every such labour-contract shall be entered in a register to be kept by the Inspector or Magistrate for the purpose; and after such abstract has been so entered, one copy of such contract shall be given to the labourer and another copy to his employer. In respect of every labour-contract so attested, the employer who executes it shall pay to the Inspector or Magistrate such fee not exceeding one rupee as the local Government may direct.

Execution of labour-contract before Inspector or Magistrate.

C.—Employers' Returns and Magistrates' Inspections.

Sections 100, 101 *and* 102. Draft, s. 109.

112. Every employer shall keep such registers of all labourers and other persons employed on the estate of which he is in charge, in such form, and shall make to the Inspector within the local limits of whose jurisdiction such estate is situate such periodical returns in writing, as the local Government may by rule prescribe. The Inspector may examine such registers and muster all labourers and other persons employed on any estate within such local limits, and may verify the accuracy of the entries in such registers, or in any prescribed periodical return.

Registers to be kept and returns made by employers.

Section 105. Draft, s. 110.

113. Any Inspector or Magistrate, or any person authorized by either of them in writing in this behalf, may at any time enter and inspect all lands and houses wholly or partially used by or for labourers, or by or for any other natives of India employed on any estate who are not natives of the labour-district in which such estate is situate, and may require that any labourer or other such Native shall be brought before him, and that a copy of the labour-contract of any labourer shall be produced, and may make any inquiries which he thinks proper touching the condition or treatment of any labourer or other such Native.

Inspector and Magistrate may at any time inspect lands, &c., used by labourers, &c.

D.—Regulation of Labour.

Section 106. Draft, s. 113.

114. Every employer shall prepare a schedule specifying the daily task to be executed by each labourer employed on the estate of which such employer is in charge, and may from time to time alter any schedule so prepared.

One copy of every such schedule shall be filed in a book which shall be open to the examination of the Inspector, and another copy thereof in the Bengáli language shall be stuck up in some conspicuous place accessible to the labourers to whom such schedule relates.

Schedule of task-work to be prepared.

The minimum payment for each daily task shall be the quotient resulting from dividing the monthly wage of the labourer concerned by the whole number of days in the current month.

Section 107. Draft, s. 113.

115. No labourer shall be bound to labour more than six days in one week, or more than six consecutive hours, or more than nine hours in any one day. Every labourer shall, for one day in each week, receive wages as for a full task done, without being required to labour for the same. The employer shall, on six days in each week, provide for each labourer work sufficient to enable him to earn at least his minimum daily wage. Failing such due provision of work, the labourer shall, if he can show that he was able and willing to labour for the same, be entitled to claim his minimum daily wage.

Limitations and conditions of task-work.

Section 108. Draft, s. 114.

116. If the Inspector considers that any schedule of daily tasks, or any part thereof, is unreasonable, he may by order in writing direct that a reduction specified in such order be made of such tasks. The employer shall at once make such reduction, but may, if dissatisfied with the Inspector's order, by notice in writing require the Inspector to refer the schedule to a Committee for consideration. Such Committee shall consist of the Inspector, of some employer to be nominated by him, and of some person to be nominated by the employer whose schedule is to be considered, or if the employer fails within a reasonable time to nominate some person, by the Inspector.

Provisions for revision of schedule by Inspector subject to appeal to Committee.

Section 109. Draft, s. 115.

117. If such Committee, or a majority thereof, is of opinion that the daily tasks specified in such schedule or any of them are unreasonable, they shall modify and reduce them in such manner as they think fit. The employer shall thereupon modify his schedule accordingly, and a copy of the schedule so modified shall be filed and stuck up in the manner directed in section one hunderd and fourteen, and shall, as between him and the labourers concerned, take the place of the former schedule.

Committee to revise schedule.

New. Draft, s. 116.

118. Notwithstanding anything contained in any such schedule, the Inspector may order that any specified labourer who is in his opinion unable from weakness to earn by his labour the sum of one anna and a half per diem, according to the said schedule, shall receive, in lieu of such actual earnings, subsistence-allowance at the rate of one anna and a half per diem, or diet on a scale to be approved by such Inspector. Such subsistence-allowance shall be recoverable as if it were an arrear of wages.

Provision for weakly labourers.

E.—Incapacity for Labour.

Section 116. Draft s. 117.

119. The Inspector within the local limits of whose jurisdiction any labourer is employed may release such labourer, for such period as he thinks fit, from performing his labour-contract, if he be, in the judgment of such Inspector, temporarily unfitted for the performance thereof by reason of sickness, or other sufficient cause.

Every such release shall be endorsed by the Inspector on the labour-contract, and the time during which the release continues shall not be reckoned as

Inspector may suspend contract of any labourer temporarily unfitted for labour.

part of the term for which the labourer is bound to serve. Every such labourer shall, during such release, receive such subsistence-allowance from his employer as the Inspector thinks sufficient.

New. Draft, s. 118.

120. If any labourer is compelled to absent himself from work on account of sickness, he shall receive from his employer for each such day of absence subsistence-allowance at the rate of one anna and a half, or, if in hospital, sick diet on a scale to be approved by the Inspector.

Labourer absent from sickness.

If such absence exceeds the total number of thirty days in any one year, and the employer, as soon as such number is exceeded, gives the labourer a notice in writing to that effect, each day of absence in excess of such number shall be added to the term of the labour-contract, unless the labourer refunds to the employer the sum of one anna and a half for each day so in excess. The Inspector shall from time to time, when visiting the garden, endorse on the labourer's labour-contract, after such enquiry as may be necessary, the number of days so added to the term thereof.

Section 112. Draft, s. 120.

121. If, in the opinion of the Inspector, any labourer is permanently incapacitated for the performance of his labour-contract or any material part thereof, the Inspector shall certify to that effect in writing, and deliver such certificate to the employer of such labourer or his agent, and from the date of such certificate the labour-contract of such labourer shall wholly determine. Every labourer whose labour-contract so determines shall be entitled to receive from his employer such sum, not exceeding three months' wages, as the Inspector may award.

Discharge of labourer permanently incapacitated.

Such sum and any subsistence-allowance mentioned in sections one hundred and nineteen and one hundred and twenty shall be recoverable as if they were arrears of wages.

F.—Accommodation for Labourers.

Section 113. Draft, s. 121.

122. Every employer shall be bound to provide for the labourers employed on the estate of which he is in charge such house accommodation, water-supply and sanitary arrangements as the local Government may by rule direct.

House-accommodation, water-supply and sanitary arrangements to be provided.

New. Draft, s. 122.

123. When the food-grain commonly used by any class of labourers is not procurable by such labourers at reasonable prices in the local markets near the estate on which such labourers are employed, the employer of such labourers shall be bound to supply them, with such grain at a reasonable price. The local Government may by notification in the official Gazette determine, either generally or for each district or part of a district, what shall for the purposes of this section be deemed to be a reasonable price.

Supply of food-grain by employer.

New. Draft, s. 123.

124. Subject to any rules which may be made by the local Government in this behalf, any Inspector may, by order in writing,

Provisions for rationing.

(*a*) direct that any specified class of labourers on any estate, or all the labourers on any specified estate, within the local limits of his jurisdiction, shall be furnished by their employer with rations, cooked or uncooked, on such scale, for such period not exceeding three months from the date of their arrival on the estate, as may be specified in such order;

(*b*) exempt any specified labourer from the effect of any such general order if he is satisfied that such labourer is able to earn a full wage and desires to provide himself with proper and sufficient food;

(*c*) direct that any specified labourer shall be furnished with rations for any term not exceeding six months, and may renew any such order for a like term.

The cost of each labourer's ration furnished to him in accordance with any order made under this section shall be calculated at current rates as determined by the Inspector, and shall be deducted from any wages earned by the labourer during the period for which such order is in force.

Section 114. Draft, s. 124.

125. If any employer does not, in the opinion of the Inspector, provide such hospital accommodation in a suitable place available to the labourers employed upon the estate of which he is in charge, or does not make such provision for the medical treatment of such labourers, as the local Government may direct, the local Government may require such employer to contribute to the support of a central hospital to be established, or to the pay of a medical officer to be appointed, for the medical treatment of such labourers, such sum, proportionate to the number of labourers so employed, as it thinks fit.

Provision for hospital accommodation and medical attendance.

Section 115. Draft, s. 125.

126. Any Inspector or Assistant Inspector who is himself a Magistrate may, with respect to any estate situate within the local limits of his jurisdiction, institute an inquiry whether the employer in charge of such estate has provided for his labourers house accommodation, water-supply, sanitary arrangements, food-grains and rations in accordance with the rules prescribed by the local Government. At the instance of any Inspector or Assistant Inspector a similar inquiry may be made by a Magistrate. Every such inquiry shall be held at some place on the estate to which it relates, or within ten miles of such estate, and shall be conducted and dealt with as if it were an inquiry of a Magistrate under the Code of Criminal Procedure.

Inquiry whether employer has failed to provide as required by the rules.

G.—Localities unfit for the Residence of Labourers.

Section 118. Draft, s. 128.

127. If in the opinion of the Inspector any estate or portion of an estate situate within the local limits of his jurisdiction is at any time, by reason of climate, situation or condition, unfit for the residence of labourers, or of any particular class of labourers, he shall give notice in writing of such opinion to the Magistrate of the district; and such Magistrate shall forthwith, by order in writing, summon a Committee to inquire into the matter.

Inspector to report.

Magistrate to summon Committee.

Such Committee shall consist of the Magistrate, the Inspector, the medical officer of the district, and one or more employers of labourers, when such employers are available.

If the Magistrate is unable to procure the service on such Committee of any employer of labourers, he may, with the previous sanction of the Commissioner of the division, appoint one or more persons qualified to serve on such Committee.

Draft, s. 128.

128. Such Committee shall as soon as may be inquire into the healthiness of the estate or portion to which the order appointing the Committee relates, and shall hear and record such information on the subject as the owner of such estate or portion, or the employer in charge thereof, or the Inspector, may desire to place before it.

Proceedings of Committee.

If such Committee or the majority thereof is of opinion that such estate or portion, or any part of such estate or portion, is unfit for the residence of labourers generally, or of any particular class of labourers, it shall record a finding to that effect.

If Committee finds estate unfit, labour-contract to be void as regards such estate.

When such finding has been recorded, no labourer, or no labourer of the particular class to which such finding relates, as the case may be, and no other person, shall be bound by any labour-contract or other contract to labour on the estate or portion, or part of such estate or portion, as the case may be, which is found unfit for the residence of such labourers.

When any labourer or other person is released under this section from the performance of a labour-contract or other contract to labour on any estate, he shall be bound to labour on any other estate belonging to his employer and situate in the same labour-district; or, where the finding relates only to a portion or part of an estate, on any other portion or part of the same estate.

Labourer bound to labour elsewhere.

Section 119. Draft, s. 129.

129. Whenever it appears to the local Government that the number of labourers or other persons employed on an estate who have died thereon, or on any portion thereof, during the last preceding twelve months, or that the average annual number of labourers or other persons employed on an estate who have died thereon or on any portion thereof during the last preceding three years, bears a larger proportion to the whole number of labourers or other persons employed thereon during such period of twelve months or three years, as the case may be, than seven per centum, the local Government may direct the civil medical officer of the district or other qualified medical officer to inquire into, and report on, the following matters:—

Local Government how to proceed if mortality in past year exceeds 7 per cent., or if the average mortality for three years exceeds 7 per cent.

Matters to be enquired into.

(*a*) The cause or causes of such mortality;

(*b*) The want (if any) of due care or precaution, and of the adoption of proper and available sanitary measures, on the part of the owner of such estate or portion thereof, or the employer in charge of such estate or portion, causing or contributing to such mortality;

(*c*) The fitness or otherwise of such estate or portion for the residence of labourers.

Draft, s. 129.

130. Such medical officer shall, as soon as may be, inquire into such matters, and shall hear and record such information relating thereto as the owner of such estate or portion, or the employer in charge of the same, or the Inspector, may place before him, and shall visit and inspect such estate or portion, and shall make a report expressing the reasons for his opinion, and transmit the same to the local Government together with the information so recorded and the notes of his inspection of such estate or portion.

Medical officer to report.

Draft, s. 129.

131. If the local Government, after perusal and consideration of the said report, information and notes, is of opinion that such mortality was caused by the want, on the part of the owner of such estate or portion, or the employer in charge of the same, of due care or precaution, or of the adoption of proper and available sanitary measures, and that such estate or portion is thereby rendered unfit for the residence of labourers, it may declare in writing that such estate or portion is unfit for the residence of labourers. Such declaration of the local Government shall have the same effect as the finding of a Committee under section one hundred and twenty-eight.

Local Government may declare estate unfit for residence.

Effect of declaration.

Section 120. Draft, s. 130.

132. If it at any time appears to the Inspector or that any estate or portion thereof, or any part of such portion found under section one hundred and twenty-eight or declared under section one hundred and thirty-one to be unfit for the residence of labourers, or any particular class of labourers, has become fit for the residence of such labourers or such particular class of labourers, as the case may be, he shall, with the previous sanction of the Magistrate of the district in which such estate, portion or part is situate, give a certificate to that effect signed by him. Thereupon all labourers who have contracted to labour on such estate, portion or part shall again be bound to labour on the estate, portion or part, as the case may be, to which the certificate relates.

Power to certify fitness of estate or portion found or declared to be unfit.

H.—Complaints made by Labourers.

Section 129. Draft, s. 142.

133. If any labourer states to his employer, or any person acting on behalf of his employer, that he desires to make a complaint to the Inspector or to any Magistrate of personal ill-usage or breach, on the part of his employer or such person, of any provision of this Act or of any rule of the local Government made hereunder, the person to whom such statement is made shall forthwith send such labourer to the Inspector or Magistrate within the local limits of whose jurisdiction the estate wherein he is employed is situate: Provided that, if more than ten labourers at any one time so state their desire to make such a complaint, the person to whom the statement is made may, instead of sending such labourers to such Inspector or Magistrate, give him notice in writing of their complaint.

If labourer wishes to complain of personal ill-usage or breach of Act, employer to send him to Inspector or Magistrate.

Section 130. Draft, s. 143.

134. Whenever any such complaint is made to an Inspector or Magistrate or whenever any Inspector or Magistrate receives notice in writing of any such complaint, or has other reasonable grounds for believing that any employer or person acting on his behalf has personally ill-used, or committed any breach mentioned in section one hundred and thirty-three in respect of any labourer, such Inspector or Magistrate shall, as soon as may be, proceed to some place not more

Inspector or Magistrate how to proceed if complaint is made to him, or if he has reason to believe that there is ground for a complaint.

than ten miles from the principal place of business of such employer situate within the local limits of his jurisdiction, and inquire into the matter complained of:

Provided that if the place in which an Inspector or Magistrate has reasonable grounds for believing that such ill-usage or breach has been committed is situate beyond the local limits of his jurisdiction, he shall, instead of inquiring into the matter himself, forthwith send information thereof in writing to the Inspector or Magistrate within the local limits of whose jurisdiction such ill-usage or breach has been committed.

Section 131. *Draft*, s. 144.

Power to summon witness.

For the purposes of an inquiry under this section, the Inspector or Magistrate may summon and examine any person as a witness.

Section 132. *Draft*, s. 145.

If complaint is untrue or frivolous.

135. If, upon such inquiry made on the complaint of a labourer, the Inspector or Magistrate is of opinion that the complaint is untrue or frivolous or vexatious, he shall dismiss the complaint; and in such case shall endorse on the employer's copy of the complainant's labour-contract the number of days during which the complainant has been absent from work in consequence of the inquiry, and the number of days so endorsed shall be added to the period for which the complainant contracted to labour.

Every such endorsement shall be conclusive evidence that the complainant has absented himself from his labour without sufficient cause during the number of days so endorsed.

Award of compensation to employer.

136. When any complaint is dismissed under section one hundred and thirty-five, the Inspector or Magistrate may award to the employer any reasonable compensation on account of any expense incurred by him in connection with such complaint, and shall endorse the amount of such compensation on the complainant's copy of the labour-contract. The complainant shall be bound to pay the amount so endorsed; and in default of such payment his labour-contract shall not be deemed to have determined until he has worked off such amount at the rate of one day's labour for each four annas of such amount.

Section 133. *Draft*, s. 146.

If on inquiry there is sufficient ground for proceeding.

137. If, upon such inquiry by a Magistrate or by an Inspector who is a Magistrate, such Magistrate or Inspector is of opinion that there is sufficient ground for proceeding with the case, he shall dispose of the same according to law. If the Inspector is not a Magistrate and is of such opinion, he shall without delay send the complainant and his witnesses (if any) to the nearest Magistrate; and such Magistrate shall thereupon dispose of the case according to law.

Section 134. *Draft*, s. 147.

Recovery of arrears of wages.

138. If, upon the complaint of any labourer, it is proved to the satisfaction of a Magistrate that the wages of such labourer are in arrear for two months, or if the wages of any labourer whose labour-contract has determined are proved to the satisfaction of a Magistrate to have been withheld for any period after such determination, the Magistrate may award to such labourer the amount which appears to be then due to him;

Compensation may be given.

and also, by way of compensation, such further sum, not exceeding that amount, as to such Magistrate seems just; and in case of default in payment of the amount so awarded the Magistrate shall levy such amount by distress and sale of any moveable property belonging to the employer of such labourer.

Power to cancel contract on conviction of employer;

Section 135. *Draft*, s. 148.

139. Whenever it is proved to the satisfaction of a Magistrate—

(*a*) that any employer, or any person placed by him in authority over any labourer, has been convicted of any offence causing injury to the person, or loss or damage to the property, of such labourer and triable under the Code of Criminal Procedure by the Court of Session, or

(*b*) that any employer, or other person as aforesaid, has been twice convicted of any such offence against such labourer and triable under the said Code by a Magistrate, or

(*c*) that the wages of any labourer are in arrear

or if wages are in arrear for more than four months.

to an amount exceeding the whole of such labourer's wages for four months, or

(*d*) that any labourer has been compelled by his employer or by any person placed by his employer in authority over him to perform any labour while he was unfit for it, or has been subjected to ill-usage

or if ill-usage is proved.

by his employer or any such person,

such Magistrate, may, if he thinks fit, on the application of the labourer aggrieved, cancel the labour-contract of such labourer, and award to him compensation not exceeding thirty rupees.

Every such cancelment shall be certified by the Magistrate on the back of the labourer's copy of the labour-contract; or if the same be not forthcoming, by writing under the Magistrate's hand delivered to the labourer.

I.—Determination of Labour-Contract.

Endorsement of determination on labour-contract.

Sections 136 *and* 138. *Draft*, s. 149.

140. Whenever a labour-contract determines, the employer shall endorse on the labourer's copy of the contract the fact of such determination; and, if the employer refuses or neglects to do so, the Inspector may, on application by the labourer, make such endorsement.

Power to redeem labour-contract.

Section 137. *Draft*, s. 150.

141. If any labourer is able and desirous to redeem the unexpired term of his labour-contract or of the labour-contract of any member of his family, by payment of a sum equivalent to the value of such unexpired term, such labourer may require his employer to take him, or allow him to go, before the Inspector within the local limits of whose jurisdiction he may be employed; and on his depositing such sum with such Inspector, the Inspector shall give notice to the employer that the labourer requires him, within one week, to show cause why the labourer should not be released from his contract. If no sufficient cause is shown, the Inspector shall require the labourer's copy of the contract to be produced, and on production thereof shall endorse thereon a certificate that the contract has been released by purchase, or, if such copy be not forthcoming, shall deliver to the labourer a certificate under his hand to that effect; and shall in either case hold the sum so deposited to the credit of the employer of such labourer.

Value of unexpired term of labour-contract.

The value of the unexpired term of a labour-contract shall, for the purposes of this section, be deemed to be the aggregate amount of

one rupee for every month of the unexpired portion of the first year, of three rupees for every such month of the second year, and of five rupees for every such month of the third, fourth and fifth years, of the original term of the contract.

CHAPTER VII.

SUPPLEMENTARY POWERS.

Section 4. *Draft*, s. 5.

Power of the local Government to make rules.

142. The local Government may make rules consistent with this Act—

(*a*)—To define and regulate the powers and duties of the several officers appointed by it under this Act;

(*b*)—To prescribe the periodical returns and reports to be made under this Act by any such officers or by any contractors or local agents within the territories under its administration;

(*c*)—To prescribe the forms of all registers, licenses, certificates and notices required under this Act with respect to the territories under its administration;

(*d*)—To prescribe the particulars to be registered by a Magistrate or Superintendent in respect of each labourer or dependent who is brought before him for registration in any district under its administration;

(*e*)—To prescribe the fees to be paid for any license granted under this Act by any officer appointed by it and for the registration of labourers in any district under its administration;

(*f*)—To prescribe the conditions upon which any officer appointed by it may grant licenses to masters of vessels carrying passengers to any labour-district; to provide for the ventilation, cleanliness and water-supply of such vessels in respect of which licenses are granted hereunder by any such officer; and to prescribe the lists, returns and reports to be kept and submitted by the masters of such vessels;

(*g*)—To prescribe the description, quantity and quality of provisions, medical drugs and other stores to be taken on board such vessels carrying labourers when such vessels are within the territories under its administration and the daily allowance to be issued to each labourer and dependent during the journey through such territories; to prescribe the number of officers, cooks and other servants on board such vessels, and to provide generally for the accommodation of labourers and their dependents on such vessels;

(*h*)—To provide for the accommodation, food, clothing and medical treatment of all labourers and dependents detained on account of sickness by order of a Magistrate at any place within any district under its administration;

(*i*)—To prescribe the routes through the territories under its administration by which labourers and their dependents shall travel to the labour-districts.

(*j*)—To prescribe the house-accommodation, water-supply, sanitary arrangements and amount and kind of food-grains to be provided by employers for their labourers, and to regulate the rations to be supplied to labourers under this Act in the labour-districts under its administration;

(*k*)—To provide for the hospital accommodation and medical treatment of labourers in such labour-districts, and to prescribe the nature, quality and quantity of medical drugs and other stores to be provided for such labourers; and generally

(*l*)—To give effect to the provisions of this Act within the districts subject to its administration.

Special power of the Lieutenant-Governors of Bengal and the North-Western Provinces.

Draft, s. 5.

143. The Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioner of Oudh may further respectively make rules consistent with this Act—

(*a*)—To provide for the management and regulation of contractors' depôts and of hospital depôts situate within the territories under their respective administrations and for the support and medical treatment of labourers and their dependents passing through such depôts;

(*b*)—To prescribe the clothing to be supplied to labourers and their dependents while proceeding to the labour-districts through the territories under their respective administrations.

Special power of the Chief Commissioner of Assam.

The Chief Commissioner of Assam may further make rules consistent with this Act—

(*c*)—To provide for the detention and inspection of vessels in respect of which licenses are granted hereunder and passengers being natives of India carried thereon while in transit through the labour-districts of the Assam Valley, Cachar and Sylhet.

Penalty for infringement of rules.

Section 5. *Draft*, s. 6.

144. The local Government may by rule prescribe as a penalty for the infringement of any rule made by it hereunder a fine which may extend to five hundred rupees.

Publication of rules.

All rules made under this Act by the local Government shall be published in the official Gazette, and shall thereupon have the force of law.

CHAPTER VIII.

PENALTIES AND PROCEDURE.

Inducing Native to emigrate in contravention of a notification under section 5.

Draft, s. 15.

145. Whoever knowingly induces or assists, or attempts to induce or assist, any native of India to emigrate in contravention of a notification published under section five shall be punished with fine which may extend to fifty rupees for every such Native whom he so induces or assists, or attempts to induce or assist.

Draft, s. 64. Cf. Indian Emigration Bill, s. 88.

Recruiter removing, &c., unregistered labourers.

146. Whoever, being a recruiter—

removes, or attempts to remove, any labourer to a depôt, before he has been registered under section thirty-two, or induces or attempts to induce him to go to a depôt or to leave the local limits of the jurisdiction of the Magistrate by whom such recruiter's license has been countersigned, or aids or attempts to aid such labourer in going to a depôt or in leaving any such local limits, before he has been so registered,

or induces or attempts to induce any labourer who has been so registered to proceed to any place other than the depôt which has been established by the contractor on whose behalf such recruiter is licensed, or conveys or attempts to convey him to such place,

shall be punished in respect of every such labourer with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to one month.

Draft, s. 66.

Recruiter not supplying proper food, &c.

147. Whoever, being a recruiter or a person deputed by him to accompany labourers to a depôt, fails to provide any labourer or any dependent whom he accompanies on his journey to the depôt, with suitable lodging and food, or otherwise ill-treats such labourer or dependent on such journey, shall be punished with fine which may extend to fifty rupees; and, in default of payment of such fine within twenty-four hours, with imprisonment for a term which may extend to one month.

Draft, s. 73.

The convicting Magistrate may award the whole or any portion of any fine levied under this section as compensation to the labourer in respect of whom, or of whose dependent, such failure or ill-treatment has occurred.

Draft, s. 79.

Labourer refusing without reasonable cause to execute contract at depôt.

148. Any labourer engaged by a recruiter and who, having been registered under section thirty-two, without reasonable cause refuses when at the depôt to execute, within thirty days after his arrival at such depôt, a labour-contract in conformity with the terms made known to him when he was registered, shall be punished with fine which may extend to the amount of the expense incurred in registering him and conveying him to the depôt and maintaining him therein; and, in default of payment of such fine, with imprisonment for a term which may extend to one month.

Any labourer so punished may be forthwith discharged from the depôt.

Every fine levied under this section shall be paid to the contractor, sub-contractor or recruiter by whom such expense was incurred.

Draft, s. 37.

Garden-sardár failing to report himself, &c.

149. Whoever, being a garden-sardár,

fails, within fourteen days after his arrival in the local area within which he is authorized to enter into contracts with labourers, to report himself to the local agent (if any) specified in his certificate, or

removes or attempts to remove any labourer to a labour-district, before he has been registered as provided by section sixty-six, or

induces or attempts to induce him to leave the district within which he was engaged before he has been so registered, or aids or attempts to aid him in leaving such district or proceeding to a labour-district before he has been so registered, or

fails without sufficient cause to return to his employer within the time specified in his certificate, or

fails to account for the money advanced to him by his employer for the purpose of engaging labourers, or

wilfully abandons any labourer or his dependent on the way to a labour-district,

shall be punished with imprisonment for a term which may extend to one month.

Draft, s. 38.

Garden-sardár making over labourers to contractors, &c.

150. Any garden-sardár who makes over any labourers engaged by him to any contractor, sub-contractor or recruiter, or to the garden-sardár or local agent of any employer other than the employer by whom his certificate was granted, or

allows any labourers engaged by any other contractor or sub-contractor or recruiter to share the accommodation provided by him under section fifty-seven, or

places any labourer engaged by him in a contractor's depôt or in the place of accommodation provided by a recruiter in accordance with the provisions of section twenty-seven,

shall be punished with fine which may extend to ten rupees; and his certificate may be impounded by the convicting Magistrate.

Any Magistrate impounding a certificate under this section shall send it for cancellation to the Magistrate by whom it was countersigned.

Draft, s. 39.

Garden-sardár failing to comply with instructions indorsed on way-bill.

151. Any garden-sardár or person appointed by him as provided by section seventy-three, who accompanies labourers to the labour-districts, and fails to comply with any of the instructions entered in the way-bill relating to such labourers, shall be punished with fine which may extend to five rupees.

Draft, s. 78. Cf. India Emigration Bill, s. 92. Draft, s. 81.

Master receiving native passengers on board in contravention of Act.

152. Any Master not licensed under section eighty-eight who knowingly receives on board his vessel more than twenty passengers being natives of India, and

any Master licensed as aforesaid who knowingly receives on board his vessel any such passengers in excess of the number specified in his license or in any order of an Embarkation Agent under section ninety,

shall be punished with fine which may extend to two hundred rupees for each emigrant so received.

Draft, s. 80.

Fraudulent alteration of vessel after grant of license.

153. Any Master licensed under section eighty-eight who with intent to defraud does or suffers to be done any act or thing whereby the state of his vessel is altered, so that such vessel is unfit for the accommodation of the number of passengers specified in his license or in any order of an Embarkation Agent under section ninety, shall be punished with fine which may extend to two hundred rupees.

Draft, s. 82.

Master not complying with section 93.

154. Any Master licensed as aforesaid who proceeds on his voyage with his vessel carrying labourers without having complied with the provisions of section ninety-three shall be punished with fine which may extend to five hundred rupees or with

imprisonment for a term which may extend to three months.

Draft, s. 79.

155. Any Master licensed as aforesaid who fails to comply with an order of an Embarkation Agent made under section ninety-five shall be punished with fine which may extend to two hundred rupees for each day during which he fails to comply with such order after the day on which the order was received by him.

Master not complying with order under section 95.

Draft, s. 86.

156. Any Master licensed as aforesaid causing or permitting a labourer finally to leave his vessel contrary to the provisions of section ninety-seven shall be punished with fine which may extend to two hundred rupees for each labourer so leaving his vessel.

Master permitting labourer to leave vessel contrary to section 97.

Draft, s. 87.

157. Any Master licensed as aforesaid who wilfully omits to comply with the provisions of section ninety-eight shall be punished with fine which may extend to two hundred rupees.

Master or officer wilfully omitting to stop vessel at certain places.

Draft, s. 89.

158. Any person who disobeys any order made under section one hundred by a Magistrate shall be punished with fine which may extend to two hundred rupees.

Person disobeying Magistrate's order as to communication between vessel and shore.

Draft, s. 97.

159. Any Master licensed as aforesaid, or any medical officer in charge of his vessel, who wilfully omits or neglects to obey or enforce on board of such vessel any provision of this Act or any rule made hereunder, shall be punished with fine which may extend to two hundred rupees.

Master or medical officer disobeying or neglecting to enforce rules.

Draft, s. 99.

160. Any labourer who, having been registered by a Magistrate under section thirty-two or section sixty-six, deserts while on his journey from the district in which he has been so registered to a labour-district, or

without reasonable cause refuses or neglects to proceed from the district in which he has been so registered, or to embark in any vessel when called upon to do so by an Embarkation Agent,

shall be punished with imprisonment for a term which may extend to three months.

Labourer deserting, &c., after registration.

Section 108. Draft, s. 110.

161. Any employer who refuses or wilfully omits to keep such registers, or to make such periodical returns in writing to the Inspector, as may be prescribed by any rule made hereunder, or who knowingly keeps an incorrect register or makes an incorrect return, shall be punished with fine which may extend to two hundred rupees.

Employer refusing or omitting to keep registers, &c.

Section 105. Draft, s. 111.

162. Any employer, and any person acting under his orders or on his behalf, who wilfully obstructs any entry, inspection or inquiry made under section one hundred and thirteen shall for every such offence be punished with fine which may extend to two hundred rupees.

Employer or other person obstructing inspection under section 113.

Section 111. Draft, s. 119.

163. Any employer, or any person acting under his orders or on his behalf, who compels any labourer to perform any labour, knowing that he is at the time unfit to perform such labour, shall be punished with fine which may extend to two hundred rupees.

Employer or other person compelling labourer to perform labour for which he is unfit.

Draft, s. 12[illegible]

164. Any person who buys the rations which have been furnished under section one hundred and twenty-four to any labourer, and any labourer who sells any such rations, shall be punished with fine which may extend to fifty rupees or with imprisonment for a term which may extend to one month.

Persons buying labourer's rations.

Section 116. Draft, s. 126.

165. Any employer who wilfully omits to provide house-accommodation, water-supply, sanitary arrangements, food-grains or rations in accordance with the provisions of this Act or any rule made hereunder, shall be punished with fine which may extend to five hundred rupees; and the convicting Magistrate may order him to comply with such provisions within a reasonable time to be fixed in the order.

If the employer wilfully omits to comply with such order within the time so fixed, he shall be punished with fine which may extend to one hundred rupees for each day during which such omission continues.

If the employer fails to pay the last-mentioned fine, the person on whose account he has been acting shall be liable to pay such fine.

Employer omitting to provide house-accommodation, &c.

Section [illegible] Draft, s. [illegible]

166. Any employer who fails to provide such hospital accommodation, or to make such provision for the medical care and treatment of labourers, as is required by any rule made under this Act, shall be punished with fine which may extend to two hundred rupees for each week during which such default continues.

Employer neglecting to provide hospital accommodation.

Section 120. Draft, s. 128

167. Every employer who causes or permits any labourers, or class of labourers, to reside or labour upon any estate or portion thereof which may have been found under section one hundred and twenty-eight, or declared under section one hundred and thirty-one, unfit for the residence of such labourers or class of labourers shall be punished with fine which may extend to two hundred rupees.

Employer causing labourer to reside on estate declared unfit.

New. Draft, s. [illegible]

168. Every employer may, on or before the fifteenth day of each month, send to the Inspector a statement in writing containing the names of all or any of his labourers who, voluntarily and without reasonable cause, absented themselves from labour during the preceding month, and specifying the periods of such absence. When any employer sends any such statement in writing, he shall at the same time notify to each labourer concerned the fact that he has done so.

Any Inspector who receives any such statement shall, when next visiting the estate on which the labourers to whom such statement relates are employed, inquire into each such case of absence, in the presence of the labourer concerned, and if satisfied that the labourer has wilfully and without reasonable cause absented himself, shall,

Unlawful absence from work.

unless the labourer consents to forfeit to his employer the sum of four annas for each such day of absence, endorse such days of absence on the labour-contract of such labourer, and add them to the term of such contract.

Section 121. Draft, s. 131.

169. Any labourer who, voluntarily and without reasonable cause, has absented himself from his labour for more than seven consecutive days, or for more than seven days in any one month, shall be liable to forfeit his wages for the period of such absence, and to pay to his employer a sum not exceeding four annas for each such day of absence, and shall also be liable to imprisonment for a term which may extend to fourteen days; and in case such absence has extended to twenty days in any two consecutive months, to imprisonment for a term which may extend to one month.

Labourer absent without cause.

Explanation.—Ill-treatment of such labourer by his employer, or failure of the employer to fulfil any condition of the labour-contract binding on the employer, is reasonable cause within the meaning of section one hundred and sixty-eight and this section.

Section 122. Draft, s. 131.

170. If any labourer deserts from his employer's service, such employer, or any person acting on his behalf, may, without a warrant, and without the assistance of any police-officer, arrest such labourer wherever he may be found: Provided that, if such labourer be found within ten miles of the place where a Magistrate resides or in the service of another employer, he shall not be arrested without warrant.

Deserter may be apprehended without warrant.

Every police-officer shall assist in arresting any such labourer if so required by the employer or person acting on his behalf.

Whoever arrests a labourer under this section shall without delay take him to the police-station nearest to the place of the arrest; and if he fails to do so shall be punished with fine which may extend to two hundred rupees.

171. The police-officer in charge of such station shall, on the appearance of the parties, take down in writing the statement of the person arresting the labourer, and shall then forthwith send the labourer to the nearest Magistrate.

Procedure at police-station.

Such Magistrate shall either inquire into and dispose of the case himself, or, if the estate of the employer from whose service the labourer deserted is not situate within the local limits of such Magistrate's jurisdiction, he shall forward the labourer to the Magistrate within the local limits of whose jurisdiction such estate is situate.

Draft, s. 131.

172. Whenever an employer or a person acting on his behalf complains to a Magistrate that a labourer has deserted from his employer's service, such Magistrate may, without previously examining the complainant, issue a summons for the attendance of such labourer, or a warrant for his arrest, and fix a day for hearing the complaint.

Procedure on complaint of desertion.

Draft, s. 133.

173. Every labourer who deserts from his employer's service shall be punished with imprisonment for a term which may extend to one month. For a second conviction for a like offence he shall be punished with imprisonment for a term which may extend to two months. For a third and every subsequent conviction for a like offence he shall be punished with imprisonment for a term which may extend to three months.

Punishment for desertion.

Draft, s. 134.

174. If it appears to the Magistrate trying a labourer for deserting from his employer's service that such labourer was arrested without sufficient cause, such Magistrate may impose a fine which may extend to fifty rupees on the employer or person acting on his behalf by whom, or at whose instance, such labourer was arrested. The Magistrate may in his sentence direct that the whole or any part of such fine be paid by way of compensation to the labourer so arrested.

Compensation for wrongful arrest.

New. Draft, s. 137.

175. Whenever any labourer has actually suffered imprisonment for terms amounting on the whole to six months for desertion from his employer's service, the Inspector shall cancel the labour-contract of such labourer, and shall endorse on his copy of the contract, a certificate of such cancellation; or, if such copy be not forthcoming, he shall deliver to the labourer a written certificate of such cancellation.

Cancellation of contract by desertion.

Section 124. Draft, s. 135.

176. Any labourer guilty of habitual drunkenness, or wilfully disregarding any sanitary regulation approved by the Inspector and duly notified for the guidance of the labourers on the estate on which such labourer is employed, shall be punished with fine which may extend to five rupees or with imprisonment for a term which may extend to one week.

Penalty for drunkenness or neglect of sanitary regulations.

Section 125. Draft, s. 138.

177. The employer of any labourer sentenced to imprisonment for any offence under this Act, or any person authorized to act in this behalf for such employer, may apply to the Magistrate, at any time previous to the expiry of such sentence, that such labourer be made over to him for the purpose of completing his labour-contract. On such application being made, the Magistrate may, if he thinks fit, order that such labourer be made over or forwarded to his employer;

Portion of sentence may be cancelled on application of employer.

and in that case such Magistrate shall cancel the remainder of the sentence passed on the labourer and shall endorse on his copy of the labour-contract a certificate of such cancellation or, if such copy is not forthcoming, shall give him a written certificate of such cancellation.

Section 126. Draft, s. 139.

178. Every employer who obtains an order of a Magistrate for the making over or forwarding of any labourer shall be liable to defray the expense (if any) incurred in such making over or forwarding; and shall, before the order is issued, deposit with the Magistrate a sum sufficient in the Magistrate's opinion to defray such expense.

Expense of forwarding labourer to be paid by employer.

Section [illegible] Draft, [illegible]

179. On the expiry of any sentence of imprisonment for any offence under this Act, the Magistrate shall, subject to the provisions of section one hundred and seventy-five, make over such labourer to any person appointed on the part of his employer to take charge of him; and no conviction under this Act, or imprisonment under

Conviction not to operate as a release.

such conviction, shall, save as aforesaid, operate as a release to any labourer from the terms of his labour-contract:

If no person is present on the part of the employer to take charge of the labourer at the expiry of his sentence, the Magistrate shall forward such labourer to the principal place of business of his employer situate within the local limits of such Magistrate's jurisdiction, and the expense of such forwarding shall be recoverable from such employer as if it were an arrear of land-revenue.

Section 127. Draft, s. 140.

180. When any labourer is convicted under section one hundred and sixty-nine of absence from labour or is sentenced to imprisonment for an offence under this Act, the Magistrate so convicting or sentencing him shall endorse on the employer's copy of the labour-contract the period during which such labourer is convicted of being absent from his labour, or the term for which he is sentenced to imprisonment, or both, as the case may be.

Time of unlawful absence or imprisonment to be excluded from contract period.

The period so endorsed shall be added to the term for which such labourer contracted to serve; and such labourer shall not be deemed to have performed his labour-contract till he has served for the term specified therein in addition to the period so endorsed.

Section 128. Draft, s. 141.

181. Whoever, knowing that any labourer is bound by his labour-contract to labour for any employer, voluntarily entices or attempts to entice such labourer to leave such employer, or harbours or employs any such labourer who has, in contravention of the terms of his labour-contract, left his employer, shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to one month, or with both.

Other person enticing away, harbouring or employing labourer under labour-contract.

The convicting Magistrate may in his discretion award to the employer with whom such labourer has contracted the whole or any part of any fine levied under this section.

Section 129. Draft, s. 142.

182. Whoever, being bound by section one hundred and thirty-three to send any labourer before, or to give notice of any complaint to, an Inspector or Magistrate, refuses or neglects so to send such labourer, or to give such notice, shall be punished with fine which may extend to two hundred rupees.

Employer or other person neglecting to send labourer before Magistrate as provided by section 133.

183. Any employer who—

refuses or neglects to endorse the labourer's copy of his contract as required by section one hundred and forty, or

Employer refusing to endorse labour-contract, &c., as required by section 140.

detains a labourer after the determination of his labour-contract, or

fails to give notice to the Inspector of such determination within one month of the date thereof,

shall be punished with fine which may extend to two hundred rupees.

184. Any employer or person acting for an employer who refuses or neglects to comply with the request of a labourer made under section one hundred and forty-one shall be punished with fine which may extend to two hundred rupees.

Employer or other person neglecting to comply with request of labourer wishing to redeem unexpired term.

185. Whoever abets within the meaning of the Indian Penal Code any offence against this Act or any rule made hereunder shall be punished with the punishment provided for such offence.

Abetment.

Cf. Indian Emigration Bill, s. 101.

186. Whoever commits any offence against this Act or any rule made hereunder shall be triable for such offence in any place in which he may be found as well as in any other place in which he might be tried under any law for the time being in force.

Place of trial for offences.

Draft, s. 98. Cf. Indian Railway Act, 1879, s. 50.

187. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made hereunder, or from being liable under any other law to any penalty higher than that provided by this Act for such offence: Provided that no person shall be punished twice for the same offence.

Saving of prosecutions under other laws.

New. Cf.

CHAPTER IX.

MISCELLANEOUS.

Section 5. Draft, s. 8.

188. All arrears of wages due under any labour-contract shall be a charge upon the estate upon which the labourer to whom such labour-contract relates has been engaged to labour; or if such labourer has engaged to labour upon any one of several estates managed by the same employer, shall be a charge upon that one of such estates upon which such labourer for the time being actually labours.

Wages due under labour-contract, charge upon estate.

189. Whenever an estate on which any labourer has under this Act contracted to labour is transferred by act of parties or operation of law, or devolves, the person to whom it is, so transferred or on whom it devolves shall be bound by the labour-contract of such labourer in the same manner and to the same extent as the person by or from whom it is transferred or devolves would have been bound by such contract, and shall have the same rights and remedies under such contract as such person would have had thereunder, if the estate had not been transferred or had not devolved.

Owner of estate for time being has all rights and remedies in respect of labour-contracts charged on it.

No person who has ceased to be the owner of the estate upon which any labourer has under this Act contracted to labour shall be liable in respect of any breach of the labour-contract of such labourer which occurs after he has ceased to be such owner.

Determination of ownership determines liability.

Section 97. Draft, s. 102.

190. Subject to the power of a Magistrate under this Act or the Code of Criminal Procedure to award fines in whole or in part as compensation to or for the benefit of any complainant or other person, all fines, fees and rates levied and paid under this Act in the territories under its administration shall be credited to a fund which shall be

Fines, fees and rates to be credited to "Inland Labour Transport Fund."

called the "Inland Labour Transport Fund"; and such fund shall be at the disposal of the local Government, in such manner as the Government of India may direct, for paying the salaries and allowances of all officers and establishments appointed under this Act by such local Government and their pensionary and leave allowances, and generally for defraying the expenses of carrying out the purposes of this Act and the rules of the local Government made hereunder. The annual surplus accruing in such fund shall be applied to reducing the yearly rate or the registration fees leviable under this Act, and not otherwise.

Expenditure on roads legalized.

191. All sums heretofore expended on roads or other communications by the Lieutenant-Governor of Bengal out of the Inland Labour Transport Fund constituted by the said Bengal Act No. VII of 1873, shall be deemed to have been expended in accordance with law.

Section 99. Draft, s. 108.

Duty of Assistant Inspector.

192. An Assistant Inspector shall perform all such duties and exercise all such powers of an Inspector as he is authorized in writing by the Inspector to perform or exercise.

Powers of local Government and officers exercisable from time to time.

193. All powers conferred by this Act on the local Government or on any Superintendent, Medical Inspector or other officer may be exercised from time to time as occasion requires.

THE SCHEDULE.

(*See section* 9.)

Form of Labour-contract between Labourer and Employer.

This contract, made under the Inland Emigration Act, 1881, between A B (hereinafter called *the labourer*) of the one part, and* [C D (*agent* or *local agent* or *garden-sardár*) on behalf of] E F (hereinafter called the *employer*) on the other part, witnesseth that the said* [*agent* or *local agent* or *garden-sardár* on behalf of the said] employer doth hereby promise the said labourer, that if he, the said labourer, do remain and labour on the $\frac{\text{X estate}}{\text{Y estates}}$† of his said employer in the labour district of for the term of years from the date of the execution of this contract, he, the said employer, will, from the date on which the said labourer commences to labour on such $\frac{\text{estate}}{\text{estates}}$ pay or cause to be paid, to the said labourer, monthly wages at the rate of Rs. ‡ for a completed daily task regulated in accordance with the provisions of the said Act, and, when such task is not completed, monthly wages calculated at the same rate in proportion to the amount of work actually done, and that during such period he, the said employer, will faithfully comply with all rules regarding house-accommodation, medical treatment, and the supply of food-grains or rations to the said labourer, which the local Government may from time to time prescribe; and this contract further witnesseth that the said labourer doth hereby, in consideration of the aforesaid promise, agree so to remain and labour for the said employer. In witness whereof the said parties to these presents, have hereunto set their hands at this day of 18 .

* Parts in brackets to be omitted if the contract is made without the intervention of an agent, local agent or garden-sardár.

† As the case may be.

‡ State rates for various periods of contract.

Signature of labourer and of employer (or of his agent, local agent or garden-sardár).

Form of Description of Labourer.

NAME.	Father's Name.	Age.	Sex.	Caste.	RESIDENCE.			Descriptive marks.
					District.	Thana.	Village.	

[*Endorsement to be filled up by registering officer before whom the contract is executed.*]

I hereby certify that, before the said A B signed this contract, I personally explained it to him.

Signed

Registering Officer.

[*Endorsement on labourer's copy of contract, to be left blank until the contract is determined.*]

I hereby certify that the foregoing contract has been determined by effluxion of time (or by mutual consent, or under the provisions of section of Act , as the case may be).

Dated at

This day of

Signature of Employer or of

STATEMENT OF OBJECTS AND REASONS.

This Bill has been drawn on the lines of a draft prepared by a Commission which recently met in Calcutta to consider and amend Bengal Act VII of 1873 (the Labour Districts Emigration Act). The attention of Government had previously been directed by certain persons interested in the large and important tea industry in Assam to several points in which the law relating to inland emigration appeared to require amendment. As the subject seemed to be one which affected not only the tea interest, but to a certain extent the interest of the whole country, the Government of India decided, in communication with His Honour the Lieutenant-Governor of Bengal, to refer it to the consideration of a Commission. This Commission, which consisted of members of the mercantile community of Calcutta and the tea interest in Assam, as well as of official members under each of those administrations especially conversant with the details of inland emigration, reviewed the whole question in all its details, and submitted a report, to which was annexed the draft Bill above referred to, which embodied the amendments of the law considered desirable. The Government of India resolved on legislating in accordance generally with the provisions of this draft, and accordingly the present Bill has been prepared. It differs considerably in form, but does not, it is believed, in substance differ materially (save in certain points which will be mentioned below) from the draft prepared by the Commission.

2. It does not seem necessary to specify in this place the numerous amendments of the existing law which the Bill, in common with the draft of the Commission, proposes to make. Many of these deal with minor and unimportant points, and all will be found enumerated in detail in the Report of the Commission. It will be sufficient here to state the main points in which the Commission found the present law defective and the changes which the Bill proposes with the view of removing these defects.

3. These points are four in number,—

(*a*) that the existing law does not afford sufficient encouragement to free emigration;

(*b*) that it imposes unnecessary restrictions upon sardári recruiting;

(*c*) that it fails to provide for the enforcement of contracts made otherwise than under its provisions even in the case of imported labourers;

(*d*) that it is defective in respect of the remedies provided for employers in the event of the unlawful absence, idleness or desertion of their contract labourers.

4. With regard to the first of these points, no labour-contracts can be entered into under the existing law (Bengal Act VII of 1873) after the emigrant has arrived in a labour-district; and further, under section 7 of the same Act, no contract to labour in a labour-district for more than one year is binding upon an emigrant unless it is made and executed according to the provisions of the Act. To remove these restrictions the Bill permits emigrants to make labour-contracts under its provisions after their arrival in a labour-district, and, by omitting any provision of the nature of section 7 of Bengal Act VII of 1873, leaves employers free to make with any persons, whether within or without the labour-districts, any labour-contract which the ordinary law will recognize and enforce.

5. As to the second point, under the present law, a garden-sardár in order to get his certificate countersigned is compelled to present himself at the Court of the Magistrate of the District in which he proposes to engage labourers; his certificate is only allowed to run for six months; he is not allowed to travel with another garden-sardár if the total number of their united bands of emigrants exceeds twenty; whilst if he recruits more than twenty emigrants himself, he must take them to a contractor's depôt. Such restrictions, besides unnecessarily impeding the garden-sardár in his operations, bring him into dangerous connection with contractors and recruiters who not unfrequently tempt him to make over to them for a consideration labourers recruited at his employer's expense. The Bill severs all connection between garden-sardárs and contractor's depôts; and, though providing, in the employer's interest, for the effective control of garden-sardárs when on recruiting duty, removes the restrictions above mentioned, and gives the widest scope to the working of the sardári system.

6. With respect to the third point, labour-contracts cannot be made under Bengal Act VII of 1873 in a labour-district. Consequently labour-contracts entered into in such districts must be made under the ordinary law. Though Act XIII of 1859 (*to provide for the punishment of breaches of contract by Artificers, workmen and labourers in certain cases*) has in some districts been applied to these locally made labour-contracts, its provisions were obviously never intended to meet such cases. As employers may incur serious loss in the event of their labourers refusing to fulfil their agreements, it is clear that they are insufficiently protected under the present law in respect of locally made labour-contracts. Nothing short of a penal labour-law is sufficient for their protection. At the same time it appears only just that, if a labourer is to be subjected to a penal labour-law, he should obtain also the protection of law in respect of his general relations with his employer. Under these circumstances it seems preferable, instead of providing that locally made contracts may be enforced under the Act,

to remove the restrictions which at present exist against labour-contracts under the Act being made in labour-districts, and this the Bill accordingly does.

7. As to the fourth point, under the existing law the penalty prescribed for the unlawful absence of the labourer from his work can only be enforced by complaint before a Magistrate. Such a provision is obviously very inconvenient to employers, who cannot spare time to make a journey to Court every time one of their labourers is unlawfully absent from his work. The Bill therefore provides for a system of monthly lists of defaulters to be submitted by the employer to the Inspector, who will, on his next visit to the garden, enquire into the case of each defaulter mentioned in such list; and if satisfied that the labourer is guilty of the offence charged, punish him by entering such days of absence on his contract and adding them to the term thereof, unless the labourer consents to forfeit to his employer the sum of four annas for each such day of absence. Prolonged and repeated absence may, however, be still punished by a Magistrate, if the employer chooses to complain.

The Government of India have resolved to make no change in the provisions of the existing law as to desertion, and the proposals of the Commission with regard to these provisions have not therefore been adopted in the Bill.

8. It may also be noticed that the Bill (section 9) extends the term for which a labourer may contract to labour. Under the present law the term is limited to three years from the date of the arrival of the labourer on his employer's estate. It is now proposed to extend it to five years from the date of the execution of the contract. This extension will enable the employer to recoup himself for his preliminary outlay incurred in importing the labourer and maintaining him while he learns his work and becomes acclimatized. At the same time provision has been made in the interest of the labourer that, for the last two years of the term, he shall receive an increase of one rupee per mensem to his wages. At the end of three years he is presumably better acquainted with his work, more valuable to his employer, and therefore entitled to a higher rate of wages.

9. Certain other points in which the Bill differs from the draft prepared by the Commission may now be noticed. Under that draft, sections 24 and 63, labourers engaged in districts not under the administration of the Lieutenant-Governor of Bengal need not, when recruited by garden-sardárs, and cannot when recruited by recruiters, be registered until they are brought within a district of the Lower Provinces. The Government of India is of opinion that it is necessary, for the purpose of protecting the labourer and preventing fraudulent practices on the part of the garden-sardár or recruiter, that all labourers, in whose case the registration of the engagement before proceeding to the labour-districts is imperative, should be registered in the districts in which they are engaged. The provisions of the draft have accordingly been modified so as to carry out these views.

10. Again, the draft of the Commission permitted the transport to the labour-districts of labourers, whether engaged by garden-sardárs or recruiters, by any route. As it is known that on certain routes great mortality has occurred, it seems advisable that power should be taken to enable the Local Government to prescribe the routes by which only labourers may travel to the labour-districts. A power of this nature has therefore been inserted in the Bill (section 142).

11. Lastly, under the draft of the Commission it is not necessary that contracts of locally engaged labourers should always be registered before a Magistrate or other officer. The Government of India is, however, of opinion that, unless such registration is made compulsory in all cases, there is not sufficient security that the nature of the engagement shall be fully understood by the labourer. The provisions of the draft have therefore been so altered in the Bill (section 111) that it will be necessary to have all contracts of locally engaged labourers executed before and registered by an Inspector of labourers or a Magistrate.

In the case of certain offences the Commission proposed that a penalty of rigorous imprisonment should be inflicted. It is considered that the Magistrates should be allowed a discretion as to the infliction of rigorous or simple imprisonment, and the Bill therefore substitutes the expression "imprisonment," which means imprisonment either simple or rigorous, in the places where in the draft prepared by the Commission the expression "rigorous imprisonment" is used.

SIMLA;
The 5th September, 1881.

RIVERS THOMPSON.

R. J. CROSTHWAITE,
Officiating Secretary to the Government of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th September, 1881, and was referred to a Select Committee:—

No. 19 OF 1881.

THE INDIAN COMPANIES BILL, 1881.

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FIRST SCHEDULE.

SECOND SCHEDULE.

A Bill for the incorporation, regulation and winding-up of Trading Companies and other Associations.

WHEREAS it is expedient to amend the law relating to the incorporation, regulation and winding-up of Trading Companies and other Associations; It is hereby enacted as follows: — Preamble.

PRELIMINARY.

1. This Act may be cited as "The Indian Companies Act, 1882": it extends to the whole of British India; and it shall come into force on the first day of March 1882; and the time at which it comes into force is hereinafter referred to as the commencement of this Act. — Short title. Local extent. Commencement.

2. On and from the commencement of this Act, the Indian Companies Act, 1866, shall be repealed. But such repeal shall not affect— — Repeal of Act X of 1866.

(*a*) the incorporation of any Company registered under the said Act or any Act thereby repealed;

(*b*) any right or privilege acquired or liability incurred under the said Act or any Act thereby repealed;

(*c*) table B in the schedule annexed to Act No. XIX of 1857 or any part thereof, so far as the same applies to any Company existing at the time of the commencement of this Act.

And all references to the said Indian Companies Act, 1866, shall be read as if made to this Act, and all rules made, fees directed, resolutions passed and other things duly done under the same Act shall be deemed to be respectively made, directed, passed and done under this Act; and all Companies under the same Act shall be deemed to be Companies under this Act.

3. In this Act, unless there be something repugnant in the subject or context,— — Interpretation-clause. Act X of 1866, s. 3.

"Insurance Company" means a Company that carries on the business of insurance either solely or in common with any other business or businesses; — "Insurance Company";

"Court" means the principal civil Court of original jurisdiction in a district, and includes the High Court in the exercise of its ordinary original civil jurisdiction; — "Court";

"District Court" means the principal civil Court of original jurisdiction in a district, but does not include the High Court in the exercise of its ordinary original civil jurisdiction; — "District Court";

4. No Company, Association or Partnership consisting of more than ten persons shall be formed for the purpose of carrying on the business of banking, unless it is registered as a Company under this Act, or is formed in pursuance of an Act of Parliament or some other Act of the Governor General in Council, or by Royal Charter or Letters Patent; and no Company, Association or Partnership consisting of more than twenty persons shall be formed for the purpose of carrying on any other business that has for its object the acquisition of gain by the Company, Association or Partnership, or by the individual members thereof, unless it is registered as a Company under this Act, or is formed in pursuance of some other Act or of Letters Patent. — Prohibition of partnerships exceeding certain number. *Ibid.*, s. 4.

5. This Act is divided into nine Parts relating to the following subject-matters:— — Division of Act. *Ibid.*, s. 5.

The first Part—to the constitution and incorporation of Companies and Associations under this Act;

The second Part—to the distribution of the capital and liability of members of Companies and associations under this Act;

The third Part—to the management and administration of Companies and Associations under this Act;

The fourth Part—to the winding-up of Companies and Associations under this Act;

The fifth Part—to the registration office;

The sixth Part—to the application of this Act to Companies registered under Act No. XIX of 1857 (*for the incorporation and regulation of Joint Stock Companies and other Associations either with or without limited liability of the members thereof*), and Act No. VII of 1860 (*to enable Joint Stock Banking Companies to be formed on the principle of limited liability*), or either of them;

The seventh Part—to Companies authorized to register under this Act;

The eighth Part—to the application of this Act to unregistered Companies;

The ninth Part—to miscellaneous provisions.

PART I.

CONSTITUTION AND INCORPORATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Memorandum of Association.

Act X of 1866, s. 6.

6. Any seven or more persons associated for any lawful purpose may, by subscribing their names to a memorandum of association and otherwise complying with the requisitions of this Act in respect of registration, form an incorporated Company, with or without limited liability.

Mode of forming Company.

Princess of Reuss v. Bos, L. R. 5 H. L. 1876.

Explanation.—Foreigners are persons within the meaning of this section, although the whole or any part of the business of the proposed Company is intended to be transacted abroad.

Act X of 1866, s. 7.

7. The liability of the members of a Company formed under this Act may, according to the memorandum of association, be limited either to the amount, if any, unpaid on the shares respectively held by them, or to such amount as the members may respectively undertake by the memorandum of association to contribute to the assets of the Company in the event of its being wound up.

Mode of limiting liability of members.

30 & 31 Vic., c. 131, s. 4.

When a Company is formed as a limited Company, the liability of the directors or managers of such Company, or the managing director, may, if so provided by the memorandum of association, be unlimited.

Directors with unlimited liability.

Act X of 1866, s. 8.

8. Where a Company is formed on the principle of having the liability of its members limited to the amount unpaid on their shares, hereinafter referred to as a Company limited by shares, the memorandum of association shall contain the following things (that is to say):—

Memorandum of association of a Company limited by shares.

(*a*) The name of the proposed Company with the addition of the word "limited" as the last word in such name:

(*b*) The part of British India in which the registered office of the Company is proposed to be situate:

(*c*) The objects for which the proposed Company is to be established:

(*d*) A declaration that the liability of the members is limited:

(*e*) The amount of capital with which the Company proposes to be registered divided into shares of a certain fixed amount:

Subject to the following regulations:—

(*f*) That no subscriber shall take less than one share;

(*g*) That each subscriber of the memorandum of association shall write opposite to his name the number of shares he takes.

Ibid., s. 9.

9. Where a Company is formed on the principle of having the liability of its members limited to such amount as the members respectively undertake to contribute to the assets of the Company in the event of the same being wound-up (hereinafter referred to as a Company limited by guarantee), the memorandum of association shall contain the following things (that is to say):—

Memorandum of association of a Company limited by guarantee.

(*a*) The name of the proposed Company, with the addition of the word "limited" as the last word, in such name:

(*b*) The part of British India in which the registered office of the Company is proposed to be situate:

(*c*) The objects for which the proposed Company is to be established:

(*d*) A declaration that each member undertakes to contribute to the assets of the Company in the event of the same being wound up during the time that he is a member, or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and of the costs, charges and expenses of winding-up the Company, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding a specified amount.

Act X of 1866, s. 10.

10. Where a Company is formed on the principle of having no limit placed on the liability of its members (hereinafter referred to as an unlimited Company), the memorandum of association shall contain the following things (that is to say):—

Memorandum of association of an unlimited Company.

(*a*) The name of the proposed Company:

(*b*) The part of British India in which the registered office of the Company is proposed to be situate:

(*c*) The objects for which the proposed Company is to be established.

Ibid., s. 11.

11. The memorandum of association shall be signed by each subscriber in the presence of, and be attested by, one witness at the least. It shall, when registered, bind the Company and the members thereof to the same extent as if each member had subscribed his name thereto, and there were in the memorandum contained on the part of himself, his heirs, executors and administrators, a covenant to observe all the conditions of such memorandum, subject to the provisions of this Act.

Signature and effect of memorandum of association.

Ibid., s. 12.

12. Any Company limited by shares may so far modify the conditions contained in its memorandum of association, if authorized to do so by its regulations as originally framed, or as altered by Special Resolution in manner hereinafter mentioned, as to increase its capital, by the issue of new shares of such amount as it thinks expedient, or to consolidate and divide its capital into shares of larger amount than its existing shares, or to convert its paid-up shares into stock, but, save as aforesaid, and save as hereinafter provided, no alteration shall be made by any Company in the conditions contained in its memorandum of association.

Power of certain Companies to alter memorandum of association.

Reduction of Capital and Shares.

30 & 31 Vic., c. 131, s. 9.

13. Any Company limited by shares may, by special resolution, so far modify the conditions contained in its memorandum of association, if authorized so to do by its regulations as originally framed, or as altered by special resolution, as to reduce its capital; but no such resolution for reducing the capital of any Company shall come into operation until an order of the Court is registered by the Registrar of Joint Stock Companies, as is hereinafter mentioned.

Power to Company to reduce capital.

40 & 41 Vic., c. 26, s. 3.

Explanation I.—The word 'capital' includes paid-up capital.

Ibid.

Explanation II.—The power to reduce capital conferred by this section includes a power to cancel any lost capital, or any capital unrepresented by available assets, or to pay off any capital which may be in excess of the wants of the Company; and paid-up capital may be reduced either with or without extinguishing or reducing the liability (if any) remaining on the shares of the Company; and to the extent to which such liability is not extinguished or reduced, it shall be deemed to be preserved, notwithstanding anything hereinafter contained.

30 & 31 Vic., c. 131, s. 10.

14. The Company shall, after the date of the passing of any special resolution for reducing its capital, add to its name, until such date as the Court may fix, the words "and reduced," as the last words in its name, and those words shall, until such date, be deemed to be part of the name of the Company.

Company to add "and reduced" to its name for a limited period.

Ibid., s. 11.

15. A Company which has passed a special resolution for reducing its capital, may apply to the Court by petition for an order confirming the reduction, and on the hearing of the petition, the Court, if satisfied that, with respect to every creditor of the Company who, under the provisions of this Act, is entitled to object to the reduction, either his consent to the reduction has been obtained, or his debt or claim has been discharged or has determined, or has been secured as hereinafter provided, may make an order confirming the reduction on such terms and subject to such conditions as it deems fit.

Company to apply to the Court for an order confirming reduction.

40 & 41 Vic., c. 26, s. 4.

When the reduction does not involve either the diminution of any liability in respect of unpaid capital or the payment to any shareholder of any paid-up capital, it shall not be necessary, before the presentation of any petition under this section; and the Court may, if it thinks fit so to do, dispense with the addition of the words "and reduced," as mentioned in section fourteen.

In any case that the Court thinks fit so to do, it may require the Company to publish, in such manner as the Court thinks fit, the reasons for the reduction or such other information regarding the same as the Court may think expedient with a view to give proper information to the public in relation to such reduction, and if the Court think fit, the cause which led thereto.

30 & 31 Vic., c. 131, s. 13.

16. Where a Company proposes to reduce its capital, every creditor of the Company who, at the date fixed by the Court, is entitled to any debt or claim which, if that date were the commencement of the winding-up of the Company, would be admissible in proof against the Company, shall be entitled to object to the proposed reduction, and to be entered in the list of creditors who are so entitled to object.

Creditors may object to reduction, and list of objecting creditors to be settled by the Court.

The Court shall settle a list of such creditors, and for that purpose shall ascertain as far as possible, without requiring an application from any creditor, the names of such creditors and the nature and amount of their debts or claims, and may publish notices fixing a certain day or days within which creditors of the Company who are not entered on the list are to claim to be so entered, or to be excluded from the right of objecting to the proposed reduction:

Provided that when the reduction does not involve either the diminution of any liability in respect of unpaid capital or the payment to any shareholder of any paid-up capital, the creditors of the Company shall not, unless the Court otherwise directs, be entitled to object, or required to consent, to the reduction.

40 & 41 Vic., c. 26, s. 4.

30 & 31 Vic., c. 131, s. 14.

17. Where a creditor whose name is entered on the list of creditors, and whose debt or claim is not discharged or determined, does not consent to the proposed reduction, the Court may (if it think fit) dispense with such consent on the Company securing the payment of the debt or claim of such creditor by setting apart and appropriating in such manner as the Court may direct a sum of such amount as is hereinafter mentioned, (that is to say),

Court may dispense with consent of creditor on security being given for his debt.

(*a*) If the full amount of the debt or claim of the creditor is admitted by the Company, or, though not admitted, is such as the Company are willing to set apart and appropriate, then the full amount of the debt or claim shall be set apart and appropriated.

(*b*) If the full amount of the debt or claim of the creditor is not admitted by the Company, and is not such as the Company are willing to set apart and appropriate, or if the amount is contingent or not ascertained, then the Court may, if it think fit, inquire into and adjudicate upon the validity of such debt or claim, and the amount for which the Company may be liable in respect thereof, in the same manner as if the Company were being wound up by the Court, and the amount fixed by the Court on such inquiry and adjudication shall be set apart and appropriated.

Ibid., s. 15.

18. The Registrar of Joint Stock Companies, upon the production to him of an order of the Court confirming the reduction of the capital of a Company, and the delivery to him of a copy of the order and of a minute (approved by the Court), showing with respect to the capital of the Company, as altered by the order, the amount of such capital, the number of shares in which it is to be divided, and the amount of each share, and the amount (if any) at the date of the registration of the minute, proposed to be deemed to have been paid-up on each share shall register the order and minute; and, on the registration, the special resolution confirmed by the order so registered shall take effect.

Order and minute to be registered.

40 & 41 Vic., c. 26, s. 4, last para.

Notice of such registration shall be published in such manner as the Court may direct.

The Registrar shall certify under his hand the registration of the order and minute; and his certificate shall be conclusive evidence that all the requisitions of this Act with respect to the reduction of capital have been complied with, and that the capital of the Company is such as is stated in the minute.

30 & 31 Vic., c. 131 s. 16.

19. The minute, when registered, shall be deemed to be substituted for the corresponding part of the memorandum of association of the Company, and shall be of the same validity, and subject to the same alterations, as if it had been originally contained in the memorandum of association; and, subject as in this Act mentioned, no member of the Company, whether past or present, shall be liable in respect of any share to any call or contribution exceeding in amount the difference (if any) between the amount which has been paid on such share and the amount of the share as fixed by the minute.

Minute to form part of memorandum of association.

Ibid., s. 17.

20. If any creditor who is entitled in respect of any debt or claim to object to the reduction of the capital of a Company under this Act is, in consequence of his ignorance of the proceedings taken with a view to such reduction, or of their nature and effect with respect to his claim, not entered on the list of creditors, and after such reduction the Company is unable, within the meaning of this Act, to pay to the creditor the amount of such debt or claim, every person who was a member of the Company at the date of the registration of the order and minute relating to the reduction of its capital, shall be liable to contribute for the payment of such debt or claim an amount not exceeding the amount which he would have been liable to contribute if the Company had commenced to be wound up on the day prior to such registration;

Saving of rights of creditors who are ignorant of proceedings.

(Sec sec. 144.)

and on the Company being wound up, the Court, on the application of such creditor, and on proof that he was ignorant of the proceedings taken with a view to the reduction, or of their nature and effect with respect to his claim, may, if it think fit, settle a list of such contributories accordingly, and make and enforce calls and orders on the contributories settled on such list in the same manner in all respects as if they were ordinary contributories in a winding-up.

Nothing in this section shall affect the rights of the contributories of the Company among themselves.

30 & 31 Vic., c. 131, s. 18.

21. A minute, when registered, shall be embodied in every copy of the memorandum of association issued after its registration; and if any Company makes default in complying with the provisions of this section, it shall incur a penalty not exceeding *ten rupees* for each copy in respect of which such default is made; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Copy of registered minute.

Ibid., s. 19.

22. If any director, manager or officer of the Company wilfully conceals the name of any creditor of the Company who is entitled to object to the proposed reduction, or wilfully misrepresents the nature or amount of the debt or claim of any creditor of the Company, or if any director or manager of the Company abets *within the meaning of the Indian Penal Code*, or is privy to any such concealment or mis-representation as aforesaid, every such director, manager or officer shall be *punished with imprisonment for a term which may extend to one year, or with fine, or with both.*

Penalty on concealment of name of creditor.

40 & 41 Vic., c. 26, s. 5.

23. Any Company limited by shares may so far modify the conditions contained in its memorandum of association, if authorised so to do by its regulations as originally framed or as altered by special resolution, as to reduce its capital by cancelling any shares which at the date of passing such resolution, have not been taken or agreed to be taken by any persons; and the provisions as to reduction of capital contained in the other sections of this Act, shall not apply to any reduction made in pursuance of this section.

Power to reduce capital by cancellation of unissued shares.

Sub-division of shares.

30 & 31 Vic., c. 131, s. 21.

24. Any Company limited by shares may, by special resolution, so far modify the conditions contained in its memorandum of association, if authorized so to do by its regulations as originally framed or as altered by special resolution, as by sub-division of its existing shares or any of them, to divide its capital, or any part thereof, into shares of smaller amount than is fixed by its memorandum of association:

Shares may be divided into shares of smaller amount.

Provided that in the sub-division of the existing shares the proportion between the amount which is paid and the amount (if any) which is unpaid on each share of reduced amount shall be the same as it was in the case of the existing share or shares from which the share of reduced amount is derived.

Ibid., s. 22.

25. The statement of the number and amount of the shares into which the capital of the Company is divided, contained in every copy of the memorandum of association issued after the passing of any such special resolution, shall be in accordance with such resolution: and any Company which makes default in complying with the provisions of this section shall incur a penalty not exceeding twenty rupees for each copy in respect of which such default is made; and every director and manager of the Company who knowingly or wilfully authorizes or permits such default shall incur the like penalty.

Special resolution to be embodied in memorandum of association.

Associations not for Profit.

Ibid., s. 23.

26. Where any association which might be formed under this Act as a limited Company proves to the Local Government that it is formed for the purpose of promoting commerce, art, science, charity, or any other useful object, and that it is the intention of such association to apply the profits, if any, or other income of the association, in promoting its objects, and to prohibit the payment of any dividend to its members, the Local Government may by license, under the hand of one of its secretaries, direct such association to be registered with limited liability, without the addition of the word limited to its name, and such association may be registered accordingly, and upon registration shall enjoy all the privileges and be subject to the obligations by this Act imposed on limited Companies with the exceptions that none of the provisions of this Act that require a limited Company to use the word 'limited' as any part of its name, or to publish its name, or to send a list of its members, directors, or managers to the Registrar, shall apply to an association so registered.

Special provisions as to associations formed for purposes not of gain.

The license by the Local Government may be granted upon such conditions and subject to such

regulations as the Local Government think fit to impose, and such conditions and regulations shall be binding on the association, and may at the option of the Local Government be inserted in the memorandum and articles of association, or in both or one of such documents.

Calls upon shares.

30 & 31 Vic., c. 131, s. 24.

27. Nothing herein contained shall be deemed to prevent any Company under this Act, if authorized by its regulations as originally framed or as altered by special resolution, from doing any one or more of the following things, namely:—

Company may have some shares fully paid, and others not.

(*a*) Making arrangements on the issue of shares for a difference between the holders of such shares in the amount of calls to be paid, and in the time of payment of such calls:

(*b*) Accepting from any member of the Company who assents thereto the whole or a part of the amount remaining unpaid on any share or shares held by him, either in discharge of the amount of a call payable in respect of any other share or shares held by him or without any call having been made:

(*c*) Paying dividend in proportion to the amount paid up on each share in cases where a larger amount is paid up on some shares than on others.

Ibid., s. 25. 48 L. J. (H.L.), 179.

28. Every share in any Company shall be deemed and taken to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless the same has been otherwise determined by a contract duly made in writing, and filed with the Registrar of Joint Stock Companies at or before the issue of such shares.

Manner in which shares are to be issued and held.

Transfer of Shares.

30 & 31 Vic., c. 131, s. 26.

29. A Company shall, on the application of the transferor of any share or interest in the Company, enter in its register of members the name of the transferee of such share or interest in the same manner and subject to the same conditions as if the application for such entry were made by the transferee.

Transfer may be registered at request of transferor.

Share-warrants to Bearer.

Ibid., s. 27.

30. In the case of a Company limited by shares, the Company, if authorized so to do by its regulations as originally framed or as altered by special resolution, and subject to the provisions of such regulations, may, with respect to any share which is fully paid up, or with respect to stock, issue under their common seal a warrant (hereinafter referred to as a share-warrant) stating that the bearer thereof is entitled to the shares or stock therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on such shares or stock.

Warrant of limited shares fully paid up may be issued in name of bearer.

Coupons.

Ibid., s. 28.

31. A share-warrant shall entitle the bearer thereof to the shares or stock specified therein; and such shares or stock may be transferred by the delivery of the share-warrant.

Effect of share-warrant.

30 & 31 Vic., c. 131, s. 29.

32. The bearer of a share-warrant shall, subject to the regulations of the Company, be entitled, on surrendering such warrant for cancellation, to have his name entered as a member in the register of members; and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its register of members the name of any bearer of a share-warrant in respect of the shares or stock specified therein without the share-warrant being surrendered and cancelled.

Re-registration of bearer of a share-warrant in the register.

Ibid., s. 30.

33. The bearer of a share-warrant may, if the regulations of the Company so provide, be deemed to be a member of the Company within the meaning of this Act, either to the full extent or for such purposes as may be prescribed by the regulations:

Regulations of the Company may make the bearer of a share-warrant a member.

Provided that the bearer of a share-warrant shall not be qualified in respect of the shares or stock specified in such warrant for being a director or manager of the Company in cases where such a qualification is prescribed by the regulations of the Company.

Ibid., s. 31.

34. On the issue of a share-warrant in respect of any share or stock the Company shall strike out of its register of members the name of the member then entered therein as holding such share or stock as if he had ceased to be a member, and shall enter in the register the following particulars:—

Entries in register where share-warrant issued.

(*a*) The fact of the issue of the warrant:

(*b*) A statement of the shares or stock included in the warrant, distinguishing each share by its number:

(*c*) The date of the issue of the warrant.

Ibid., s. 33.

35. There shall be charged on every share-warrant a stamp duty of an amount equal to three times the amount of the *ad valorem* stamp duty which would be chargeable on an instrument transferring the shares or stock specified in the warrant if the consideration for the transfer were the nominal value of such shares or stock.

Stamps on share-warrants.

If a share-warrant is issued without being duly stamped, the Company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the Company, shall forfeit the sum of five hundred rupees.

English Stamp Act, 1870, s. 127.

Penalty for issuing share-warrant not duly stamped.

Change of name.

Act X of 1866, s. 13.

36. Any Company under this Act, with the sanction of a special resolution of the Company passed in manner hereinafter mentioned, and with the approval of the Local Government testified in writing under the hand of one of the Secretaries to such Government, may change its name; and upon such change being made, the Registrar shall enter the new name on the register in the place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case; but no such alteration of name shall affect any rights or obligations of the Company, or render defective any legal proceedings instituted or to be instituted by

Power of Companies to change name.

or against the Company; and any legal proceedings may be continued or commenced against the Company by its new name that might have been continued or commenced against the Company by its former name.

Shackleford, &c., Co. v. Dangerfield, L. R. 3 C. P. 407.

Explanation.—The issue of the certificate of incorporation is necessary to complete the change of name.

Articles of Association.

Act X of 1866, s. 14.

37. The memorandum of association may, in the case of a Company limited by shares, and shall, in the case of a Company limited by guarantee or unlimited, be accompanied, when registered, by articles of association signed by the subscribers to the memorandum of association, and prescribing such regulations for the Company as the subscribers to the memorandum of association deem expedient.

Regulations to be prescribed by articles of association.

The articles shall be expressed in separate paragraphs, numbered arithmetically. They may adopt all or any of the provisions contained in the table marked A in the first schedule hereto. They shall, in the case of a Company, whether limited by guarantee or unlimited, that has a capital divided into shares, state the amount of capital with which the Company proposes to be registered and in the case of a Company, whether limited by guarantee or unlimited, that has not a captial divided into shares, state the number of members with which the Company proposes to be registered, for the purpose of enabling the Registrar to determine the fees payable on registration.

In a Company limited by guarantee or unlimited, and having a capital divided into shares, each subscriber shall take one share at the least, and shall write opposite to his name in the memorandum of association the number of shares he takes.

Ibid., s. 15.

38. In the case of a Company limited by shares, if the memorandum of association is not accompanied by articles of association, or, in so far as the articles do not exclude or modify the regulations contained in the table marked A in the first schedule hereto, the last mentioned regulations shall, so far as the same are applicable, be deemed to be the regulations of the Company in the same manner and to the same extent as if they had been inserted in articles of association, and the articles had been duly registered.

Application of Table A.

Ibid., s. 16.

39. The articles of association shall be printed, and shall be signed by each subscriber in the presence of, and be attested by, one witness at the least.

Signature and effect of articles of association.

When registered, they shall bind the Company and the members thereof to the same extent as if each member had subscribed his name thereto, and there were in such articles contained a covenant on the part of himself, his heirs, executors and administrators, to conform to all the regulations contained in such articles, subject to the provisions of this Act.

All monies payable by any member to the Company, in pursuance of the conditions and regulations of the Company, or any of such conditions or regulations, shall be deemed to be a debt due from such member to the Company.

General Provisions.

Act of 1866, s. 17.

40. The memorandum of association and the articles of association, if any, shall be delivered to the Registrar of Joint Stock Companies hereinafter mentioned, who shall retain and register the same.

Registration of memorandum of association and articles of association with fees as in Table B.

It is not his duty to require evidence as to whether the several subscribers to a memorandum of association so delivered are competent to contract.

Nassau Phosphate Co. 45 L. J. Ch. 584.

There shall be paid to the Registrar by a Company having a capital divided into shares, in respect of the several matters mentioned in the table marked B in the first schedule hereto, the several fees therein specified, or such smaller fees as the Governor General in Council may from time to time direct, and by a Company not having a capital divided into shares, in respect of the several matters mentioned in the table marked C in the first schedule hereto, the several fees therein specified, or such smaller fees as the Governor General in Council may from time to time direct.

All fees paid to the said Registrar in pursuance of this Act shall be accounted for to Government.

Act X of 1866, s. 18.

41. Upon the registration of the memorandum of association and of the articles of association in cases where articles of association are required by this Act, or by the desire of the parties to be registered, the Registrar shall certify under his hand that the Company is incorporated, and in the case of a Limited Company that the Company is limited; the subscribers of the memorandum of association, together with such other persons as may from time to time become members of the Company, shall thereupon be a Body Corporate by the name contained in the memorandum of association, capable forthwith of exercising all the functions of an incorporated Company, and having perpetual succession and a common seal, but with such liability on the part of the members to contribute to the assets of the Company, in the event of the same being wound up, as is hereinafter mentioned.

Effect of registration.

Minor subscribing memo. *Nassau Phosphate Co., 45 L. J. Ch. 584.*

A certificate of the incorporation of any Company given by the Registrar shall be conclusive evidence that all the requisitions of this Act in respect of registration have been complied with.

Act X of 1866, s. 19.

42. A copy of the memorandum of association having annexed thereto the articles of association, if any, shall be forwarded to every member, at his request, on payment of the sum of one rupee, or such less sum as may be prescribed by the Company for each copy; and if any Company makes default in forwarding a copy of the memorandum of association and articles of association, if any, to a member in pursuance of this section, the Company so making default shall for each offence incur a penalty not exceeding twenty rupees.

Copies of memorandum and articles to be given to members.

Ibid., s. 20.

43. No Company shall be registered under a name identical with that by which a subsisting Company is already registered, or so nearly resembling the same as to be calculated to deceive, except in a case where such subsisting Company is in the course of being

Prohibition against identity of names in Companies.

dissolved and testifies its consent in such manner as the Registrar requires.

If any Company, through inadvertence or otherwise, is, without such consent as aforesaid, registered by a name identical with that by which a subsisting Company is registered, or so nearly resembling the same as to be calculated to deceive, such first-mentioned Company may, with the sanction of the Registrar, change its name, and upon such change being made, the Registrar shall enter the new name on the register in the place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case; but no such alteration of name shall affect any rights or obligations of the Company, or render defective any legal proceedings instituted or to be instituted by or against the Company, and any legal proceedings may be continued or commenced against the Company by its new name that might have been continued or commenced against the Company by its former name.

PART II.

DISTRIBUTION OF CAPITAL AND LIABILITY OF MEMBERS OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Distribution of Capital.

Act X of 1866, s. 21.

44. The shares or other interest of any member in a Company under this Act shall be moveable property capable of being transferred in manner provided by the regulations of the Company, and shall not be of the nature of real estate or immoveable property; and each share shall, in the case of a Company having a capital divided into shares, be distinguished by its appropriate number.

Nature of interest in Company.

Ibid., s. 22.

45. The subscribers of the memorandum of association of any Company under this Act shall be deemed to have agreed to become members of the Company whose memorandum they have subscribed, and upon the registration of the Company shall be entered as members on the register of members hereinafter mentioned; and every other person who has agreed *with a Company under this Act* to become a member of *such* Company, and whose name is entered on the register of members, shall be deemed to be a member of the Company.

Definition of "member."

Gujerat Spinning, &c. Co. v. Girdharldi, Bombay High Court, 18th March, 1880, not yet reported

Act X of 1866, s. 23. &c.

46. Any transfer of the share or other interest of a deceased member of a Company under this Act, made by his personal representative shall, notwithstanding such personal representative may not himself be a member, be of the same validity as if he had been a member at the time of the execution of the instrument of transfer.

Transfer by personal representative.

Ibid., s. 24. Companies Act 1862, s. 25.

47. Every Company under this Act shall cause to be kept in one or more books a register of its members, and there shall be entered therein the following particulars:—

Register of members.

(*a*) The names and addresses, and the occupations, if any, of the members of the Company, with the addition, in the case of a Company having a capital divided into shares, of a statement of the shares held by each member, distinguishing each share by its number; and of the amount paid or agreed to be considered as paid on the shares of each member.

(*b*) The date at which the name of any person was entered in the register as a member:

(*c*) The date at which any person ceased to be a member.

30 & 31 Vic., c. 131, s. 31, para. 2.

Where a share-warrant has been issued under section thirty, until the warrant is surrendered, the particulars mentioned in section thirty-four shall be deemed to be the particulars which are required by this section to be entered in the register of members of a Company; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a member.

Any Company acting in contravention of this section shall incur a penalty not exceeding fifty rupees for every day during which its default in complying with the provisions of this section continues, and every director or manager of the Company who knowingly and wilfully authorizes or permits such contravention shall incur the like penalty.

Act X of 1866, s. 25.

48. Every Company under this Act and having a capital divided into shares shall make, once at least in every year, a list of all persons who, on the fourteenth day succeeding the day on which the ordinary general meeting, or if there is more than one ordinary meeting in each year the first of such ordinary general meetings is held, are members of the Company. Such list shall state the names, addresses and occupations of all the members therein mentioned, and the number of shares held by each of them, and shall contain a summary specifying the following particulars:—

Annual list of members.

(*a*) The amount of the capital of the Company and the number of shares into which it is divided:

(*b*) The number of shares taken from the commencement of the Company up to the date of the summary:

(*c*) The amount of calls made on each share;

(*d*) The total amount of calls received:

(*e*) The total amount of calls unpaid:

(*f*) The total amount of shares forfeited:

(*g*) The names, addresses and occupations of the persons who have ceased to be members since the last list was made, and the number of shares held by each of them.

The above list and summary shall be contained in a separate part of the register, and shall be completed within seven days after such fourteenth day as is mentioned in this section; and a copy shall forthwith be forwarded to the Registrar of Joint Stock Companies.

30 & 31 Vic., c. 131, s. 32.

49. After the issue by the Company of a share-warrant the annual summary required by section forty-eight shall contain the following particulars, (namely) the total amount of shares or stock for which share-warrants are outstanding at the date of the summary, and the total amount of share-warrants which have been issued and surrendered respectively since the last summary was made, and the number of shares or amount of stock comprised in each warrant.

Particulars to be contained in annual summary.

Act X of 1866, s. 26.

50. If any Company under this Act and having a capital divided into shares makes default in complying with the provisions of this Act with respect to forwarding

Penalty on Company, &c., not keeping a proper register.

such list of members or summary as is hereinbefore mentioned to the Registrar, such Company shall incur a penalty not exceeding fifty rupees for every day during which such default continues; and every director and manager of the Company who knowingly and wilfully authorizes or permits such default shall incur the like penalty.

Act X of 1866, s. 27.

51. Every Company under this Act having a capital divided into shares that has consolidated and divided its capital into shares of larger amount than its existing shares, or converted any portion of its capital into stock, shall within fifteen days of such consolidation, division or conversion, give notice to the Registrar of Joint Stock Companies of the same, specifying the shares so consolidated, divided or converted.

Company to give notice of consolidation or of conversion of capital into stock.

Ibid., s. 28.

52. Where any Company under this Act and having a capital divided into shares has converted any portion of its capital into stock, and given notice of such conversion to the Registrar, all the provisions of this Act which are applicable to shares only shall cease as to so much of the capital as is converted into stock; and the register of members hereby required to be kept by the Company, and the list of members to be forwarded to the Registrar shall show the amount of stock held by each member in the list instead of the amount of shares and the particulars relating to shares hereinbefore required.

Effect of conversion of shares into stock.

Ibid., s. 29.

53. No notice of any trust, express, implied or constructive, shall be entered on the register or be receivable by the Registrar in the case of Companies under this Act and registered in British India.

Entry of trusts on register.

Ibid., s. 30.

54. A certificate under the common seal of the Company, specifying any shares or stock held by any member of a Company, shall be *primâ facie* evidence of the title of the member to the share or shares or stock therein specified.

Certificate of shares or stock.

Ibid., s. 31.

55. The register of members, commencing from the date of the registration of the Company, shall be kept at the registered office of the Company hereinafter mentioned. Except when closed as hereinafter mentioned, it shall, during business hours, but subject to such reasonable restrictions as the Company in general meeting may impose, so that not less than two hours in each day be appointed for inspection, be open to the inspection of any member gratis, and to the inspection of any other person on the payment of one rupee or such less sum as the Company may prescribe for each inspection.

Inspection of register.

Every such member or other person may require a copy of such register, or of any part thereof, or of such list or summary of members as is hereinbefore mentioned, on payment of two annas for every hundred words required to be copied.

If such inspection or copy is refused, the Company shall incur for each refusal a penalty not exceeding fifty rupees, and a further penalty not exceeding twenty rupees for every day during which such refusal continues.

Every director and manager of the Company who knowingly authorizes or permits such refusal shall incur the like penalty.

In addition to the above penalty any Judge of a High Court may by order compel an immediate inspection of the register.

56. Any Company under this Act may, upon giving notice by advertisement in some newspaper circulating in the district in which the registered office of the Company is situated, close the register of members for any time or times not exceeding in the whole thirty days in each year.

Power to close register.

Act X of 1866, s. 32.

57. Where a Company has a capital divided into shares, whether such shares may or may not have been converted into stock, notice of any increase in such capital beyond the registered capital, and where a Company has not a capital divided into shares, notice of any increase in the number of members beyond the registered number, shall be given to the Registrar, in the case of an increase of capital within fifteen days from the date of the passing of the resolution by which such increase has been authorized, and in the case of an increase of members within fifteen days from the time at which such increase of members has been resolved on or has taken place; and the Registrar shall forthwith record the amount of such increase of capital or members.

Notice of increase of capital and of members to be given to Registrar.

Ibid., s. 33.

If such notice is not given within the period aforesaid, the Company in default shall incur a penalty not exceeding one hundred rupees for every day during which such neglect to give notice continues; and every director and manager of the Company who knowingly and wilfully authorizes or permits such default shall incur the like penalty.

58. If the name of any person is *fraudulently or* without sufficient cause entered in, or omitted from, the register of members of any Company under this Act, or if default is made, or unnecessary delay takes place in entering on the register the fact of any person having ceased to be a member of the Company, the person or member aggrieved or any member of the Company, or the Company itself, may, by application to the principal Court of original civil jurisdiction in the district or place in which the registered office of the Company is situate, apply for an order of the Court that the register may be rectified; and the Court may either refuse such application, with or without costs to be paid by the applicant, or it may, if satisfied of the justice of the case, make an order for the rectification of the register, and may direct the Company to pay all the costs of such application, and any damages the party aggrieved may have sustained.

Remedy for improper entry or omission of entry in register.

Ibid., s. 34 *Exp. Kintrea*, 5 *Ch.* 95.

The Court may in any proceeding under this section decide on any question relating to the title of any person who is a party to such proceeding to have his name entered in, or omitted from, the register, whether such question arises between two or more members or alleged members, or between any members or alleged members and the Company, *and whether there has or has not been default on the part of the Company;* and generally the Court may, in any such proceeding, decide any question that it may be necessary or expedient to decide for the rectification of the register; provided that the Court may direct an issue to be tried in which any question of law may be raised and an appeal in the manner directed by the Code of Civil Procedure shall lie.

In re Shaw, 46 L. J. Q. B. 394.

Act X of 1866, s. 35.

59. Whenever any order has been made for rectifying the register in the case of a Company hereby required to send a list of its members to the Registrar, the Court shall, by its order, direct that due notice of such rectification be given to the Registrar.

Notice to registrar of rectification of register.

Ibid., s. 36.

60. The register of members shall be *primâ facie* evidence of any matters by this Act directed or authorized to be inserted therein.

Register to be evidence.

Liability of Members.

Ibid., s. 37.

61. In the event of a Company formed under this Act being wound up, every present and past member of such Company shall be liable to contribute to the assets of the Company to an amount sufficient for payment of the debts and liabilities of the Company, and the costs, charges and expenses of the winding-up, and for the payment of such sums as may be required for the adjustment of the rights of the contributories amongst themselves, with the qualifications following, (that is to say):—

Liability of present and past members of Company.

(*a*) No past member shall be liable to contribute to the assets of the Company if he has ceased to be a member for a period of one year or upwards prior to the commencement of the winding-up:

(*b*) No past members shall be liable to contribute in respect of any debt or liability of the Company contracted after the time at which he ceased to be a member:

(*c*) No past member shall be liable to contribute to the assets of the Company, unless it appears to the Court that the existing members are unable to satisfy the contributions required to be made by them in pursuance of this Act:

(*d*) In the case of a Company limited by shares no contribution shall be required from any member exceeding the amount, if any, unpaid on the shares in respect of which he is liable as a present or past member:

(*e*) In the case of a Company limited by guarantee, no contribution shall be required from any member exceeding the amount of the undertaking entered into on his behalf by the memorandum of association:

(*f*) Nothing in this Act contained shall invalidate any provision contained in any policy of insurance or other contract, whereby the liability of individual members upon any such policy or contract is restricted, or whereby the funds of the Company are alone made liable in respect of such policy or contract:

(*g*) No sum due to any member of a Company in his character of a member by way of dividends, profits or otherwise shall be deemed to be a debt of the Company payable to such member in a case of competition between himself and any other creditor not being a member of the Company; but any such sum may be taken into account for the purposes of the final adjustment of the rights of the contributories amongst themselves.

Explanation I.—The liability of past members is a liability to contribute to the general assets of the Company, against which assets creditors (at whatever time their debts may have been contracted) have equal rights.

Webb v. Whiffen, L.R. 5 H. L. 711.

Explanation II.—In estimating the debts to which a past member is liable, all dividends paid on these debts under the winding-up must be deducted.

Brett's case, 8 *Ch.* 800.

62. With respect to the contributions to be required in the event of the winding-up of a limited Company from any director or manager whose liability is unlimited the following modifications shall be made in the last preceding section:—

Liability of director whose liability is unlimited.

(*a*) Subject to the provisions hereinafter contained, any such director or manager, whether past or present, shall, in addition to his liability (if any) to contribute as an ordinary member, be liable to contribute as if he were at the date of the commencement of such winding up a member of an unlimited Company:

30 & 31 Vic., c. 131, s. 5.

(*b*) No contribution required from any past director or manager who has ceased to hold such office for a period of one year or upwards prior to the commencement of the winding-up shall exceed the amount (if any) which he is liable to contribute as an ordinary member of the Company:

(*c*) No contribution required from any past director or manager in respect of any debt on liability of the Company contracted after the time at which he ceased to hold such office shall exceed the amount (if any) which he is liable to contribute as an ordinary member of the Company:

(*d*) Subject to the provisions contained in the regulations of the Company, no contribution required from any director or manager shall exceed the amount (if any) which he is liable to contribute as an ordinary member unless the Court think it necessary to require such contribution in order to satisfy the debts and liabilities of the Company, or the costs, charges and expenses of the winding-up.

PART III.

MANAGEMENT AND ADMINISTRATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Provisions for Protection of Creditors.

Act X of 1866, s. 38.

63. Every Company under this Act shall have a registered office to which all communications and notices may be addressed. If any Company under this Act carries on business without having such an office, it shall incur a penalty not exceeding fifty rupees for every day during which business is so carried on.

Registered office of Company.

Ibid., s. 39.

64. Notice of the situation of such registered office and of any change therein shall be given to the Registrar and recorded by him. Until such notice is given, the Company shall not be deemed to have complied with the provisions of this Act with respect to having a registered office.

Notice of situation of registered office.

Ibid., s. 40.

65. Every limited Company under this Act whether limited by shares or by guarantee, shall paint or affix, and shall keep painted or affixed, its name on the outside of every office or place in which the business of the Company is carried on, in a conspicuous position, in letters easily legible, in the English language, and also, if the registered office be situate in a district beyond the local limits of the ordinary original civil jurisdiction of a High Court, in one of the vernacular languages used

Publication of name by a limited Company.

in such district and shall have its name engraven in legible characters in such language or languages on its seal, and shall have its name mentioned in legible characters in such language or languages in all notices, advertisements and other official publications of such Company, and in all bills of exchange, hundís, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of such Company, and in all bills of parcels, invoices receipts and letters of credit of the Company.

Act X of 1866, s. 41.

Penalties on non-publication of name.

66. If any limited Company under this Act does not paint or affix and keep painted or affixed its name, in manner directed by this Act, it shall be liable to a penalty not exceeding fifty rupees for not so painting or affixing its name, and for every day during which such name is not so kept painted or affixed.

Every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall be liable to the like penalty.

If any director, manager or officer of such Company, or any person on its behalf, uses or authorizes the use of any seal purporting to be a seal of the Company whereon its name is not so engraven as aforesaid, or issues or authorizes the issue of any notice, advertisement or other official publication of such Company, or signs or authorizes to be signed on behalf of such Company any bill of exchange, hundí, promissory note, endorsement, cheque, order for money or goods, or issues or authorizes to be issued any bill of parcels, invoice, receipt or letter of credit of the Company wherein its name is not mentioned in manner aforesaid, he shall be liable to a penalty of one thousand rupees, and shall further be personally liable to the holder of any such bill of exchange, hundí, promissory note, cheque or order for money or goods, for the amount thereof, unless the same is duly paid by the Company.

Contracts.

Ibid., s. 42. English Companies Act, 1867, s. 37.

Contracts how made.

67. Contracts on behalf of any Company registered under this Act may be made as follows (that is to say):—

(*a*) Any contract, which, if made between private persons would be by law required to be in writing, and if made according to English law to be under seal, may be made on behalf of the Company in writing under the common seal of the Company; and such contract may be in the same manner varied or discharged:

(*b*) Any contract, which, if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith may be made on behalf of the Company in writing signed by any person acting under the express or implied authority of the Company; and such contract may in the same manner be varied or discharged:

(*c*) Any contract, which, if made between private persons would by law be valid, although made by parol only and not reduced into writing, may be made by parol on behalf of the Company by any person acting under the express or implied authority of the Company; and such contract may in the same way be varied or discharged. And all contracts made according to the provisions herein contained shall be effectual in law, and shall be binding upon the Company and their sucessors, and all other parties thereto, their heirs, executors or administrators, as the case may be.

Act X of 1866, s. 43.

Register of mortgages.

68. Every limited Company under this Act shall keep a register of all mortgages and charges specifically affecting property of the Company, and shall enter in such register, in respect of each mortgage or charge, a short description of the property mortgaged or charged, the amount of charge created, and the names of the mortgagees or persons entitled to such charge.

If any property of the Company is mortgaged or charged without such entry as aforesaid being made, every director, manager or other officer of the Company who knowingly and wilfully authorizes or permits the omission of such entry shall incur a penalty not exceeding five hundred rupees.

The register of mortgages required by this section shall be open to inspection by any creditor or member of the Company at all reasonable times. If such inspection is refused, any officer of the Company refusing the same and every director and manager of the Company authorizing or knowingly and wilfully permitting such refusal shall incur a penalty not exceeding fifty rupees, and a further penalty not exceeding twenty rupees for every day during which such refusal continues.

The High Court or any judge thereof may by order compel the performance of the duty imposed by this section on a limited Company, and in addition to the above penalty may by order compel an immediate inspection of the register.

South Durham Iron Company, 48 *L. J., Ch.* 480, *where it was doubted whether the duty could be enforced by mandamus. Wynn Hall Coal Co.*, 10 *Eq.* 515. *Ex p. Valpy*, 7 *Ch.* 290.

Explanation.—Omission to register under this section a mortgage or charge does not render the same invalid. But the officers of the Company cannot avail themselves as such of a mortgage or charge specifically affecting property of the Company and not so registered.

Act X of 1866, s. 44.

Certain Companies to publish statement entered in schedule.

69. Every limited banking Company, and every Insurance Company, and Deposit, Provident or Benefit Society under this Act, shall, before it commences business, and also on the first Monday in February and the first Monday in August in every year during which it carries on business, make a statement in the form marked D in the first schedule hereto, or as near thereto as circumstances will admit and a copy of such statement shall be put up in a conspicuous place in the registered office of the Company and in every branch office or place where the business of the Company is carried on.

If default is made in compliance with the provisions of this section, the Company shall be liable to a penalty not exceeding fifty rupees for every day during which such default continues; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Every member and every creditor of any Company mentioned in this section shall be entitled to a copy of the above-mentioned statement on payment of a sum not exceeding eight annas.

Ibid., s. 45.

List of directors to be sent to Registrar.

70. Every Company under this Act and not having a capital divided into shares shall keep at its registered office a register containing the names and addresses and the occupations of its directors or managers, and shall send to the Registrar of Joint Stock Companies a copy of such register, and

shall from time to time notify to the Registrar any change that takes place in such directors or managers.

Act X of 1866, s. 46.

Penalty on Company not keeping register of directors.

71. If any Company under this Act and not having a capital divided into shares makes default in keeping a register of its directors or managers, or in sending a copy of such register to the Registrar in compliance with the foregoing rules, or in notifying to the Registrar any change that takes place in such directors or managers, such delinquent Company shall incur a penalty not exceeding one hundred rupees for every day during which such default continues; and every director or manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Ibid., s. 47.

Promissory notes, bills of exchange and hundís.

72. A promissory note, bill of exchange or hundí shall be deemed to have been made, accepted or endorsed on behalf of any Company under this Act, if made, accepted or endorsed in the name of the Company by any person acting under the authority of the Company, or if made, accepted or endorsed by or on behalf or on account of the Company, by any person acting under the authority of the Company.

Ibid., s. 48.

Prohibition against carrying on business with less than seven members.

73. If any Company under this Act carries on business when the number of its members is less than seven, for a period of six months after the number has been so reduced, every person who is a member of such Company during the time that it so carries on business after such period of six months, and is cognizant of the fact that it is so carrying on business with fewer than seven members, shall be severally liable for the payment of the whole debt of the Company contracted during such time, and may be sued for the same without the joinder in the suit of any other member.

Provisions for Protection of Members.

Ibid., s. 49.

General meeting of Company. Balance-sheet.

74. A general meeting of every Company under this Act shall be held once at the least in every year.

A balance-sheet shall be made out and filed with the Registrar of Joint Stock Companies, within twelve months after the Company has been registered, and once at least in every year afterwards within twelve months from the filing of the balance-sheet immediately preceding; and such balance-sheet shall contain a summary of the property and liabilities of the Company arranged under the heads appearing in the form annexed to Table A in the first schedule hereto, or as near thereto as circumstances admit *and shall have been laid before and adopted by the Company in general meeting.*

Audit.

And once at the least in every year the accounts of the Company shall be examined and the correctness of the balance-sheet ascertained by one or more auditor or auditors.

If default is made in compliance with any of the provisions of this section, every director and manager of the Company who shall knowingly and wilfully authorize or permit such default, shall be liable to a penalty of one thousand rupees.

Meetings.

30 & 31 Vic. c. 131, s. 39.

Company to hold meeting within four months after registration.

75. Every Company formed under this Act after the commencement of this Act shall hold a general meeting within four months after its memorandum of association is registered; and if such meeting is not held, the Company shall be liable to a penalty not exceeding fifty rupees a day for every day after the expiration of such four months, until the meeting is held; and every director or manager of the Company and every subscriber of the memorandum of association who knowingly authorizes or permits such default shall be liable to the same penalty.

Act X of 1866, s. 50.

Power to alter regulations by special resolution.

76. Subject to the provisions of this Act, and to the conditions contained in the memorandum of association, any Company formed under this Act or the Indian Companies Act, 1866, may, in general meeting, from time to time, by passing a special resolution in manner hereinafter mentioned, alter all or any of the regulations of the Company contained in the articles of association, or in the table marked A in the first schedule, where such table is applicable to the Company, or make new regulations to the exclusion of or in addition to all or any of the regulations of the Company.

Any regulations so made by special resolution shall be deemed to be regulations of the Company of the same validity as if they had been originally contained in the articles of association, and shall be subject in like manner to be altered or modified by any subsequent special resolution.

30 & 31 Vic., c. 131, s. 8.

Power to make liability of directors unlimited.

Any limited Company formed under this Act or the Indian Companies Act, 1866, may by a special resolution, if authorized to do so by its regulations, as originally framed or as altered by special resolution, from time to time modify the conditions contained in its memorandum of association so far as to render unlimited the liability of its directors or managers, or of the managing director. Such special resolution shall be of the same validity as if it had been originally contained in the memorandum of association, and a copy thereof shall be embodied in or annexed to every copy of the memorandum of association which is issued after the passing of the resolution.

Act X of 1866, s. 51.

Definition of special resolution.

77. A resolution passed by a Company under this Act shall be deemed to be special, whenever a resolution has been passed by a majority of not less than three-fourths of such members of the Company for the time being entitled, according to the regulations of the Company, to vote, as may be present in person or by proxy (in cases where by the regulations of the Company proxies are allowed), at any general meeting of which notice specifying the intention to propose such resolution has been duly given and such resolution has been confirmed by a majority of such members for the time being entitled, according to the regulations of the Company, to vote, as may be present in person or by proxy at a subsequent general meeting of which notice has been duly given and held at an interval of not less than fourteen days, nor more than one month from the date of the meeting at which such resolution was first passed.

At any meeting mentioned in this section, unless a poll is demanded by at least five members, a declaration of the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against the same.

Notice of any meeting shall, for the purposes of this section, be deemed to be duly given, and the meeting to be duly held whenever such notice is given and meeting held in manner prescribed by the regulations of the Company.

In computing the majority under this section, when a poll is demanded, reference shall be had to the number of votes to which each member is entitled by the regulations of the Company.

Act X of 1866, s. 52.

78. In default of any regulations as to voting, every member shall have one vote, and in default of any regulations as to summoning general meetings, a meeting shall be held to be duly summoned of which seven days' notice in writing has been served on every member in manner in which notices are required to be served by the table marked A in the first schedule hereto.

Provision where no regulations as to meetings.

In default of any regulations as to the persons to summon meetings, five members shall be competent to summon the same; and in default of any regulations as to who is to be chairman of such meeting, it shall be competent for any person elected by the members present to preside.

Ibid., s. 53.

79. A copy of every special resolution that is passed by any Company under this Act shall be printed and forwarded to the Registrar of Joint Stock Companies, and be recorded by him.

Registry of special resolutions.

If such copy is not so forwarded within fifteen days from the date of the confirmation of the resolution, the Company shall incur a penalty not exceeding twenty rupees for every day after the expiration of such fifteen days during which such copy is omitted to be forwarded; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Ibid., s. 54.

80. Where articles of association have been registered, a copy of every special resolution for the time being in force shall be annexed to or embodied in every copy of the articles of association that may be issued after the passing of such resolution. Where no articles of association have been registered, a copy of every special resolution shall be forwarded in print to any member requesting the same on payment of one rupee or such less sum as the Company may direct.

Copies of special resolutions.

If any Company makes default in complying with the provisions of this section or section seventy-six, it shall incur a penalty not exceeding twenty rupees for each copy in respect of which such default is made; and every director and manager of the Company who shall knowingly and wilfully authorize or permit such default shall incur the like penalty.

Ibid., s. 55.

81. Any Company under this Act may, by instrument in writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney, to execute deeds on its behalf in any place not situate in British India; and every deed signed by such attorney on behalf of the Company and under his seal, shall be binding on the Company and have the same effect as if it were under the common seal of the Company.

Execution of deeds abroad.

Act X of 1866, s. 56.

82. The local Government may appoint one or more competent Inspectors to examine into the affairs of any Company under this Act, and to report thereon in such manner as the local Government may direct upon the applications following, (that is to say):—

Examination of affairs of Company by Inspectors.

(*a*) In the case of a Banking or any other Company that has a capital divided into shares, upon the application of members holding not less than one-fifth part of the whole shares of the Company for the time being issued:

(*b*) In the case of any Company not having a capital divided into shares, upon the application of members being in number not less than one-fifth of the whole number of persons for the time being entered on the register of the Company as members.

Ibid., s. 57.

83. The application shall be supported by such evidence as the local Government may require for the purpose of showing that the applicants have good reason for requiring such investigation to be made, and that they are not actuated by malicious motives in instituting the same.

Application for inspection to be supported by evidence.

The local Government may also require the applicants to give security for payment of the costs of the inquiry before appointing any inspector or inspectors.

Ibid, s. 58.

84. It shall be the duty of all officers and agents of the Company to produce for the examination of the inspectors all books and documents in their custody or power.

Inspection of books.

Any inspector may examine upon oath the officers and agents of the Company in relation to its business, and may administer such oath accordingly.

If any such officer or agent refuses to produce any book or document hereby directed to be produced, or to answer any question relating to the affairs of the Company, he shall incur a penalty not exceeding one hundred rupees in respect of each offence.

Ibid, s. 59.

85. Upon the conclusion of the examination, the inspectors shall report their opinions to the local Government. Such report shall be written or printed as the local Government directs.

Result of examination how dealt with.

A copy shall be forwarded by the local Government to the registered office of the Company, and a further copy shall, at the request of the members upon whose application the inspection was made, be delivered to them or to any one or more of them.

All expenses of and incidental to any such examination as aforesaid shall be defrayed by the members upon whose application the inspectors were appointed, unless the local Government shall direct the same to be paid out of the assets of the Company, which the local Government is hereby authorized to do.

Ibid., s.

86. Any Company under this Act may, by a special resolution, appoint inspectors for the purpose of examining into the affairs of the Company.

Power of Company to appoint inspectors.

The inspectors so appointed shall have the same powers and perform the same duties as inspectors appointed by the local Government, with this exception, that, instead of making their report to the local Government, they shall make the same in such manner and to such persons as the Company in general meeting directs.

The officers and agents of the Company shall incur the same penalties in case of any refusal to produce any book or document hereby required to be produced to such inspectors or to answer any question, as they would have incurred if such inspectors had been appointed by the local Government.

Act X of 1866, s. 61.

87. A copy of the report of any inspectors appointed under this Act, authenticated by the seal of the Company into whose affairs they have made inspection, shall be admissible in any legal proceeding as evidence of the opinion of the Inspectors in relation to any matter contained in such report.

Report of inspectors to be evidence.

30 & 31 Vic, c. 131, s. 38.

88. Every prospectus of a Company, and every notice inviting persons to subscribe for shares in any joint stock Company, shall specify the dates and the names of the parties to any agreement enforceable by law, which has been entered into by the Company, or the promoters, directors or trustees thereof, before the issue of such prospectus or notice (whether subject to adoption by the directors or the Company, or otherwise), and which might reasonably influence a person in determining whether he would or would not become a shareholder in the Company; and any prospectus or notice not specifying the same shall be deemed fraudulent on the part of the promoters, directors and officers of the Company knowingly issuing the same, as regards any person taking shares in the Company on the faith of such prospectus, unless he has had notice of such contract.

Prospectus, &c., to specify dates and names of parties to certain prior contracts.

Sullivan v. *Metcalfe*, 49 L. J. Q. B. 815, 823.

Notices.

Act X of 1866, s. 62.

89. Any summons, notice, order or other document required to be served upon the Company, may be served by leaving the same, or sending it through the post by a registered letter addressed to the Company at their registered office; and any notice to the Registrar of Joint Stock Companies may be served by sending it to him through the post by a registered letter, or by delivering it to him, or by leaving it for him at his office.

Service of notices on Company.

Ibid, s. 63.

90. Every document to be served by post on the Company shall be posted in such time as to admit of its being delivered in the due course of delivery within the period (if any) prescribed for the service thereof; and in proving service of such document, it shall be sufficient to prove that such document was properly directed, and that it was put as a registered letter into the post office.

Rules as to notices by letter.

Ibid., s. 64.

91. Any summons, notice, order or proceeding requiring authentication by the Company may be signed by any director, secretary or other authorized officer of the Company, and need not be under the common seal of the Company; and the same may be in writing or in print, or partly in writing and partly in print.

Authentication of notices by Company.

Legal Proceedings.

Act X of 1866, s. 65.

92. Every Company under this Act shall cause minutes of all resolutions and proceedings of general meetings of the Company, and of the directors or managers of the Company, in cases where there are directors or managers, to be duly entered in books to be from time to time provided for the purpose; and any such minute as aforesaid, if purporting to be signed by the chairman of the meeting at which such resolutions were passed or proceedings had, or by the chairman of the next succeeding meeting, shall be received as evidence in all legal proceedings.

Evidence of proceedings at meetings.

Until the contrary is proved, every general meeting of the Company or meeting of directors or managers in respect of the proceedings of which minutes have been so made shall be deemed to have been duly held and convened, and all resolutions passed thereat or proceedings had, to have been duly passed and had, and all appointments of directors, managers or liquidators shall be deemed to be valid, and all acts done by such directors, managers or liquidators shall be valid, notwithstanding any defect that may afterwards be discovered in their appointments or qualifications.

Explanation.—Nothing in this section shall be deemed to give validity to acts done by a liquidator after his appointment has been known to be invalid.

Bridport Old Brewery Co. 2 *Ch.* 119.

Act X of 1866, s. 66.

93. Where a limited Company is plaintiff in any suit, any judge having jurisdiction in the matter may, if it appears by any credible testimony that there is reason to believe that if the defendant be successful in his defence, the assets of the Company will be insufficient to pay his costs, require sufficient security to be given for such costs, and may stay all proceedings until such security is given.

Provision as to costs in suits brought by certain limited Companies.

Ibid., s. 67.

94. In any suit brought by the Company against any member to recover any call or other monies due from such member in his character of member, it shall be sufficient to allege that the defendant is a member of the Company and is indebted to the Company in respect of a call made or other monies due whereby a suit has accrued to the Company.

Plaint in suits against members.

Alteration of Forms.

Ibid., s. 68.

95. The forms set forth in the second schedule hereto, or forms as near thereto as circumstances admit, shall be used in all matters to which such forms refer.

Governor General in Council may alter forms in schedule.

The Governor General in Council may from time to time make such alterations in the tables and forms contained in the first schedule hereto, so that he does not increase the amount of fees payable to the Registrar in the said schedule mentioned, and in the forms in the second schedule, or make such additions to the last-mentioned forms, as he deems requisite.

Any such table or form, when altered, shall be published in the *Gazette of India*, and upon such publication being made, such table or form shall have the same force as if it were included in the schedule to this Act but no alteration made by the Governor General in Council in the table marked A contained in the first schedule shall affect any Company registered prior to the date of such

alteration, or repeal, as respects such Company, any portion of such table.

Arbitrations.

Act X of 1866, s. 69.

96. Any Company under this Act may from time to time, by writing under its common seal, agree to refer and may refer to arbitration any matter whatsoever in dispute between itself and any other Company or person; and the Companies, parties to the arbitration, may delegate to the person or persons to whom the reference is made, power to settle any terms or to determine any matter capable of being lawfully settled or determined by the Companies themselves, or by the directors or other managing body of such Companies.

Power for Companies to refer matters to arbitration.

Ibid., s. 70.

97. The Companies jointly, but not otherwise, from time to time, by writing under their respective common seals, may add to, alter or revoke any agreement for reference in accordance with this Act theretofore entered into between the Companies, or any of the terms, conditions or stipulations thereof.

Power to alter or revoke agreements for reference.

Ibid., s. 71.

98. Every reference or agreement in accordance with this Act, except so far as it is from time to time revoked or modified in accordance with this Act, shall bind the Companies, and may and shall be carried into full effect.

Agreements to be carried into effect.

Ibid., s. 72.

99. Where the Companies agree, the reference shall be made to a single arbitrator.

Reference to arbitrator.

Ibid., s. 73.

100. Except where the Companies agree that the reference shall be made to a single arbitrator, the reference shall be made as follows, to wit—

Reference to two or more arbitrators.

Where there are two Companies, the reference shall be made to two arbitrators:

Where there are three or more Companies, the reference shall be made to so many arbitrators as there are Companies.

Ibid., s. 74.

101. Where there are to be two or more arbitrators, every Company shall by writing under their common seal appoint one of the arbitrators, and shall give notice in writing thereof to the other Company or Companies.

Appointment of arbitrators by Companies.

Ibid., s. 75.

102. Where there are to be two or more arbitrators, if any of the Companies fail to appoint an arbitrator within fourteen days after being thereunto requested in writing by the other Company, or by the Companies or any of them, then, on the application of the Companies or any of them, the local Government, instead of the Company so failing to appoint an arbitrator, may appoint an arbitrator. The arbitrator so appointed shall for the purposes of this Act be deemed to be appointed by the Company so failing.

Appointment of arbitrators by local Government.

Ibid., s. 76.

103. Where the reference is made to two or more arbitrators, if before the matters referred to them are determined any arbitrator dies, or becomes incapable or unfit, or for seven consecutive days fails to act as arbitrator, the Company by which he was appointed shall by writing under their common seal appoint an arbitrator in his place.

Appointment of arbitrators by Companies to supply vacancies.

Act X of 1866, s. 77.

104. Where the Company by which an arbitrator ought to be appointed in the place of the arbitrator so deceased, incapable, unfit or failing to act, fails to make the appointment within fourteen days after being thereunto requested in writing by the other Company, or by the other Companies or any of them, then, on the application of the Companies or any of them, the Local Government may appoint an arbitrator.

Appointment of arbitrators by local Government to supply vacancies.

The arbitrator so appointed shall for the purposes of this Act be deemed to be appointed by the Company so failing.

Ibid., s. 78.

105. When any appointment of an arbitrator is made, the Company making the appointment shall have no power to revoke the same without the previous consent in writing of the other Company or every other Company in writing under their common seal.

Appointment of arbitrator not revocable.

Ibid., s. 79.

106. Where two or more arbitrators are appointed, they shall, before entering on the business of the reference, appoint by writing under their hands an impartial and qualified person to be their umpire.

Appointment of umpire by arbitrators.

Ibid., s. 80.

107. If the arbitrators do not appoint an umpire within seven days after the reference is made to the arbitrators, then, on the application of the Companies or any of them, the local Government may appoint an umpire; and the umpire so appointed shall for the purposes of this Act be deemed to be appointed by the arbitrators.

Appointment of umpire by local Government.

Ibid., s. 81.

108. Where two or more arbitrators are appointed, if before the matters referred to them are determined their umpire dies, or becomes incapable or unfit, or for seven consecutive days fails to act as umpire, the arbitrators shall by writing under their hands appoint an impartial and qualified person to be their umpire in his place.

Appointment of umpire by arbitrators to supply vacancy.

Ibid., s. 82.

109. If the arbitrators fail to appoint an umpire within seven days after notice in writing to them of the decease, incapacity, unfitness or failure to act of their umpire, then, on the application of the Companies or any of them, the local Government may appoint an umpire.

Appointment of umpire by local Government to supply vacancy.

The umpire so appointed shall for the purposes of this Act be deemed to be appointed by the arbitrators so failing.

Ibid., s. 83.

110. Every arbitrator appointed in the place of a preceding arbitrator, and every umpire appointed in the place of a preceding umpire, shall respectively have the like powers and authorities as his respective predecessor.

Succeeding arbitrators and umpires to have powers of predecessors.

Ibid., s. 84.

111. Where there are two or more arbitrators, if they do not within such a time as the Companies agree on, or, failing such agreement, within thirty days next after the reference is made to the arbitrators, agree on their award thereon, then the matters referred to them, or such of those matters as are not then determined, shall stand referred to their umpire.

Reference to umpire.

Act X of 1866, s. 85.

112. The arbitrator, and the arbitrators, and the umpire respectively may call for the production of any documents or evidence in the possession or power of the Companies respectively, or which they respectively can produce, and which the arbitrator, or the arbitrators, or the umpire shall think necessary for determining the matters referred, and may examine the witnesses of the Companies respectively on oath, and may administer the requisite oath.

Power for arbitrators, &c., to call for books, &c., and administer oath.

Ibid., s. 86.

113. Except where and as the Companies otherwise agree, the arbitrator, and the arbitrators, and the umpire respectively may proceed in the business of the reference in such manner as he and they respectively shall think fit.

Procedure in the arbitration.

Ibid., s. 87.

114. The arbitrator, and the arbitrators, and the umpire respectively may proceed in the absence of all or any of the Companies in every case in which, after giving notice in that behalf to the Companies respectively, the arbitrator, or the arbitrators, or the umpire shall think fit so to proceed.

Arbitration may proceed in absence of Companies.

Ibid., s. 88.

115. The arbitrator, and the arbitrators, and the umpire respectively may, if he and they respectively think fit, make several awards, each on part of the matters referred, instead of one award on all the matters referred.

Several awards may be made.

Every such award on part of the matters shall for such time as shall be stated in the award, the same being such as shall have been specified, in the agreement for arbitration, or in the event of no time having been so specified, for any time which the arbitrator may be legally entitled to fix, be binding as to all the matters to which it extends, and as if the matters awarded on were all the matters referred, and that notwithstanding the other matters or any of them be not then or thereafter awarded on.

Ibid., s. 89.

116. The award of the arbitrator, or of the arbitrators, or of the umpire, if made in writing under his or their respective hand or hands and ready to be delivered to the Companies within such a time as the Companies agree on, or failing such agreement within thirty days next after the matters in difference are referred to (as the case may be) the arbitrator, or the arbitrators, or the umpire, shall be binding and conclusive on all the Companies.

Awards made in due time to bind all parties.

Ibid., s. 90.

117. Provided always that (except where and as the Companies otherwise agree) the umpire, from time to time by writing under his hand, may extend the period within which his award is to be made. If it be made and ready to be delivered within the extended time, it shall be as valid and effectual as if made within the prescribed period.

Power for umpire to extend period for making his award.

Ibid., s. 91.

118. No award made on any arbitration in accordance with this Act shall be set aside for any irregularity or informality.

Awards not to be set aside for informality.

Act X of 1866, s. 92.

119. Except only so far as the Companies bound by any award in accordance with this Act from time to time otherwise agree, all things by every award in accordance with this Act lawfully required to be done, omitted or suffered shall be done, omitted or suffered accordingly.

Awards to be obeyed.

Ibid., s. 93.

120. Full effect shall be given by the Courts accordingly to their respective jurisdictions, and by the Companies respectively, and otherwise, to all agreements, references, arbitrations and awards in accordance with this Act; and the performance or observance thereof may, where the Courts think fit, be compelled by any process against the Companies respectively or their respective property that the Courts or any Judge thereof shall direct, and where requisite frame, for the purpose.

Agreements, arbitrations and awards to have effect.

Ibid., s. 94.

121. Except where and as the Companies otherwise agree, the costs of and attending the arbitration and the award shall be in the discretion of the arbitrator, and the arbitrators, and the umpire respectively.

Costs of arbitration and award.

Ibid., s. 95.

122. Except where and as the Companies otherwise agree, and if and so far as the award does not otherwise determine, the costs of and attending the arbitration and the award shall be borne and paid by the Companies in equal shares, and in other respects the Companies shall bear their own respective costs.

Payment of costs.

Ibid., s. 96.

123. On the application of any party interested, the submission to any such arbitration may be filed in the High Court, and an order of reference may be made thereon, with any directions the Court thinks fit; and the provisions of the Code of Civil Procedure shall, so far as the same are applicable, apply to every such order and to all proceedings thereunder.

Submission to arbitration to be filed in Court.

PART IV.

WINDING-UP OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Preliminary.

Ibid., s. 97.

124. The term "contributory" shall mean every person liable to contribute to the assets of a Company under this Act in the event of the same being wound up; it shall also, in all proceedings determining the persons who are to be contributories, and in all proceedings to the final determination of such persons, include any person alleged to be a contributory.

Meaning of "contributory."

Ibid., s. 98.

125. The liability of any person to contribute to the assets of a Company under this Act in the event of the same being wound up shall be deemed to create a debt accruing due from such person at the time when his liability commenced, but payable at the time or respective times when calls are made as hereinafter mentioned for enforcing such liability; and it shall be lawful in the case of the insolvency of any contributory to prove against his estate the estimated value of his liability to future calls, as well as calls already made.

Nature of liability of contributory.

Act X of 1866, s. 99

Contributories in case of death.

126. If any contributory dies either before or after he has been placed on the list of contributories hereinafter mentioned, his personal representatives, heirs and devisees shall be liable in due course of administration to contribute to the assets of the Company in discharge of the liability of such deceased contributory; and such personal representatives, heirs and devisees shall be deemed to be contributories accordingly.

Ibid., s. 100.

Contributories in case of insolvency.

127. If any contributory becomes insolvent, either before or after he has been placed on the list of contributories, his assignees shall be deemed to represent such insolvent for all the purposes of the winding-up, and shall be deemed to be contributories accordingly, and may be called upon to admit to prove against the estate of such insolvent, or otherwise to allow to be paid out of his assets in due course of law, any monies due from such insolvent in respect of his liability to contribute to the assets of the Company being wound up.

Winding-up by Court.

Ibid., s. 101.

Circumstances under which Company may be wound up by Court.

128. A Company under this Act may be wound up by the Court as hereinafter defined under the following circumstances, (that is to say):—

(*a*) Whenever the Company has passed a special resolution requiring the Company to be wound up by the Court:

(*b*) Whenever the Company does not commence its business within a year from its incorporation, or suspends its business for the space of a whole year:

(*c*) Whenever the members are reduced in number to less than seven:

(*d*) Whenever the Company is unable to pay its debts:

Factage Parisien Co., 11 Jur. N. S. 121.

(*e*) Whenever *for any other reason of a like nature* the Court is of opinion that it is just an equitable that the Company should be wound up.

Act X of 1866, s. 102.

Company when deemed unable to pay its debts.

129. A Company under this Act shall be deemed to be unable to pay its debts—

(*a*) Whenever a creditor, by assignment or otherwise, to whom the Company is indebted in a sum exceeding five hundred rupees then due, has served on the Company, by leaving, the same at its registered office, a demand under his hand requiring the Company to pay the sum so due, and the Company has for the space of three weeks succeeding the service of such demand neglected to pay such sum, or to secure or compound for the same to the reasonable satisfaction of the creditor:

(*b*) Whenever execution or other process issued on a decree or order obtained in any Court in favour of any creditor in any proceeding instituted by such creditor against the Company is returned unsatisfied in whole or in part:

(*c*) Whenever it is proved to the satisfaction of the Court that the Company is unable to pay its debts.

Ibid., s. 103.

Definition of "the Court."

130. The expression "the Court" as used in this part of this Act shall mean the principal Court having original civil jurisdiction in the place in which the registered office of the Company is situate; unless in the regulations for the management of the Company it shall be stipulated that the Company, if wound up, shall be wound up by the High Court of Judicature at Fort William, Madras or Bombay (as the case may be), or by the Chief Court of the Panjáb, in which case the word "Court" shall mean the said High Court or Chief Court (as the case may be) in the exercise of its original civil jurisdiction.

European L. A. Society, 9 Eq. 122.

Definition of "debts."

The expression "debts" as used in this part of this Act means debts actually due, of which the creditor could claim immediate payment, except in the case of a Company issuing or liable under policies of assurance upon human life within British India, or granting annuities upon human life within British India. In the case of such a Company (hereinafter called a life-assurance Company), the expression "debts" as so used, includes also contingent or prospective liability under policies and annuity and other existing contracts.

L. A. Companies Act, 1870, (33 & 34 Vic., c. 61) s. 21.

Act X of 1866, s. 104.

Application for winding-up to be made by petition.

131. Any application to the Court for the winding-up of a Company under this Act shall be by petition, which may be presented by the Company, or by any one or more creditor or creditors, contributory or contributories of the Company, or by all or any of the above parties, together or separately.

Wear Engine Works Co., 10 Ch. 188.

The petition must allege facts which, if proved, will justify an order for winding-up the Company. Every order which may be made on any such petition shall operate in favour of all the creditors and all the contributories of the Company in the same manner as if it had been made upon the joint petition of a creditor and a contributory.

33 & 34 Vic., c. 61, s. 21.

In the case of a life-assurance Company the Court shall not give a hearing to the petition until security for costs for such amount as the judge thinks reasonable is given, and until a *primâ facie* case is also established to the satisfaction of the judge; and where the Company has an uncalled capital of an amount sufficient, with the future premiums receivable by the Company, to make up the actual invested assets equal to the amount of the estimated liabilities, the Court shall suspend further proceedings on the petition for a reasonable time to enable the uncalled capital, or a sufficient part thereof, to be called up; and if at the end of the original or any suspended time for which the proceedings have been suspended such an amount has not been realised by means of calls as with the already invested assets is equal to the liabilities, an order shall be made on the petition as if the Company had been proved to be unable to pay its debts.

European L. A. Society, 14 Eq. 408.

Explanation.—Nothing in this section authorizes the presentation of a petition by a member of a Company who is indebted to the Company in respect of a call made, or other moneys due.

30 & 31 Vic., c. 131, s. 40.

Contributory when not qualified to present winding-up petition.

132. No contributory of a Company under this Act shall be capable of presenting a petition for winding-up such Company unless the members of the Company are reduced in number to less than seven, or unless the shares in respect of which he is a contributory, or some of them, either were originally allotted to him, or have been held by him, and registered in his name, for a period of at least six months during the eighteen months previously to the commencement of the winding-up, or have devolved upon him through the death of a former holder:

Provided that where a share has during the whole or any part of the six months been held by

or registered in the name of the wife of a contributory either before or after her marriage, or by or in the name of any trustee for such wife, or for the contributory, such share shall, for the purposes of this section, be deemed to have been held by and registered in the name of the contributory.

Act X of 1866, s. 105.

Commencement of winding-up by Court.

133. A winding-up of a Company by the Court shall be deemed to commence at the time of the presentation of the petition for the winding-up.

Ibid., s. 106.

Court may grant injunction.

134. The Court may, at any time after the presentation of a petition for winding-up a Company under this Act, and before making an order for winding-up the Company, upon the application of the Company or of any creditor or contributory of the Company, restrain further proceedings in any suit or proceeding against the Company, upon such terms as the Court thinks fit.

The Court may also at any time after the presentation of such petition, and before the first appointment of liquidators, appoint provisionally an official liquidator of the estate and effects of the Company.

Ibid., s. 107.

Course to be pursued by Court on hearing petition.

135. Upon hearing the petition, the Court may dismiss the same with or without costs, may adjourn the hearing conditionally or unconditionally, and may make any interim order or any other order that it deems just.

Ibid., s. 108.

Suits to be stayed after order for winding-up.

136. When an order has been made for winding-up a Company under this Act, no suit or other proceeding shall be proceeded with or commenced against the Company except with the leave of the Court and subject to such terms as the Court may impose.

Ibid., s. 109.

Copy of order to be forwarded to Registrar.

137. When an order has been made for winding up a Company under this Act, a copy of such order shall forthwith be forwarded by the Company to the Registrar of Joint Stock Companies, who shall make a minute thereof in his books relating to the Company.

Chapman's case, 1 Eq. 345: Exp. Harding, 3 Eq., 341. Act X of 1866 s. 110.

The order shall be deemed to be notice of discharge to the servants of the Company, except when the business of the Company is continued.

Power of Court to stay proceedings.

138. The Court may at any time after an order has been made for winding-up a Company, upon the application of any creditor or contributory of the Company, and upon proof to the satisfaction of the Court that all proceedings in relation to such winding-up ought to be stayed, make an order staying the same, either altogether or for a limited time, on such terms and subject to such conditions as it deems fit.

s. 111.

Effect of order on share-capital of Company limited by guarantee.

139. When an order has been made for winding-up a Company limited by guarantee and having a capital divided into shares, any share-capital that may not have been called up shall be deemed to be assets of the Company and to be a debt due to the Company from such member to the extent of any sums that may be unpaid on any shares held by him, and payable at such time as may be appointed by the Court.

Act X of 1866, s. 112.

Court may have regard to wishes of creditors or contributories.

140. The Court may, as to all matters relating to the winding-up, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence, and may, if it thinks it expedient, direct meetings of the creditors or contributories to be summoned, held and conducted in such manner as the Court directs, for the purpose of ascertaining their wishes, and may appoint a person to act as chairman of any such meeting, and to report the result of such meeting to the Court.

In the case of creditors, regard is to be had to the value of the debts due to each creditor, and in the case of contributories, to the number of votes conferred on each contributory by the regulations of the Company.

Official Liquidators.

Ibid., s. 113.

Appointment of official liquidator.

141. For the purpose of conducting the proceedings in winding-up a Company and assisting the Court therein, there may be appointed a person or persons to be called an official liquidator or official liquidators.

The Court may appoint such person or persons, either provisionally or otherwise, as it thinks fit, to the office of official liquidator or official liquidators.

In all cases, if more persons than one are appointed to the office of official liquidator, the Court shall declare whether any act hereby required or authorized to be done by the official liquidator is to be done by all or any one or more of such persons.

The Court may also determine whether any and what security is to be given by any official liquidator on his appointment.

If no official liquidator is appointed, or during any vacancy in such appointment, all the property of the Company shall be deemed to be in the custody of the Court.

Parry v. Oriental Hotel Co., 5 Ch. 420.

A receiver shall not be appointed of assets in the hands of an official liquidator.

Act X of 1866, s. 114.

Resignations, removals, filling up vacancies, and compensation.

142. Any official liquidator may resign or be removed by the Court on due cause shown. Any vacancy in the office of an official liquidator appointed by the Court shall be filled by the Court. There shall be paid to the official liquidator such salary or remuneration, by way of percentage or otherwise, as the Court may direct; and if more liquidators than one are appointed, such remuneration shall be distributed amongst them in such proportions as the Court directs.

Ibid., s. 115.

Style and duties of official liquidator.

143. The official liquidator shall be described by the style of the official liquidator of the particular Company in respect of which he is appointed, and not by his individual name. He shall take into his custody, or under his control, all the property, effects and things in action to which the Company is or appears to be entitled, and shall perform such duties in reference to the winding-up of the Company as may be imposed by the Court.

Ibid., s. 116

Power of official liquidator.

144. The official liquidator shall have power with the sanction of the Court to do the following things:—

(*a*) To bring or defend any suit or prosecution, or other legal proceeding, civil or criminal, in the name and on behalf of the Company:

(*b*) To carry on the business of the Company so far as may be necessary for the beneficial winding-up of the same :

(*c*) To sell the immoveable and moveable property of the Company by public auction or private contract, with power to transfer the whole thereof to any person or Company, or to sell the same in parcels :

(*d*) To do all acts, and to execute, in the name and on behalf of the Company, all deeds, receipts and other documents, and for that purpose to use, when necessary, the Company's seal :

(*e*) To prove, rank, claim and draw a dividend, in the matter of the insolvency of any contributory, for any balance against the estate of such contributory, and to take and receive dividends in respect of such balance, in the matter of insolvency, as a separate debt due from such insolvent, and rateably with the other separate creditors :

(*f*) To draw, accept, make and endorse any bill of exchange, hundí or promissory note in the name and on behalf of the Company ; also to raise upon the security of the assets of the Company from time to time any requisite sum or sums of money ; and the drawing, accepting, making or endorsing of every such bill of exchange, hundí or promissory note as aforesaid on behalf of the Company, shall have the same effect with respect to the liability of such Company as if such bill or note had been drawn, accepted, made or endorsed by or on behalf of such Company in the course of carrying on the business thereof :

(*g*) To take out, if necessary, in his official name, letters of administration to any deceased contributory, and to do in his official name any other act that may be necessary for obtaining payment of any monies due from a contributory or from his estate, and which act cannot be conveniently done in the name of the Company ; and in all cases where he takes out letters of administration, or otherwise uses his official name for obtaining payment of any monies due from a contributory, such monies shall, for the purpose of enabling him to take out such letters or recover such monies, be deemed to be due to the official liquidator himself : Provided that nothing herein contained shall be deemed to affect the rights, duties and privileges of the Administrators General of Bengal, Madras and Bombay respectively :

(*h*) To do and execute all such other things as may be necessary for winding up the affairs of the Company and distributing its assets.

Act X of 1866, s. 117.

145. The Court may provide by any order that the official liquidator may exercise any of the above powers without the sanction or intervention of the Court, and, where an official liquidator is provisionally appointed, may limit and restrict his powers by the order appointing him.

Discretion of official liquidator.

Ibid., s. 118.

146. The official liquidator may, with the sanction of the Court, appoint an attorney or vakil to assist him in the performance of his duties : *Provided that where the official liquidator is an attorney he shall not appoint his partner, unless the latter consents to act without remuneration.*

Appointment of attorney or vakil to official liquidator.

Universal Private Telegraph Co., 19 W. R., 297.

Ordinary Powers of Court.

Act X of 1866, s. 119.

147. As soon as may be after making an order for winding-up the Company the Court shall settle a list of contributories, with power to rectify the register of members in all cases where such rectification is required in pursuance of section fifty eight, and shall cause the assets of the Company to be collected and applied in discharge of its liabilities *as they exist at the date of the order.*

Collection and application of assets.

General Rolling Stock Company, 7 Ch. 656.

148. In settling the list of contributories, the Court shall distinguish between persons who are contributories in their own right, and persons who are contributories as being representatives of or being liable to the debts of others.

Provision as to representative contributories.

Act X of 1866, s. 120.

149. The Court may, at any time after making an order for winding-up a Company, require any contributory for the time being settled on the list of contributories, trustee, receiver, banker or agent, or officer of the Company to pay, deliver, convey, surrender or transfer forthwith, or within such time as the Court directs, to or into the hands of the official liquidator, any sum or balance, books, papers, estate or effects which happen to be in his hands for the time being, and to which the Company is *primâ facie* entitled.

Power of Court to require delivery of property.

Ibid., s. 121.

150. The Court may, at any time after making an order for winding-up the Company, make an order on any contributory for the time being settled on the list of contributories, directing payment to be made, in manner in the said order mentioned, of any monies due from him or from the estate of the person whom he represents to the Company, exclusive of any monies which he or the estate of the person whom he represents may be liable to contribute by virtue of any call made or to be made by the Court in pursuance of this part of this Act.

Power of Court to order payment of debts by contributory.

Ibid., s. 122.

The Court may, in making such order, when the Company is not limited, allow to such contributory by way of set-off any monies due to him or the estate which he represents from the Company on any independent dealing or contract with the Company, but not any monies due to him as a member of the Company in respect of any dividend or profits :

Provided that when all the creditors of any Company, whether limited or unlimited, are paid in full, any monies due on any account whatever to any contributory from the Company may be allowed to him by way of set-off against any subsequent call or calls.

In the event of the winding-up of any limited Company the Court, if it think fit, may make to any director or manager of such Company, whose liability is unlimited, the same allowance by way of set-off as under this section it may make to a contributory where the Company is not limited.

30 & 31 Vic., c. 131, s. 6.

151. The Court may, at any time after making an order for winding-up a Company, and either before or after it has ascertained the sufficiency of the assets of the Company, make calls on and order payment thereof by all or any of the contributories for the time being settled on the list of contributories, to the extent of their liability for payment of all or any sums it deems necessary to satisfy the debts and liabilities of the Company, and the costs, charges and expenses of winding it up, and for the adjustment of the rights of the contributories amongst themselves.

Powers of Court to make calls.

Act X of 1866, s. 123.

The Court may, in making a call, take into consideration the probability that some of the contributories upon whom the same is made may partly or wholly fail to pay their respective portions of the same.

Act X of 1866, s. 124.

152. The Court may order any contributory, purchaser or other person from whom money is due to the Company to pay the same into the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, as the case may be, or any branch thereof respectively, to the account of the official liquidator instead of to the official liquidator, and such order may be enforced in the same manner as if it had directed payment to the official liquidator.

Power of Court to order payment into Bank.

Ibid., s. 125.

153. All monies, bills, notes and other securities, paid and delivered into the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, or any branch thereof respectively, in the event of a Company being wound-up by the Court, shall be subject to such order and regulation for the keeping of the account of such monies and other effects, and for the payment and delivery in, or investment and payment and delivery out, of the same, as the Court may direct.

Regulation of account with Court.

Ibid., s. 126.

154. If any person made a contributory as personal representative of a deceased contributory makes default in paying any sum ordered to be paid by him, proceedings may be taken for administering the property of such deceased contributory, whether moveable or immoveable, or both, and of compelling payment thereout of the monies due.

Provision in case of representative contributory not paying monies ordered.

Ibid., s. 127.

155. Any order made by the Court in pursuance of this Act upon any contributory shall, subject to the provisions herein contained for appealing against such order, be conclusive evidence that the monies, if any, thereby appearing to be due or ordered to be paid are due, and all other pertinent matters stated in such order are to be taken to be truly stated as against all persons and in all proceedings whatsoever.

Order conclusive evidence.

Ibid., s. 128.

156. The Court may fix a certain day or certain days on or within which creditors of the Company are to prove their debts or claims, or be excluded from the benefit of any distribution made before such debts are proved.

Court may exclude creditors not proving within certain time.

157. The Court shall adjust the rights of the contributories amongst themselves, and distribute any surplus that may remain amongst the parties entitled thereto.

Power to adjust rights of contributories.

158. The Court may, in the event of the assets being insufficient to satisfy the liabilities, make an order as to payment out of the assets of the Company of the costs, charges and expenses incurred in winding up the Company in such order of priority as the Court thinks just.

Payment of costs.

159. Where the affairs of the Company have been completely wound up, and the Court is about to make an order dissolving the Company, the Court shall make an order that the Company be dissolved from the date of such order, and that date shall be stated therein accordingly.

Dissolution of Company.

Act X of 1866, s. 132.

160. Any order so made shall be reported by the official liquidator to the Registrar, who shall make a minute accordingly in his books of the dissolution of such Company.

Registrar to make Minute of dissolution of Company.

Ibid., s. 133.

161. If the official liquidator makes default in reporting to the Registrar, in the case of a Company being wound-up by the Court the order that the Company be dissolved, he shall be liable to a penalty not exceeding one hundred rupees for every day during which he is so in default.

Penalty on not reporting dissolution of Company.

Extraordinary Powers of Court.

Ibid., s. 134.

162. The Court may, after it has made an order for winding-up the Company, summon before it any officer of the Company, or person known or suspected to have in his possession any of the estate or effects of the Company, or supposed to be indebted to the Company, or any person whom the Court may deem capable of giving information concerning the trade, dealings, estate or effects of the Company.

Power of Court to summon persons before it suspected of having property of Company.

If any person so summoned, after being tendered a reasonable sum for his expenses, refuses to come before the Court at the time appointed, having no lawful impediment (made known to the Court at the time of its sitting and allowed by it), the Court may cause such person to be apprehended and brought before the Court for examination.

The Court may require any such officer or person to produce any documents in his custody or power relating to the Company. Nevertheless, in cases where any person claims any lien on documents produced by him, such production shall be without prejudice to such lien, and the Court shall have jurisdiction in the winding-up to determine all questions relating to such lien.

Ibid., s. 135.

163. The Court may examine upon oath either by word of mouth or upon written interrogatories, any person appearing or brought before it in manner aforesaid, concerning the affairs, dealings, estate or effects of the Company, and may reduce into writing the answers of every such person, and require him to subscribe the same.

Examination of parties by Court.

Ibid., s. 136.

164. The Court may, at any time before or after it has made an order for winding-up a Company, upon proof being given that there is probable cause for believing that any contributory to such Company is about to quit British India or otherwise abscond, or to remove or conceal any of his goods or chattels, for the purpose of evading payment of calls, or for avoiding examination in respect of the affairs of the Company, cause such contributory to be arrested, and his books, papers, writings, securities for monies, goods and chattels to be seized, and him and them to be safely kept until such time as the Court may order.

Power to arrest contributory about to abscond or to remove or conceal any of his property.

Ibid., s. 137.

165. Any powers by this Act conferred on the Court shall be deemed to be in addition to, and not in restriction of, any other powers relating to winding-up proceedings against any contributory, or the estate of any contributory,

Powers of Court to be in addition to existing powers.

or against any debtor of the Company, for the recovery of any call or other sums due from such contributory or debtor, or his estate, and such proceedings may be instituted accordingly.

Enforcement of, and Appeal from, Orders.

Act X of 1866, s. 138.

166. All orders made by a Court under this Act may be enforced in the same manner in which decrees of such Court made in any suit pending therein may be enforced.

Power to enforce orders.

Ibid., s. 139.

167. Any order made by a Court for or in the course of the winding-up of a Company under this Act shall be enforced in any part of British India other than that in which such Court is situate, in the Court that would have had jurisdiction in respect of such Company if the registered office of the Company had been situate in such other part, and in the same manner in all respects as if such order had been made by the Court that is hereby required to enforce the same.

Order made in any Court to be enforced by other Courts.

Ibid., s. 140.

168. Where any order or decree made by one Court is required to be enforced by another Court as hereinbefore provided, a certified copy of the order or decree so made shall be produced to the proper officer of the Court required to enforce the same, and the production of such certified copy shall be sufficient evidence of such order or decree having been made, and thereupon such last-mentioned Court shall take such steps in the matter as may be requisite for enforcing such order or decree, in the same manner as if it were the order or decree of the Court enforcing the same.

Mode of dealing with orders to be enforced by other Courts.

169. Re-hearings of and appeals from any order or decision made or given in the matter of the winding-up of a Company by the Court, may be had in the same manner and subject to the same conditions in and subject to which appeals may be had from any order or decision of the same Court in cases within its ordinary jurisdiction; subject to this restriction, that no such re-hearing or appeal shall be heard unless notice of the same is given within three weeks after any order complained of has been made, in manner in which notices of appeal are ordinarily given under the Code of Civil Procedure, unless such time is extended by the Court of Appeal.

Appeals from orders.

Ibid., s. 142.

170. In all proceedings under this part of this Act, every Court, judge and person judicially acting, and all other officers, judicial or ministerial, of any Court, or employed in enforcing the process of any Court, shall take judicial notice of the signature of any officer of any other Court, and also of the official seal of any other Court when such seal is appended to any document made, issued, or signed under the provisions of this part of the Act, or any official copy thereof.

Judicial notice to be taken of signature of officers.

Act I of 1872, s. 57, (6), (7).

Act X of 1866, s. 143.

171. The judges of the district Courts who sit at places more than twenty English miles from the usual place of sitting of the High Court, shall be Commissioners for the purpose of taking evidence under this Act in cases where any Company is wound-up in a High Court, and it shall be lawful for the High Court to refer the whole or any part of the examination of any witnesses under this Act to any person hereby appointed Commissioner, although such Commissioner is out of the jurisdiction of the Court that made the order or decree for winding-up the Company.

Special Commissioners for receiving evidence.

Every such Commissioner shall, in addition to any power of summoning and examining witnesses, and requiring the production or delivery of documents and certifying or punishing defaults by witnesses, which he might lawfully exercise as a judge of a district Court, have, in the matter so referred to him, all the same powers of summoning and examining witnesses and requiring the production or delivery of documents and punishing defaults by witnesses, and allowing costs and charges and expenses to witnesses, as the Court which made the order for winding-up the Company has; and the examination so taken shall be returned or reported to such last-mentioned Court in such manner as it directs.

Act X of 1866, s. 144.

172. If any affidavit, affirmation or declaration required to be sworn or made under the provisions or for the purposes of this part of this Act, be lawfully sworn or made in British India, or in Great Britain or Ireland, or in any colony, island, plantation or place under the dominion of Her Majesty in foreign parts, before any Court, judge or person lawfully authorized to take and receive affidavits, affirmations or declarations, or before any of Her Majesty's consuls or vice-consuls in any foreign parts out of Her Majesty's dominions, all Courts, judges, justices, commissioners and persons acting judicially in British India shall take judicial notice of the seal or stamp or signature (as the case may be) of any such Court, judge, person, consul or vice-consul, attached, appended or subscribed to any such affidavit, affirmation or declaration, or to any other document to be used for the purposes of this part of this Act.

Affidavits, &c., may be sworn in British India, Great Britain or Ireland, or abroad, before any competent Court or person.

Voluntary Winding-up of Company.

Ibid., s. 145.

173. A Company under this Act may be wound up voluntarily—

Circumstances under which Company may be wound up voluntarily.

(*a*) Whenever the period, if any, fixed for the duration of the Company by the articles of association expires, or whenever the event, if any, occurs upon the occurrence of which it is provided by the articles of association that the Company is to be dissolved, and the Company in general meeting has passed a resolution requiring the Company to be wound up voluntarily;

(*b*) Whenever the Company has passed a special resolution requiring the Company to be wound up voluntarily:

(*c*) Whenever the Company has passed an extraordinary resolution to the effect that it has been proved to their satisfaction that Company cannot by reason of its liabilities continue its business, and that it is advisable to wind-up the same:

For the purposes of this Act any resolution shall be deemed to be extraordinary which is passed in such manner as would, if it had been confirmed by a subsequent meeting, have constituted a special resolution as hereinbefore defined.

Ibid., s. 146.

174. A voluntary winding-up shall be deemed to commence at the time of the passing of the Resolution authorizing such winding-up.

Commencement of voluntary winding-up.

Dave's case 6 *Eq.* 232.

When the winding-up is in pursuance of a special resolution, it shall be deemed to commence at the time of the passing, under section seventy-seven, of the confirmatory resolution.

Act X of 1866, s. 147.

175. Whenever a Company is wound-up voluntarily, the Company shall, from the date of the commencement of such winding-up, cease to carry on its business except in so far as may be required for the beneficial winding-up thereof; and all transfers of shares except transfers made to or with the sanction of the liquidators, or alteration in the status of the members of the Company taking place after the commencement of such winding-up, shall be void, but its corporate state and all its corporate powers shall, notwithstanding it is otherwise provided by its regulations, continue until the affairs of the Company are wound up.

Effect of voluntary winding-up on status of Company.

Ibid., s. 148.

176. Notice of any special resolution or extraordinary resolution passed for winding-up a Company voluntarily shall be given by advertisement in the local official Gazette and also in some newspaper (if any) circulating in the place where the registered office of the Company is situate.

Notice of resolution to wind-up voluntarily.

Ibid., s. 149.

177. The following consequences shall ensue upon the voluntary winding-up of a Company:—

Consequence of voluntary winding-up.

Webb v. *Whiffin*, L. R. 5 H. L. 711. *Exp. Astbury*, 5 *Eq.* 233.

(*a*) The *assets* of the Company shall be applied in satisfaction of its liabilities *pari passu as they exist at the commencement of the winding-up*, and subject thereto shall, unless it be otherwise provided by the regulations of the Company, be distributed amongst the members according to their rights and interests in the Company:

(*b*) Liquidators shall be appointed for the purpose of winding-up the affairs of the Company and distributing the assets:

(*c*) The Company in general meetting shall appoint such persons or person as it thinks fit to be liquidators or a liquidator, and may fix the remuneration to be paid to them or him:

(*d*) If one person only is appointed, all the provisions herein contained in reference to several liquidators shall apply to him:

(*e*) Upon the appointment of liquidators, all the powers of the directors shall cease, except in so far as the Company in general meeting or the liquidators may sanction the continuance of such powers:

(*f*) When several liquidators are appointed, every power hereby given may be exercised by such one or more of them as may be determined at the time of their appointment, or, in default of such determination, by any number not less than two:

(*g*) The liquidators may, without the sanction of the Court, exercise all powers by this Act given to the official liquidators:

(*h*) The liquidators may exercise the powers hereinbefore given to the Court of settling the list of contributories of the Company, and any list so settled shall be *primâ facie* evidence of the liability of the persons named therein to be contributories:

(*i*) The liquidators may at any time after the passing of the resolution for winding-up the Company, and before they have ascertained the sufficiency of the assets of the Company, call on all or any of the contributories for the time being settled on the list of contributories, to the extent of their liability, to pay all or any sums they deem necessary to satisfy the debts and liabilities of the Company, and the costs, charges and expenses of winding it up, and for the adjustment of the rights of the contributories amongst themselves, and the liquidators may, in making a call, take into consideration the probability that some of the contributories upon whom the same is made may partly or wholly fail to pay their respective portions of the same:

(*j*) The liquidators shall pay the debts of the Company, and adjust the rights of the contributories amongst themselves.

Act X of 1866, s. 150.

178. Where a Company limited by guarantee and having a capital divided into shares is being wound up voluntarily, any share-capital that may not have been called up shall be deemed to be assets of the Company, and to be a debt due from each member to the Company to the extent of any sums that may be unpaid on any shares held by him, and payable at such time as may be appointed by the liquidators.

Effect of winding-up on share-capital of Company limited by guarantee.

Ibid., s. 151.

179. A Company about to be wound up voluntarily or in the course of being wound up voluntarily may, by an extraordinary resolution, delegate to its creditors, or to any committee of its creditors, the power of appointing liquidators or any of them, and supplying any vacancies in the appointment of liquidators, or may by a like resolution enter into any arrangement with respect to the powers to be exercised by the liquidators and the manner in which they are to be exercised.

Power of Company to delegate authority to appoint liquidators.

Any act done by the creditors in pursuance of such delegated power shall have the same effect as if it had been done by the Company.

Ibid., s. 152.

180. Any arrangement which a Company about to be wound-up voluntarily or in the course of being wound-up voluntarily shall have entered into with its creditors, shall be binding on the Company if sanctioned by an extraordinary resolution, and on the creditors if acceded to by three-fourths in number and value of the creditors, subject to such right of appeal as is hereinafter mentioned.

Arrangement when binding on creditors.

Ibid., s. 153.

181. Any creditor or contributory of a Company that has in manner aforesaid entered into any arrangement with its creditors may, within three weeks from the date of the completion of such arrangement, appeal to the Court against such arrangement, and the Court may thereupon as it thinks just, amend, vary or confirm the same.

Power of creditor or contributory to appeal.

Ibid., s. 154.

182. Where a Company is being wound up voluntarily, the liquidators or any contributory of the Company may apply to the Court to determine any question arising in the matter of such winding-up, or to exercise as respects the enforcing of calls or in respect of any other matter all or any of the powers which the Court might exercise if the

Power for liquidators or contributories in voluntary winding-up to apply to Court.

Company were being wound up by the Court.

49 L. J., Ch. 265. *Any such application may by made by motion.* The Court, if satisfied that the determination of such question or the required exercise of power will be just and beneficial, may accede, wholly or partially, to such application, on such terms and subject to such conditions as the Court thinks fit, or it may make such other order or decree on such application as the Court thinks just.

Act X of 1866, s. 155.

Power of liquidators to call general meeting.

183. Where a Company is being wound up voluntarily, the liquidators may from time to time during the continuance of such winding-up, summon general meetings of the Company for the purpose of obtaining the sanction of the Company by special resolution or extraordinary resolution, or for any other purposes they think fit.

In the event of the winding-up continuing for more than one year, the liquidators shall summon a general meeting of the Company at the end of the first year and of each succeeding year from the commencement of the winding-up, or as soon thereafter as may be convenient, and shall lay before such meeting an account showing their acts and dealings and the manner in which the winding-up has been conducted during the preceding year.

Ibid., s. 156.

Power to fill up vacancy in office of liquidators.

184. If any vacancy occurs in the office of liquidators appointed by the Company, by death, resignation or otherwise, the Company in general meeting may, subject to any arrangement they may have entered into with their creditors, fill up such vacancy, and a general meeting for the purpose of filling up such vacancy may be convened by the continuing liquidators, if any, or by any contributory of the Company, and shall be deemed to have been duly held if held in manner prescribed by the regulations of the Company, or in such other manner as may, on application by the continuing liquidator, if any, or by any contributory of the Company, be determined by the Court.

Ibid., s. 157.

Power of Court to appoint liquidators.

185. If from any cause whatever there is no liquidator acting in the case of a voluntary winding-up, the Court may, on the application of a contributory, appoint a liquidator or liquidators. The Court may also, on due cause shown, remove any liquidator, and appoint another liquidator to act in the matter of a voluntary winding-up.

Ibid., s. 158.

Liquidators on conclusion of winding-up to make up an account.

186. As soon as the affairs of the Company are fully wound-up, the liquidators shall make up an account showing the manner in which such winding-up has been conducted and the property of the Company disposed of: and thereupon they shall call a general meeting of the Company for the purpose of having the account laid before them, and hearing any explanation that may be given by the liquidators.

The meeting shall be called by advertisement, specifying the time, place and object of such meeting, and such advertisement shall be published one month at least previously to the meeting in the manner specified in section one hundred and seventy-six.

Ibid., s. 159

Liquidators to report meeting to Registrar.

187. The liquidators shall make a return to the Registrar of such meeting having been held, and of the date at which the same was held, and on the expiration of three months from the date of the registration of such return, the Company shall be deemed to be dissolved.

If the liquidators make default in making such return to the Registrar, they shall incur a penalty not exceeding fifty rupees for every day during which such default continues.

Act X of 1866, s. 160.

Costs of voluntary liquidation.

188. All costs, charges and expenses properly incurred in the voluntary winding-up of a Company, including the remuneration of the liquidators, shall be payable out of the assets of the Company in priority to all other claims.

Ibid., s. 161.

Saving of rights of creditors.

189. The voluntary winding-up of a Company shall not be a bar to the right of any creditor of such Company to have the same wound up by the Court, if the Court is of opinion that the rights of such creditor will be prejudiced by a voluntary winding-up.

Ibid., s. 162.

Power of Court to adopt proceedings of voluntary winding-up.

190. Where a Company is in course of being wound-up voluntarily, and proceedings are taken for the purpose of having the same wound-up by the Court, the Court may, if it thinks fit, notwithstanding that it makes an order directing the Company to be wound-up by the Court provide in such order or in any other order for the adoption of all or any of the proceedings taken in the course of the voluntary winding-up.

Winding-up subject to the supervision of the Court.

Ibid., s. 163.

Power of Court, on application, to direct winding-up subject to supervision.

191. When a Resolution has been passed by a Company to wind up voluntarily, the Court may make an order directing that the voluntary winding-up should continue but subject to such supervision of the Court, and with such liberty for creditors, contributories or others to apply to the Court, and generally upon such terms and subject to such conditions as the Court thinks just.

Ibid., s. 164.

Petition for winding-up subject to supervision.

192. A petition praying wholly or in part that a voluntary winding-up should continue, but subject to the supervision of the Court, and which winding-up is hereinafter referred to as a winding-up subject to the supervision of the Court, shall, for the purpose of giving jurisdiction to the Court over suits, be deemed to be a petition for winding up the Company by the Court.

Ibid., s. 165.

Court may have regard to wishes of creditors.

193. The Court may, in determining whether a Company is to be wound up altogether by the Court, or subject to the supervision of the Court, in the appointment of a liquidator or of liquidators, and in all other matters relating to the winding-up subject to supervision, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence, and may direct meetings of the creditors or contributories to be summoned, held and regulated in such manner as the Court directs for the purpose of ascertaining their wishes, and may appoint a person to act as chairman of any such meeting, and to report the result of such meeting to the Court.

In the case of creditors, regard shall be had to the value of the debts due to each creditor, and in the case of contributories to the number of votes

conferred on each contributory by the regulations of the Company.

Act X of 1866, s. 166.

Power to Court to appoint additional liquidator in winding-up subject to supervision.

194. Where any order is made by the Court for a winding-up subject to the supervision of the Court, the Court may, in such order or in any subsequent order, appoint any additional liquidator.

Any liquidator so appointed by the Court shall have the same powers, be subject to the same obligations, and in all respects stand in the same position as if he had been appointed by the Company.

The Court may from time to time remove any liquidator so appointed by the Court, and fill up any vacancy occasioned by such removal, or by death or resignation.

Ibid., s. 167.

Effect of order of Court for winding-up subject to supervision.

195. Where an order is made for a winding-up subject to the supervision of the Court, the liquidator appointed to conduct such winding-up may, subject to any restrictions imposed by the Court, exercise all his powers, without the sanction or intervention of the Court, in the same manner as if the Company were being wound-up altogether voluntarily.

Save as aforesaid, any order made by the Court for a winding-up subject to the supervision of the Court, shall for all purposes, including the staying of suits and other proceedings, be deemed to be an order of the Court for winding-up the Company by the Court, and shall confer full authority on the Court to make calls, or to enforce calls made by the liquidators, and to exercise all other powers which it might have exercised if an order had been made for winding-up the Company altogether by the Court.

In the construction of the provisions whereby the Court is empowered to direct any act or thing to be done to or in favour of the official liquidators, the expression official liquidator shall be deemed to mean the liquidator conducting the winding-up subject to the supervision of the Court.

Ibid., s. 168.

Appointment in certain cases of voluntary liquidators to office of official liquidators.

196. Where an order has been made for the winding-up of a Company subject to the supervision of the Court, and such order is afterwards superseded by an order directing the Company to be wound up compulsorily, the Court may, in such last-mentioned order or in any subsequent order, appoint the voluntary liquidators or any of them, either provisionally or permanently, and either with or without the addition of any other person to be official liquidator.

Supplemental Provisions.

Ibid., s. 169.

Dispositions after the commencement of the winding-up avoided.

197. Where any Company is being wound up by the Court or subject to the supervision of the Court, all dispositions of the property of the Company and every transfer of shares or alteration in the status of the members of the Company, made between the commencement of the winding-up and the order for winding-up, shall, unless the Court otherwise orders, be void.

Ibid., s. 170.

The books of the Company to be evidence.

198. Where any Company is being wound up all books, accounts and documents of the Company and of the liquidators shall, as between the contributories of the Company, be *primâ facie* evidence of the truth of all matters purporting to be therein recorded.

Act X of 1866, s. 171.

As to disposal of books, accounts and documents of the Company.

199. Where any Company has been wound up under this Act, and is about to dissolved, the books, accounts and documents of the Company and of the liquidator may be disposed of in the following way; that is to say, where the Company has been wound up by or subject to the supervision of the Court, in such way as the Court directs, and where the Company has been wound up voluntarily, in such way as the Company by an extraordinary resolution directs.

But after the lapse of five years from the date of such dissolution, no responsibility shall rest on the Company or the liquidators, or any one to whom the custody of such books, accounts and documents has been committed, by reason that the same or any of them cannot be made forthcoming to any party or parties claiming to be interested therein.

Ibid., s. 172.

Inspection of books.

200. Where an order has been made for winding-up a Company by the Court or subject to the supervision of the Court, the Court may make such order for the inspection by the creditors and contributories of the Company of its books and papers as the Court thinks just, and any books and papers in the possession of the Company may be inspected by creditors or contributories in conformity with the order of the Court, but not further or otherwise.

Ibid., s. 173.

General scheme of liquidation may be sanctioned.

201. The liquidator may, with the sanction of the Court, where the Company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an extraordinary resolution of the Company where the Company is being wound up altogether voluntarily, pay any classes of creditors in full, or make such compromise or other arrangement as the liquidator may deem expedient with creditors or persons claiming to be creditors, or persons having or alleging themselves to have any claim, present or future, whereby the Company may be rendered liable.

Ibid., s. 174.

Power to compromise.

202. The liquidator may, with the sanction of the Court where the Company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an Extraordinary resolution of the Company where the Company is being wound up altogether voluntarily, compromise all calls and liabilities to calls, debts and liabilities capable of resulting in debts, and all claims, whether present or future, subsisting or supposed to subsist between the Company and any contributory or alleged contributory, or other debtor or person apprehending liability to the Company, and all questions in any way relating to or affecting the assets of the Company or the winding-up of the Company generally upon such terms as may be agreed upon, with power for the liquidator to take any security for the discharge of such debts or liabilities, and to give complete discharges in respect of all or any such calls, debts or liabilities.

33 & 34 Vic., c. 104, s. 2.

203. Where any compromise or arrangement shall be proposed between a Company which is, at the time of the passing of this Act or afterwards, in the course of being wound up, either voluntarily or by or under the supervision of the Court, and the creditors of such Company, or any class of such creditors, it shall be lawful for the Court, in addition to any other of its powers, on the application in a summary way of any creditor or the liquidator, to order that a meeting of such creditors or class of creditors shall be summoned in such manner as the Court shall direct, and if a majority in number representing three-fourths in value of such creditors or class of creditors present either in person or by proxy at such meeting shall agree to any arrangement or compromise, such arrangement or compromise shall, if sanctioned by an order of the Court, be binding on all such creditors or class of creditors, as the case may be, and also on the liquidator and contributories of the said Company.

Where compromise proposed, Court may order a meeting of creditors, &c., to decide as to such compromise.

Act X of 1866, s. 175.

204. Where any Company is proposed to be or is in the course of being wound up altogether voluntarily, and the whole or a portion of its business or property is proposed to be transferred or sold to another Company, the liquidators of the first-mentioned Company may, with the sanction of a special resolution of the Company by whom they were appointed, conferring either a general authority on the liquidators, or an authority in respect of any particular arrangement, receive in compensation or part compensation for such transfer or sale, shares, debentures, policies or other like interests in such other Company, for the purpose of distribution amongst the members of the Company being wound up, or may enter into any other arrangement whereby the members of the Company being wound up may, in lieu of receiving cash, shares, debentures, policies or other like interests, or in addition thereto, participate in the profits of or receive any other benefit from the purchasing Company.

Power for liquidators to accept shares, &c., as a consideration for sale of property of Company.

Any sale made or arrangement entered into by the liquidator in pursuance of this section shall be binding on the members of the Company being wound up; subject to this proviso that, if any member of the Company being wound up who has not voted in favour of the special resolution passed by the Company of which he is a member at either of the meetings held for passing the same, expresses his dissent from any such special resolution in writing addressed to the liquidators or one of them, and left at the registered office of the Company not later than seven days after the date of the meeting at which such special resolution was passed, such dissentient member may *by writing addressed and left as last aforesaid*, require the liquidator to do one of the following things as the liquidator may prefer (that is to say), either to abstain from carrying such resolution into effect, or to purchase the interest held by such dissentient member at a price to be determined in manner hereinafter mentioned, such purchase-money to be paid before the Company is dissolved, and to be raised by the liquidator in such manner as may be determined by special resolution.

Union Bank of Kingston upon Hull, 49 L. J. Ch. 264.

No special resolution shall be deemed invalid for the purposes of this section by reason that it is passed antecedently to or concurrently with any resolution for winding-up the Company, or for appointing liquidators; but if an order be made within a year for winding-up the Company by or subject to the supervision of the Court, such resolution shall not be of any validity unless it is sanctioned by the Court.

205. The price to be paid for the purchase of the interest of any dissentient member may be determined by agreement. If the parties dispute about the same, such dispute shall be settled by arbitration under the provisions next hereinafter contained.

Act X of 1866, s. 176.

Mode of determining price.

Ibid., s. 177.

206. When any dispute so directed to be settled by arbitration has arisen, then, unless both parties concur in the appointment of a single arbitrator, each party, on the request of the other party, shall by writing under his hand nominate and appoint an arbitrator to whom such dispute shall be referred.

Appointment of arbitrator when questions are to be determined by arbitration.

After any such appointment has been made, neither party shall have power to revoke the same without the consent of the other, nor shall the death of either party operate as such revocation.

If for the space of fourteen days after any such dispute has arisen and after a request in writing has been served by the one party on the other party to appoint an arbitrator, such last mentioned party fail to appoint such arbitrator, then upon such failure the party making the request, and having himself appointed an arbitrator, may appoint such arbitrator to act on behalf of both parties, and such arbitrator may proceed to hear and determine the matters in dispute; and in such case the award or determination of such single arbitrator shall be final.

207. If before the matters so referred are determined, any arbitrator appointed by either party die, or become incapable or refuse, or for seven days neglect to act as arbitrator, the party by whom such arbitrator was appointed may nominate and appoint in writing some other person to act in his place; and if for the space of seven days after notice in writing from the other party for that purpose he fail to do so, the remaining or other arbitrator may proceed *ex parte*; and every arbitrator so substituted as aforesaid shall have the same powers and authorities as were vested in the former arbitrator at the time of such his death, refusal or disability as aforesaid.

Ibid., s. 178.

Vacancy of arbitrator to be supplied.

208. Where more arbitrators than one have been appointed, they shall, before entering upon the matters referred to them, nominate and appoint by writing under their hands an umpire to decide on any such matters on which they shall differ.

Ibid., s. 179.

Appointment of umpire.

If such umpire die, or refuse or for seven days neglect to act, they shall forthwith, after such death, refusal or neglect, appoint another umpire in his place; and the decision of every such umpire on the matters so referred to him shall be final.

209. The said arbitrators or their umpire may call for the production of any documents in the possession or power of either party which they or he may think necessary for determining the question in dispute, and may examine the parties or their witnesses on oath.

Ibid., s. 180.

Power of arbitrators to call for books, &c.

Act X of 1866, s. 181.

210. The costs of and attending every such arbitration to be determined by the arbitrators shall be in the discretion of the arbitrators or their umpire, as the case may be.

Costs to be in the discretion of the arbitrators.

Ibid., s. 182.

211. On the application of either of the parties, the submission to any such arbitration may be filed in the Court, and an order of reference may be made thereon; and the provisions of the Code of Civil Procedure shall, so far as the same are applicable, apply to every such order and to all proceedings thereunder.

Submission to arbitration may be filed in Court.

Ibid., s. 183.

212. Where any Company is being wound up by the Court, or subject to the supervision of the Court, any attachment, distress or execution put in force, *without the leave of the Court*, against the estate or effects of the Company after the commencement of the winding-up, shall be void.

Certain attachments, distresses and executions to be void.

Exhall Mining Co. 4 *D. J. & S.* 377.

See Thring, p. 377.

Nothing in this section applies to proceedings by the Government.

Act X of 1866, s. 184.

213. Every conveyance, mortgage, delivery of goods, payment, execution or other act relating to property, which would, if made or done by or against any individual trader, be deemed in the event of his insolvency to have been made or done by way of undue or fraudulent preference of the creditors of such trader, shall, if made or done by or against any Company, be deemed, in the event of such Company being wound up under this Act, to have been made or done by way of undue or fraudulent preference of the creditors of such Company, and shall be invalid accordingly.

Fraudulent preference.

For the purposes of this section, the making of an application for winding-up a Company shall, in the case of a Company being wound up by the Court or subject to the supervision of the Court, and a resolution for winding-up the Company shall, in the case of a voluntary winding-up, be deemed to correspond with the act of insolvency in the case of an individual trader; and any conveyance or assignment made by any Company formed under this Act, of all its estate and effects to trustees for the benefit of all its creditors, shall be void.

Ibid., s. 185.

214. Where in the course of the winding-up, of any Company under this Act, it appears that any past or present director, manager, official or other liquidator, or any officer of such Company, has misapplied or retained in his own hands or become liable or accountable for any monies of the Company, or been guilty of any misfeasance or breach of trust in relation to the Company, the Court may, on the application of any liquidator, or of any creditor or contributory of the Company, notwithstanding that the offence is one for which the offender is criminally responsible, examine into the conduct of such director, manager or other officer, and compel him to repay any monies so misapplied or retained, or for which such officer has become liable or accountable, together with interest after such rate as the Court thinks just, or to contribute such sums of money to the assets of the Company by way of compensation in respect of such misapplication, retainer, misfeasance or breach of trust, as the Court thinks just.

Power of Court to assess damages against delinquent directors and officers.

Explanation I.—The banker of a Company is not as such an officer within the meaning of this section. *Imp. Land Co. of Marseilles*, 10 Eq. 298.

Explanation II.—Proceedings cannot be taken under this section against the representatives of a deceased officer. 49 L. J. Ch. 446.

Act X of 1866, s. 186.

215. If any director, officer or contributory of any Company wound up under this Act, destroys, mutilates, alters, falsifies or fraudulently secretes any books, papers, writings or securities, or makes, or is privy to the making of any false or fraudulent entry in any register, book of account or other document belonging to the Company with intent to defraud or deceive any person, every person so offending shall be punished with imprisonment for a term which may extend to two years, and shall also be liable to fine which may extend to five hundred rupees.

Penalty on falsification of books.

Ibid., s. 187.

216. Where any order is made for winding-up a Company by the Court or subject to the supervision of the Court, if it appear in the course of such winding-up that any past or present director, manager, officer or member of such Company has been guilty of any offence in relation to the Company for which he is criminally responsible, the Court may, on the application of any person interested in such winding-up or of its own motion, direct the official liquidators, or the liquidators (as the case may be), to institute a prosecution for such offence, and may order the costs and expenses of such prosecution to be paid out of the assets of the Company.

Prosecution of delinquent directors in the case of winding-up by Court.

Ibid., s. 188.

217. If any person, upon any examination upon oath authorized under this Act, or in any affidavit, deposition or solemn affirmation in or about the winding-up of any Company under this Act, or otherwise in or about any matter arising under this Act, intentionally gives false evidence, he shall be liable to imprisonment for a term which may extend to seven years and shall also be liable to fine.

Penalty of false evidence.

30 & 31 Vic., c. 131, s. 41.

218. Where the High Court makes an order for winding-up a Company under this Act, it may, if it thinks fit, direct all subsequent proceedings to be had in a District Court, and thereupon such District Court shall, for the purpose of winding-up the Company, be deemed to be "the Court" within the meaning of this Act, and shall have, for the purposes of such winding-up, all the jurisdiction and powers of the High Court.

Winding-up may be referred to district Court.

Ibid., s. 42

219. If during the progress of a winding-up in a District Court it is made to appear to the High Court that the same could be more conveniently prosecuted in any other District Court, it shall be competent for the High Court to transfer the same to such other Court, and thereupon the winding-up shall proceed in such other District Court.

As to transfer of winding-up from one district Court to another.

PART V.

REGISTRATION OFFICE.

Act X of 1866, s. 190.

Constitution of registration office.

220. The registration of Companies under this Act shall be conducted as follows (that is to say):—

(*a*) The Local Government may, after the sanction of the Governor General in Council to the creation of any such offices shall have been obtained, from time to time appoint such registrars, assistant registrars, clerks and servants as it may think necessary for the registration of Companies under this Act, and remove them at pleasure:

(*b*) The Local Government may make such regulations as it thinks fit with respect to the duties to be performed by any such registrars, assistant registrars, clerks and servants as aforesaid:

(*c*) The Local Government may from time to time determine the places at which offices for the registration of Companies are to be established, so that there be at all times maintained in each of the towns of Calcutta, Madras and Bombay at least one such office, and that no Company shall be registered except at an office within that part of British India in which by the memorandum of association the registered office of the Company is declared to be established:

(*d*) The Local Go ernment may from time to time direct a seal or seals to be prepared for the authentication of any documents required for or connected with the registration of Companies:

(*e*) Every person may inspect the documents kept by the Registrar of Joint Stock Companies. There shall be paid for such inspection such fees as may be appointed by the Local Government not exceeding one rupee for each inspection. Any person may require a certificate of the incorporation of any Company, or a copy or extract of any other document or any part of any other document, to be certified by the registrar. There shall be paid for such certificate of incorporation, certified copy or extract, such fees as the Local Government may direct, not exceeding three rupees for the certificate of incorporation, and not exceeding two annas for each hundred words of such copy or extract:

(*f*) The existing registrar, assistant registrars, clerks and other officers and servants in the office for the registration of joint stock companies shall, during the pleasure of the Local Government hold the offices and receive the salaries hitherto held and received by them, but they shall in the execution of their duties conform to any regulations that may be issued by the Local Government.

(*g*) There shall be paid to any registrar, assistant registrar, clerk or servant that may hereafter be employed in the registration of joint stock Companies, such salary as the Local Government may, with the sanction of the Governor General in Council, direct:

(*h*) Whenever any act is herein directed to be done to or by the Registrar of Joint Stock Companies, such act shall, until the Local Government otherwise directs, be done to or by the existing Registrar of Joint Stock Companies, or in his absence to or by such person as the local Government may for the time being authorize. But in the event of the Local Government altering the constitution of the existing registry office, such act shall be done to or by such officer or officers and at such place or places with reference to the local situation of the registered offices of the Companies to be registered as the Local Government may appoint.

PART VI.

APPLICATION OF ACT TO COMPANIES REGISTERED UNDER THE JOINT STOCK COMPANIES' ACTS.

Act X of 1866, s. 191.

Application of Act to Companies formed under Act XIX of 1857 or VII of 1860.

221. Subject as hereinafter mentioned, this Act with the exception of Table A in the first schedule shall apply to Companies formed and registered under Act No. XIX of 1857 and Act No. VII of 1860 or either of them, in the same manner in the case of a limited Company as if such Company had been formed and registered under this Act as a Company limited by shares; and in the case of a Company other than a limited Company, as if such Company had been formed and registered as an unlimited Company under this Act, with this qualification, that wherever reference is made expressly or impliedly to the date of registration, such date shall be deemed to refer to the date at which such Companies were respectively registered under the said Acts or either of them, and the power of altering regulations by special resolution given by this Act shall, in the case of any Company formed and registered under the said Acts or either of them, extend to altering any provisions contained in the table marked B annexed to Act No. XIX of 1857, and shall also, in the case of an unlimited Company formed and registered as last aforesaid, extend to altering any regulations relating to the amount of capital or its distribution into shares, notwithstanding such regulations are contained in the memorandum of association.

Ibid., s. 192.

Application of Act to Companies registered under Act XIX of 1857 or VII of 1860.

222. This Act shall apply to Companies registered but not formed under the said Acts or either of them, in the same manner as it is hereinafter declared to apply to Companies registered but not formed under this Act, with this qualification, that wherever reference is made expressly or impliedly to the date of registration, such date shall be deemed to refer to the date at which such Companies were respectively registered under the said Acts or either of them.

Ibid., s. 193.

Mode of transferring shares.

223. Any Company registered under the said Acts or either of them may cause its shares to be transferred in manner hitherto in use, or in such other manner as the Company may direct.

PART VII.

COMPANIES AUTHORIZED TO REGISTER UNDER THIS ACT.

Ibid., s. 194.

Companies capable of being registered.

224. With the exceptions made in the next following section and subject to the regulations therein contained, every Company existing at the time of the commencement of this Act, including any Company registered under either of the said Acts, consisting of seven or more members, and any Company hereafter formed in pursuance of any Act of Parliament, or Act of the Governor General in Council other than this Act, or of letters patent, or being otherwise duly constituted by law, and consisting of seven or more members, may at any time hereafter register itself under this Act as an unlimited Company, or a Company limited by shares, or a Company limited by guarantee, and no such registration shall be invalid by reason that it has taken place with a view to the Company being wound up.

Act X of 1866, s. 195.

Regulations as to registration of existing Companies.

225. The following regulations shall be observed with respect to the registration of Companies under this part of this Act (that is to say)—

(*a*) No Company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council other than this Act, or by letters patent, and not being a joint stock company as hereinafter defined, shall register under this Act in pursuance of this part thereof;

(*b*) No Company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council other than this Act, or by letters patent, shall register under this Act in pursuance of this part thereof as an unlimited Company, or as a Company limited by guarantee:

(*c*) No life-assurance Company existing at the time of the commencement of this Act, and no Company that is not a joint stock company as hereinafter defined, shall in pursuance of this part of this Act register under this Act as a Company limited by shares:

(*d*) No Company shall register under this Act in pursuance of this part thereof unless an assent to its so registering is given by a majority of such of its members as may be present personally, or by proxy in cases where proxies are allowed by the regulations of the Company, at some general meeting summoned for the purpose:

(*e*) Where a Company not having the liability of its members limited by Act of Parliament or Act of the Governor General in Council, or by letters patent, is about to register as a limited Company, the majority required to assent as aforesaid shall consist of not less than three-fourths of the members present, personally or by proxy, at such last-mentioned general meeting:

(*f*) Where a Company is about to register as a Company limited by guarantee, the assent to its being so registered shall be accompanied by a resolution declaring that each member undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceased to be a member, and of the costs, charges and expenses of winding-up the Company, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding a specified amount.

In computing any majority under this section, when a poll is demanded, regard shall be had to the number of votes to which each member is entitled according to the regulations of the Company of which he is a member.

Ibid., s. 196.

Definition of joint stock Company.

226. For the purposes of this part of this Act so far as the same relates to the description of Companies empowered to register as Companies limited by shares, a joint stock Company shall be deemed, to be a Company having a permanent paid-up or nominal capital of fixed amount, divided into shares, also of fixed amount, or held and transferable as stock, or divided and held partly in one way and partly in the other, and formed on the principle of having for its members the holders of shares in such capital, or the holders of such stock, and no other persons; and such Company when registered with limited liability under this Act shall be deemed to be a Company limited by shares.

Act X of 1866, s. 197.

Requisitions for registration by Companies.

227. Previously to the registration, in pursuance of this part of this Act, of any joint stock Company, there shall be delivered to the registrar the following documents (that is to say),—

(*a*) A list showing the names, addresses and occupations of all persons who, on a day named in such list and not being more than six clear days before the day of registration, were members of such Company, with the addition of the shares held by such persons respectively, distinguishing, in cases where such shares are numbered, each shared by its number:

(*b*) A copy of any Act of Parliament or Act of the Governor General in Council, royal charter, letters patent, deed of settlement, contract of copartnery or other instrument constituting or regulating the Company:

(*c*) If any such joint stock Company is intended to be registered as a limited Company, the above list and copy shall be accompanied by a statement specifying the following particulars (that is to say)—

The nominal capital of the Company and the number of shares into which it is divided:

The number of shares taken and the amount paid on each share:

The name of the Company, with the addition of the word "limited" as the last word thereof:

With the addition, in the case of a Company intended to be registered as a Company limited by guarantee, of the resolution declaring the amount of the guarantee.

Ibid., s. 198.

Requisitions for registration by existing Company not being a joint stock Company.

228. Previously to the registration in pursuance of this part of this Act of any Company not being a joint stock Company, there shall be delivered to the Registrar a list showing the names, addresses and occupations of the directors or other managers (if any) of the Company, also a copy of any Act of Parliament, Act of the Governor General in Council, letters patent, deed of settlement, contract of copartnery or other instrument constituting or regulating the Company, with the addition, in the case of a Company intended to be registered as a Company limited by guarantee, of the resolution declaring the amount of guarantee.

Ibid., s. 199.

Power for existing Company to register amount of stock instead of shares.

229. Where a joint stock Company authorized to register under this Act has had the whole or any portion of its capital converted into stock, such Company shall, as to the capital so converted, instead of delivering to the Registrar a statement of shares, deliver to the Registrar a statement of the amount of stock belonging to the Company, and the names of the persons who were holders of such stock, on some day to be named in the statement not more than six clear days before the day of registration.

Act X of 1866, s. 200.

Authentication of statements of existing Companies.

230. The lists of members and directors and any other particulars relating to the Company hereby required to be delivered to the Registrar, shall be verified by declaration of the directors of the Company delivering the same or any two of them, or of any two other principal officers of the Company made before a justice of the peace or a district judge.

Ibid., s. 201.

Registrar may require evidence as to nature of Company.

231. The Registrar may require such evidence as he thinks necessary for the purpose of satisfying himself whether an existing Company is or not a joint stock Company as hereinbefore defined.

Ibid., s. 202.

On registration of banking Company with limited liability notice to be given to customers.

232. Every banking Company existing at the date of the passing of this Act which registers itself as a limited Company shall, at least thirty days previous to obtaining a certificate of registration with limited liability, give notice that it is intended so to register the same to every person and partnership firm having a banking account with the Company.

Such notice shall be given either by delivering the same to such person or firm, or leaving the same, or putting the same into the post addressed to him or them, at such address as shall have been last communicated or otherwise become known as his or their address to or by the Company.

In case the Company omits to give any such notice as is hereinbefore required to be given, then, as between the Company and the person or persons only who are for the time being interested in the account in respect of which such notice ought to have been given, and so far as respects such account and all variations thereof down to the time at which such notice shall be given, but not further or otherwise, the certificate of registration with limited liability shall have no operation.

Ibid., s. 203.

Exemption of certain Companies from payment of fees.

233. No fees shall be charged in respect of the registration in pursuance of this part of this Act of any Company in cases where such Company is not registered as a limited Company, or where, previously to its being registered as a limited Company, the liability of the shareholders was limited by some Act of Parliament, or Act of the Governor General in Council, or by letters patent.

Ibid., s. 204.

Company to change name.

234. Any Company authorized by this part of this Act to register with limited liability shall, for the purpose of obtaining registration with limited liability, change its name by adding thereto the word "limited."

Ibid., s. 205.

Certificate of registration of existing Companies.

235. Upon compliance with the requisitions in this part of this Act contained with respect to registration, and on payment of such fees, if any, as are payable under the tables marked B and C in the first schedule hereto, the Registrar shall certify under his hand that the Company so applying for registration is incorporated as a Company under this Act, and, in the case of a limited Company, that it is limited, and thereupon such Company shall be incorporated, and shall have perpetual succession and a common seal.

Act X of 1866, s. 206.

Certificate to be evidence of compliance with Act.

236. A certificate of incorporation given at any time to any Company registered in pursuance of this part of this Act shall be conclusive evidence that all the requisitions herein contained in respect of registration under this Act have been complied with, and that the Company is authorized to be registered under this Act as a limited or unlimited Company, as the case may be, and the date of incorporation mentioned in such certificate shall be deemed to be the date at which the Company is incorporated under this Act.

Ibid., s. 207.

Transfer of property to Company.

237. All such property, moveable and immoveable, including all interests and rights in, to, and out of property, moveable and immoveable, and including obligations and things in action, as may belong to or be vested in the Company at the date of its registration under this Act, shall, on registration, pass to and vest in the Company as incorporated under this Act for all the estate and interest of the Company therein.

Ibid., s. 208.

Registration under this Act not to affect obligations incurred previously to registration.

238. The registration in pursuance of this part of this Act of any Company shall not affect or prejudice the liability of such Company to have enforced against it, or its right to enforce, any debt or obligation incurred, or any contract entered into, by, to, with or on behalf of such Company previously to such registration.

Ibid., s. 209.

Continuation of existing suits.

239. All such suits and other legal proceedings as may at the time of the registration of any Company registered in pursuance of this part of this Act have been commenced by or against such Company, or the public officer or any member thereof, may be continued in the same manner as if such registration had not taken place. Nevertheless, execution shall not issue against the effects of any individual member of such Company upon any decree or order obtained in any suit or proceeding so commenced as aforesaid; but in the event of the property and effects of the Company being insufficient to satisfy such decree or order, an order may be obtained for winding-up the Company.

Ibid., s. 210.

Effect of registration under Act.

240. When a Company is registered under this Act in pursuance of this part thereof, all provisions contained in any Act of Parliament, Act of the Governor General in Council, deed of settlement, contract of copartnery, letters patent or other instrument constituting or regulating the Company, including, in the case of a Company registered as a Company limited by guarantee, the resolution declaring the amount of the guarantee, shall be deemed to be conditions and regulations of the Company, in the same manner and with the same incidents as if they were contained in a registered memorandum of association and articles of association; and all the provisions of this Act shall apply to such Company and the members, contributories and creditors thereof, in the same manner in all respects as if it had been formed under this Act, subject to the provisions following (that is to say),—

(*a*) That Table A in the first schedule to this Act shall not, unless adopted by special resolution, apply to any Company registered under this Act in pursuance of this part thereof:

(*b*) That the provisions of this Act relating to the numbering of shares shall not apply to any joint stock Company whose shares are not numbered:

(*c*) That no Company shall have power to alter any provisions contained in any Act of Parliament, Act of the Legislative Council or Act of the Governor General in Council relating to the Company:

(*d*) That no Company shall have power, without the sanction of the Governor General in Council, to alter any provision contained in any letters patent relating to the Company:

(*e*) In the event of the Company being wound up, every person shall be a contributory, in respect of the debts and liabilities of the Company contracted prior to registration, who is liable to pay or contribute to the payment of any debt or liability of the Company contracted prior to registration, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members amongst themselves in respect of any such debt or liability; or to pay or contribute to the payment of the costs, charges and expenses of winding-up the Company, so far as relates to such debts or liablities as aforesaid. Every such contributory shall be liable to contribute to the assests of the Company, in the course of the winding-up, all sums due from him in respect of any such liability as aforesaid. In the event of the death or insolvency of any such contributory as last aforesaid, or marriage of any such contributory being a female, the provisions hereinbefore contained with respect to the representatives, heirs and devisees of deceased contributories, and with reference to the assignees of insolvent contributories, and to the husbands of married contributories, shall apply:

(*f*) Nothing herein contained shall authorize any Company to alter any such provisions contained in any deed of settlement, contract of copartnery, letters patent or other instrument constituting or regulating the Company, as would, if such Company had originally been formed under this Act, have been contained in the memorandum of association, and are not authorized to be altered by this Act:

But nothing herein contained shall derogate from any power of altering its constitution or regulations which may be vested in any Company registering under this Act in pursuance of this Part thereof by virtue of any Act of Parliament, Act of the Governor General in Council, deed of settlement contract of copartnery, letters patent or other instrument constituting or regulating the Company.

Act X of 1866, s. 211.

Powers of Court to restrain further proceedings.

241. The Court may, at any time after the presentation of a petition for winding-up a Company registered in pursuance of this part of this Act, and before making an order for winding-up the Company, upon the application of any creditor of the Company restrain further proceedings in any suit or legal proceeding against any contributory of the Company as well as against the Company as hereinbefore provided, upon such terms as the Court thinks fit.

Ibid., s. 212.

Order for winding-up Company.

242. Where an order has been made for winding-up a Company registered in pursuance of this part of the Act, in addition to the provisions hereinbefore contained, it is hereby further provided that no suit or other legal proceeding shall be commenced or proceeded with against any contributory of the Company in respect of any debt of the Company, except with the leave of the Court and subject to such terms as the Court may impose.

PART VIII.

APPLICATION OF ACT TO UNREGISTERED COMPANIES.

Act X of 1866, s. 213.

Winding-up unregistered Companies.

243. Subject as hereinafter mentioned, any partnership, association or Company, except railway Companies incorporated by Act of Parliament or Act of the Governor General in Council, consisting of more than seven members and not registered under this Act, and hereinafter included under the term unregistered Company, may be wound up under this Act, and all the provisions of this Act with respect to winding-up shall apply to such Company, with the following exceptions and additions:—

(1) An unregistered Company shall, for the purpose of determining the Court having jurisdiction in the matter of the winding-up, be deemed to be registered in that part of British India where its principal place of business is situate; or if it has a principal place of business situate in more than one part of British India, then in each part of British India where it has a principal place of business. Moreover, the principal place of business of an unregistered Company, or (where it has a principal place of business situate in more than one part of British India) such one of its principal places of business as is situated in that part of British India in which proceedings are being instituted, shall, for all the purposes of the winding-up of such Company, be deemed to be the registered office of the Company:

(2) No unregistered Company shall be wound up under this Act voluntarily, or subject to the supervision of the Court:

(3) The circumstances under which an unregistered Company may be wound up are as follows (that is to say),—

(*a*) Whenever the Company is dissolved or has ceased to carry on business, or is carrying on business only for the purpose of winding-up its affairs:

(*b*) Whenever the Company is unable to pay its debts:

(*c*) Whenever the Court is of opinion that it is just and equitable that the Company should be wound up:

(4) An Unregistered Company shall, for the the purposes of this Act, be deemed to be unable to pay its debts:—

(*a*) Whenever a creditor to whom the Company is indebted, by assignment or otherwise, in a sum exceeding five hundred rupees then due, has served on the Company, by leaving the same at the principal place of business of the Company or by delivering to the secretary or some director or principal officer of the Company, or by otherwise serving the same in such manner as the Court may approve or direct, a demand under his hand requiring the Company to pay the sum so due, and the Company has for the space of three weeks succeeding the service of such demand neglected to pay such sum, or to secure or compound for the same to the satisfaction of the creditor:

(*b*) Whenever any suit or other proceeding has been instituted against any member of the Company for any debt or demand due or claimed to be due from the Company, or from him in his character of member of the Company, and notice in writing of the institution of such suit or other legal proceeding having been served upon the Company by leaving the same at the principal place of business of the Company, or by delivering it to the secretary, or some director, manager or principal officer of the Company, or by otherwise serving the same in such manner as the Court may approve or direct, the Company has not within ten days after service of such notice paid, secured or compounded for such debt or demand, or procured such suit or other legal proceeding to be stayed, or indemnified the defendant to his reasonable satisfaction against such suit or other legal proceeding, and against all costs, damages and expenses to be incurred by him by reason of the same:

(*c*) Whenever execution or other process issued on a decree or order obtained in any Court in favour of any creditor in any proceeding instituted by such creditor against the Company, or any member thereof as such, or against any person authorized to be sued as nominal defendant on behalf of the Company, is returned unsatisfied:

(*d*) Whenever it is otherwise proved to the satisfaction of the Court that the Company is unable to pay its debts.

Act X of 1866, s. 214.

Who to be deemed a contributory in the event of Company being wound up.

244. In the event of an unregistered Company being wound up, every person shall be deemed to be a contributory who is liable to pay or contribute to the payment of any debt or liability of the Company, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members amongst themselves, or to pay or contribute to the payment of the costs, charges and expenses of winding-up the Company.

Every such contributory shall be liable to contribute to the assets of the Company in the course of the winding-up all sums due from him in respect of any such liability as aforesaid.

In the event of the death or insolvency of any contributory, the provisions hereinbefore contained with respect to the personal representatives, heirs and devisees of a deceased contributory, and to the assignees of an insolvent contributory, shall apply.

Ibid., s. 215.

Power of Court to restrain further proceedings.

245. The Court may, at any time after the making of an application for winding-up an unregistered Company, and before making an order for winding-up the Company, upon the application of any creditor of the Company, restrain further proceedings in any suit or proceeding against any contributory of the Company, or against the Company as hereinbefore provided, upon such terms as the Court thinks fit.

Ibid., s. 216.

Effect of order for winding-up Company.

246. Where an order has been made for winding-up an unregistered Company, in addition to the provisions hereinbefore contained in the case of Companies formed under this Act, it is hereby further provided that no suit shall be commenced or proceeded with against any contributory of the Company in respect of any debt of the Company, except with the leave of the Court and subject to such terms as the Court may impose.

Act X of 1866, s. 217.

Provision in case of unregistered Company.

247. If any unregistered Company has no power to sue and be sued in a common name, or if, for any reason, it appears expedient, the Court may, by the order made for winding-up such Company or by any subsequent order, direct that all such property, moveable and immoveable, including all interests, claims and rights into and out of property, moveable and immoveable, and including things in action, as may belong to or be vested in the Company, or to or in any person or persons on trust for or on behalf of the Company or any part of such property, is to vest in the official liquidator or official liquidators by his or their official name or names, and thereupon the same or such part thereof as may be specified in the order shall vest accordingly, and the official liquidator or official liquidators may, in his or their official name or names, or in such name or names and after giving such indemnity as the Court directs, bring or defend any suits or other legal proceedings relating to any property vested in him or them, or any suits or other legal proceedings necessary to be brought or defended for the purposes of effectually winding-up the Company and recovering the property thereof.

Ibid., s. 218.

Provisions of this part of Act cumulative.

248. The provisions made by this part of the Act with respect to unregistered Companies shall be deemed to be made in addition to and not in restriction of any provisions hereinbefore contained with respect to winding-up Companies by the Court.

The Court or official liquidator may, in addition to any thing contained in this part of the Act, exercise any powers or do any act in the case of unregistered Companies which might be exercised or done by it or him in winding-up Companies formed under this Act; but an unregistered Company shall not, except in the event of its being wound up, be deemed to be a Company under this Act, and then only to the extent provided by this part of this Act.

PART IX.

MISCELLANEOUS PROVISIONS.

Ibid., s. 221.

Saving of existing proceedings for winding-up.

249. Where previously to the commencement of this Act an order has been made for winding-up a Company under the Indian Companies Act, 1866, or a resolution has been passed for winding-up a Company voluntarily, such Company shall be wound-up in the same manner and with the same incidents as if this Act were not passed, and for the purposes of such winding-up, the Indian Companies Act, 1866, shall be deemed to remain in full force.

Ibid., s. 222.

Saving of conveyance deeds.

250. Where previously to the commencement of this Act any conveyance, mortgage or other deed has been made in pursuance of the Indian Companies Act, 1866, such deed shall be of the same force as if this Act had not passed, and for the purposes of such deed, the Indian Companies Act, 1866, shall be deemed to remain in full force.

Ibid., s. 225.

Cognizance of offences under this Act.

251. All offences under this Act may be tried by any magistrate of the first class unless the period of imprisonment to which the offender is liable exceeds that which such officer is competent to award under the law for the time being in force in the place in which he is employed. When the period of imprisonment provided by this Act exceeds the period that may be awarded by such officer, the offender shall be committed for trial before the Court of Session.

Act X of 1866, s. 226.

Punishment of offences under this Act, committed within local limits of High Court.

252. If any offence which by this Act is declared to be punishable by any penalty is committed by any person within the local limits of the ordinary original civil jurisdiction of the High Court, such offence shall be punishable upon summary conviction by any magistrate of police of the place at which such Court is held.

English Companies Act, 1867, s. 12.

Power to make orders as to costs.

253. Subject to the provisions hereinbefore contained, the Court may, in any proceedings under this Act, make such order as to costs as it thinks fit.

Act X of 1866, s. 189.

Power of High Court to make rules.

254. The High Court may from time to time make rules consistent with this Act and with the Code of Civil Procedure concerning the mode of proceeding to be had for winding-up a Company in such Court and in the Courts subordinate thereto, *and for giving effect to the provisions hereinbefore contained as to the reduction of the capital and the subdivision of the shares of a Company.*

English Companies Act, 1867, s. 20.

Act X of 1866, s. 230.

Construction of "Registrar of Joint Stock Companies" in Act No. XXI of 1860.

255. In sections one and eighteen of Act No. XXI of 1860 (*for the registration of Literary, Scientific and Charitable Societies*), the words "Registrar of Joint Stock Companies" shall be construed to mean Registrar of Joint Stock Companies under this Act or any Act for the time being in force.

Ibid., s. 231.

Act not to apply to Bank of Bengal, Madras or Bombay.

256. Save as provided in sections one hundred and fifty-two and one hundred and fifty-three, nothing in this Act shall be deemed to apply to the Bank of Bengal, the Bank of Madras and the Bank of Bombay.

FIRST SCHEDULE.

TABLE A.

REGULATIONS FOR MANAGEMENT OF A COMPANY LIMITED BY SHARES.

Shares.

(1) If several persons are registered as joint holders of any share, any one of such persons may give effectual receipts for any dividend payable in respect of such share.

(2) Every member shall, on payment of eight annas or such less sum as the Company in general meeting may prescribe, be entitled to a certificate under the common seal of the Company, specifying the share or shares held by him, and the amount paid up thereon.

(3) If such certificate is worn out or lost, it may be renewed, on payment of eight annas or such less sum as the Company in general meeting may prescribe.

Calls on Shares.

(4) The directors may from time to time make such calls upon the members in respect of all monies unpaid on their shares as they think fit, provided that twenty-one days' notice at least is given of each call; and each member shall be liable to pay the amount of calls so made to the persons and at the times and places appointed by the directors.

(5) A call shall be deemed to have been made at the time when the resolution of the directors authorizing such call was passed.

(6) If the call payable in respect of any share is not paid before or on the day appointed for payment thereof, the holder for the time being of such share shall be liable to pay interest for the same at the rate of five per cent. per annum from the day appointed for the payment thereof to the time of the actual payment.

(7) The directors may, if they think fit, receive from any member willing to advance the same all or any part of the monies due upon the shares held by him beyond the sums actually called for; and upon the monies so paid in advance, or so much thereof as from time to time exceeds the amount of the calls then made upon the shares in respect of which such advance has been made, the Company may pay interest at such rate as the member paying such sum in advance and the directors agree upon.

Transfers of Shares.

(8) The instrument of transfer of any share in the Company shall be executed both by the transferor and transferee, and the transferor shall be deemed to remain a holder of such share until the name of the transferee is entered in the register book in respect thereof.

(9) Shares in the Company shall be transferred in the folowing form:—

I, *A B*, of in consideration of the sum of rupees paid to me by *C D* of do hereby transfer to the said *C D* the share (or shares) numbered standing in my name in the books of the Company, to hold unto the said *C D*, his executors, administrators and assigns, subject to the several conditions on which I held the same at the time of the execution hereof; and I, the said *C D*, do hereby agree to take the said share (or shares) subject to the same conditions. As witness our hands, the day of

(10) The Company may decline to register any transfer of shares made by a member who is indebted to them.

(11) The transfer books shall be closed during the fourteen days immediately preceding the ordinary general meeting in each year.

Transmission of Shares.

(12) The executors or administrators of a deceased member shall be the only persons recognized by the Company as having any title to his share.

(13) Any person becoming entitled to a share in consequence of the death, bankruptcy or insolvency of any member, or in consequence of the marriage of any female member, may be registered as a member upon such evidence being produced as may from time to time be required by the Company.

(14) Any person who has become entitled to a share in consequence of the death, bankruptcy or insolvency of any member, or in consequence of the marriage of any female member, may, instead of being registered himself, elect to have some

person to be named by him registered as a transferee of such share.

(15) The person so becoming entitled shall testify such election by executing to his nominee an instrument of transfer of such share.

(16) The instrument of transfer shall be presented to the Company, together with such evidence as the directors may require to prove the title of the transferee, and thereupon the Company shall regsiter the transferee as a member.

Forfeiture of Shares.

(17) If any member fails to pay any call on the day appointed for payment thereof, the directors may, at any time thereafter, during such time as the call remains unpaid, serve a notice on him requiring him to pay such call, together with interest and any expenses that may have accrued by reason of such non-payment.

(18) The notice shall name a further day on or before which such call and all interest and expenses that have accrued by reason of such non-payment are to be paid. It shall also name the place where payment is to be made, the place so named being either the registered office of the Company or some other place at which calls of the Company are usually made payable. The notice shall also state that in the event of non-payment at or before the time and at the place appointed, the shares in respect of which such call was made will be liable to be forfeited.

(19) If the requisitions of any such notice as aforesaid are not complied with, any share in respect of which such notice has been given may at any time thereafter before payment of all calls, interest and expenses due in respect thereof has been made, be forfeited by a resolution of the directors to that effect.

(20) Any share so forfeited shall be deemed to be the property of the Company, and may be disposed of in such manner as the Company in general meeting thinks fit.

(21) Any member whose shares have been forfeited shall notwithstanding be liable to pay to the Company all calls owing upon such shares at the time of the forfeiture.

(22) A solemn declaration in writing, made before a magistrate, that the call in respect of a share was made and notice thereof given, and that default in payment of the call was made, and that the forfeiture of the share was made by a resolution of the directors to that effect, shall be sufficient evidence of the facts therein stated, as against all persons entitled to such share, and such declaration and the receipt of the Company for the price of such share shall constitute a good title to such share, and a certificate of proprietorship shall be delivered to a purchaser, and thereupon he shall be deemed the holder of such share discharged from all calls due prior to such purchase, and he shall not be bound to see to the application of the purchase-money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

Conversion of Shares into Stock.

(23) The directors may, with the sanction of the Company previously given in general meeting convert any paid-up shares into stock.

(24) When any shares have been converted into stock, the several holders of such stock may thenceforth transfer their respective interests therein or any part of such interests, in the same manner and subject to the same regulations as and subject to which any shares in the capital of the Company may be transferred, or as near thereto as circumstances admit.

(25) The several holders of stock shall be entitled to participate in the dividends and profits of the Company according to the amount of their respective interests in such stock, and such interests shall, in proportion to the amount thereof, confer on the holders there of respectively, the same privileges and advantages for the purpose of voting at meetings of the Company and for other purposes, as would have been conferred by shares of equal amount in the capital of the Company; but so that none of such privileges or advantages, except the participation in the dividends and profits of the Company, shall be conferred by any such aliquot part of consolidated stock as would not, if existing in shares, have conferred such privileges or advantages.

Increase in Capital.

(26) The directors may, with the sanction of a special resolution of the Company previously given in the general meeting, increase its capital by the issue of new shares, such aggregate increase to be of such amount, and to be divided into shares of such respective amounts, as the Company in general meeting directs, or, if no direction is given, as the directors think expedient.

(27) Subject to any direction to the contrary that may be given by the meeting that sanctions the increase of capital, all new shares shall be offered to the members in proportion to the existing shares held by them, and such offer shall be made by notice specifying the number of shares to which the member is entitled and limiting a time within which the offer, if not accepted, will be deemed to be declined; and after the expiration of such time, or on the receipt of an intimation from the member to whom such notice is given that he declines to accept the shares offered, the directors may dispose of the same in such manner as they think most beneficial to the Company.

(28) Any capital raised by the creation of new shares shall be considered as part of the original capital, and shall be subject to the same provisions with reference to the payment of calls, and the forfeiture of shares on non-payment of calls, or otherwise, as if it had been part of the original capital.

General Meetings.

(29) The first general meeting shall be held at such time, not being more than six months after the registration of the Company, and at such place, as the directors may determine.

(30) Subsequent general meetings shall be held at such time and place as may be prescribed by the Company in general meeting; and if no other time or place is prescribed, a general meeting shall be held on the first Monday in February in every year, at such place as may be determined by the directors.

(31) The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

(32) The directors may, whenever they think fit, and they shall upon a requisition made in writing by not less than one-fifth in number of the members of the Company, convene an extraordinary general meeting.

(33) Any requisition made by the members shall express the object of the meeting proposed to be called, and shall be left at the registered office of the Company.

(34) Upon the receipt of such requisition the directors shall forthwith proceed to convene an extraordinary general meeting. If they do not proceed to convene the same within twenty-one days from the date of the requisition, the requisitionists or any other members amounting to the required number, may themselves convene an extraordinary general meeting.

Proceedings at General Meeting.

(35) Seven days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business the general nature of such business, shall be given to the members in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the Company in general meeting; but the non-receipt of such notice by any member shall not invalidate the proceedings at any general meeting.

(36) All business shall be deemed special that it transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of sanctioning a dividend, and the consideration of the accounts, balance-sheets and the ordinary report of the directors.

(37) No business shall be transacted at any general meeting, except the declaration of a dividend, unless a quorum of members is present at the time when the meeting proceeds to business. Such quorum shall be ascertained as follows, that is to say, if the persons who have taken shares in the Company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members up to fifty, and one for every ten additional members after fifty, with this limitation, that no quorum shall in any case exceed twenty.

(38) If within one hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same time and place; and if at such adjourned meeting a quorum is not present, it shall be adjourned *sine die*.

(39) The chairman (if any) of the board of directors shall preside as chairman at every general meeting of the Company.

(40) If there is no such chairman, or if at any meeting he is not present within fifteen minutes after the time appointed for holding the meeting, the members present shall choose some one of their number to be chairman.

(41) The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place; but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(42) At any general meeting, unless a poll is demanded by at least five members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the Company, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against such resolution.

(43) If a poll is demanded by five or more members, it shall be taken in such manner as the chairman directs, and the result of such poll shall be deemed to be the resolution of the Company in general meeting. In the case of an equality of votes at any general meeting the Chairman shall be entitled to a second or casting vote.

Votes of Members.

(44) Every member shall have one vote for every share up to ten. He shall have an additional vote for every five shares beyond the first ten shares up to one hundred, and an additional vote for every ten shares beyond the first hundred shares.

(45) If any member is a lunatic or idiot, he may vote by his committee or other legal curator and if any member is a minor, he may vote by his guardian or any one of his guardians if more than one.

(46) If one or more persons are jointly entitled to a share or shares, the member whose name stands first in the register of members as one of the holders of such share or shares, and no other, shall be entitled to vote in respect of the same.

(47) No member shall be entitled to vote at any general meeting unless all calls due from him have been paid, and no member shall be entitled to vote in respect of any share that he has acquired by transfer, at any meeting held after the expiration of three months from the registration of the Company, unless he has been possessed of the share in respect of which he claims to vote for at least three months previously to the time of holding the meeting at which he proposes to vote.

(48) Votes may be given either personally or by proxy.

(49) The instrument appointing a proxy shall be in writing, under the hand of the appointor, or if such appointor is a corporation, under their common seal, and shall be attested by one or more witness or witnesses. No person shall be appointed a proxy who is not a member of the Company.

(50) The instrument appointing a proxy shall be deposited at the registered office of the Company not less than seventy-two hours before the time for holding the meeting at which the person named in such instrument proposes to vote; but no instrument appointing a proxy shall be valid after the expiration of twelve months from the date of its execution.

(51) Any instrument appointing a proxy shall be in the following form:—

Company Limited.

I of

being a member of the Company Limited, and entitled to vote or votes, hereby appoint of as my proxy, to vote for me and on my behalf at the (ordinary *or* extraordinary, *as the case may be*) general meeting of the Company to be held on the day of , and at any adjournment thereof (*or*, at any meeting of the Company that may be held in the year). As witness my hand, this day of

Signed by the said in the presence of

Directors.

(52) The number of the directors, and the names of the first directors, shall be determined by the subscribers of the memorandum of association.

(53) Until directors are appointed, the subscribers of the memorandum of association shall be deemed to be directors.

(54) The future remuneration of the directors and their remuneration for services performed previously to the first general meeting, shall be determined by the Company in general meeting.

Powers of Directors.

(55) The business of the Company shall be managed by the directors, who may pay all expenses incurred in getting up and registering the Company, and may exercise all such powers of the Company as are not by the foregoing Act, or by these articles, required to be exercised by the Company in general meeting subject nevertheless to any regulations of these articles, to the provisions of the foregoing Act, and to such regulations, being not inconsistent with the aforesaid regulations, or provisions as may be prescribed by the Company in general meeting; but no regulation made by the Company in general meeting shall invalidate any prior act of the directors which would have been valid if such regulation had not been made.

(56) The continuing directors may act notwithstanding any vacancy in their body.

Disqualification of Directors.

(57) The office of director shall be vacated—

If he holds any other office or place of profit under the Company;

If he becomes bankrupt or insolvent;

If he is concerned in or participates in the profits of any contract with the Company;

But the above rules shall be subject to the following exceptions: That no director shall vacate his office by reason of his being a member of any Company which has entered into contracts with or done any work for the Company of which he is director; nevertheless he shall not vote in respect of such contract or work; and if he does so vote his vote shall not be counted.

Rotation of Directors.

(58) At the first ordinary meeting after the registration of the Company, the whole of the directors shall retire from office; and at the first ordinary meeting in every subsequent year, one-third of the directors for the time being, or, if their number is not a multiple of three, then the number nearest to one-third, shall retire from office.

(59) The one-third or other nearest number to retire during the first and second years ensuing the first ordinary meeting of the Company shall, unless the directors agree among themselves, be determined by ballot. In every subsequent year, the one-third or other nearest number who have been longest in office shall retire.

(60) A retiring director shall be re-eligible.

(61) The Company at the general meeting at which any directors retire in manner aforesaid shall fill up the vacated offices by electing a like number of persons.

(62) If at any meeting at which an election of directors ought to take place the places of the vacating directors are not filled up, the meeting shall stand adjourned till the same day in the next week, at same time and place; and if at such adjourned meeting the places of the vacating directors are not filled up, the vacating directors or such of them as have not had their places filled up, shall continue in office until the ordinary meeting in the next year, and so on from time to time until their places are filled up.

(63) The Company may from time to time, in general meeting, increase or reduce the number of directors, and may also determine in what rotation such increased or reduced number is to go out of office.

(64) Any casual vacancy occurring in the board of directors may be filled up by the directors, but any person so chosen shall retain his office so long only as the vacating director would have retained the same if no vacancy had occurred.

(65) The Company in general meeting may, by a special resolution, remove any director before the expiration of his period of office, and may by an ordinary resolution appoint another person in his stead. The person so appointed shall hold office during such time only as the director in whose place he is appointed would have held the same if he had not been removed.

Proceedings of Directors.

(66) The directors may meet together for the despatch of business, adjourn and otherwise regulate their meetings as they think fit, and determine the quorum necessary for the transaction of business. Questions arising at any meeting shall be decided by a majority of votes. In case of an equality of votes, the chairman shall have a second or casting vote. A director may at any time summon a meeting of the directors.

(67) The directors may elect a chariman of their meetings, and determine the period for which he is to hold office; but if no such chairman is elected, or if at any meeting the chairman is not present at the time appointed for holding the same, the directors present shall choose some one of their number to be chairman of such meeting.

(68) The directors may delegate any of their powers to committees consisting of such member or members of their body as they think fit. Any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the directors.

(69) A committee may elect a chairman of its meetings. If no such chairman is elected, or if he is not present at the time appointed for holding the same, the members present shall choose one of their number to be chairman of such meeting.

(70) A committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present; and in case of an equality of votes the chairman shall have a second or casting vote.

(71) All acts done by any meeting of the directors, or of a committee of directors, or by any person acting as a director, shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such directors or persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a director.

Dividends.

(72) The directors may, with the sanction of the Company in general meeting, declare a dividend to be paid to the members in proportion to their shares.

(73) No dividend shall be payable except out of the profits arising from the business of the Company.

(74) The directors may, before recommending any dividend, set aside out of the profits of the Company such sum as they think proper as a reserved fund to meet contingencies, or for equalizing dividends, or for repairing or maintaining the works connected with the business of the Company or any part thereof; and the directors may invest the sum so set part as a reserved fund upon such securities as they may select.

(75) The directors may deduct from the dividends payable to any member all such sums of money as may be due from him to the Company on account of calls or otherwise.

(76) Notice of any dividend that may have been declared shall be given to each member in manner hereinafter mentioned; and all dividends unclaimed for three years after having been declared may be forfeited by the directors for the benefit of the Company.

(77) No dividend shall bear interest as against the Company.

Accounts.

(78) The directors shall cause true accounts to be kept,

of the stock in trade of the Company;

of the sums of money received and expended by the Company, and the matters in respect of which such receipt and expenditure take place; and

of the credits and liabilities of the Company.

The books of account shall be kept at the registered office of the Company, and subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed by the Company in general meeting, shall be open to the inspection of the members during the hours of business.

(79) Once at the least in every year the directors shall lay before the Company in general meeting a statement of the income and expenditure for the past year, made up to a date not more than three months before such meeting.

(80) The statement so made shall show, arranged under the most convenient heads, the amount of gross income, distinguishing the several sources from which it has been derived, and the amount of gross expenditure, distinguishing the expense of the establishment, salaries and other like matters. Every item of expenditure fairly chargeable against the year's income shall be brought into account, so that a just balance of profit and loss may be laid before the meeting; and in cases where any item of expenditure which may in fairness be distributed over several years has been incurred in any one year, the whole amount of such item shall be stated, with the addition of the reasons why only a portion of such expenditure is charged against the income of the year.

(81) A balance-sheet shall be made out in every year and laid before the Company in general meeting, and such balance-sheet shall contain a summary of the property and liabilities of the Company arranged under the heads appearing in the form annexed to this table, or as near thereto as circumstances admit.

(82) A printed copy of such balance-sheet shall, seven days previously to such meeting, be served on every member in the manner in which notices are hereinafter directed to be served.

Audit.

(83) Once at the least in every year the accounts of the Company shall be examined, and the correctness of the balance-sheet ascertained by one or more auditor or auditors.

(84) The first auditors shall be appointed by the directors; subsequent auditors shall be appointed by the Company in general meeting.

(85) If one auditor only is appointed, all the provisions herein contained relating to auditors shall apply to him.

(86) The auditors may be members of the Company; but no person is eligible as an auditor who is interested otherwise than as a member in any transaction of the Company; and no director or other officer of the Company is eligible during his continuance in office.

(87) The election of auditors shall be made by the Company at their ordinary meeting in each year.

(88) The remuneration of the first auditors shall be fixed by the directors; that of subsequent auditors shall be fixed by the Company in general meeting.

(89) Any auditor shall be re-eligible on his quitting office.

(90) If any casual vacancy occurs in the office of any auditor appointed by the Company, the directors shall forthwith call an extraordinary general meeting for the purpose of supplying the same.

(91) If no election of auditors is made in manner aforesaid, the local Government may, on the application of not less than five members of the Company, appoint an auditor for the current year, and fix the remuneration to be paid to him by the Company for his services.

(92) Every auditor shall be supplied with a copy of the balance-sheet, and it shall be his duty the examine the same with the accounts and vouchers relating thereto.

(93) Every auditor shall have a list delivered to him of all books kept by the Company, and shall at all reasonable times have access to the books and accounts of the Company. He may, at the expense of the Company, employ accountants or other persons to assist him in investigating such accounts, and he may, in relation to such accounts, examine the directors of any other officer of the Company.

(94) The auditors shall make a report to the members upon the balance-sheet and accounts, and in every such report they shall state whether, in their opinion, the balance-sheet is a full and fair balance-sheet, containing the particulars required by these regulations, and properly drawn up so as to exhibit a true and correct view of the state of the Company's affairs; and in case they have called for explanations or information from the directors, whether such explanations or information have or has been given by the directors, and whether they or it have or has been satisfactory. Such report shall be read, together with the report of the directors, at the ordinary meeting.

Notices.

(95) A notice may be served by the Company upon any member either personally or by sending it through the post in a letter addressed to such member at his registered place of abode.

(96) All notices directed to be given to the members shall, with respect to any share to which persons are jointly entitled, be given to whichever of such persons is named first in the register of members; and notice so given shall be sufficient notice to all the holders of such share.

(97) Any notice, if served by post, shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office.

Dr. *Balance-sheet (a) of the Company made up to* 18 Cr.

		Rs.	As.			Rs.	As.
CAPITAL AND LIABILITIES.				**PROPERTY AND ASSETS.**			
I. CAPITAL.				III. PROPERTY HELD BY THE COMPANY.			
	Showing:				Showing:		
	1 The number of shares				7 Immoveable property. Distinguishing—		
	2 The amount paid per share				(a) Freehold land		
	3 If any arrears of calls, the nature of the arrear, and the names of the defaulters				(b) ,, buildings		
	4 The particulars of any forfeited shares ...				(c) Leasehold ,, ...		
	Showing:				8 Moveable property. Distinguishing—		
II. DEBTS AND LIABILITIES OF THE COMPANY.	5 The amount of loans on mortgages or debenture bonds ...				(d) Stock in trade		
	6 The amount of debts owing by the Company. Distinguishing—				(e) Plant		
	(a) Debts for which acceptances have been given ...				The cost to be stated with deductions for deterioration in value as charged to the reserve fund or profit and loss ...		
	(b) Debts to tradesmen for supplies of stock in trade or other articles				Showing:		
	(c) Debts for law expenses				9 Debts considered good for which the Company hold bills or others securities ...		
	(d) Debts for interest on debentures or other loans				10 Debts considered good for which the Company hold no security ...		
	(e) Unclaimed dividends				11 Debts considered doubtful and bad ...		
	(f) Debts not enumerated above				Any debt due from a director or other officer of the Company to be separately stated.		
	Showing:			IV. DEBTS OWING TO THE COMPANY.			
VI. RESERVE FUND.	The amount set aside from profits to meet contingencies ...				Showing:		
	Showing:			V. CASH AND INVESTMENTS.	12 The nature of investment and rate of interest		
VII. PROFITS AND LOSS.	The disposable balance for payment of dividends, &c. ...				13 The amount of cash, where lodged, and if bearing interest		
CONTINGENT LIABILITIES.	Claims against the Company not acknowledged as debts						
	Monies for which the Company is contingently liable						

(a) See clauses 81 and 82 of the foregoing Table A.

TABLE B.

TABLE OF FEES to be paid to the Registrar of Joint Stock Companies by a Company having a capital divided into shares.

	Rs.	A.	P.
For registration of a Company whose nominal capital does not exceed Rs. 20,000, a fee of ...	40	0	0
For registration of a Company whose nominal capital exceeds Rs. 20,000 the above fee of forty rupees, with the following additional fees regulated according to the amount of nominal capital, (that is to say)—			
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 20,000 rupees up to 50,000 rupees	20	0	0
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 50,000 rupees up to 10,00,000 rupees	5	0	0
For every 10,000 rupees of nominal capital, or part of 10,000 rupees after the first 10,00,000 rupees ...	1	0	0
For registration of any increase of capital made after the first registration of the Company, the same fees per 10,000 rupees or part of 10,000 rupees as would have been payable if such increased capital had formed part of the original capital at the time of registration.			
Provided that no Company shall be liable to pay in respect of nominal capital on registration, or afterwards, any greater amount of fees than 1,000 rupees, taking into account in the case of fees payable on an increase of capital after registration the fees paid on registration.			
For registration of any existing Company, except such Companies as are by this Act exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new Company.			
For registering any document hereby required or authorized to be registered, other than the memorandum of association ...	5	0	0
For making a record of any fact hereby authorized or required to be recorded by the Registrar of Companies, a fee of	5	0	0

TABLE C.

TABLE OF FEES to be paid to the Registrar of Joint Stock Companies by a Company not having a capital divided into shares :—

	Rs.	A.	P.
For registration of a Company whose number of members, as stated in the articles of association, does not exceed 20	40	0	0
For registration of a Company whose number of members, as stated in the articles of association, exceeds 20, but does not exceed 100	100	0	0
For registration of a Company whose number of members, as stated in the articles of association, exceeds 100, but is not stated to be unlimited, the above fee of Rs. 100 with an additional Rs. 5 for every 50 members or less number than 50 members after the first 100.			
For registration of a Company in which the number of members is stated in the articles of association to be unlimited, a fee of ...	400	0	0
For registration of any increase on the number of members made after the registration of the Company, in respect of every 50 members, or less than 50 members of such increase	5	0	0
Provided that no one Company shall be liable to pay on the whole a greater fee than Rs. 400 in respect of its number of members, taking into account the fee paid on the first registration of the Company.			
For registration of any existing Company, except such Companies as are by this Act exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new Company.			
For registering any document hereby required or authorized to be registered, other than the memorandum of association ...	5	0	0
For making a record of any fact hereby authorized or required to be recorded by the Registrar of Companies, a fee of ...	5	0	0

FORM D.

FORM OF STATEMENT REFERRED TO IN PART III OF THE ACT.

*The Capital of the Company is Rs. , divided into shares of each.

The number of shares issued is . Calls to the amount of Rs. per share have been made, under which the sum of Rs. has been received.

The liabilities of the Company on the first day of January (or July) were :—

Debts owing to sundry person by the Company :

Under decree, Rs.

On specialty, Rs.

On notes or bills, Rs.

On simple contracts, Rs.

On estimated liabilities, Rs.

The Assets of the Company on that day were :—

Government securities [stating them], Rs.

Bills of exchange and promissory notes, Rs.

Cash at the bankers, Rs.

Other securities, Rs.

* If the Company has no capital divided into shares, the portion of the statement relating to capital and shares must be omitted.

SECOND SCHEDULE.

(SEE SECTION 95.)

FORM A.

Memorandum of association of a Company limited by shares.

1st.—The name of the Company is "The Company, Limited."

2nd.—The registered office of the Company will be situate in

3rd.—The objects for which the Company is established are, " and the doing all such other things as are incidental or conducive to the attainment of the above object."

4th.—The liability of the members is limited.

5th.—The capital of the Company is Rs. divided into shares of Rs. each.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the Company set opposite our respective names :—

Names, addresses and description of subscribers.	Number of shares taken by each subscriber.
1. *A. B.* of ...	
2. *C. D.* ,, ...	
3. *E. F.* ,, ...	
4. *G. H.* ,, ...	
5. *I. J.* ,, ...	
6. *K. L.* ,, ...	
7. *M. N.* ,, ...	
Total shares taken ...	

Dated the day of

Witness to the above signatures.

O. P. of

FORM B.

Memorandum and articles of association of a Company limited by guarantee, and not having a capital divided into shares.

Memorandum of Association.

1*st*.—The name of the Company is "The Mutual Calcutta Marine Association, Limited."

2*nd*.—The registered office of the Company will be situate in Calcutta.

3*rd*.—The objects for which the Company is established are "the Mutual Insurance of ships belonging to members of the Company, and the doing all such other things as are incidental or conducive to the attainment of the above objects."

4*th*.—Every member of the Company undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and the costs, charges and expenses of winding-up the same, and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required not exceeding Rs. 100.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* „
3. *E. F.* „
4. *G. H.* „
5. *I. J.* „
6. *K. L.* „
7. *M. N.* „

Dated the *day of*

Witness to the above signatures.

O. P. of

Articles of Association to accompany preceding Memorandum of Association.

(1) The Company, for the purpose of registration, is declared to consist of five hundred members.

(2) The directors hereinafter mentioned may, whenever the business of the association requires it, register an increase of members.

Definition of Members.

(3) Every person shall be deemed to have agreed to become a member of the Company who insures any ship or share in a ship in pursuance of the regulations hereinafter contained.

General Meetings.

(4) The first general meeting shall be held at such time not being more than three months after the incorporation of the Company, and at such place as the directors may determine.

(5) Subsequent general meetings shall be held at such time and place as may be prescribed by the Company in general meeting; and if no other time or place is prescribed, a general meeting shall be held on the first Monday in February in every year at such place as may be determined by the directors.

(6) The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

(7) The directors may whenever they think fit, and they shall upon a requisition made in writing by any five or more members, convene an extraordinary general meeting.

(8) Any requisition made by the members shall express the object of the meeting proposed to be called, and shall be left at the registered office of the Company.

(9) Upon the receipt of such requisition, the directors shall forthwith proceed to convene a general meeting. If they do not proceed to convene the same within twenty-one days from the date of the requisition, the requisitionists or any other five members may themselves convene a meeting.

Proceedings at General Meetings.

(10) Seven days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business, the general nature of such business, shall be given to the members in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the Company in general meeting; but the non-receipt of such notice by any member shall not invalidate the proceedings at any general meeting.

(11) All business shall be deemed special that is transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of the consideration of the accounts, balance-sheets and the ordinary report of the directors.

(12) No business shall be transacted at any meeting except the declaration of a dividend unless a quorum of members is present at the commencement of such business. Such quorum shall be ascertained as follows: that is to say, if the members of the Company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members up to fifty, and one for every ten additional members after fifty, with this limitation, that no quorum shall in any case exceed thirty.

(13) If within one hour from the time appointed for the meeting, a quorum of members is not present, the meeting if convened upon the requisition of the members shall be dissolved. In any other case it shall stand adjourned to the same day in the following week, at the same time and place: and if at such adjourned meeting a quorum of members is not present, it shall be adjourned *sine die*.

(14) The chairman (if any) of the directors shall preside as chairman, at every general meeting of the Company.

(15) If there is no such chairman, or if at any meeting he is not present at the time of holding the same, the members present shall choose some one of their number to be chairman of such meeting.

(16) The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place; but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(17) At any general meeting, unless a poll is demanded by at least five members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the Company, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favour or against such resolution.

(18) If a poll is demanded in manner aforesaid, the same shall be taken in such manner as the chairman directs; and the result of such poll shall be deemed to be the resolution of the Company in general meeting.

Votes of Members.

(19) Every member shall have one vote and no more.

(20) If any member is a lunatic or idiot, he may vote by his committee or other legal curator; if any member is a minor, he may vote by his guardian or any one of his guardians if more than one.

(21) No member shall be entitled to vote at any meeting unless all monies due from him to the Company have been paid.

(22) Votes may be given either personally or by proxies. A proxy shall be appointed in writing under the hand of the appointor, or if such appointor is a corporation, under its common seal.

(23) No person shall be appointed a proxy who is not a member, and the instrument appointing him shall be deposited at the registered office of the Company not less then forty-eight hours before the time of holding the meeting at which he proposes to vote.

(24) Any instrument appointing a proxy shall be in the following *form*:—

COMPANY, LIMITED.

I of being a member of the Company, Limited, hereby appoint of as my proxy, to vote for me and on my behalf at the [ordinary *or* extraordinary, *as the case may be*] general meeting of the Company to be held on the day of , and at any adjournment thereof to be held on the day of next [*or* at any meeting of the Company that may be held in the year].

As witness my hand, this day of

Signed by the said

in the presence of

Directors.

(25) The number of the directors and the names of the first directors shall be determined by the subscribers of the memorandum of association.

(26) Until directors are appointed, the subscribers of the memorandum of association shall be deemed to be directors.

Powers of Directors.

(27) The business of the Company shall be managed by the directors, who may exercise all such powers of the Company as are not hereby required to be exercised by the Company in general meeting; but no regulation made by the Company in general meeting shall invalidate any prior act of the directors which would have been valid if such regulation had not been made.

Election of Directors.

(28) The directors shall be elected annually by the Company in general meeting.

Business of Company.

(Here insert rules as to mode in which business of insurance is to be conducted).

Accounts.

(29) The accounts of the Company shall be edited by a committee of five members, to be called the audit committee.

(30) The first audit committee shall be nominated by the directors out of the body of members.

(31) Subsequent audit committees shall be nominated by the members at the ordinary general meeting in each year.

(32) The audit committee shall be supplied with a copy of the balance-sheet, and it shall be their duty to examine the same with the accounts and vouchers relating thereto.

(33) The audit committee shall have a list delivered to them of all books kept by the Company, and they shall at all reasonable times have access to the books and accounts of the Company.

They may, at the expense of the Company, employ accountants or other persons to assist them in investigating such accounts, and they may in relation to such accounts examine the directors or any other officer of the Company.

(34) The audit committee shall make a report to the members upon the balance-sheet and accounts, and in every such report they shall state whether, in their opinion, the balance-sheet is a full and fair balance-sheet containing the particulars required by these regulations of the Company, and properly drawn up, so as to exhibit a true and correct view of the state of the Company's affairs, and in case they have called for explanations or information from the directors, whether such explanation or information have been given by the directors, and whether they have been satisfactory; and such report shall be read together with the report of the directors at the ordinary meeting.

Notices.

(35) A notice may be served by the Company upon any member, either personally or by sending it through the post in a letter addressed to such member at his registered place of abode.

(36) Any notice, if served by post, shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service, it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office.

Winding-up.

(37) The Company shall be wound up voluntarily whenever an extraordinary resolution, as defined by The Indian Companies Act, 1866, is passed, requiring the Company to be wound up voluntarily.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of ... Merchant.
2. *C. D.* of ... „
3. *E. F.* of ... „
4. *G. H.* of ... „
5. *I. J.* of ... „
6. *K. L.* of ... „
7. *M. N.* of ... „

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

FORM C.

Memorandum and articles of association of a Company limited by guarantee, and having a capital divided into shares.

Memorandum of Association.

1st.—The name of the Company is "The Hotel Company, Limited."

2nd—The registered office of the Company will be situate in

3rd—The objects for which the Company is established are "the facilitating travelling in by providing hotels and conveyances by sea and by land for the accommodation of travellers, and the doing all such other as are incidental or conducive to the attainment of the above object."

4th.—Every member of the Company undertakes to contribute to the assets of the Company, in the event of the same being wound up during the time that he is a member or within one year afterwards, for payment of the debts and liabilities of the Company contracted before the time at which he ceases to be a member, and the costs, charges and expenses of winding up the same, and for the adjustment of the rights of the contributories amongst themselves such amount as may be required not exceeding Rs. 200.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* of
3. *E. F.* of
4. *G. H.* of
5. *I. J.* of
6. *K. L.* of
7. *M. N.* of

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

Articles of Association to accompany preceding Memorandum of Association.

1. The capital of the Company shall consist of five lákhs of rupees divided into five thousand shares of one hundred rupees each.

2. The directors may, with the sanction of the Company in general meeting, reduce the amount of shares.

3. The directors may, with the sanction of the Company in general meeting, cancel any shares belonging to the Company.

4. All the articles of Table A shall be deemed to be incorporated with these articles, and to apply to the Company.

We, the several persons whose names and addresses are subscribed, agree to take the number of shares in the capital of the Company set opposite our respective names.

Names, address and descriptions of subscribers.	Number of shares taken by each subscriber.
1. *A. B.* of	
2. *C. D.* of	
3. *E. F.* of	
4. *G. H.* of	
5. *I. J.* of	
6. *K. L.* of	
7. *M. N.* of	
Total shares taken	

Dated the *day of* 18 .

Witness to the above signatures.

O. P. of

Memorandum and articles of association of an unlimited Company having a capital divided into shares.

Memorandum of Association.

1st.—The name of the Company is "The Patent Company."

2nd.—The registered office of the Company will be situate in

3rd.—The objects for which the Company is established are "the working of a patent method of , of which method *O. P.* of is the sole patentee."

We, the several persons whose names are subscribed, are desirous of being formed into a Company in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

1. *A. B.* of
2. *C. D.* of
3. *E. F.* of
4. *G. H.* of
5. *I. J.* of
6. *K. L.* of
7. *M. N.* of

Dated the *day of* 18 .

Witness to be above signatures.

Q. R. of

Articles of Association to accompany the preceding Memorandum of Association. Capital of the Company.

The capital of the Company is twenty thousand rupees divided into twenty shares of one thousand rupees each.

Application of Table A.

All the articles of Table A shall be deemed to be incorporated with these articles, and to apply to the Company.

We, the several persons whose names and addresses are subscribed, agree to take the number of shares in the capital of the Company set opposite our respective names.

Names, addresses and descriptions of subscribers.	Number of shares taken by subscribers.
1. *A. B.* of	
2. *C. D.* of	
3. *E. F.* of	
4. *G. H.* of	
5. *I. J.* of	
6. *K. L.* of	
7. *M. N.* of	
Total shares taken	

Dated the *day of* 18 .

Witness to the above signatures.

Q. R. of

FORM E.

As required by the second part of the Act.

Summary of capital and shares of the , Company made up to the day of , nominal capital Rs. , divided into shares of Rs. each.

Number of shares taken up to the day of
There has been called up on each share Rs.
Total amount of calls received Rs.
Total amount of calls unpaid Rs.
List of persons holding shares in the Company on the day of and of persons who have held shares therein at any time during the year immediately preceding the said day of showing their names and addresses and an account of the shares so held.

Folio in register ledger containing particulars.	Names, addresses and occupations.				Account of Shares.					Remarks.
	Surname.	Christian Name.	Address.	Occupation.	Shares held by existing members on the day of	Additional shares held by existing members during preceding year.		Shares held by persons no longer members.		
						Number.	Date of transfer.	Number.	Date of transfer.	

STATEMENT OF OBJECTS AND REASONS.

THIS Bill is occasioned by the discovery of a defect in section 49 of the Indian Companies Act (No. X of 1866), which does not provide clearly that the annual balance-sheet to be filed with the Registrar shall be the one which has been laid before, and finally adopted and passed by, a general meeting of the Company concerned, or that it shall be filed within a prescribed time as provided by Act No. XIX of 1857.

On consideration, it was determined by the Government of India that this defect should be removed, and that the opportunity should be taken to make certain other amendments in the Indian Companies Act.

These amendments fall under two heads, first, the substantial additions suggested by the English legislation regarding Companies since the year 1866, and, secondly, the verbal alterations suggested by the reported decisions of the English and Indian Courts.

Since 1866, the English Companies Act, from which our Act No. X of 1866 is for the most part copied, has been amended by 30 & 31 Vic., c. 131, 33 & 34 Vic., c. 104, and 40 & 41 Vic., c. 26.

These Statutes provide—

(i) that a limited Company may, if it declares its intention to do so, either by the memorandum of association or by special resolution, have directors with unlimited liability, such liability to be enforceable only when the Company is being wound up and the corporate assets (including the contributions of ordinary members) are insufficient to pay its debts or the costs of the winding-up;

(ii) that a Company may, by leave of the Court, reduce the aggregate amount of its nominal capital, or diminish the amount of the shares, but saving the rights of creditors who are ignorant of the proceedings;

(iii) that the capital of a Company limited by shares may be reduced by cancelling unissued shares;

(iv) that shares may be subdivided;

(v) that associations not engaged in mercantile pursuits may become incorporated under the Companies Act without annexing to their names the inappropriate term "limited";

(vi) that a Company may have some shares fully paid up and others not, and that dividends may be paid in proportion to the amount paid up on each share;

(vii) that a transfer of shares shall be registered at the request of the transferor, subject to the same conditions as if the request were made by the transferee;

(viii) that in the case of limited shares fully paid up share-warrants may be issued to bearer, and the shares will thereupon be transferred by delivery of the warrant, and that coupons may be annexed entitling the bearer to receive dividends;

(ix) that every prospectus of a Company and every notice inviting persons to subscribe for shares in a joint stock Company shall specify the dates of and parties to any contract which has been previously made by the Company or its promoters or directors, and may reasonably influence a person in determining him to take or not to take shares in the Company (*Sullivan* v. *Mitcalfe*, 49 L.J.Q.B. 815);

(x) that a general meeting must be held within four months after registration;

(xi) that a contributory shall not be qualified to present a winding-up petition unless the members are reduced to less than seven, or unless he has held his shares for at least six of the previous eighteen months, or unless the shares have devolved on him through the death of a former holder. This will prevent the practice of speculators buying shares in failing Companies with a view to wind them up and share in the plunder;

(xii) that when the High Court has made an order for winding-up a Company, it may refer all subsequent proceedings to a district Court (to use the Indian term corresponding to the English "County Court") and transfer a winding-up from one district Court to another;

(xiii) that when a compromise is proposed between a Company that is being wound up and its creditors, the Court may order a meeting of such creditors; and that if a majority representing three-fourths in value agree to the compromise, it shall, when sanctioned by the Court, be binding.

The amendment made by 30 & 31 Vic., c. 131, section 37 (as to the manner in which contracts might be made on behalf of Companies), was anticipated by the Indian legislature in section 42 of Act No. X of 1866, and will be found in section 67 of the present Bill.

It seems to the Government of India that the thirteen amendments above specified should be made for two reasons, first, because they are good in themselves, and, secondly, because it is desirable that the laws relating to such a subject as mercantile Companies should be as nearly as possible the same in India as in England. Any differences in such laws lead to mistakes in the Indian Courts, and must, to some extent, discourage English investors from putting their money into Indian Companies. The provisions as to the unlimited liability of directors (sections 7, 62) have been stigmatised in England as certain to drive from the direction men of wealth and position and to substitute in their places needy adventurers. But it need hardly be said that the experience of fourteen years has belied this prophecy. It may be added that, under the provisions in question, a director will not be liable *as such* for more than a year after he has ceased to hold office, and that he will not be liable *as such* in respect of any debt of the Company contracted after he has ceased to be a director. The other provisions suggested by recent English legislation do not seem to require further notice. They will be found in sections 15 to 35 (both inclusive), 47, 49, 75, 76, 88, 132, 150, 203, 218, 219, 253, 254.

The reported decisions of the Indian Courts regarding the law applicable to trading Companies appear to be only thirty-two in number, and of these but few turn upon the wording of Act No. X of 1866. But there is a large number of English decisions bearing on the wording of the corresponding sections of the English Statute of 1862, and the Bill embodies the result of an examination of these decisions. Most of the verbal amendments of the present law are indicated by italics, and the cases which suggested them are noted in the margins of the Bill.

SIMLA;
The 28th August, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

[Second publication.]

The following Bill, and Statement of Objects and Reasons accompanying it, are published for general information, by order of His Excellency the Governor General, under the 22nd of the Rules for the Conduct of the Legislative Business of the Council of the Governor General:—

A Bill to declare the extent of the testamentary power of Hindús and Buddhists, and to regulate their Wills.

WHEREAS it is expedient to declare the extent of the testamentary power of Hindús and Buddhists, and to provide rules for the execution, attestation, revocation, revival, interpretation and probate of their wills; It is hereby enacted as follows:— Preamble.

I.—PRELIMINARY.

1. This Act may be called "The Hindú Wills Act, 1882"; it applies to the whole of British India; and it shall come into force on the first day of March, 1882. Short title. Local extent. Commencement.

2. On and from that day the Hindú Wills Act, 1870, and the Probate and Administration Act, 1881, section 154, shall be repealed. But all references to the former Act shall be read as if made to this Act. Repeal of enactments.

II.—EXTENT OF TESTAMENTARY POWER.

3. Every Hindú and Buddhist may bequeathe property in the cases and to the extent in and to which he may transfer the same: When and how far Hindús and Buddhists may bequeathe property.

Provided that when the testator is a member of an undivided family and his right to bequeathe consists, at the time of his death, with any right of the surviving members of such family, the latter right shall prevail.

III.—RULES REGULATING WILLS.

4. The following portions of the Indian Succession Act, 1865, namely,— Portions of Act X of 1865 extended to wills of Hindús and Buddhists.

sections 46, 48, 49, 50, 51, 55 and 57 to 77 (both inclusive),

sections 82, 83, 85 and 88 to 103 (both inclusive),

sections 106 to 177 (both inclusive), and

section 187,

shall, notwithstanding anything contained in section 331 of the same Act, apply—

(*a*) to all wills and codicils made by any Hindú or Buddhist on or after the first day of March, 1882, within British India; and

(*b*) to all such wills and codicils made outside British India, so far as relates to immoveable property situate in British India.

5. Nothing contained in section four shall— Provisos.

(*a*) render any will or codicil revocable by the testator's marriage;

(*b*) authorise any testator to bequeathe property which he could not have transferred;

(*c*) deprive any persons of any right of maintenance of which, but for section four of this Act, the testator could not deprive them by will;

(*d*) affect any law of adoption or intestate succession; or

(*e*) authorise any Hindú or Buddhist to create in property any interest which he could not have created before the first day of March, 1882.

IV.—MISCELLANEOUS.

6. With the previous sanction of the Governor General in Council, any local Government may, from time to time, by notification in the local Gazette, either retrospectively from the said first day of March, 1882, or prospectively, exempt from the operation of the whole or any part of section four of this Act the members of any race, sect or tribe, throughout the whole or any specified portion of the territories administered by such local Government; and may, from time to time, revoke any such exemption, but not so that the revocation shall have any retrospective effect. Power to exempt from operation of section 4.

7. Nothing herein contained shall affect the rights, duties and privileges of the Administrators General of Bengal, Madras and Bombay, respectively. Saving of rights of Administrator General.

8. In this Act the term "Hindús" shall include also Jainas, Síkhs and all other persons (not being Muhammadans or Buddhists) to whom the Indian Succession Act, 1865, does not apply. Interpretation-clause.

And in this Act and in the said sections of the said Succession Act all words defined in the same Act shall, unless there be something repugnant in the subject or context, be deemed to have the same meaning as that Act has attached to such words respectively.

And in applying sections 62, 63, 92, 96, 98 to 103 (both inclusive) of the said Succession Act to wills and codicils made under this Act, the words "son," "sons," "child" and "children" shall be deemed to include an adopted child; and the word "grand-children" shall be deemed to include the children, whether adopted or natural born, of a child whether adopted or natural born; and the expression "daughter-in-law" shall be deemed to include the wife of an adopted son.

STATEMENT OF OBJECTS AND REASONS.

THE Hindú Wills Act, 1870, has now been in force for eleven years in the Lower Provinces of Bengal, the Chief Commissionership of Assam and the towns of Madras and Bombay. It has worked satisfactorily in preventing forgery, fraud and perjury. There is also reason to believe that it has enhanced the value of property by making the title thereto more readily ascertainable and by facilitating its transfer. The primary object of the present Bill is to extend to the rest of British India such of the provisions of the Act as have not been repealed by the Probate and Administration Act, 1881.

The opportunity has been taken to declare, in accordance with recent decisions, that a Hindú's right to bequeathe is co-extensive with his power to alienate, except where in an undivided family the right to bequeathe conflicts with the law of survivorship. See 8 Mad. H. C. 6, 13; 3 Bomb. A. C. 6, 66; Mayne's *Hindú Law and Usage*, § 319.

In British Burma the Recorder of Rangoon and the Judicial Commissioner, sitting as Judges of the Special Court, have decided that a Buddhist has no power to make a will. But both Judges are strongly in favour of conferring the power by legislative enactment. The local Government remarks that "the Burmese of the larger towns are in the habit of making wills. They are very ready to adopt the practices of advanced civilisation where they recognise their advantages, and they are quick to discover the merits of any particular custom. In the course of the rapid progress which their country is making, they have easily perceived the benefits of a power of regulating the devolution of property by will, and a genuine want for this power has in consequence grown up." The Bill therefore expressly declares that every Buddhist may bequeathe property in the cases and to the extent in and to which he may transfer the same.

As there possibly are in some parts of the empire Hindús and Buddhists to whom it may be inexpedient to apply the rules for the execution, attestation, revocation, revival and interpretation of wills, power has been given to each local Government, with the previous sanction of the Governor General in Council, to exempt from all or any of those rules the members of any race, sect or tribe throughout the whole or any specified portion of the territories administered by such Government.

SIMLA;
The 14th September, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 1, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill, and Statement of Objects and Reasons accompanying it, are published for general information, by order of His Excellency the Governor General, under the 22nd of the Rules for the Conduct of the Legislative Business of the Council of the Governor General:—

A Bill to declare the extent of the testamentary power of Hindús and Buddhists, and to regulate their Wills.

WHEREAS it is expedient to declare the extent of the testamentary power of Hindús and Buddhists, and to provide rules for the execution, attestation, revocation, revival, interpretation and probate of their wills; It is hereby enacted as follows:— Preamble.

I.—PRELIMINARY.

1. This Act may be called "The Hindú Wills Act, 1882": it applies to the whole of British India; and it shall come into force on the first day of March, 1882. Short title. Local extent. Commencement.

2. On and from that day the Hindú Wills Act, 1870, and the Probate and Administration Act, 1881, section 154, shall be repealed. But all references to the former Act shall be read as if made to this Act. Repeal of enactments.

II.—EXTENT OF TESTAMENTARY POWER.

3. Every Hindú and Buddhist may bequeathe property in the cases and to the extent in and to which he may transfer the same: When and how far Hindús and Buddhists may bequeathe property.

Provided that when the testator is a member of an undivided family and his right to bequeathe conflicts, at the time of his death, with any right of the surviving members of such family, the latter right shall prevail.

III.—RULES REGULATING WILLS.

4. The following portions of the Indian Succession Act, 1865, namely,— Portions of Act X of 1865 extended to wills of Hindús and Buddhists.

sections 46, 48, 49, 50, 51, 55 and 57 to 77 (both inclusive),

sections 82, 83, 85 and 88 to 108 (both inclusive),

sections 106 to 177 (both inclusive), and

section 187,

shall, notwithstanding anything contained in section 331 of the same Act, apply—

(*a*) to all wills and codicils made by any Hindú or Buddhist on or after the first day of March, 1882, within British India; and

(*b*) to all such wills and codicils made outside British India, so far as relates to immoveable property situate in British India.

5. Nothing contained in section four shall— Provisos.

(*a*) render any will or codicil revocable by the testator's marriage;

(*b*) authorise any testator to bequeathe property which he could not have transferred;

(*c*) deprive any persons of any right of maintenance of which, but for section four of this Act, the testator could not deprive them by will;

(*d*) affect any law of adoption or intestate succession; or

(*e*) authorise any Hindú or Buddhist to create in property any interest which he could not have created before the first day of March, 1882.

IV.—MISCELLANEOUS.

Power to exempt from operation of section 4.

6. With the previous sanction of the Governor General in Council, any local Government may, from time to time, by notification in the local Gazette, either retrospectively from the said first day of March, 1882, or prospectively, exempt from the operation of the whole or any part of section four of this Act the members of any race, sect or tribe, throughout the whole or any specified portion of the territories administered by such local Government; and may, from time to time, revoke any such exemption, but not so that the revocation shall have any retrospective effect.

Saving of rights of Administrator General.

7. Nothing herein contained shall affect the rights, duties and privileges of the Administrators General of Bengal, Madras and Bombay, respectively.

Interpretation-clause.

8. In this Act the term "Hindús" shall include also Jainas, Síkhs and all other persons (not being Muhammadans or Buddhists) to whom the Indian Succession Act, 1865, does not apply.

And in this Act and in the said sections of the said Succession Act all words defined in the same Act shall, unless there be something repugnant in the subject or context, be deemed to have the same meaning as that Act has attached to such words respectively.

And in applying sections 62, 63, 92, 96, 98 to 103 (both inclusive) of the said Succession Act to wills and codicils made under this Act, the words "son," "sons," "child" and "children" shall be deemed to include an adopted child; and the word "grand-children" shall be deemed to include the children, whether adopted or natural born, of a child whether adopted or natural born; and the expression "daughter-in-law" shall be deemed to include the wife of an adopted son.

STATEMENT OF OBJECTS AND REASONS.

THE Hindú Wills Act, 1870, has now been in force for eleven years in the Lower Provinces of Bengal, the Chief Commissionership of Assam and the towns of Madras and Bombay. It has worked satisfactorily in preventing forgery, fraud and perjury. There is also reason to believe that it has enhanced the value of property by making the title thereto more readily ascertainable and by facilitating its transfer. The primary object of the present Bill is to extend to the rest of British India such of the provisions of the Act as have not been repealed by the Probate and Administration Act, 1881.

The opportunity has been taken to declare, in accordance with recent decisions, that a Hindú's right to bequeathe is co-extensive with his power to alienate, except where in an undivided family the right to bequeathe conflicts with the law of survivorship. See 8 Mad. H. C. 6, 13; 3 Bomb. A. C. 6, 66; Mayne's *Hindú Law and Usage*, § 349.

In British Burma the Recorder of Rangoon and the Judicial Commissioner, sitting as Judges of the Special Court, have decided that a Buddhist has no power to make a will. But both Judges are strongly in favour of conferring the power by legislative enactment. The local Government remarks that "the Burmese of the larger towns are in the habit of making wills. They are very ready to adopt the practices of advanced civilisation where they recognise their advantages, and they are quick to discover the merits of any particular custom. In the course of the rapid progress which their country is making, they have easily perceived the benefits of a power of regulating the devolution of property by will, and a genuine want for this power has in consequence grown up." The Bill therefore expressly declares that every Buddhist may bequeathe property in the cases and to the extent in and to which he may transfer the same.

As there possibly are in some parts of the empire Hindús and Buddhists to whom it may be inexpedient to apply the rules for the execution, attestation, revocation, revival and interpretation of wills, power has been given to each local Government, with the previous sanction of the Governor General in Council, to exempt from all or any of those rules the members of any race, sect or tribe throughout the whole or any specified portion of the territories administered by such Government.

SIMLA;
The 14th September, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 8, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 5th October, 1881, and was referred to a Select Committee:—

No. 20 OF 1881.

A Bill to prohibit the landing of certain Stowaways, and to provide for the recovery of expenses incurred by Government in respect of such persons.

Preamble.

WHEREAS it is expedient to prohibit the landing in British India of stowaways of European extraction, and to provide for the recovery of expenses incurred by Government in respect of such persons who become vagrants within one year after so landing; It is hereby enacted as follows:—

Short title. Commencement.

1. This Act may be called "The Stowaways Act, 1881"; and it shall come into force at once.

Interpretation-clause.

2. In this Act—

"Stowaway:"

"Stowaway" means any person of European extraction as defined in the European Vagrancy Act, 1874, who secretes himself and goes to sea in any ship without the consent of the owner, the consignee or the master of such ship, or of any other person entitled to give such consent, and who arrives on board such ship in a British Indian port;

"Master:"

"Master" includes any person in charge of a decked vessel; and

"Shipping master."

"Shipping master" includes any other officer whom the local Government may from time to time appoint to exercise the powers of a shipping master under this Act.

Prohibition against causing or permitting stowaway to land without sanction.

3. No master shall cause or permit any stowaway finally to land from his ship in a British Indian port without the previous sanction in writing of the shipping master. Cf. s. 4 of Act XIII of 1876.

Sanction not to be given unless owner or agent of ship enter into a bond.

4. Such sanction shall not be given unless and until the owner or agent of such ship has given to the shipping master a bond in such form, and with such number of sureties, as the local Government may from time to time prescribe, binding himself, in such sum as the shipping master thinks sufficient, to pay to the Secretary of State for India in Council, in the event of such stowaway becoming within one year after he so lands from such ship chargeable to the State as a vagrant under the European Vagrancy Act, 1874, the cost of his removal under the said Act and all other charges incurred by the State in consequence of his becoming a vagrant.

Penalty for causing or permitting stowaway to land in contravention of section 3.

5. Any master who, in wilful disobedience of the prohibition contained in section three, causes or permits any stowaway finally to land from his ship, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both. Cf. para. 2 of sec. 4 of Act XIII of 1876.

Liability of owner or agent when stowaway lands without sanction.

6. Whenever any stowaway finally lands from a ship without the sanction required by section three and becomes chargeable to the State as a vagrant under the European Vagrancy Act, 1874, within one year after so landing, the person who is at the Cf. Act IX of 1874, s. 31, third para.

date of such landing the owner or agent of the ship from which such stowaway has so landed shall be liable to pay to the Government the cost of his removal under the said Act and all other charges incurred by the State in consequence of his becoming a vagrant.

7. All costs and charges which any owner or agent is liable to pay under this Act shall be recoverable by suit as if he had entered into an express agreement with the said Secretary of State in Council to repay them. Cf. last para. s. 31, Act IX of 1874.

Recovery of costs and charges.

STATEMENT OF OBJECTS AND REASONS.

Stowaways of European extraction are found, on a rough average, on board twenty per cent. of the vessels arriving at the port of Calcutta. They are also, though less frequently, landed at Bombay, Aden and Rangoon. As the law stands, masters of ships in British Indian ports may land stowaways, and are in no way responsible for them after they have landed. If stowaways so landed are Europeans and become vagrants (as they occasionally do), they have to be dealt with under the European Vagrancy Act, 1874, and provided with subsistence-allowance while in charge of the police, with food while in a workhouse, and (where no suitable employment is obtained for them) with a passage to England, Australia or wherever their homes may be. As the necessity for relieving such persons really originates in the carelessness of masters of ships, who fail to detect their presence on board before leaving port, it seems unfair that the expenses so incurred should be borne by the Indian tax-payer.

The present Bill has therefore been prepared. It prohibits the landing of stowaways of European extraction, unless with the previous sanction of the Shipping Master or other officer appointed by the local Government, and unless the owner or agent of the ship on board of which the stowaway is found gives a bond to the effect that all expenses incurred in the event of the stowaway becoming a vagrant within one year shall be borne by the obligor. It also imposes a penalty on any master causing or permitting a stowaway to land, and provides that where any stowaway lands without such sanction and becomes a vagrant within one year of so landing, the owner or agent of the ship from which he has landed shall pay all the expenses incurred by the State in consequence of his becoming a vagrant.

SIMLA;
The 19th September, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[First publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 5th October, 1881, and was referred to a Select Committee :—

No. 21 OF 1881.

THE BENGAL CIVIL COURTS BILL, 1881.

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A Bill to amend the law relating to the Civil Courts in Bengal, the North-Western Provinces and Assam.

WHEREAS it is expedient to amend the law relating to the Civil Courts in the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioner of Assam, and to validate certain appointments of Munsifs; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

Act VI of 1871, s. 1.

1. This Act may be called "The Bengal Civil Courts Act, 1881"; and it shall come into force at once.

Short title. Commencement.

It extends to the territories for the time being respectively administered by the said Lieutenant-Governors and the said Chief Commissioner, except such portions thereof as for the time being are not subject to the ordinary jurisdiction of the High Courts and except the Jhánsí Division.

Local extent.

Except this section and sections seventeen, twenty-eight and twenty-nine, nothing herein contained applies to Courts of Small Causes established under Act No. XI of 1865.

Partial exclusion of Mufassal Small Cause Courts.

2. Act No. VI of 1871 (*to consolidate and amend the law relating to the District and Subordinate Civil Courts in Bengal*) and Act No. XIX of 1877 (*to enable certain District Judges to suspend and remove certain ministerial officers, and for other purposes*), section 1, are hereby repealed.

Repeal of Acts VI of 1871 and XIX of 1877, section 1.

3. All appointments, nominations, rules and orders made, lists published, jurisdictions and powers conferred, under the said Act No. VI of 1871, shall be deemed to be respectively made, published and conferred under this Act;

Saving of rules, &c., made, &c.

and, when in any Act, Regulation or Notification, heretofore passed or issued, and now in force, reference is made to the said Act No. VI of 1871 or to any Act thereby repealed, such reference shall, so far as may be practicable, be read as applying to this Act, or the corresponding part thereof.

CHAPTER II.

CONSTITUTION OF CIVIL COURTS.

Act VI of 1871, ss. 3 & 4.

4. The local Government may from time to time reduce, and, with the previous sanction of the Governor General in Council, increase the number of District Judges and Subordinate Judges now fixed.

Number of District Judges and Subordinate Judges.

Act VI of 1871, s. 4.

5. The local Government may, subject to the control of the Governor General in Council, from time to time alter the number of Munsifs now fixed: Provided that, except in the case of Munsifs of a grade the salary of which does not exceed two hundred and fifty rupees per mensem, no increase to the number of Munsifs now fixed shall be made by such Government without the previous sanction of the Governor General in Council.

Number of Munsifs.

Act VI of 1871, s. 5.

6. Whenever the office of District Judge or Subordinate Judge is vacant, or whenever the Governor General in Council has sanctioned an increase of the number of District Judges or Subordinate Judges, the local Government shall supply such vacancy or appoint such additional District Judges or Subordinate Judges as the case may be.

Vacancies in District or Subordinate Judgeships.

Act VI of 1871, s. 6.

7. Whenever the office of Munsif is vacant, or whenever the local Government increases the number of Munsifs, the High Court shall nominate such person as it thinks fit to be a Munsif, and the local Government shall appoint him accordingly:

Vacancies in Munsifships.

Provided that the local Government may from time to time, with the previous sanction of the Governor General in Council, make rules as to the qualifications of persons to be appointed Munsifs; and on such rules being made, no person shall be nominated to such office unless he possesses the qualifications required by the said rules.

New.

All appointments of Munsifs heretofore made by the local Government, shall be deemed to have been made in accordance with law.

Appointments of Munsifs heretofore made to be deemed legally made.

Act VI of 1871, s. 7.

8. When the business pending before any District Judge requires the aid of Additional Judges for its speedy disposal, the local Government may, upon the recommendation of the High Court, and subject to the previous sanction of the Governor General in Council, appoint such Additional Judges as may be requisite.

Additional Judges.

Such Additional Judges shall perform any of the duties of a District Judge that the District Judge may, with the previous sanction of the High Court, assign to them, and, in the performance of such duties, they shall exercise the same powers and be subject to the same control as the District Judge.

Act VI of 1871, s. 8.

9. In the event of the death of the District Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence from the station in which his Court is held, the Additional Judge, or, if there is no Additional Judge attached to such Court, the senior Subordinate Judge of the District, shall, without relinquishing his ordinary duties, assume charge of the Judge's office,

Temporary charge of District Judgeship.

and shall discharge such of the current duties thereof as are connected with the filing of plaints and memoranda of appeal, the issue of processes and the like functions,

and shall continue in charge of the office until it is resumed by the District Judge or assumed by an officer duly appointed thereto.

Act VI of 1871, s. 9.

10. In the event of the death of a Subordinate Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence on leave when no person is appointed to act for him, the District Judge may transfer all or any of the proceedings pending in the Court of such Subordinate Judge either to his own Court or to the Court of a Subordinate Judge (if any) under his control.

Transfer of proceedings on death, &c., of Subordinate Judge.

All proceedings transferred under this section shall be disposed of as if they had been instituted in the Court to which they are so transferred.

A District Judge, on the occurrence within his District of any vacancy in the office of Munsif, may, pending the action of the High Court under section seven, appoint such person as he thinks fit to act in such office.

Temporary charge of Munsifship.

And he shall forthwith report to the High Court the occurrence of every such vacancy and the making of every such appointment.

Act VI of 1871, s. 10.

11. The local Government may invest with the powers of any Court under this Act any officer in the Divisions of Chutiá Nágpur and Kuch Bihár, and the territories administered by the Chief Commissioner of Assam.

Power to confer judicial powers on officers in Chutiá Nágpur, Kuch Bihár and Assam.

Nothing in sections four to ten (inclusive), thirty-one, thirty-two and thirty-three applies to any such officer. But all the other provisions of this Act apply, *mutatis mutandis*, to officers so invested.

Act VI of 1871, s. 11.

12. The general control over all the Civil Courts in any District is vested in the District Judge, but subject to the superintendence of the High Court.

Control of Civil Courts in a District.

Act VI of 1871, s. 12.

13. The present District Judges, Additional Judges, Subordinate Judges and Munsifs shall be deemed to have been duly appointed under this Act to the offices, the duties of which they respectively discharge.

Present District Judges, &c., to be deemed duly appointed.

Act VI of 1871, s. 14.

14. Every Court under this Act shall use a seal of such form and dimensions as are for the time being prescribed by the local Government.

Seals of Courts.

Act VI of 1871, s. 15.

15. Every District Judge, Additional Judge, Subordinate Judge and Munsif under this Act shall be deemed to be a Civil Court within the meaning of the Code of Civil Procedure and of this Act.

District Judges, Additional Judges, Subordinate Judges and Munsifs to be deemed Civil Courts.

Act VI of 1871, s. 16.

16. The local Government may fix, and from time to time alter, the place or places at which any Court under this Act is to be held.

Power to fix sites of Courts.

All such places now fixed shall be deemed to be fixed under this Act.

Act VI of 1871, s. 17.

17. Subject to such orders as may from time to time be issued by the Governor General in Council, the High Court shall prepare a list of days to be observed in each year as close holidays in the Courts subordinate thereto.

Vacation.

Such list shall be published in the local official Gazette, and the said days shall be observed accordingly.

CHAPTER III.

ORDINARY JURISDICTION.

Act VI of 1871, s. 18.

18. The local Government shall fix, and may from time to time vary, the local limits of the jurisdiction of any Court under this Act:

Power to fix local limits of jurisdiction.

Provided that, where more than one Subordinate Judge is appointed to any District, or where more than one Munsif is appointed to any Munsifí, the Judge of the District Court may assign to each such Subordinate Judge or Munsif the local limits of his particular jurisdiction within such District or Munsifí, as the case may be.

The present local limits of the jurisdiction of every Civil Court (other than the High Court) shall be deemed to be fixed under this Act.

Act VI of 1871, s. 19.

19. The jurisdiction of a District Judge or Subordinate Judge extends, subject to the provisions in the Code of Civil Procedure, section fifteen, to all original suits for the time being cognizable by the Civil Courts.

Extent of original jurisdiction of District Judge or Subordinate Judge.

Act VI of 1871, s. 20.

20. The jurisdiction of a Munsif extends to all like suits in which the amount or value of the subject-matter in dispute does not exceed one thousand rupees.

Extent of Munsif's jurisdiction.

Act VI of 1871, s. 21.

21. Appeals from the decrees and orders of District Judges and Additional Judges shall, when such appeals are allowed by law, lie to the High Court.

Appeals from District Judges and Additional Judges.

Act VI of 1871, s. 22.

22. Appeals from the decrees and orders of Subordinate Judges and Munsifs shall, when such appeals are allowed by law, lie to the District Judge, except where the amount or value of the subject-matter in dispute in the appeal exceeds five thousand rupees, in which case the appeal shall lie to the High Court:

Appeals from Subordinate Judges and Munsifs.

Provided that the High Court may from time to time, with the previous sanction of the local Government, order that all appeals from the decrees and orders of any Munsif shall be preferred to the Court of such Subordinate Judge as may be mentioned in the order, and such appeals shall thereupon be preferred accordingly.

Act VI of 1871, s. 24.

23. Where in any suit or proceeding it is necessary for any Court under this Act to decide any question regarding succession, inheritance, marriage or caste, or any religious usage or institution, the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, shall form the rule of decision, except in so far as such law has, by legislative enactment, been altered or abolished.

Certain decisions to be according to Native law.

In cases not provided for by the former part of this section, or by any other law for the time being in force, the Court shall act according to justice, equity and good conscience.

Act VI of 1871, s. 25.

24. No Munsif, Subordinate Judge, Additional Judge or District Judge shall try any suit in which he is a party or personally interested, or shall adjudicate upon any proceeding connected with, or arising out of, such suit.

Judges not to try suits in which they are interested.

No Subordinate Judge, Additional Judge or District Judge shall try any appeal against a decree or order passed by himself in another capacity.

When any such suit, proceeding or appeal comes before any such Munsif, Subordinate Judge, Additional Judge or District Judge, he shall forthwith transmit the whole record of the case to the Court to which he is immediately subordinate, with a report of the circumstances attending the reference.

The superior Court shall thereupon dispose of the case in the manner prescribed by the Code of Civil Procedure, section twenty-five.

Nothing in this section shall be deemed to affect the extraordinary original civil jurisdiction of the High Court.

Explanation.—For the purposes of this section the Munsif and Subordinate Judge shall be deemed to be immediately subordinate to the District Judge and the Additional Judge and District Judge to the High Court.

CHAPTER IV.

SPECIAL JURISDICTION.

Act VI of 1871, s. 26.

25. Every District Judge may from time to time, subject to the orders of the High Court, refer to any Subordinate Judge under his control any appeals pending before him from the decrees of Munsifs; and such Subordinate Judge shall hear and dispose of such appeals accordingly.

Power to refer to Subordinate Judges appeals from Munsifs.

The District Judge may withdraw any appeals so referred and hear and dispose of appeals so withdrawn.

Act VI of 1871, s. 27.

26. The High Court may from time to time, by order, authorize any District Judge to transfer to a Subordinate Judge under his control appeals under the Code of Civil Procedure from any orders of Munsifs against which an appeal lies to the District Court.

Power to transfer to Subordinate Judge or Munsif certain proceedings pending before District Judge.

The High Court may also from time to time, by order, authorize any District Judge to transfer to a Subordinate Judge or Munsif under the control of such District Judge any of the proceedings next hereinafter mentioned, or any class of such proceedings specified in such order, and then pending, or thereafter instituted, before such District Judge.

The proceedings referred to in the second clause of this section are the following (that is to say) :—

(*a*) Proceedings under Bengal Regulation V, 1799 (*to limit the Interference of the Zillah and City Courts of Dewanny Adawlut in the Execution of Wills and Administration to the Estates of Persons dying intestate*).

(*b*) Applications for certificates under Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*).

(*c*) Proceedings under the Probate and Administration Act, 1881.

(*d*) Proceedings under Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*), or Act No. IX of 1861 (*to amend the law relating to Minors*).

(*e*) Claims preferred to, or objections made to the attachment of, any property under the Code of Civil Procedure, section 278.

(*f*) Applications to file awards under section 525 of the same Code.

(*g*) Applications for permission to sue or appeal as a pauper.

The District Judge may withdraw any proceedings so transferred and may either himself dispose of them, or, with the previous sanction of the High Court, transfer them to any other Subordinate Judge or Munsif under his control.

Act VI of 1871, s. 28.

27. Subject to the provisions of the last clause of section twenty-six, all proceedings transferred under the second clause of the same section shall be disposed of by the Subordinate Judge or Munsif (as the case may be) according to the rules prescribed for the guidance of District Judges in like cases:

Disposal of proceedings so transferred.

Provided that an appeal from the order of the Subordinate Judge or Munsif in such cases shall lie to the District Judge.

An appeal from his order thereon shall lie to the High Court if an appeal from the decision of the Judge in such proceedings is allowed by the law in force for the time being.

Act VI of 1871, s. 29.

28. The local Government may invest, within such local limits as it from time to time appoints, any Subordinate Judge with the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts, up to the amount of five hundred rupees, and any Munsif with similar jurisdiction up to the amount of fifty rupees; and may, whenever it thinks fit, withdraw such jurisdiction from the Subordinate Judge or Munsif so invested.

Power to invest Subordinate Judges and Munsifs with Small Cause jurisdiction.

Act VI of 1871, s. 30.

29. Section fifty-one of Act No. XI of 1865 (*to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the Ordinary Original Civil jurisdiction of the High Courts of Judicature*) shall be read as if, for the words "Principal Sadr Amín," the words "Subordinate Judge" were substituted.

Amendment of Act No. XI of 1865.

CHAPTER V.

MISFEAZANCE.

Act VI of 1871, s. 31.

30. Any District Judge, Additional Judge, Subordinate Judge or Munsif may, for any misconduct, be suspended or removed by the local Government.

Suspension or removal of District Judge or Additional Judge.

Act VI of 1871, s. 32.

31. The High Court may, whenever it sees urgent necessity for so doing, suspend any Subordinate Judge under its control.

Suspension of Subordinate Judge.

Whenever the High Court exercises this power, it shall forthwith report to the local Government the circumstances of the suspension, and the local Government shall make such order thereon as it thinks fit.

Act VI of 1871, s. 33.

32. The High Court may appoint a Commission for enquiring into the alleged misconduct of any Munsif.

Suspension and removal of Munsifs by High Court.

On receiving the report of the result of any such enquiry, the High Court may, if it thinks fit, remove the Munsif from office, or suspend him, or reduce him to a lower grade.

The provisions of Act No. XXXVII of 1850 (*for regulating enquiries into the behaviour of public servants*) shall apply to inquiries under this section, the powers conferred by that Act on the Government being exercised by the High Court.

The High Court may also, previous to the appointment of such Commission, suspend any Munsif pending the result of the inquiry.

The High Court may, without appointing any such Commission, remove or suspend any Munsif, or reduce him to a lower grade.

Act VI of 1871, s. 34.

33. Any District Judge may, whenever he sees urgent necessity for so doing, suspend from office any Munsif under his control.

Suspension of Munsifs by District Judges.

Whenever a District Judge suspends from office any such Munsif, he shall forthwith send to the High Court a full report of the circumstances of the suspension, together with the evidence, if any; and the High Court shall make such order thereon as it thinks fit.

CHAPTER VI.

MINISTERIAL OFFICERS.

Act VI of 1871, s. 35.

34. The District Judges shall appoint the ministerial officers of their Courts, and, subject only to the general control of the local Government, the said Judges may remove or suspend such officers or fine them in an amount not exceeding one month's salary.

Appointment and removal of ministerial officers of District Courts.

Act VI of 1871, s. 36.

35. The ministerial officers of the Courts of Subordinate Judges and Munsifs shall be nominated and appointed by those Courts respectively, subject to the approval of the District Judge within whose jurisdiction such Courts are situate.

Appointment and removal of ministerial officers of Subordinate Judges and Munsifs.

Every such Court may, by order, remove or suspend from office, or fine in an amount not exceeding one month's salary, any of its ministerial officers who is guilty of any misconduct or neglect in the performance of the duties of his office. And the District Judge, subject only to the general control of the local Government, may, on appeal or otherwise, reverse or modify every such order.

Power to punish such officers.

The District Judge, within whose jurisdiction such Court is situate, may, by order, suspend or remove any such ministerial officer.

Act XIX of 1877, s. 1.

Nothing in this section or in section thirty-four shall exempt any officer from any penal or other consequences to which he may be liable under any other law in force for the time being.

Act VI of 1871, s. 37.

36. The local Government may, at the instance of the District Judge, transfer from any Court in the territories administered by such Government, to any other Court in the same territories, all or any of the ministerial officers of such Judge or of any Subordinate Judge or Munsif under his control.

Transfer of ministerial officers.

The District Judge may transfer all or any of the ministerial officers of any Court under his control to any other such Court.

Act VI of 1871, s. 38.

37. Any fine imposed under this Chapter shall, if the order imposing it so directs, be recovered by deduction from the offender's salary.

Recovery of fines.

STATEMENT OF OBJECTS AND REASONS.

Section 4 of the Bengal Civil Courts Act, 1871, declares that the number of Subordinate Judges and Munsifs to be appointed in each district shall be fixed, and may from time to time be altered, by the local Government. And section 6 of the same Act declares that, when the Governor General in Council has sanctioned an increase in the number of Munsifs, the High Court shall nominate such person as it thinks fit to be a Munsif, and the local Government shall appoint him accordingly. The number of Munsifs was accordingly fixed under section 4 in the Lower Provinces and Assam. Subsequently, in exercise of the power vested in local Governments by the terms of the provincial service arrangements in regard to the creation of additional appointments on salaries not exceeding Rs. 250 a month, the Government of Bengal and the Chief Commissioner of Assam, without the previous sanction of the Governor General in Council, appointed Munsifs in excess of the number so fixed. Doubts have been raised as to the validity of such appointments. It appears to the Government of India that the law does not authorize the local Government to appoint Munsifs, whether temporarily or permanently, in excess of the fixed number, unless an increase to that number has previously been sanctioned by the Governor General in Council. It is, however, in the opinion of the Government of India desirable to empower the local Government, without the sanction, but subject to the control, of the Governor General in Council, to increase the number of Munsifs, provided that the power is confined to those grades of Munsifs the pay of which does not exceed Rs. 250 a month.

2. The present Bill has accordingly been prepared. It enables the local Government without the previous sanction of the Governor General in Council to increase the number of Munsifs of a grade the salary of which does not exceed Rs. 250 per month. The opportunity has been taken to validate the appointments already made by the Bengal Government and the Chief Commissioner of Assam: to make it clear that the local Government cannot increase the number of District Judges or Subordinate Judges without the previous sanction of the Governor General in Council: to extend the District Judge's power of transferring appeals and proceedings to appeals from all orders made by Munsifs and to proceedings under the Probate and Administration Act, 1881: and to make such amendments in the wording of the law as the experience of the last ten years shows to be necessary or desirable.

WHITLEY STOKES.

The 30th September, 1881.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 15, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 5th October, 1881, and was referred to a Select Committee:—

No. 20 OF 1881.

A Bill to prohibit the landing of certain Stowaways, and to provide for the recovery of expenses incurred by Government in respect of such persons.

WHEREAS it is expedient to prohibit the landing in British India of stowaways of European extraction, and to provide for the recovery of expenses incurred by Government in respect of such persons who become vagrants within one year after so landing; It is hereby enacted as follows:— Preamble.

1. This Act may be called "The Stowaways Act, 1881"; and it shall come into force at once. Short title. Commencement.

2. In this Act— Interpretation-clause.

"Stowaway" means any person of European extraction as defined in the European Vagrancy Act, 1874, who secretes himself and goes to sea in any ship without the consent of the owner, the consignee or the master of such ship, or of any other person entitled to give such consent, and who arrives on board such ship in a British Indian port; "Stowaway:"

"Master" includes any person in charge of a decked vessel; and "Master:"

"Shipping master" includes any other officer whom the local Government may from time to time appoint to exercise the powers of a shipping master under this Act. "Shipping master."

3. No master shall cause or permit any stowaway finally to land from his ship in a British Indian port without the previous sanction in writing of the shipping master. Prohibition against causing or permitting stowaway to land without sanction. Cf. s. 4 of Act XIII of 1876.

4. Such sanction shall not be given unless and until the owner or agent of such ship has given to the shipping master a bond in such form, and with such number of sureties, as the local Government may from time to time prescribe, binding himself, in such sum as the shipping master thinks sufficient, to pay to the Secretary of State for India in Council, in the event of such stowaway becoming within one year after he so lands from such ship chargeable to the State as a vagrant under the European Vagrancy Act, 1874, the cost of his removal under the said Act and all other charges incurred by the State in consequence of his becoming a vagrant. Sanction not to be given unless owner or agent of ship enter into a bond.

5. Any master who, in wilful disobedience of the prohibition contained in section three, causes or permits any stowaway finally to land from his ship, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both. Penalty for causing or permitting stowaway to land in contravention of section 3. Cf. para. 2 of sec. 4 of Act XIII of 1876.

6. Whenever any stowaway finally lands from a ship without the sanction required by section three and becomes chargeable to the State as a vagrant under the European Vagrancy Act, 1874, within one year after so landing, the person who is at the Liability of owner or agent when stowaway lands without sanction. Cf. Act IX of 1874, s. 31, third para.

date of such landing the owner or agent of the ship from which such stowaway has so landed shall be liable to pay to the Government the cost of his removal under the said Act and all other charges incurred by the State in consequence of his becoming a vagrant.

Recovery of costs and charges.

7. All costs and charges which any owner or agent is liable to pay under this Act shall be recoverable by suit as if he had entered into an express agreement with the said Secretary of State in Council to repay them.

Cf. last para. s. 31, Act XIX of 1874.

STATEMENT OF OBJECTS AND REASONS.

Stowaways of European extraction are found, on a rough average, on board twenty per cent. of the vessels arriving at the port of Calcutta. They are also, though less frequently, landed at Bombay, Aden and Rangoon. As the law stands, masters of ships in British Indian ports may land stowaways, and are in no way responsible for them after they have landed. If stowaways so landed are Europeans and become vagrants (as they occasionally do), they have to be dealt with under the European Vagrancy Act, 1874, and provided with subsistence-allowance while in charge of the police, with food while in a workhouse, and (where no suitable employment is obtained for them) with a passage to England, Australia or wherever their homes may be. As the necessity for relieving such persons really originates in the carelessness of masters of ships, who fail to detect their presence on board before leaving port, it seems unfair that the expenses so incurred should be borne by the Indian tax-payer.

The present Bill has therefore been prepared. It prohibits the landing of stowaways of European extraction, unless with the previous sanction of the Shipping Master or other officer appointed by the local Government, and unless the owner or agent of the ship on board of which the stowaway is found gives a bond to the effect that all expenses incurred in the event of the stowaway becoming a vagrant within one year shall be borne by the obligor. It also imposes a penalty on any master causing or permitting a stowaway to land, and provides that where any stowaway lands without such sanction and becomes a vagrant within one year of so landing, the owner or agent of the ship from which he has landed shall pay all the expenses incurred by the State in consequence of his becoming a vagrant.

SIMLA;
The 19th September, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[Second publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 5th October, 1881, and was referred to a Select Committee:—

No. 21 OF 1881.

THE BENGAL CIVIL COURTS BILL, 1881.

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A Bill to amend the law relating to the Civil Courts in Bengal, the North-Western Provinces and Assam.

WHEREAS it is expedient to amend the law relating to the Civil Courts in the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioner of Assam, and to validate certain appointments of Munsifs; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

Act VI of 1871, s. 1.

1. This Act may be called "The Bengal Civil Courts Act, 1881"; and it shall come into force at once.

Short title. Commencement.

It extends to the territories for the time being respectively administered by the said Lieutenant-Governors and the said Chief Commissioner, except such portions thereof as for the time being are not subject to the ordinary jurisdiction of the High Courts and except the Jhánsí Division.

Local extent.

Except this section and sections seventeen, twenty-eight and twenty-nine, nothing herein contained applies to Courts of Small Causes established under Act No. XI of 1865.

Partial exclusion of Mufassal Small Cause Courts.

2. Act No. VI of 1871 (*to consolidate and amend the law relating to the District and Subordinate Civil Courts in Bengal*) and Act No. XIX of 1877 (*to enable certain District Judges to suspend and remove certain ministerial officers, and for other purposes*), section 1, are hereby repealed.

Repeal of Acts VI of 1871 and XIX of 1877, section 1.

3. All appointments, nominations, rules and orders made, lists published, jurisdictions and powers conferred, under the said Act No. VI of 1871, shall be deemed to be respectively made, published and conferred under this Act;

Saving of rules, &c., made, &c.

and when in any Act, Regulation or Notification, heretofore passed or issued, and now in force, reference is made to the said Act No. VI of 1871 or to any Act thereby repealed, such reference shall, so far as may be practicable, be read as applying to this Act, or the corresponding part thereof.

CHAPTER II.

CONSTITUTION OF CIVIL COURTS.

Act VI of 1871, ss. 3 & 4.

4. The local Government may from time to time reduce, and, with the previous sanction of the Governor General in Council, increase the number of District Judges and Subordinate Judges now fixed.

Number of District Judges and Subordinate Judges.

Act VI of 1871, s. 4.

5. The local Government may, subject to the control of the Governor General in Council, from time to time alter the number of Munsifs now fixed: Provided that, except in the case of Munsifs of a grade the salary of which does not exceed two hundred and fifty rupees per mensem, no increase to the number of Munsifs now fixed shall be made by such Government without the previous sanction of the Governor General in Council.

Number of Munsifs.

Act VI of 1871, s. 5.

6. Whenever the office of District Judge or Subordinate Judge is vacant, or whenever the Governor General in Council has sanctioned an increase of the number of District Judges or Subordinate Judges, the local Government shall supply such vacancy or appoint such additional District Judges or Subordinate Judges as the case may be.

Vacancies in District or Subordinate Judgeships.

Act VI of 1871, s. 6.

7. Whenever the office of Munsif is vacant, or whenever the local Government increases the number of Munsifs, the High Court shall nominate such person as it thinks fit to be a Munsif, and the local Government shall appoint him accordingly:

Vacancies in Munsifships.

Provided that the local Government may from time to time, with the previous sanction of the Governor General in Council, make rules as to the qualifications of persons to be appointed Munsifs; and on such rules being made, no person shall be nominated to such office unless he possesses the qualifications required by the said rules.

All appointments of Munsifs heretofore made by the local Government, shall be deemed to have been made in accordance with law.

New.

Appointments of Munsifs heretofore made to be deemed legally made.

Act VI of 1871, s. 7.

8. When the business pending before any District Judge requires the aid of Additional Judges for its speedy disposal, the local Government may, upon the recommendation of the High Court, and subject to the previous sanction of the Governor General in Council, appoint such Additional Judges as may be requisite.

Additional Judges.

Such Additional Judges shall perform any of the duties of a District Judge that the District Judge may, with the previous sanction of the High Court, assign to them, and, in the performance of such duties, they shall exercise the same powers and be subject to the same control as the District Judge.

Act VI of 1871, s. 8.

9. In the event of the death of the District Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence from the station in which his Court is held, the Additional Judge, or, if there is no Additional Judge attached to such Court, the senior Subordinate Judge of the District, shall, without relinquishing his ordinary duties, assume charge of the Judge's office,

Temporary charge of District Judgeship.

and shall discharge such of the current duties thereof as are connected with the filing of plaints and memoranda of appeal, the issue of processes and the like functions,

and shall continue in charge of the office until it is resumed by the District Judge or assumed by an officer duly appointed thereto.

Act VI of 1871, s. 9.

10. In the event of the death of a Subordinate Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence on leave when no person is appointed to act for him, the District Judge may transfer all or any of the proceedings pending in the Court of such Subordinate Judge either to his own Court or to the Court of a Subordinate Judge (if any) under his control.

Transfer of proceedings on death, &c., of Subordinate Judge.

All proceedings transferred under this section shall be disposed of as if they had been instituted in the Court to which they are so transferred.

A District Judge, on the occurrence within his District of any vacancy in the office of Munsif, may, pending the action of the High Court under section seven, appoint such person as he thinks fit to act in such office.

Temporary charge of Munsifship.

And he shall forthwith report to the High Court the occurrence of every such vacancy and the making of every such appointment.

Act VI of 1871, s. 10.

11. The local Government may invest with the powers of any Court under this Act any officer in the Divisions of Chutiá Nágpur and Kuch Bihár, and the territories administered by the Chief Commissioner of Assam.

Power to confer judicial powers on officers in Chutiá Nágpur, Kuch Bihár and Assam.

Nothing in sections four to ten (inclusive), thirty-one, thirty-two and thirty-three applies to any such officer. But all the other provisions of this Act apply, *mutatis mutandis*, to officers so invested.

Act VI of 1871, s. 11.

12. The general control over all the Civil Courts in any District is vested in the District Judge, but subject to the superintendence of the High Court.

Control of Civil Courts in a District.

Act VI of 1871, s. 12.

13. The present District Judges, Additional Judges, Subordinate Judges and Munsifs shall be deemed to have been duly appointed under this Act to the offices, the duties of which they respectively discharge.

Present District Judges, &c., to be deemed duly appointed.

Act VI of 1871, s. 14.

14. Every Court under this Act shall use a seal of such form and dimensions as are for the time being prescribed by the local Government.

Seals of Courts.

Act VI of 1871, s. 15.

15. Every District Judge, Additional Judge, Subordinate Judge and Munsif under this Act shall be deemed to be a Civil Court within the meaning of the Code of Civil Procedure and of this Act.

District Judges, Additional Judges, Subordinate Judges and Munsifs to be deemed Civil Courts.

Act VI of 1871, s. 16.

16. The local Government may fix, and from time to time alter, the place or places at which any Court under this Act is to be held.

Power to fix sites of Courts.

All such places now fixed shall be deemed to be fixed under this Act.

Act VI of 1871, s. 17.

17. Subject to such orders as may from time to time be issued by the Governor General in Council, the High Court shall prepare a list of days to be observed in each year as close holidays in the Courts subordinate thereto.

Vacation.

Such list shall be published in the local official Gazette, and the said days shall be observed accordingly.

CHAPTER III.

ORDINARY JURISDICTION.

Act VI of 1871, s. 18.

18. The local Government shall fix, and may from time to time vary, the local limits of the jurisdiction of any Court under this Act:

Power to fix local limits of jurisdiction.

Provided that, where more than one Subordinate Judge is appointed to any District, or where more than one Munsif is appointed to any Munsifí, the Judge of the District Court may assign to each such Subordinate Judge or Munsif the local limits of his particular jurisdiction within such District or Munsifí, as the case may be.

The present local limits of the jurisdiction of every Civil Court (other than the High Court) shall be deemed to be fixed under this Act.

Act VI of 1871, s. 19.

19. The jurisdiction of a District Judge or Subordinate Judge extends, subject to the provisions in the Code of Civil Procedure, section fifteen, to all original suits for the time being cognizable by the Civil Courts.

Extent of original jurisdiction of District Judge or Subordinate Judge.

Act VI of 1871, s. 20.

20. The jurisdiction of a Munsif extends to all like suits in which the amount or value of the subject-matter in dispute does not exceed one thousand rupees.

Extent of Munsif's jurisdiction.

Act VI of 1871, s. 21.

21. Appeals from the decrees and orders of District Judges and Additional Judges shall, when such appeals are allowed by law, lie to the High Court.

Appeals from District Judges and Additional Judges.

Act VI of 1871, s. 22.

22. Appeals from the decrees and orders of Subordinate Judges and Munsifs shall, when such appeals are allowed by law, lie to the District Judge, except where the amount or value of the subject-matter in dispute in the appeal exceeds five thousand rupees, in which case the appeal shall lie to the High Court:

Appeals from Subordinate Judges and Munsifs.

Provided that the High Court may from time to time, with the previous sanction of the local Government, order that all appeals from the decrees and orders of any Munsif shall be preferred to the Court of such Subordinate Judge as may be mentioned in the order, and such appeals shall thereupon be preferred accordingly.

Act VI of 1871, s. 24.

23. Where in any suit or proceeding it is necessary for any Court under this Act to decide any question regarding succession, inheritance, marriage or caste, or any religious usage or institution, the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, shall form the rule of decision, except in so far as such law has, by legislative enactment, been altered or abolished.

Certain decisions to be according to Native law.

In cases not provided for by the former part of this section, or by any other law for the time being in force, the Court shall act according to justice, equity and good conscience.

Act VI of 1871, s. 25.

24. No Munsif, Subordinate Judge, Additional Judge or District Judge shall try any suit in which he is a party or personally interested, or shall adjudicate upon any proceeding connected with, or arising out of, such suit.

Judges not to try suits in which they are interested.

No Subordinate Judge, Additional Judge or District Judge shall try any appeal against a decree or order passed by himself in another capacity.

When any such suit, proceeding or appeal comes before any such Munsif, Subordinate Judge, Additional Judge or District Judge, he shall forthwith transmit the whole record of the case to the Court to which he is immediately subordinate, with a report of the circumstances attending the reference.

The superior Court shall thereupon dispose of the case in the manner prescribed by the Code of Civil Procedure, section twenty-five.

Nothing in this section shall be deemed to affect the extraordinary original civil jurisdiction of the High Court.

Explanation.—For the purposes of this section the Munsif and Subordinate Judge shall be deemed to be immediately subordinate to the District Judge and the Additional Judge and District Judge to the High Court.

CHAPTER IV.

SPECIAL JURISDICTION.

Act VI of 1871, s. 26.

25. Every District Judge may from time to time, subject to the orders of the High Court, refer to any Subordinate Judge under his control any appeals pending before him from the decrees of Munsifs; and such Subordinate Judge shall hear and dispose of such appeals accordingly.

Power to refer to Subordinate Judges appeals from Munsifs.

The District Judge may withdraw any appeals so referred and hear and dispose of appeals so withdrawn.

Act VI of 1871, s. 27.

26. The High Court may from time to time, by order, authorize any District Judge to transfer to a Subordinate Judge under his control appeals under the Code of Civil Procedure from any orders of Munsifs against which an appeal lies to the District Court.

Power to transfer to Subordinate Judge or Munsif certain proceedings pending before District Judge.

The High Court may also from time to time, by order, authorize any District Judge to transfer to a Subordinate Judge or Munsif under the control of such District Judge any of the proceedings next hereinafter mentioned, or any class of such proceedings specified in such order, and then pending, or thereafter instituted, before such District Judge.

The proceedings referred to in the second clause of this section are the following (that is to say) :—

(*a*) Proceedings under Bengal Regulation V, 1799 (*to limit the Interference of the Zillah and City Courts of Dewanny Adawlut in the Execution of Wills and Administration to the Estates of Persons dying intestate*).

(*b*) Applications for certificates under Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*).

(*c*) Proceedings under the Probate and Administration Act, 1881.

(*d*) Proceedings under Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*), or Act No. IX of 1861 (*to amend the law relating to Minors*).

(*e*) Claims preferred to, or objections made to the attachment of, any property under the Code of Civil Procedure, section 278.

(*f*) Applications to file awards under section 525 of the same Code.

(*g*) Applications for permission to sue or appeal as a pauper.

The District Judge may withdraw any proceedings so transferred and may either himself dispose of them, or, with the previous sanction of the High Court, transfer them to any other Subordinate Judge or Munsif under his control.

Act VI of 1871, s. 28.

27. Subject to the provisions of the last clause of section twenty-six, all proceedings transferred under the second clause of the same section shall be disposed of by the Subordinate Judge or Munsif (as the case may be) according to the rules prescribed for the guidance of District Judges in like cases:

Disposal of proceedings so transferred.

Provided that an appeal from the order of the Subordinate Judge or Munsif in such cases shall lie to the District Judge.

An appeal from his order thereon shall lie to the High Court if an appeal from the decision of the Judge in such proceedings is allowed by the law in force for the time being.

Act VI of 1871, s. 29.

28. The local Government may invest, within such local limits as it from time to time appoints, any Subordinate Judge with the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts, up to the amount of five hundred rupees, and any Munsif with similar jurisdiction up to the amount of fifty rupees; and may, whenever it thinks fit, withdraw such jurisdiction from the Subordinate Judge or Munsif so invested.

Power to invest Subordinate Judges and Munsifs with Small Cause jurisdiction.

Act VI of 1871, s. 30.

29. Section fifty-one of Act No. XI of 1865 (*to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the Ordinary Original Civil jurisdiction of the High Courts of Judicature*) shall be read as if, for the words "Principal Sadr Amín," the words "Subordinate Judge" were substituted.

Amendment of Act No. XI of 1865.

CHAPTER V.

MISFEAZANCE.

Act VI of 1871, s. 31

30. Any District Judge, Additional Judge, Subordinate Judge or Munsif may, for any misconduct, be suspended or removed by the local Government.

Suspension or removal of District Judge or Additional Judge.

Act VI of 1871, s. 32.

31. The High Court may, whenever it sees urgent necessity for so doing, suspend any Subordinate Judge under its control.

Suspension of Subordinate Judge.

Whenever the High Court exercises this power, it shall forthwith report to the local Government the circumstances of the suspension, and the local Government shall make such order thereon as it thinks fit.

Act VI of 1871, s. 33.

32. The High Court may appoint a Commission for enquiring into the alleged misconduct of any Munsif.

Suspension and removal of Munsifs by High Court.

On receiving the report of the result of any such enquiry, the High Court may, if it thinks fit, remove the Munsif from office, or suspend him, or reduce him to a lower grade.

The provisions of Act No. XXXVII of 1850 (*for regulating enquiries into the behaviour of public servants*) shall apply to inquiries under this section, the powers conferred by that Act on the Government being exercised by the High Court.

The High Court may also, previous to the appointment of such Commission, suspend any Munsif pending the result of the inquiry.

The High Court may, without appointing any such Commission, remove or suspend any Munsif, or reduce him to a lower grade.

Act VI of 1871, s. 34.

33. Any District Judge may, whenever he sees urgent necessity for so doing, suspend from office any Munsif under his control.

Suspension of Munsifs by District Judges.

Whenever a District Judge suspends from office any such Munsif, he shall forthwith send to the High Court a full report of the circumstances of the suspension, together with the evidence, if any; and the High Court shall make such order thereon as it thinks fit.

CHAPTER VI.

MINISTERIAL OFFICERS.

Act VI of 1871, s. 35.

34. The District Judges shall appoint the ministerial officers of their Courts, and, subject only to the general control of the local Government, the said Judges may remove or suspend such officers or fine them in an amount not exceeding one month's salary.

Appointment and removal of ministerial officers of District Courts.

Act VI of 1871, s. 36.

35. The ministerial officers of the Courts of Subordinate Judges and Munsifs shall be nominated and appointed by those Courts respectively, subject to the approval of the District Judge within whose jurisdiction such Courts are situate.

Appointment and removal of ministerial officers of Subordinate Judges and Munsifs.

Every such Court may, by order, remove or suspend from office, or fine in an amount not exceeding one month's salary, any of its ministerial officers who is guilty of any misconduct or neglect in the performance of the duties of his office. And the District Judge, subject only to the general control of the local Government, may, on appeal or otherwise, reverse or modify every such order.

Power to punish such officers.

The District Judge, within whose jurisdiction such Court is situate, may, by order, suspend or remove any such ministerial officer. Act XIX of 1877, s. 1.

Nothing in this section or in section thirty-four shall exempt any officer from any penal or other consequences to which he may be liable under any other law in force for the time being.

Act VI of 1871, s. 37.

36. The local Government may, at the instance of the District Judge, transfer from any Court in the territories administered by such Government, to any other Court in the same territories, all or any of the ministerial officers of such Judge or of any Subordinate Judge or Munsif under his control.

Transfer of ministerial officers.

The District Judge may transfer all or any of the ministerial officers of any Court under his control to any other such Court.

Act VI of 1871, s. 38.

37. Any fine imposed under this Chapter shall, if the order imposing it so directs, be recovered by deduction from the offender's salary.

Recovery of fines.

STATEMENT OF OBJECTS AND REASONS.

Section 4 of the Bengal Civil Courts Act, 1871, declares that the number of Subordinate Judges and Munsifs to be appointed in each district shall be fixed, and may from time to time be altered, by the local Government. And section 6 of the same Act declares that, when the Governor General in Council has sanctioned an increase in the number of Munsifs, the High Court shall nominate such person as it thinks fit to be a Munsif, and the local Government shall appoint him accordingly. The number of Munsifs was accordingly fixed under section 4 in the Lower Provinces and Assam. Subsequently, in exercise of the power vested in local Governments by the terms of the provincial service arrangements in regard to the creation of additional appointments on salaries not exceeding Rs. 250 a month, the Government of Bengal and the Chief Commissioner of Assam, without the previous sanction of the Governor General in Council, appointed Munsifs in excess of the number so fixed. Doubts have been raised as to the validity of such appointments. It appears to the Government of India that the law does not authorize the local Government to appoint Munsifs, whether temporarily or permanently, in excess of the fixed number, unless an increase to that number has previously been sanctioned by the Governor General in Council. It is, however, in the opinion of the Government of India desirable to empower the local Government, without the sanction, but subject to the control, of the Governor General in Council, to increase the number of Munsifs, provided that the power is confined to those grades of Munsifs the pay of which does not exceed Rs. 250 a month.

2. The present Bill has accordingly been prepared. It enables the local Government without the previous sanction of the Governor General in Council to increase the number of Munsifs of a grade the salary of which does not exceed Rs. 250 per month. The opportunity has been taken to validate the appointments already made by the Bengal Government and the Chief Commissioner of Assam: to make it clear that the local Government cannot increase the number of District Judges or Subordinate Judges without the previous sanction of the Governor General in Council: to extend the District Judge's power of transferring appeals and proceedings to appeals from all orders made by Munsifs and to proceedings under the Probate and Administration Act, 1881: and to make such amendments in the wording of the law as the experience of the last ten years shows to be necessary or desirable.

WHITLEY STOKES.

The 30th September, 1881.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 22, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 5th October, 1881, and was referred to a Select Committee:—

No. 20 OF 1881.

A Bill to prohibit the landing of certain Stowaways, and to provide for the recovery of expenses incurred by Government in respect of such persons.

Preamble.

WHEREAS it is expedient to prohibit the landing in British India of stowaways of European extraction, and to provide for the recovery of expenses incurred by Government in respect of such persons who become vagrants within one year after so landing; It is hereby enacted as follows:—

Short title. Commencement.

1. This Act may be called "The Stowaways Act, 1881"; and it shall come into force at once.

Interpretation-clause.

Cf. Act I of 1859, s. 98.

2. In this Act—

"Stowaway:"

"Stowaway" means any person of European extraction as defined in the European Vagrancy Act, 1874, who secretes himself and goes to sea in any ship without the consent of the owner, the consignee or the master of such ship, or of any other person entitled to give such consent, and who arrives on board such ship in a British Indian port;

"Master:"

"Master" includes any person in charge of a decked vessel; and

"Shipping master."

"Shipping master" includes any other officer whom the local Government may from time to time appoint to exercise the powers of a shipping master under this Act.

Prohibition against causing or permitting stowaway to land without sanction.

Cf. s. 4 of Act XIII of 1876.

3. No master shall cause or permit any stowaway finally to land from his ship in a British Indian port without the previous sanction in writing of the shipping master.

Sanction not to be given unless owner or agent of ship enter into a bond.

4. Such sanction shall not be given unless and until the owner or agent of such ship has given to the shipping master a bond in such form, and with such number of sureties, as the local Government may from time to time prescribe, binding himself, in such sum as the shipping master thinks sufficient, to pay to the Secretary of State for India in Council, in the event of such stowaway becoming within one year after he so lands from such ship chargeable to the State as a vagrant under the European Vagrancy Act, 1874, the cost of his removal under the said Act and all other charges incurred by the State in consequence of his becoming a vagrant.

Penalty for causing or permitting stowaway to land in contravention of section 3.

Cf. para. 2 of sec. 4 of Act XIII of 1876.

5. Any master who, in wilful disobedience of the prohibition contained in section three, causes or permits any stowaway finally to land from his ship, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

Liability of owner or agent when stowaway lands without sanction.

Cf. Act IX of 1874, s. 31, third para.

6. Whenever any stowaway finally lands from a ship without the sanction required by section three and becomes chargeable to the State as a vagrant under the European Vagrancy Act, 1874, within one year after so landing, the person who is at the

date of such landing the owner or agent of the ship from which such stowaway has so landed shall be liable to pay to the Government the cost of his removal under the said Act and all other charges incurred by the State in consequence of his becoming a vagrant.

7. All costs and charges which any owner or agent is liable to pay under this Act shall be recoverable by suit as if he had entered into an express agreement with the said Secretary of State in Council to repay them.

Recovery of costs and charges.

Cf. last para. s. 31, Act IX of 1874.

STATEMENT OF OBJECTS AND REASONS.

Stowaways of European extraction are found, on a rough average, on board twenty per cent. of the vessels arriving at the port of Calcutta. They are also, though less frequently, landed at Bombay, Aden and Rangoon. As the law stands, masters of ships in British Indian ports may land stowaways, and are in no way responsible for them after they have landed. If stowaways so landed are Europeans and become vagrants (as they occasionally do), they have to be dealt with under the European Vagrancy Act, 1874, and provided with subsistence-allowance while in charge of the police, with food while in a workhouse, and (where no suitable employment is obtained for them) with a passage to England, Australia or wherever their homes may be. As the necessity for relieving such persons really originates in the carelessness of masters of ships, who fail to detect their presence on board before leaving port, it seems unfair that the expenses so incurred should be borne by the Indian tax-payer.

The present Bill has therefore been prepared. It prohibits the landing of stowaways of European extraction, unless with the previous sanction of the Shipping Master or other officer appointed by the local Government, and unless the owner or agent of the ship on board of which the stowaway is found gives a bond to the effect that all expenses incurred in the event of the stowaway becoming a vagrant within one year shall be borne by the obligor. It also imposes a penalty on any master causing or permitting a stowaway to land, and provides that where any stowaway lands without such sanction and becomes a vagrant within one year of so landing, the owner or agent of the ship from which he has landed shall pay all the expenses incurred by the State in consequence of his becoming a vagrant.

SIMLA;
The 19th September, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

[Third publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 5th October, 1881, and was referred to a Select Committee:—

No. 21 OF 1881.

THE BENGAL CIVIL COURTS BILL, 1881.

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A Bill to amend the law relating to the Civil Courts in Bengal, the North-Western Provinces and Assam.

Preamble.

WHEREAS it is expedient to amend the law relating to the Civil Courts in the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioner of Assam, and to validate certain appointments of Munsifs; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Act VI of 1871, s. 1.

1. This Act may be called "The Bengal Civil Courts Act, 1881"; and it shall come into force at once.

Short title. Commencement.

It extends to the territories for the time being respectively administered by the said Lieutenant-Governors and the said Chief Commissioner, except such portions thereof as for the time being are not subject to the ordinary jurisdiction of the High Courts and except the Jhánsí Division.

Local extent.

Except this section and sections seventeen, twenty-eight and twenty-nine, nothing herein contained applies to Courts of Small Causes established under Act No. XI of 1865.

Partial exclusion of Mufassal Small Cause Courts.

2. Act No. VI of 1871 (*to consolidate and amend the law relating to the District and Subordinate Civil Courts in Bengal*) and Act No. XIX of 1877 (*to enable certain District Judges to suspend and remove certain ministerial officers, and for other purposes*), section 1, are hereby repealed.

Repeal of Acts VI of 1871 and XIX of 1877, section 1.

3. All appointments, nominations, rules and orders made, lists published, jurisdictions and powers conferred, under the said Act No. VI of 1871, shall be deemed to be respectively made, published and conferred under this Act;

Saving of rules, &c., made, &c.

and when in any Act, Regulation or Notification, heretofore passed or issued, and now in force, reference is made to the said Act No. VI of 1871 or to any Act thereby repealed, such reference shall, so far as may be practicable, be read as applying to this Act, or the corresponding part thereof.

CHAPTER II.

CONSTITUTION OF CIVIL COURTS.

Act VI of 1871, ss. 3 & 4.

4. The local Government may from time to time reduce, and, with the previous sanction of the Governor General in Council, increase the number of District Judges and Subordinate Judges now fixed.

Number of District Judges and Subordinate Judges.

Act VI of 1871, s. 4.

5. The local Government may, subject to the control of the Governor General in Council, from time to time alter the number of Munsifs now fixed: Provided that, except in the case of Munsifs of a grade the salary of which does not exceed two hundred and fifty rupees per mensem, no increase to the number of Munsifs now fixed shall be made by such Government without the previous sanction of the Governor General in Council.

Number of Munsifs.

Act VI of 1871, s. 5.

6. Whenever the office of District Judge or Subordinate Judge is vacant, or whenever the Governor General in Council has sanctioned an increase of the number of District Judges or Subordinate Judges, the local Government shall supply such vacancy or appoint such additional District Judges or Subordinate Judges as the case may be.

Vacancies in District or Subordinate Judgeships.

Act VI of 1871, s. 6.

7. Whenever the office of Munsif is vacant, or whenever the local Government increases the number of Munsifs, the High Court shall nominate such person as it thinks fit to be a Munsif, and the local Government shall appoint him accordingly:

Vacancies in Munsifships.

Provided that the local Government may from time to time, with the previous sanction of the Governor General in Council, make rules as to the qualifications of persons to be appointed Munsifs; and on such rules being made, no person shall be nominated to such office unless he possesses the qualifications required by the said rules.

All appointments of Munsifs heretofore made by the local Government, shall be deemed to have been made in accordance with law.

Appointments of Munsifs heretofore made to be deemed legally made.

New.

Act VI of 1871, s. 7.

8. When the business pending before any District Judge requires the aid of Additional Judges for its speedy disposal, the local Government may, upon the recommendation of the High Court, and subject to the previous sanction of the Governor General in Council, appoint such Additional Judges as may be requisite.

Additional Judges.

Such Additional Judges shall perform any of the duties of a District Judge that the District Judge may, with the previous sanction of the High Court, assign to them, and, in the performance of such duties, they shall exercise the same powers and be subject to the same control as the District Judge.

Act VI of 1871, s. 8.

9. In the event of the death of the District Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence from the station in which his Court is held, the Additional Judge, or, if there is no Additional Judge attached to such Court, the senior Subordinate Judge of the District, shall, without relinquishing his ordinary duties, assume charge of the Judge's office,

Temporary charge of District Judgeship.

and shall discharge such of the current duties thereof as are connected with the filing of plaints and memoranda of appeal, the issue of processes and the like functions,

and shall continue in charge of the office until it is resumed by the District Judge or assumed by an officer duly appointed thereto.

Act VI of 1871, s. 9.

10. In the event of the death of a Subordinate Judge, or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence on leave when no person is appointed to act for him, the District Judge may transfer all or any of the proceedings pending in the Court of such Subordinate Judge either to his own Court or to the Court of a Subordinate Judge (if any) under his control.

Transfer of proceedings on death, &c., of Subordinate Judge.

All proceedings transferred under this section shall be disposed of as if they had been instituted in the Court to which they are so transferred.

A District Judge, on the occurrence within his District of any vacancy in the office of Munsif, may, pending the action of the High Court under section seven, appoint such person as he thinks fit to act in such office.

Temporary charge of Munsifship.

And he shall forthwith report to the High Court the occurrence of every such vacancy and the making of every such appointment.

Act VI of 1871, s. 10.

11. The local Government may invest with the powers of any Court under this Act any officer in the Divisions of Chutiá Nágpur and Kuch Bihár, and the territories administered by the Chief Commissioner of Assam.

Power to confer judicial powers on officers in Chutiá Nágpur, Kuch Bihár and Assam.

Nothing in sections four to ten (inclusive), thirty-one, thirty-two and thirty-three applies to any such officer. But all the other provisions of this Act apply, *mutatis mutandis*, to officers so invested.

Act VI of 1871, s. 11.

12. The general control over all the Civil Courts in any District is vested in the District Judge, but subject to the superintendence of the High Court.

Control of Civil Courts in a District.

Act VI of 1871, s. 12.

13. The present District Judges, Additional Judges, Subordinate Judges and Munsifs shall be deemed to have been duly appointed under this Act to the offices, the duties of which they respectively discharge.

Present District Judges, &c., to be deemed duly appointed.

Act VI of 1871, s. 14.

14. Every Court under this Act shall use a seal of such form and dimensions as are for the time being prescribed by the local Government.

Seals of Courts.

Act VI of 1871, s. 15.

15. Every District Judge, Additional Judge, Subordinate Judge and Munsif under this Act shall be deemed to be a Civil Court within the meaning of the Code of Civil Procedure and of this Act.

District Judges, Additional Judges, Subordinate Judges and Munsifs to be deemed Civil Courts.

Act VI of 1871, s. 16.

16. The local Government may fix, and from time to time alter, the place or places at which any Court under this Act is to be held.

Power to fix sites of Courts.

All such places now fixed shall be deemed to be fixed under this Act.

17. Subject to such orders as may from time to time be issued by the Governor General in Council, the High Court shall prepare a list of days to be observed in each year as close holidays in the Courts subordinate thereto.

Vacation.

Such list shall be published in the local official Gazette, and the said days shall be observed accordingly.

CHAPTER III.

ORDINARY JURISDICTION.

Act VI of 1871, s. 18.

18. The local Government shall fix, and may from time to time vary, the local limits of the jurisdiction of any Court under this Act:

Power to fix local limits of jurisdiction.

Provided that, where more than one Subordinate Judge is appointed to any District, or where more than one Munsif is appointed to any Munsifí, the Judge of the District Court may assign to each such Subordinate Judge or Munsif the local limits of his particular jurisdiction within such District or Munsifí, as the case may be.

The present local limits of the jurisdiction of every Civil Court (other than the High Court) shall be deemed to be fixed under this Act.

Act VI of 1871, s. 19.

19. The jurisdiction of a District Judge or Subordinate Judge extends, subject to the provisions in the Code of Civil Procedure, section fifteen, to all original suits for the time being cognizable by the Civil Courts.

Extent of original jurisdiction of District Judge or Subordinate Judge.

Act VI of 1871, s. 20.

20. The jurisdiction of a Munsif extends to all like suits in which the amount or value of the subject-matter in dispute does not exceed one thousand rupees.

Extent of Munsif's jurisdiction.

Act VI of 1871, s. 21.

21. Appeals from the decrees and orders of District Judges and Additional Judges shall, when such appeals are allowed by law, lie to the High Court.

Appeals from District Judges and Additional Judges.

Act VI of 1871, s. 22.

22. Appeals from the decrees and orders of Subordinate Judges and Munsifs shall, when such appeals are allowed by law, lie to the District Judge, except where the amount or value of the subject-matter in dispute in the appeal exceeds five thousand rupees, in which case the appeal shall lie to the High Court:

Appeals from Subordinate Judges and Munsifs.

Provided that the High Court may from time to time, with the previous sanction of the local Government, order that all appeals from the decrees and orders of any Munsif shall be preferred to the Court of such Subordinate Judge as may be mentioned in the order, and such appeals shall thereupon be preferred accordingly.

Act VI of 1871, s. 24.

23. Where in any suit or proceeding it is necessary for any Court under this Act to decide any question regarding succession, inheritance, marriage or caste, or any religious usage or institution, the Muhammadan law in cases where the parties are Muhammadans, and the Hindú law in cases where the parties are Hindús, shall form the rule of decision, except in so far as such law has, by legislative enactment, been altered or abolished.

Certain decisions to be according to Native law.

In cases not provided for by the former part of this section, or by any other law for the time being in force, the Court shall act according to justice, equity and good conscience.

Act VI of 1871, s. 25.

24. No Munsif, Subordinate Judge, Additional Judge or District Judge shall try any suit in which he is a party or personally interested, or shall adjudicate upon any proceeding connected with, or arising out of, such suit.

Judges not to try suits in which they are interested.

No Subordinate Judge, Additional Judge or District Judge shall try any appeal against a decree or order passed by himself in another capacity.

When any such suit, proceeding or appeal comes before any such Munsif, Subordinate Judge, Additional Judge or District Judge, he shall forthwith transmit the whole record of the case to the Court to which he is immediately subordinate, with a report of the circumstances attending the reference.

The superior Court shall thereupon dispose of the case in the manner prescribed by the Code of Civil Procedure, section twenty-five.

Nothing in this section shall be deemed to affect the extraordinary original civil jurisdiction of the High Court.

Explanation.—For the purposes of this section the Munsif and Subordinate Judge shall be deemed to be immediately subordinate to the District Judge and the Additional Judge and District Judge to the High Court.

CHAPTER IV.

SPECIAL JURISDICTION.

Act VI of 1871, s. 26.

25. Every District Judge may from time to time, subject to the orders of the High Court, refer to any Subordinate Judge under his control any appeals pending before him from the decrees of Munsifs; and such Subordinate Judge shall hear and dispose of such appeals accordingly.

Power to refer to Subordinate Judges appeals from Munsifs.

The District Judge may withdraw any appeals so referred and hear and dispose of appeals so withdrawn.

Act VI of 1871, s. 27.

26. The High Court may from time to time, by order, authorize any District Judge to transfer to a Subordinate Judge under his control appeals under the Code of Civil Procedure from any orders of Munsifs against which an appeal lies to the District Court.

Power to transfer to Subordinate Judge or Munsif certain proceedings pending before District Judge.

The High Court may also from time to time, by order, authorize any District Judge to transfer to a Subordinate Judge or Munsif under the control of such District Judge any of the proceedings next hereinafter mentioned, or any class of such proceedings specified in such order, and then pending, or thereafter instituted, before such District Judge.

The proceedings referred to in the second clause of this section are the following (that is to say):—

(*a*) Proceedings under Bengal Regulation V, 1799 (*to limit the Interference of the Zillah and City Courts of Dewanny Adawlut in the Execution of Wills and Administration to the Estates of Persons dying intestate*).

(*b*) Applications for certificates under Act No. XXVII of 1860 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*).

(*c*) Proceedings under the Probate and Administration Act, 1881.

(*d*) Proceedings under Act No. XL of 1858 (*for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal*), or Act No. IX of 1861 (*to amend the law relating to Minors*).

(*e*) Claims preferred to, or objections made to the attachment of, any property under the Code of Civil Procedure, section 278.

(*f*) Applications to file awards under section 525 of the same Code.

(*g*) Applications for permission to sue or appeal as a pauper.

The District Judge may withdraw any proceedings so transferred and may either himself dispose of them, or, with the previous sanction of the High Court, transfer them to any other Subordinate Judge or Munsif under his control.

27. Subject to the provisions of the last clause of section twenty-six, all proceedings transferred under the second clause of the same section shall be disposed of by the Subordinate Judge or Munsif (as the case may be) according to the rules prescribed for the guidance of District Judges in like cases:

Act VI of 1871, s. 28.

Disposal of proceedings so transferred.

Provided that an appeal from the order of the Subordinate Judge or Munsif in such cases shall lie to the District Judge.

An appeal from his order thereon shall lie to the High Court if an appeal from the decision of the Judge in such proceedings is allowed by the law in force for the time being.

28. The local Government may invest, within such local limits as it from time to time appoints, any Subordinate Judge with the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts, up to the amount of five hundred rupees, and any Munsif with similar jurisdiction up to the amount of fifty rupees; and may, whenever it thinks fit, withdraw such jurisdiction from the Subordinate Judge or Munsif so invested.

Act VI of 1871, s. 29.

Power to invest Subordinate Judges and Munsifs with Small Cause jurisdiction.

29. Section fifty-one of Act No. XI of 1865 (*to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the Ordinary Original Civil jurisdiction of the High Courts of Judicature*) shall be read as if, for the words "Principal Sadr Amín," the words "Subordinate Judge" were substituted.

Act VI of 1871, s. 30.

Amendment of Act No. XI of 1865.

CHAPTER V.

MISFEAZANCE.

30. Any District Judge, Additional Judge, Subordinate Judge or Munsif may, for any misconduct, be suspended or removed by the local Government.

Act VI of 1871, s. 31.

Suspension or removal of District Judge or Additional Judge.

31. The High Court may, whenever it sees urgent necessity for so doing, suspend any Subordinate Judge under its control.

Act VI of 1871, s. 32.

Suspension of Subordinate Judge.

Whenever the High Court exercises this power, it shall forthwith report to the local Government the circumstances of the suspension, and the local Government shall make such order thereon as it thinks fit.

32. The High Court may appoint a Commission for enquiring into the alleged misconduct of any Munsif.

Act VI of 1871, s. 33.

Suspension and removal of Munsifs by High Court.

On receiving the report of the result of any such enquiry, the High Court may, if it thinks fit, remove the Munsif from office, or suspend him, or reduce him to a lower grade.

The provisions of Act No. XXXVII of 1850 (*for regulating enquiries into the behaviour of public servants*) shall apply to inquiries under this section, the powers conferred by that Act on the Government being exercised by the High Court.

The High Court may also, previous to the appointment of such Commission, suspend any Munsif pending the result of the inquiry.

The High Court may, without appointing any such Commission, remove or suspend any Munsif, or reduce him to a lower grade.

Act VI of 1871, s. 34.

33. Any District Judge may, whenever he sees urgent necessity for so doing, suspend from office any Munsif under his control.

Suspension of Munsifs by District Judges.

Whenever a District Judge suspends from office any such Munsif, he shall forthwith send to the High Court a full report of the circumstances of the suspension, together with the evidence, if any; and the High Court shall make such order thereon as it thinks fit.

CHAPTER VI.

MINISTERIAL OFFICERS.

Act VI of 1871, s. 35.

34. The District Judges shall appoint the ministerial officers of their Courts, and, subject only to the general control of the local Government, the said Judges may remove or suspend such officers or fine them in an amount not exceeding one month's salary.

Appointment and removal of ministerial officers of District Courts.

35. The ministerial officers of the Courts of Subordinate Judges and Munsifs shall be nominated and appointed by those Courts respectively, subject to the approval of the District Judge within whose jurisdiction such Courts are situate.

Act VI of 1871, s. 36.

Appointment and removal of ministerial officers of Subordinate Judges and Munsifs.

Every such Court may, by order, remove or suspend from office, or fine in an amount not exceeding one month's salary, any of its ministerial officers who is guilty of any misconduct or neglect in the performance of the duties of his office. And the District Judge, subject only to the general control of the local Government, may, on appeal or otherwise, reverse or modify every such order.

Power to punish such officers.

The District Judge, within whose jurisdiction such Court is situate, may, by order, suspend or remove any such ministerial officer.

Act XIX of 1877, s. 1.

Nothing in this section or in section thirty-four shall exempt any officer from any penal or other consequences to which he may be liable under any other law in force for the time being.

36. The local Government may, at the instance of the District Judge, transfer from any Court in the territories administered by such Government, to any other Court in the same territories, all or any of the ministerial officers of such Judge or of any Subordinate Judge or Munsif under his control.

Act VI of 1871, s. 37.

Transfer of ministerial officers.

The District Judge may transfer all or any of the ministerial officers of any Court under his control to any other such Court.

37. Any fine imposed under this Chapter shall, if the order imposing it so directs, be recovered by deduction from the offender's salary.

Act VI of 1871, s. 38.

Recovery of fines.

STATEMENT OF OBJECTS AND REASONS.

Section 4 of the Bengal Civil Courts Act, 1871, declares that the number of Subordinate Judges and Munsifs to be appointed in each district shall be fixed, and may from time to time be altered, by the local Government. And section 6 of the same Act declares that, when the Governor General in Council has sanctioned an increase in the number of Munsifs, the High Court shall nominate such person as it thinks fit to be a Munsif, and the local Government shall appoint him accordingly. The number of Munsifs was accordingly fixed under section 4 in the Lower Provinces and Assam. Subsequently, in exercise of the power vested in local Governments by the terms of the provincial service arrangements in regard to the creation of additional appointments on salaries not exceeding Rs. 250 a month, the Government of Bengal and the Chief Commissioner of Assam, without the previous sanction of the Governor General in Council, appointed Munsifs in excess of the number so fixed. Doubts have been raised as to the validity of such appointments. It appears to the Government of India that the law does not authorize the local Government to appoint Munsifs, whether temporarily or permanently, in excess of the fixed number, unless an increase to that number has previously been sanctioned by the Governor General in Council. It is, however, in the opinion of the Government of India desirable to empower the local Government, without the sanction, but subject to the control, of the Governor General in Council, to increase the number of Munsifs, provided that the power is confined to those grades of Munsifs the pay of which does not exceed Rs. 250 a month.

2. The present Bill has accordingly been prepared. It enables the local Government without the previous sanction of the Governor General in Council to increase the number of Munsifs of a grade the salary of which does not exceed Rs. 250 per month. The opportunity has been taken to validate the appointments already made by the Bengal Government and the Chief Commissioner of Assam: to make it clear that the local Government cannot increase the number of District Judges or Subordinate Judges without the previous sanction of the Governor General in Council: to extend the District Judge's power of transferring appeals and proceedings to appeals from all orders made by Munsifs and to proceedings under the Probate and Administration Act, 1881: and to make such amendments in the wording of the law as the experience of the last ten years shows to be necessary or desirable.

WHITLEY STOKES.

The 30th September, 1881.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill and Statement of Objects and Reasons accompanying it are published for general information, by order of His Excellency the Governor General, under the 22nd of the Rules for the conduct of the Legislative Business of the Council of the Governor General:—

A Bill to amend the law relating to Powers-of-Attorney.

FOR the purpose of amending the law relating to Powers-of-Attorney; it is hereby enacted as follows:—

Short title. Local extent. Commencement.

1. This Act may be called "The Powers-of-Attorney Act, 1881": it applies to the whole of British India; and it shall come into force on the first day of January, 1882.

44 & 45 Vic., c. 41, s. 46.

Execution under power-of-attorney.

2. The donee of a power-of-attorney may, if he thinks fit, execute or do any assurance, instrument or thing in and with his own name and signature and his own seal, where sealing is required, by the authority of the donor of the power; and every assurance, instrument and thing so executed and done shall be as effectual in law as if it had been executed or done by the donee of the power in the name and with the signature and seal of the donor thereof.

This section applies to powers-of-attorney created by instruments executed either before or after this Act comes into force.

44 & 45 Vic., c. 41, s. 47.

Payment by attorney under power without notice of death, &c., good.

3. Any person making or doing any payment or act, in good faith, in pursuance of a power-of-attorney shall not be liable in respect of the payment or act by reason that before the payment or act the donor of the power had died or become lunatic, of unsound mind, or bankrupt, or insolvent, or had revoked the power, if the fact of death, lunacy, unsoundness of mind, bankruptcy, insolvency or revocation was not at the time of the payment or act known to the person making or doing the same.

But this section shall not affect any right against the payee of any person interested in any money so paid; and that person shall have the like remedy against the payee as he would have had against the payer if the payment had not been made by him.

This section applies only to payments and acts made or done after this Act comes into force.

44 & 45 Vic., c. 41, s. 48.

Deposit of original instruments creating powers-of-attorney.

4. (*a*) An instrument creating a power-of-attorney, its execution being verified by affidavit, statutory declaration or other sufficient evidence, may, with the affidavit or declaration, if any, be deposited in the High Court within the local limits of whose jurisdiction the instrument may be.

(*b*) A separate file of instruments so deposited shall be kept; and any person may search that file, and inspect every instrument so deposited; and a certified copy thereof shall be delivered out to him on request.

(*c*) A copy of an instrument so deposited may be presented at the office and may be stamped or marked as a certified copy, and when so stamped or marked shall become and be a certified copy.

(*d*) A certified copy of an instrument so deposited shall without further proof be sufficient evidence of the contents of the instrument and of the deposit thereof in the High Court.

(*e*) The High Court may from time to time make rules for the purposes of this section, and prescribing, with the concurrence of the Local Government, the fees to be taken under clauses (*a*), (*b*) and (*c*).

(*f*) Throughout British Burma, the Court of the Recorder of Rangoon shall for the purposes of this section be deemed to be the High Court.

(*g*) This section applies to instruments creating powers-of-attorney executed either before or after this Act comes into force.

STATEMENT OF OBJECTS AND REASONS.

As the law stands, the donee of a power-of-attorney, when executing an instrument pursuant to the power, must sign, and where sealing is required must seal, in his principal's name. The first object of this Bill is to render it legal for such donees to execute in and with their own names and seals. The law respecting the execution of powers-of-attorney will thus be made accordant with what will be the rule in England from and after the 31st December, 1881, and with what is believed to be the practice in the North-Western Provinces and, probably, elsewhere in India. The section effecting this is copied from section 46 of the recent Statute 44 & 45 Vic., c. 41, which takes effect from the close of the present year.

The second object of the Bill is to preclude doubts as to the liability of a donee of a power-of-attorney who makes payments in good faith after the donor of the power has died or become lunatic or bankrupt or insolvent, or has revoked the power, when the fact of death, lunacy, bankruptcy, insolvency or revocation was not known to the donee at the time of making the payment. The section effecting this is copied from section 47 of the Statute above mentioned, and merely extends to all attorneys the rule as to trustees, executors and administrators making payments under powers, which has been in force in British India for the last fifteen years—see Act XXVIII of 1866, section 39.

The third and last object of the Bill is to provide for the deposit of instruments creating powers-of-attorney, and for the evidence of the contents of such instruments. The section effecting this is copied (with the modifications necessary to adapt it to India) from 44 & 45 Vic., c. 41, section 48.

SIMLA;
The 16th October, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill and Statement of Objects and Reasons accompanying it are published for general information, by order of His Excellency the Governor General, under the 22nd of the Rules for the conduct of the Legislative Business of the Council of the Governor General:—

No. 22 OF 1881.

A Bill to amend the law relating to Powers-of-Attorney.

FOR the purpose of amending the law relating to Powers-of-Attorney; it is hereby enacted as follows:—

Short title. Local extent. Commencement.

1. This Act may be called "The Powers-of-Attorney Act, 1881": it applies to the whole of British India; and it shall come into force on the first day of January, 1882.

44 & 45 Vic., c. 41, s. 46. Execution under power-of-attorney.

2. The donee of a power-of-attorney may, if he thinks fit, execute or do any assurance, instrument or thing in and with his own name and signature and his own seal, where sealing is required, by the authority of the donor of the power; and every assurance, instrument and thing so executed and done shall be as effectual in law as if it had been executed or done by the donee of the power in the name and with the signature and seal of the donor thereof.

This section applies to powers-of-attorney created by instruments executed either before or after this Act comes into force.

44 & 45 Vic., c. 41, s. 47. Payment by attorney under power without notice of death, &c., good.

3. Any person making or doing any payment or act, in good faith, in pursuance of a power-of-attorney shall not be liable in respect of the payment or act by reason that before the payment or act the donor of the power had died or become lunatic, of unsound mind, or bankrupt, or insolvent, or had revoked the power, if the fact of death, lunacy, unsoundness of mind, bankruptcy, insolvency or revocation was not at the time of the payment or act known to the person making or doing the same.

But this section shall not affect any right against the payee of any person interested in any money so paid; and that person shall have the like remedy against the payee as he would have had against the payer if the payment had not been made by him.

This section applies only to payments and acts made or done after this Act comes into force.

44 & 45 Vic., c. 41, s. 48. Deposit of original instruments creating powers-of-attorney.

4. (*a*) An instrument creating a power-of-attorney, its execution being verified by affidavit, statutory declaration or other sufficient evidence, may, with the affidavit or declaration, if any, be deposited in the High Court within the local limits of whose jurisdiction the instrument may be.

(*b*) A separate file of instruments so deposited shall be kept; and any person may search that file, and inspect every instrument so deposited; and a certified copy thereof shall be delivered out to him on request.

(*c*) A copy of an instrument so deposited may be presented at the office and may be stamped or marked as a certified copy, and when so stamped or marked shall become and be a certified copy.

(*d*) A certified copy of an instrument so deposited shall without further proof be sufficient evidence of the contents of the instrument and of the deposit thereof in the High Court.

(*e*) The High Court may from time to time make rules for the purposes of this section, and prescribing, with the concurrence of the Local Government, the fees to be taken under clauses (*a*), (*b*) and (*c*).

(*f*) Throughout British Burma, the Court of the Recorder of Rangoon shall for the purposes of this section be deemed to be the High Court.

(*g*) This section applies to instruments creating powers-of-attorney executed either before or after this Act comes into force.

STATEMENT OF OBJECTS AND REASONS.

As the law stands, the donee of a power-of-attorney, when executing an instrument pursuant to the power, must sign, and where sealing is required must seal, in his principal's name. The first object of this Bill is to render it legal for such donees to execute in and with their own names and seals. The law respecting the execution of instruments under powers-of-attorney will thus be made accordant with what will be the rule in England from and after the 31st December, 1881, and with what is believed to be the practice in the North-Western Provinces, British Burma and, probably, elsewhere in India. The section effecting this is copied from section 46 of the recent Statute 44 & 45 Vic., c. 41, which takes effect from the close of the present year.

The second object of the Bill is to preclude doubts as to the liability of a donee of a power-of-attorney who makes payments in good faith after the donor of the power has died or become lunatic or bankrupt or insolvent, or has revoked the power, when the fact of death, lunacy, bankruptcy, insolvency or revocation was not known to the donee at the time of making the payment. The section effecting this is copied from section 47 of the Statute above mentioned, and merely extends to all attorneys the rule as to trustees, executors and administrators making payments under powers, which has been in force in British India for the last fifteen years—see Act XXVIII of 1866, section 39.

The third and last object of the Bill is to provide for the deposit of instruments creating powers-of-attorney, and for the evidence of the contents of such instruments. The section effecting this is copied (with the modifications necessary to adapt it to India) from 44 & 45 Vic., c. 41, section 48.

SIMLA;
The 16th October, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 29, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill and Statement of Objects and Reasons accompanying it are published for general information, by order of His Excellency the Governor General, under the 42nd of the Rules for the conduct of the Legislative Business of the Council of the Governor General:—

No. 22 OF 1881.

A Bill to amend the law relating to Powers-of-Attorney.

FOR the purpose of amending the law relating to Powers-of-Attorney; it is hereby enacted as follows:—

Short title. Local extent. Commencement.

1. This Act may be called "The Powers-of-Attorney Act, 1881": it applies to the whole of British India; and it shall come into force on the first day of January, 1882.

Execution under power-of-attorney.

2. The donee of a power-of-attorney may, if he thinks fit, execute or do any assurance, instrument or thing in and with his own name and signature and his own seal, where sealing is required, by the authority of the donor of the power; and every assurance, instrument and thing so executed and done shall be as effectual in law as if it had been executed or done by the donee of the power in the name and with the signature and seal of the donor thereof.

This section applies to powers-of-attorney created by instruments executed either before or after this Act comes into force.

Payment by attorney under power without notice of death, &c., good.

3. Any person making or doing any payment or act, in good faith, in pursuance of a power-of-attorney shall not be liable in respect of the payment or act by reason that before the payment or act the donor of the power had died or become lunatic, of unsound mind, or bankrupt, or insolvent, or had revoked the power, if the fact of death, lunacy, unsoundness of mind, bankruptcy, insolvency or revocation was not at the time of the payment or act known to the person making or doing the same.

But this section shall not affect any right against the payee of any person interested in any money so paid; and that person shall have the like remedy against the payee as he would have had against the payer if the payment had not been made by him.

This section applies only to payments and acts made or done after this Act comes into force.

Deposit of original instruments creating powers-of-attorney. 44 & 45 Vic., c. 41, s. 48.

4. (*a*) An instrument creating a power-of-attorney, its execution being verified by affidavit, statutory declaration or other sufficient evidence, may, with the affidavit or declaration, if any, be deposited in the High Court within the local limits of whose jurisdiction the instrument may be.

(*b*) A separate file of instruments so deposited shall be kept; and any person may search that file, and inspect every instrument so deposited; and a certified copy thereof shall be delivered out to him on request.

(*c*) A copy of an instrument so deposited may be presented at the office and may be stamped or marked as a certified copy, and when so stamped or marked shall become and be a certified copy.

(*d*) A certified copy of an instrument so deposited shall without further proof be sufficient evidence of the contents of the instrument and of the deposit thereof in the High Court.

(*e*) The High Court may from time to time make rules for the purposes of this section, and prescribing, with the concurrence of the Local Government, the fees to be taken under clauses (*a*), (*b*) and (*c*),

(*f*) Throughout British Burma, the Court of the Recorder of Rangoon shall for the purposes of this section be deemed to be the High Court.

(*g*) This section applies to instruments creating powers-of-attorney executed either before or after this Act comes into force.

STATEMENT OF OBJECTS AND REASONS.

As the law stands, the donee of a power-of-attorney, when executing an instrument pursuant to the power, must sign, and where sealing is required must seal, in his principal's name. The first object of this Bill is to render it legal for such donees to execute in and with their own names and seals. The law respecting the execution of instruments under powers-of-attorney will thus be made accordant with what will be the rule in England from and after the 31st December, 1881, and with what is believed to be the practice in the North-Western Provinces, British Burma and, probably, elsewhere in India. The section effecting this is copied from section 46 of the recent Statute 44 & 45 Vic., c. 41, which takes effect from the close of the present year.

The second object of the Bill is to preclude doubts as to the liability of a donee of a power-of-attorney who makes payments in good faith after the donor of the power has died or become lunatic or bankrupt or insolvent, or has revoked the power, when the fact of death, lunacy, bankruptcy, insolvency or revocation was not known to the donee at the time of making the payment. The section effecting this is copied from section 47 of the Statute above mentioned, and merely extends to all attorneys the rule as to trustees, executors and administrators making payments under powers, which has been in force in British India for the last fifteen years—see Act XXVIII of 1866, section 39.

The third and last object of the Bill is to provide for the deposit of instruments creating powers-of-attorney, and for the evidence of the contents of such instruments. The section effecting this is copied (with the modifications necessary to adapt it to India) from 44 & 45 Vic., c. 41, section 48.

SIMLA;
The 16th October, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, NOVEMBER 5, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Bill and Statement of Objects and Reasons accompanying it are published for general information, by order of His Excellency the Governor General, under the 22nd of the Rules for the conduct of the Legislative Business of the Council of the Governor General:—

No. 22 OF 1881.

A Bill to amend the law relating to Powers-of-Attorney.

FOR the purpose of amending the law relating to Powers-of-Attorney; it is hereby enacted as follows:—

Short title. **1.** This Act may be called "The Powers-of-Attorney Act, 1881": it applies to the whole of British India; and it shall come into force on the first day of January, 1882.

Local extent.
Commencement.

44 & 45 Vic., c. 41, s. 46. **2.** The donee of a power-of-attorney may, if he thinks fit, execute or do any assurance, instrument or thing in and with his own name and signature and his own seal, where sealing is required, by the authority of the donor of the power; and every assurance, instrument and thing so executed and done shall be as effectual in law as if it had been executed or done by the donee of the power in the name and with the signature and seal of the donor thereof.

Execution under power-of-attorney.

This section applies to powers-of-attorney created by instruments executed either before or after this Act comes into force.

44 & 45 Vic., c. 41, s. 47. **3.** Any person making or doing any payment or act, in good faith, in pursuance of a power-of-attorney shall not be liable in respect of the payment or act by reason that before the payment or act the donor of the power had died or become lunatic, of unsound mind, or bankrupt, or insolvent, or had revoked the power, if the fact of death, lunacy, unsoundness of mind, bankruptcy, insolvency or revocation was not at the time of the payment or act known to the person making or doing the same.

Payment by attorney under power without notice of death, &c., good.

But this section shall not affect any right against the payee of any person interested in any money so paid; and that person shall have the like remedy against the payee as he would have had against the payer if the payment had not been made by him.

This section applies only to payments and acts made or done after this Act comes into force.

44 & 45 Vic., c. 41, s. 48. **4.** (*a*) An instrument creating a power-of-attorney, its execution being verified by affidavit, statutory declaration or other sufficient evidence, may, with the affidavit or declaration, if any, be deposited in the High Court within the local limits of whose jurisdiction the instrument may be.

Deposit of original instruments creating powers-of-attorney.

(*b*) A separate file of instruments so deposited shall be kept; and any person may search that file, and inspect every instrument so deposited; and a certified copy thereof shall be delivered out to him on request.

(*c*) A copy of an instrument so deposited may be presented at the office and may be stamped or marked as a certified copy, and when so stamped or marked shall become and be a certified copy.

(*d*) A certified copy of an instrument so deposited shall without further proof be sufficient evidence of the contents of the instrument and of the deposit thereof in the High Court.

(*e*) The High Court may from time to time make rules for the purposes of this section, and prescribing, with the concurrence of the Local Government, the fees to be taken under clauses (*a*), (*b*) and (*c*).

(*f*) Throughout British Burma, the Court of the Recorder of Rangoon shall for the purposes of this section be deemed to be the High Court.

(*g*) This section applies to instruments creating powers-of-attorney executed either before or after this Act comes into force.

STATEMENT OF OBJECTS AND REASONS.

As the law stands, the donee of a power-of-attorney, when executing an instrument pursuant to the power, must sign, and where sealing is required must seal, in his principal's name. The first object of this Bill is to render it legal for such donees to execute in and with their own names and seals. The law respecting the execution of instruments under powers-of-attorney will thus be made accordant with what will be the rule in England from and after the 31st December, 1881, and with what is believed to be the practice in the North-Western Provinces, British Burma and, probably, elsewhere in India. The section effecting this is copied from section 46 of the recent Statute 44 & 45 Vic., c. 41, which takes effect from the close of the present year.

The second object of the Bill is to preclude doubts as to the liability of a donee of a power-of-attorney who makes payments in good faith after the donor of the power has died or become lunatic or bankrupt or insolvent, or has revoked the power, when the fact of death, lunacy, bankruptcy, insolvency or revocation was not known to the donee at the time of making the payment. The section effecting this is copied from section 47 of the Statute above mentioned, and merely extends to all attorneys the rule as to trustees, executors and administrators making payments under powers, which has been in force in British India for the last fifteen years—see Act XXVIII of 1866, section 39.

The third and last object of the Bill is to provide for the deposit of instruments creating powers-of-attorney, and for the evidence of the contents of such instruments. The section effecting this is copied (with the modifications necessary to adapt it to India) from 44 & 45 Vic., c. 41, section 48.

SIMLA;
The 16th October, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, NOVEMBER 12, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Bill and Statement of Objects and Reasons accompanying it are published for general information, by order of *His Excellency* the Governor General, under the 22nd of the Rules for the Conduct of the Legislative Business of the Council of the Governor General:—

No. 23 OF 1881.

A Bill to amend the Prisoners' Act, 1871.

Preamble. WHEREAS it is expedient to amend Act No. V of 1871 (*to consolidate the laws relating to Prisoners confined by order of a Court*); It is hereby enacted as follows:—

Short title. 1. This Act may be called "The Prisoners' Act Amendment Act, 1883":

Local extent. it extends to the whole of British India; and it shall

Commencement. come into force on the first day of January, 1883.

Section substituted for section 33, Act V of 1871. 2. For section thirty-three of the said Act the following shall be substituted (namely):—

"33. The Governor General in Council may, from time to time, appoint places within British India to which persons sentenced to transportation shall be sent; and the Local Government, or some officer duly authorized in this behalf by the Local Government, shall give orders for the removal of such persons to the places so appointed, except when sentence of transportation is passed on a person already undergoing transportation under a sentence previously passed for another offence. Act X of 1872, s. 319.

Governor General in Council to appoint places to which persons sentenced to transportation shall be sent.

Local Government to direct removal of such persons to places appointed.

Act X of 1872, s. 320.

STATEMENT OF OBJECTS AND REASONS.

SECTIONS 319 and 320 of the Code of Criminal Procedure have been omitted in the Bill for regulating the Procedure of the Courts of Criminal Judicature, which repeals that Code.

The former section empowers the Governor General in Council to appoint a place or places in British India to which persons sentenced to transportation shall be sent, and also authorizes the Local Government to provide for the removal of such persons to the place or places so appointed. The latter section provides for the case of persons sentenced to transportation while already undergoing transportation under a sentence previously passed.

The reason for the omission of these provisions in the Bill is that the matter with which they deal does not belong to Criminal Procedure, but falls within the scope of the Prisoners' Act, 1871.

The present Bill has therefore been prepared. It simply substitutes for section 33 of the Prisoners' Act, 1871, a section containing the provisions of sections 319 and 320 of the present Code of Criminal Procedure, and will come into force at the same time as the new Code. The part of the former section which declares that no sentence of transportation shall specify the place to which the person sentenced is to be transported will be added to section 368 of the new Code.

SIMLA;
The 10th November, 1881.

WHITLEY STOKES.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, NOVEMBER 19, 1881.

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

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Bill and Statement of Objects and Reasons accompanying it are published for general information, by order of His Excellency the Governor General, under the 22nd of the Rules for the Conduct of the Legislative Business of the Council of the Governor General :—

No. 23 of 1881.

A Bill to amend the Prisoners' Act, 1871.

Preamble.

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Short title.

1. This Act may be called "The Prisoners' Act Amendment Act, 1883":

Local extent.

Commencement.

it extends to the whole of British India; and it shall come into force on the first day of January, 1883.

Section substituted for section 33, Act V of 1871.

2. For section thirty-three of the said Act the following shall be substituted (namely) :—

Governor General in Council to appoint places to which persons sentenced to transportation shall be sent.

"33. The Governor General in Council may, from time to time, appoint places within British India to which persons sentenced to transportation shall be sent; and the Local Government, or some officer duly authorized in this behalf by the Local Government, shall give orders for the removal of such persons to the places so appointed, except when sentence of transportation is passed on a person already undergoing transportation under a sentence previously passed for another offence."

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