

POLITICAL DEPARTMENT.—No. 100 of 1868.—List of Persons entitled to the Indian Medal for whom Medals have been received in the Office of the Secretary to Government, North-Western Provinces.

N. B.—It is particularly requested that applications for the above be made to the Officiating Assistant Secretary to Government, North-Western Provinces, at Allahabad :—

NAMES.	Designation at the time of registry of application for the Medal.
Anderson, C.	Assistant Superintendent, Ganges Canal.
Bean, George	Assistant, Stud Department.
Blewitt, Francis Robert	Patrol, Customs Department, Hansie.
Blewitt, W. P.	Ditto, ditto, ditto.
Blunt, William	Assistant, Punjab Accountant's Office.
Blyth, J.	Assistant, Sudder Court, Agra.
Burbridge, W.	Assistant, Electric Telegraph, Agra.
Butler, J.	Pensioner, Meerut.
Byrnes	Magazine Office, Agra.
Conway, J.	Assistant, Sudder Court, Agra.
Dilley, A. S.	Clerk.
D'Souza, H.	Clerk, Magistrate's Office, Allygurh.
	Trooper, Allygurh Light Field Battery.
Feale, F.	Section Writer, Sudder Board's Office, Agra.
Field, George	Sub-Deputy Opium Agent, Arrah.
Foster, Fredk. James	Assistant, Chief Engineer's Office, N. W. P.
Gayther, D.	Deriabad Deputy Commissionership.
Hardinge, D.	Electric Telegraph Department.
Harris, A. S.	Assistant, Punjab Accountant's Office.
Harris, Charles Barret	Assistant, Chief Engineer's Office, N. W. P.
Herdon, John Harris	Assistant Patrol, Meerut.
Higginbottom, O.	Assistant, Sudder Board's Office, Agra.
Hollings, Charles	Sub-Deputy Opium Agent, Gya.
Harst, J.	Patrol, Customs, Agra.
Hyland, William Henry	Assistant, Chief Engineer's Office, N. W. P.
Jones, Joseph Henry	Second Clerk, Collector's Office, Meerut.
McMullen, W. W.	Customs Patrol, Agra.
Miller, W. G.	Secretariat, Agra.
Moss, E. E.	Telegraph, Agra.
Munro, James	Patrol, Customs Line, Agra.
Murphy, George Robert	Assistant, Sudder Court, Agra.
Murphy, W.	Chief Engineer's Office, Agra.
Murphy, W. P.	Assistant, Sudder Court, Agra.
Naylor, R.	} Telegraph, Agra.
Neale, N.	
Nixon, Robert James Alexander	Assistant, Punjab Accountant's Office.
Nuthall, Charles	Assistant, Chief Engineer's Office, N. W. P.
Nuthall, C.	Assistant Superintendent, Ganges Canal.
Palmer, J.	Customs, Agra.
Parker, J.	Superintendent, Upper Central Division, Ganges Canal.
Parker, C. W.	Sudder Board's Office, Agra.
Pinhirow, D.	Assistant, Punjab Accountant's Office.
Penson	Customs, Agra.
Phillips, J.	Inspector, Agra.
Powell, J. G.	Patrol.
Prince, J.	Telegraph, Agra.
Prussia, George	Assistant, Chief Engineer's Office, N. W. P.
Read, F.	Superintendent of Forest, Kumaon.
Robinson, J.	Chief Engineer's Office, Agra.
Rogers, B.	Head Clerk, Judge's Office, Meerut.
Runnelle, J.	Delhie Commissionership.
Rushton, J.	Electric Telegraph Assistant, Agra.
Salt, J. W.	Assistant, Sudder Court, Agra.
Seymour, Charles Crosslay	Assistant, Punjab Accountant's Office.
Sharp, S.	Inspector, Agra.
Shiels, C.	Pensioner, Kurmaon.
Smith, G. F.	Sudder Board's Office, Agra.
Sturl, John Venables	Tehseeldar, Jaloun.

NAMES.	Designation at the time of registry of application for the Medal.
Swaris, Alexander	... Assistant, Government Secretariat, N. W. P.
Topsell, Henry	... Head Clerk, Customs Office, Hissar.
Vere, F. W.	... Customs, Agra.
West, James	... Kotwal, Dehra Doon.
Wilkinson, G.	... Foreman, Department Public Works, N. W. P.
Wilson, J.	... Second Clerk, Collector's Office, Muttra.
Wilson, J.	... Superintendent of Roads, Rajpootana.
Wilson, L.	... Pensioner, Kumaon.
NOT IN SERVICE OF GOVERNMENT.	
Aldwell, James Skinner	... Unemployed, Meerut.
Alexander, M.	... Meerut.
Ashington	... French Circus, Agra.
Atts, Charles	... Surveyor, Bhurtapore.
Auhories, S.	... Meerut.
Bailes, W.	... Unemployed, Agra.
Baptist, A.	... Ditto, Ditto.
Burke, A. W.	... Agra.
Blaney, A. M. F.	... Ditto.
Burke, J. W.	... Unemployed, Agra.
Burne, B.	... Volunteer, Meerut.
Butters, Alexander	... Unemployed, Meerut.
Byrne, Frank J.	... Agra.
Christie, James	... Ditto.
Collett, James	... Engineer, Railway, Etawah.
Collett, James	... District Engineer, East Indian Railway Office.
Cowley, H. C.	... Civil Engineer, Agra.
Cox, Henry	... Accountant, <i>Mofussilite</i> Press, Agra.
Cummings, A. M.	... Chief Engineer, East Indian Railway, Agra.
Curlls, M.	... East Indian Railway, Agra.
Dalby, Richard W.	... Unemployed, Meerut.
Daly, P.	... Ditto, Ditto.
Debnam, George	... Indigo Planter, Shajehanpore.
DeSouza	... Assistant Printer, <i>Mofussilite</i> Press.
Drummond, George	... Indigo Planter and Assistant Honorary Magistrate, Arrah.
Farley, John Miles	... Merchant, Meerut.
Fen, C.	... Meerut.
Gibbon, W.	... Missionary, Goruckpore.
Green, B.	... Trooper, Meerut Light Horse.
Greson, J. R.	... Missionary, Baptist Mission Society, Cawnpore.
Hogue, W.	... Trooper, Meerut Light Horse.
Hall, B. F.	... Agra.
Hamrick, M.	... Kumaon.
Hancob, M.	... Agra.
Harris, J. R.	... Ditto.
John, Constantine	... Merchant, Agra.
Johnstone, D. J. C.	... Ditto, Goruckpore.
Johns, G. S.	... Indigo Planter, Furruckabad.
Lawson, H.	... Meerut.
Life	... Unemployed, Agra.
Lutz, John	... Engraver, Agra.
MacLeod, Charles R. G.	... Agra.
Martin, A.	... Azimgurh.
Mathews, G. E.	... Jounpore.
McLean, E. W.	... Indigo Planter, Shajehanpore.
Meldrum	... Railway, Agra.
Michel, John	... Acting Resident Engineer, East Indian Railway, Agra.
Mitchell, R.	... Meerut.
Moore, F. W.	... Unemployed, Agra.
Munro, Wm. Henry	... Student, St. Peter's College, Agra.
Neil, H.	... Unemployed, Agra.
Nicholson, R. M.	... Goruckpore.
Olivier	... French Circus, Agra.
Palmer	... Planter, Goruckpore.



NAMES.	Designation at the time of registry of application for the Medal.
Pask, E. H.	... Agra.
Pereira, Samuel Francis	... Humeerpoor.
Perry, J. C.	... Manager, French Circus, Agra.
Phillips, C. A.	... Unemployed, Agra.
Phillips J. H.	... Ditto, ditto.
Pocock, George	... Meerut Light Horse.
Price, J.	... Railway, Agra.
Richardson, J.	... Jounpore.
Riley, C. J.	... Unemployed, Agra.
Rogers, Samuel S.	... Ditto, Meerut.
Rowe, J. E.	... Agra.
Rowe, J.	... Unemployed, Agra.
Rozario, J.	... Meerut.
Rutter, R.	... Contractor and Undertaker, Agra.
Sappery, E. A.	... Agra.
Saunders, P., Junior	... Jounpore.
Savage	... French Circus, Agra.
Saville, E.	... Unemployed, Agra.
Smith, Henry Arthur	... Merchant, Meerut.
Smith, H. D.	... Agra.
Smith, J. Senior	... Scindia's Service, Agra.
Smith, J. Junior	... Unemployed, Agra.
Smith, James	... Azimgurh.
Stack, W. P.	... Mirzapore.
Stern, Reverend	... Missionary, Goruckpore.
Tritton, W. B.	... Agra.
Twiner, W.	... Jounpore.
Tynah, J.	... Goruckpore.
Upton, B.	... Trooper, Meerut Light Horse.
Wiggins, Frederick	... Agra.
Wilson, Donald	... Railway Inspector, Arrah.

By Order of the Hon'ble the Lieutenant-Governor of the North-Western Provinces,

R. SIMSON,

Offg. Secy. to Govt., N. W. P.

No. 162A.—PUBLIC WORKS DEPARTMENT.—*Nynee Tal, the 26th May 1863.—Notifications.—* Jankee Doss, late a Sub-Overseer in the 6th Division, Grand Trunk Road, having been guilty of gross official misconduct, is hereby declared to be incapacitated from serving Government hereafter in any capacity.

A Descriptive Roll of the above individual is subjoined for general information :—

Name.	Caste.	Age.	Height.		Complexion.	Residence and Zillah.	Father's Name.	REMARKS.
			Ft.	In.				
Jankee Doss ...	Bunya, Agurwal.	24	5	5	Fair and has the mark of a boil on the forehead.	Gangole, Zillah Saharunpore.	Ramjee Doss.	

No. 166A.—The undermentioned Gentlemen are appointed Members of the Road and Ferry Fund Committee of the Agra District :—

H. C. Barston, Esq., Assistant Collector.

R. G. Newcomen, Esq., Indigo Planter of Oomarghurh.

No. 173A.—The resignation of his appointment by Gopaul Rao, Sub-Overseer in the Allygurh Division, Ganges Canal, is accepted.

No. 175A.—*Appointment.*—Luchmee Chund, a passed Student of the Thomason College, is appointed a Zillahdar in the Northern Division, Ganges Canal, *vice* Koondun Lall, resigned.

No. 186A.—*The 27th May 1863.—Notification.*—With the approval of the Government of India, it is hereby notified, for general information, that a rule has been added to the Prospectus of the Thomason Civil Engineering College at Roorkee that the mere fact of passing the College test does not give a candidate any claim to immediate employment in the Public Works Department.

With the exception of Officers of Engineers and Civil Engineers sent out from England, under covenant with the Right Hon'ble the Secretary of State for India, Students of the College who are duly qualified will be provided for before all other candidates, but if vacancies in the Department do not exist they must wait their turn.

No. 2900.—*Allahabad, the 5th June 1863.*—Under orders from the Government of India, the portion of the Allahabad and Fyzabad Road lying in the Allahabad District, which was temporarily transferred from the Allahabad Division, Public Works, and placed under charge of the Executive Engineer of the 3rd Division, Oude Roads, is added to the charge of the Executive Engineer, 3rd Division, Grand Trunk Road.

Assistant Engineer Mr. J. Sheldon, of the Allahabad Division, Public Works, who is attached to the road, is also transferred to the 3rd Division, Grand Trunk Road.

By Order of the Hon'ble the Lieutenant-Governor, North-Western Provinces,

W. E. MORTON, *Lt.-Col.*,  
*Secy. to Govt., N. W. P.*

### ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces.

JUDICIAL DEPARTMENT.—*The 5th June 1863.—Powers.*—No. 424.—Mr. R. W. Thomas, Officiating Deputy Commissioner of Perozepoor, is vested with the powers described in Section I of Act XV of 1862.

MILITARY DEPARTMENT.—*The 9th June 1863.*—No. 122.—The Brigade Order by the Brigadier General Commanding Punjab Irregular Force, dated 26th ultimo, directing Lieutenant J. S. Oliphant, appointed Adjutant, 3rd Sikh Infantry, to continue with the 5th or Huzarah Goorkha Regiment as paid doing duty Officer until further orders, is confirmed.

6TH PUNJAB INFANTRY.—No. 123.—Subadar Khyroodeen, formerly of the Sikh Durbar Service, having been declared unfit for further military duty, by the Invaliding Committee assembled at

Peshawur on the 1st April last, is, under the sanction of Government marginally cited, transferred to the Pension Establishment on a monthly stipend of Rs. 18, with effect from the 1st May, and permitted to draw his pension at Lahore.

S. BLACK, *Captain*,  
*Secy. to Govt., Punjab.*

PUBLIC WORKS DEPARTMENT.—*The 4th June 1863.—Transfer.*—No. 382C.—Dya Ram, Sub-Overseer, Third Class, 3rd Grade, from the 2nd to the 1st Division, Lahore and Peshawur Road.

*The 8th June 1863.*—No. 678.—With reference to Punjab Government Notification No. 327, dated the 15th May 1863, for "Baboo Guneshi Chunder Roy, 2nd Division, Lahore and Peshawur Road," read *Baboo Guneshi Chunder Roy, 3rd Division, Lahore and Peshawur Road.*

R. MACLAGAN, *Lieut.-Colonel*,  
*Secretary to Govt., Punjab.*

### Opium Notification.

NOTICE is hereby given, that the seventh sale of Opium, the provision of 1861-62, will be held at the Exchange Hall on Thursday, the 9th of July 1863, at 11 A. M., and will comprize 3,300 Chests, *viz.*—

Behar Opium	...	1,960
Benares Opium	...	1,440
		-----
Total Chests	...	3,300
		-----

2. The general Conditions of the sale now advertized will be the same as usual; they may be ascertained by reference to the Notification issued on the 8th November 1862, and published in the *Government and Exchange Gazettes*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 14th and 24th July 1863 respectively, that is to say, no Bank of Bengal Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by Purchasers in the Sale Room will be received after 4 P. M. of Tuesday, the 14th July 1863, and no Bank of Bengal Receipts in full payment of lots will be accepted after 4 P. M. of Friday, the 24th July 1863.

4. In addition to the quantity above advertized for sale the following quantities, more or less, of Behar and Benares Opium of 1861-62, will be brought to sale in the present year on or about the dates specified below. The Board, however, reserve to themselves the right of

altering these dates should circumstances render it expedient to do so:—

		Behar about Chests.	Benares about Chests.	Total about Chests.
On or about Monday,	10th Aug. 1863.	1,800	1,440	3,300
" Monday,	7th Sept. "	1,800	1,440	3,300
" Monday,	5th Oct. "	1,800	1,440	3,300
" Monday,	9th Nov. "	1,800	1,440	3,300
" Monday,	7th Dec. "	1,853	1,464	3,317
Total		9,293	7,224	16,517

By Order of the Board of Revenue,

R. B. CHAPMAN,  
Junior Secretary.

FORT WILLIAM,  
The 5th June 1863. }

**Ecclesiastical.**

THE Reverend Charles Thomas Toussaint, Minister in this Diocese, has been appointed by the Lord Bishop a Surrogate in this Archdeaconry for granting Episcopal Licences of Marriage.

W. H. ABBOTT,  
Registrar and Secretary.

CALCUTTA,  
The 16th June 1863. }

No. 746.

**Notice**

Is hereby given that from and after the 1st July next the Pykarry System and Sales from Government Retail Golahs within the Jellasore Division will be abolished. On and after the above date the Salt trade is open entirely to the Public, and Salt may be introduced under Rowannah into all the following Chowkies:—

Contai.	Sibpore.
Bahiree.	Tickra.
Errinch.	Govindpore.
Chowmook.	Calcapore.
Puttaspor.	Jellasore
Khutnuggur.	and
Agrachour.	Dantoon.

A. ELLIOT,  
Offg. Controller.

Office of Controller of  
Govt. Salt Chowkies,  
The 8th June 1863. }

**Notice.**

It is hereby notified, that Government Promissory Notes should only be sent for renewal when no more space exists on their reverse for the entry of interest receipts.

R. A. FINK,  
Offg. 2nd Asst. Acct.-Genl.

FORT WILLIAM ;  
ACCT.-GENL.'S OFFICE,  
Loan Department,  
The 7th May 1863. }

**Nuddea Rivers.**

Report shewing the least Depth in the present Navigable Channels from the 1st to 7th June 1863.

NAMES OF RIVERS.	Least Depth of Water.	REMARKS.
<b>MATABANGAH.</b>		
Above Entrance in Ganges ...	Ft. In. 5 0	
On the Entrance Shoal Thence to Hât Beauléah, 44 miles ...	Closed. 1 1	
Hât Beauléah to Alickdeah ...	Closed.	
Alickdeah to Kissengunge, 38 miles ...	2 5	
Kissengunge to Hooghly River, 34 miles ...	4 3	
<b>BHAUGIRUTTEE.</b>		
Entrance ...	3 3	
Thence to Jeagunge ...	3 6	The Bhagiruttee will be navigable for Steamers by the 20th instant.
Jeagunge to Cutwa, 60 miles ...	3 6	
Cutwa to Nuddea, 46 miles ...	2 6	
<b>JELLINGHEE.</b>		
Entrance ...	} Closed.	
Thence to Kureempore, 19 miles ...		
Kureempore to Teeakatta, 35 miles ...	2 0	
Teeakatta to Nuddea, 60 miles ...	2 0	

Height on Gauge at Berhampore, on the 7th June 1863, 6½ inches.

R. G. SMYTH, Lieut., R. E.,  
Offg. Supdt., Nuddea Rivers.

The 11th June 1863.

[ 1706 ]

NOTICE.

UNDER the provisions of Section LVII. of Act VI. of 1863, if the undermentioned unclaimed Packages are not cleared from the Custom House on or before the 22nd June 1863 they will be sold for the realization of duty, wharfage, and any other charges due on them:—

Date of Landing.	Mark or Address of Packages.	Ships.
1863, Feb. 25th ...	1 Box Glass, J M	... Undine.
March 31st ...	1 Parcel, Major C. P. Keyes	... Str. Orissa.
„ 31st ...	7 Cases, D. C. and Co., in an oblong figure	... Ditto.
„ 31st ..	1 Case, G. B., S. O. and Co.	... Ditto.
„ 31st ...	1 Parcel, Mrs. Mason, care of W. Mactrinon and Co.	Ditto.

CALCUTTA CUSTOMS, }  
The 16th June 1863.

J. P. GRANT,  
Offg. Deputy Collector of Customs.

CUSTOMS.

LIST of unclaimed Packages lying on the Custom House Wharf.

Date of Landing.	Mark or Address of Packages.	Ships.
1863, Jan. 31st ...	1 Canvas Bag Baggage, no mark	... Str. Candia.
March 14th ...	1 Package ditto, ditto	... Str. Nubia.
April 6th ...	2 Cases, R H in double triangle, C and B	... Hougomont.
„ 6th ...	6 Cases, M W M in diamond, B and B	... Ditto.
„ 6th ...	1 Case, Officer Commanding Engineers, Messrs. Fergusson and Co., Calcutta	... Ditto.
„ 6th ...	4 Cases, G R	... Ditto.
„ 15th ...	1 Case, Reverend A. Stamper	... Ditto.
March 18th ...	1 Case, A. H. Gray, Esq., care of P. Nicholl, Esq., 5, Hastings' Street	... Saladin.
„ 13th ...	1 Case, R G	... Str. Nubia.
„ 13th ...	1 Case, Captain Woodcock, care of Gillanders, Arbuthnot and Co.	... Ditto.
April 8th ...	1 Case, T V in diamond	... City of Pekin.
„ 8th ...	2 Cases, L X O	... Ditto.
„ 16th ...	225 Cases, J B	... Bissan.

CALCUTTA CUSTOMS, }  
The 16th June 1863.

J. P. GRANT,  
Offg. Deputy Collector of Customs.

[ 1707 ]

**MEDICAL DEPARTMENT.**

COMPARATIVE RETURN shewing the expenditure of Spirits, Wine, Malt Liquor, and Efferevescing Liquids in the European Military Hospitals in the Bengal Presidency during the month of March 1863, the strength of the charges, and the percentage of expenditure on the aggregate number of sick diets compiled from the Statements furnished by the Deputy Inspectors-General of Hospitals.

DIVISIONS.	STRENGTH.		NUMBER OF DIETS.		SPIRITS.		WINE.		MALT LIQUOR.		EFFERES- CING LIQUIDS.		LIME JUICE.	
	Combatants.	Non-Combatants.	Hospital Apprentices.	Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.
Presidency	909	468	516	4,757	10	10.43	209	136.20	240	182.27	187	121.86	18	11.73
Barrackpore	2,053	263	276	3,797	10	8.16	45	36.74	380	310.24	16	13.00	43	35.11
Dacca	358	265	...	544	...	...	2	11.39	...	...	...	...	...	...
Dinapore	1,509	319	62	3,821	5	4.00	60	48.68	522	423.50	48	37.32	20	16.23
Benares	1,454	274	124	3,357	3	2.77	51	47.10	276	249.33	21	19.30	9	8.31
Cawnpore	2,871	340	233	8,735	34	12.06	90	31.04	583	206.00	56	19.87	188	66.72
Agra	4,462	623	232	7,594	18	7.35	71	28.98	671	273.91	44	17.06	39	15.92
Meerut	5,013	865	483	11,064	36	9.33	147	38.09	786	263.66	12	3.11	56	14.51
Lucknow	5,114	841	318	9,726	37	11.79	192	61.18	959	505.60	235	74.88	65	20.71
Saugor	2,329	323	91	4,062	2	1.52	43	32.81	71	54.18	51	38.02	6	4.58
Sirhind	5,020	727	463	8,545	13	4.71	81	29.38	936	337.39	53	19.23	22	7.08
Meean Meer	4,501	506	450	6,914	16	7.17	114	51.11	1,018	456.43	72	32.28	51	22.87
Sealkote	1,452	261	123	3,883	...	...	68	54.26	460	367.24	258	205.07	12	9.58
Peshawur	5,559	774	357	8,824	33	11.59	97	31.08	1,248	438.44	123	43.21	108	37.94
Total	43,204	6,849	3,728	86,525	223	7.99	1,270	45.50	8,147	291.88	1,174	42.00	637	22.82

  

ABSTRACT.	Expended during the month.	As per previous month's Return.	Increase.	Decrease.
Total Bottles of Spirits	223	376	...	153
" " " Wine	1,270	1,364	...	94
" " " Malt Liquor	8,147	8,245	...	98
" " " Efferevescing Liquids	1,174	1,131	43	...
" " " Lime Juice	637	394	243	...

EXAMINER'S OFFICE, MEDICAL DEPT.;  
Fort William,  
The 4th June 1863.

J. H. BUTLER, Surgeon-Major,  
Examiner of Medical Accounts.

[ 1708 ]

*Analysis of the Return.*

DIVISIONS.	SPIRITS.	WINE.	MALT LIQUOR.	EFFERVESCING LIQUIDS.	LIME JUICE.
	Per Cent. on Sick.	Per Cent. on Sick.	Per Cent. on Sick.	Per Cent. on Sick.	Per Cent. on Sick.
Presidency ...	10.43	136.20	162.27	121.86	11.73
Barrackpore ...	8.16	36.74	310.24	13.06	35.11
Dacca ...	...	11.39	...	...	...
Dinapore ...	4.06	48.68	423.50	37.32	16.23
Benares ...	2.77	47.10	249.33	19.39	8.31
Cawnpore ...	12.06	31.94	206.90	19.87	66.72
Agra ...	7.35	28.98	273.91	17.96	15.92
Meerut ...	9.33	38.09	203.66	3.11	14.51
Lucknow ...	11.79	61.18	305.60	74.88	20.71
Saugor ...	1.52	32.81	54.18	38.92	4.58
Sirhind ...	4.71	29.38	337.39	19.23	7.98
Meean Meer ...	7.17	51.11	456.43	32.28	22.87
Sealkote ...	...	54.29	367.24	205.97	9.58
Peshawur ...	11.59	34.08	438.44	43.21	37.94
Total ...	7.99	45.50	291.88	42.06	22.82
As per previous month's Return ...	13.29	48.20	291.37	39.10	13.92
Increase ...	...	...	0.51	2.96	8.90
Decrease ...	5.30	2.70	...	...	...

EXAMINER'S OFFICE, MEDICAL DEPT. ;  
*Port William,*  
*The 4th June 1863.*

H. BUTLER, *Surgeon-Major,*  
*Examiner of Medical Accounts.*



Nuddea Rivers' Division.

MONTHLY STATEMENT of Upward Traffic passed through the Toll Stations of Jungypore, Nuddea, and Kissengunge in the Month of May 1863.

NAMES OF RIVERS	Charcoal.		Coal.		Piece Goods, Native Produce.		Piece Goods, Imported Fabrics.		Hides.		Cotton.		Castor Seed.		Castor Oil.		Jaggery.		Jute.		Gunny Bags.		Lime.		Limestone or Ghooching.		Grain.		
	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.
<b>NAMES OF RIVERS</b>	<b>NAMES OF TOLL OFFICES.</b>																												
Bhaugrittee	Jungypore	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Jellinghee	Nuddea	...	2	2000	2100	72	20827	12775	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Matabangah	Kissengunge	...	1	425	300	...	...	75	...	...	1	350	100	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
NAMES OF RIVERS	Pulse.		Firewood.		Tanners.		Mustard Oil.		Sundry Oils.		Indigo.		Salt.		Sugar.		Tobacco.		Vegetables.		Sundries.		REMARKS.						
	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by River Measurement.	Number of Boats.	Mandage of Cargo by estimate.	Number of Boats.	Mandage of Cargo by estimate.					
Bhaugrittee	Jungypore	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...					
Jellinghee	Nuddea	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...					
Matabangah	Kissengunge	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...					

Under the Head of GRAIN comes Rice, Wheat, Peas, Beans, Barley, &c. and under the Head of PEAS &c. come Kidney Beans, Lentils, &c. Mustard Seed, &c. &c. are included.

The 12th June 1863.

R. G. SMYTH, Lieutenant, R. E.,  
Offg. Superintendent, Nuddea Rivers.

Nuddea Rivers' Division.

MONTHLY STATEMENT OF Downward Traffic passed through the Toll Stations of Jungypore, Kissenpunge and Nuddea, in the Month of May 1863.

NAMES OF RIVERS.	Charcoal.		Coal.		Piece Goods, Native Produce.		Piece Goods, Imported Fabrics.		Hops.		Cotton.		Castor Seed.		Castor Oil.		Jazzy.		Jute.		Gunny Bags.		Lime.		Limestone or Chalking.		Grain.		
	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	Number of Boats.	Measure of Cargo by estimate.	
Bhaugrittee	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Jellinghee	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Matabangah	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
NAMES OF RIVERS.	NAMES OF TOLL OFFICES.		Pulse.		Firewood.		Timbers.		Mustard Oil.		Sudry Oils.		Tobacco.		Sugar.		Vegetables.		Sundries.		REMARKS.								
Bhaugrittee	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Jellinghee	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Matabangah	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

Under the Head of GRAIN comes Rice, Wheat, Peas, Oats, Barley, &c.; and under the Head of PEAS, Gram, Kullie, Peas, Linseed, Lentils, Mustard Seed, &c., are included.

B. G. SMYTH, Lieutenant, R. E.,  
Offg. Superintendent, Nuddea Rivers.

The 12th June 1863.

[ 1711 ]

COMMISSARIAT DEPARTMENT.

No. 5.

THE following Contracts have been concluded in the Commissariat Department for the period specified :—

ALLAHABAD DIVISION.  
In Cantonments.

	Rs.	As.	P.		
Lime Juice	4	0	0	per dozn.	} Kurreembux ...
<i>In Camp to a distance of 15 miles.</i>					
Lime Juice	5	0	0	"	
<i>In Camp to a distance of 30 miles.</i>					} Kurreembux ...
Lime Juice	6	0	0	"	
CLASS A.					
<i>Bedding.</i>					} Munnoo Loll ...
Quilts	3	12	0	per each	
Suttrinjees	1	12	0	"	
Blankets	2	3	0	"	
Sheets	1	4	0	"	
CLASS B.					} Madho Ram ...
<i>Hospital Clothing.</i>					
Banians	2	7	0	per each	
Suttrinjees	0	14	0	"	
Blankets, lined with Chintz	2	2	0	"	
Khurrooa	0	4	0	per yard	
Gowns, double	1	14	0	per each	
"    single	1	4	0	"	
Mattrass, Hemp or Coir	2	10	0	"	
Pillows, large	0	5	0	"	
"    small	0	2	6	"	
"    Cases, large	0	5	0	"	
"    "    small	0	2	6	"	
Caps, White	0	1	0	"	
Sheets	1	0	0	"	
Shirts	0	15	0	"	
Slippers	0	6	0	per pair	
Socks, Cotton	0	6	0	"	
"    Worsted	0	9	0	"	
Towels, Patna	0	2	6	per each	
Pyjamas, White	0	10	0	"	
"    Flannel	2	8	0	"	
Thread, Cotton	0	8	0	per lb.	
CLASS C.					} Mool Chand and Madaree Lall ...
<i>Cattle Gear.</i>					
<i>Elephant Gear.</i>					
Guddee, Taut	3	3	6	per each	
Guddeelah, Khurrooa	8	7	0	"	
Ropes, Sun	0	8	3	"	
Dole, Skin, with Ropes	1	4	0	"	
Chursas	2	4	0	"	
<i>Bullock Gear.</i>					
Jhool, Taut	2	5	9	"	
Suffra for eating Bhoosa	0	10	6	"	
Huthee, Wool	0	1	0	"	
Ropes for Nauth	0	0	9	"	
Pug Line, Sootles	0	1	4	"	
Paghia	3	0	0	per 100	
Whips	0	2	3	per each	

From 1st May 1863  
to 30th April  
1864.

<i>Bullock Gear.—(Concluded.)</i>		Rs.	As.	P.	
Straight Rope	...	0	11	6	per each
Dole, Skin, with Ropes	...	0	14	0	"
Mallet, Wooden	...	0	4	9	"
Phoura, "	...	0	2	0	"
Chursas	...	0	11	9	"
Baskets, Jhaoo	...	0	1	0	"
Gurrah or Jars	...	0	1	0	"
Jharroo	...	0	1	0	"
Mote's Skin with Iron, complete	...	2	10	0	"
Ropes for Mote	...	4	4	0	"
Garranty	...	0	4	0	"
Iron Beams	...	0	9	0	"
Yokes	...	1	0	0	"
CLASS G.					
Oil	...	0	2	0	per lb.
Thread	...	0	6	0	"
Cloth	...	0	2	6	per yard
CLASS I.					
Chairs	...	3	12	0	per each
Stands for Ghurrahs	...	4	0	0	"
Filter Stands, Wooden	...	4	0	0	"
Chicks	...	4	0	0	"
CLASS J.					
Lanterns	...	2	8	0	"
Burning Glass	...	0	7	0	"
Iron Locks	...	0	14	0	"
Iron Pots	...	8	0	0	"
CLASS L.					
<i>Earthen Pots.</i>					
<i>In Cantonments.</i>					
Ghurrahs	...	0	0	9	per each
Jallahs	...	0	3	0	"
Soorahees	...	0	1	9	"
Gurrahs for Barracks	...	0	0	9	"
Earthen Stool Pans	...	0	2	0	"
Glazed Earthen Pans	...				No. 5 per Re.
" Urinal Earthen Pans	...	"	5		"
<i>In Camp to a distance of 15 miles.</i>					
Ghurrahs	...	0	1	0	per each
Jallahs	...	0	1	0	"
Ghurrahs for Barracks	...	0	1	0	"
Earthen Stool Pans	...	0	2	3	"
Glazed Earthen Pans	...	0	2	3	"
" Urinal Pans	...	0	4	0	"
<i>In Camp to a distance of 30 miles.</i>					
Ghurrahs	...	0	1	6	"
Jallahs	...	0	1	3	"
Ghurrahs for Barracks	...	0	1	6	"
Earthen Stool Pans	...	0	2	6	"
Glazed Earthen Pans	...	0	2	6	"
" Urinal Pans	...				No. 3 per Re.
GRAM, PICKED AND UNPICKED, AT STATION AND IN CAMP TO A DISTANCE OF 30 MILES.					
Bhoosah at Station	...	0	28	0	per Re.
" 15 miles from Station	...	2	5	10	"
" 30 " "	...	2	0	10	"
Gwalior Division.					
<i>Gwalior.</i>					
Mutton at Station	...	9	2	0	per Re.
" on Command	...	7	4	0	"
eef at Station	...	11	2	0	"
" on Command	...	8	8	0	"
Mool Chand and Madaree Lall ...					
Madho Ram ...					
Munnoo Lall ...					
From 1st May 1863 to 30th April 1864.					
Ramgolam ...					
Saligpersaud and Brindabun ...					
Sarubjeet Panday and Sunker Lall.					
From 1st July 1863 to 30th June 1864.					
Elahie Bux ...					
From 1st May 1863 to 31st July 1863					

DELHI DIVISION.

	lbs.	oz.	d.			
<i>Salt.</i>						
At Station	14	5	0	per Re.	} Toolsee Ram ...	
In Camp within 15 miles from Cantt.	12	0	0	"		
In Camp beyond 15 miles and within 30 miles from Cantonment	11	8	0	"		
On Command beyond 30 miles	11	0	0	"		
<i>Firewood.</i>						
At Station	261	0	0	per Re.	} Hurnarain ...	
In Camp within 15 miles from Cant.	225	0	0	"		
In Camp beyond 15 miles and within 30 miles from Cantonment	200	0	0	"		
On Command beyond 30 miles	215	0	0	"		
<i>Lime Juice.</i>						
At Station	2	15	0	per dozen	} Umba Sahoy ...	
In Camp within 15 miles from Cant.	3	8	0	"		
In Camp beyond 15 miles and within 30 miles from Cantonment	3	12	0	"		
On Command beyond 30 miles	4	15	0	"		
Milk at Station	52			pints per Re.	} Heera Lall ...	
Butter	3	lbs.	4oz.	"		
<i>In Camp within 15 miles from Cant.</i>						
Milk	44			pints		
Butter	2	lbs.	12oz.	"		
<i>In Camp beyond 15 miles and within 30 miles from Cantonment.</i>						
Milk	42			pints		
Butter	2	lbs.	10oz.	"		
<i>On Command beyond 30 miles.</i>						
Milk	40			pints		
Butter	2	lbs.	8oz.	"		

MOOLTAN DIVISION.

MOOLTAN.

	RS.	AS.	P.		
<i>Hospital Clothing.</i>					
Banians, Flannel	2	15	0	per each	} Juggurnauth ...
Suttrinjees, Bedside	0	15	0	"	
Blankets, Country, lined with Chintz	1	10	0	"	
Cloth, Kharooah	0	5	0	per yard	
Gowns, Linen, single	1	3	0	per each	
" " double	2	2	0	"	
Mattrasses	2	8	0	"	
Pillows, large*	0	6	6	"	
" small	0	3	6	"	
" Cases, large	0	6	0	"	
" " small	0	3	6	"	
Quilts, Cotton	4	0	0	"	
Sheets, Linen	1	11	0	"	
Shirts	1	8	0	"	
Slippers	0	6	0	per pair	
Socks, Linen or Cotton	0	3	6	"	
" Worsted	0	9	0	"	
Patna Towels	0	3	0	per each	
Trowsers, Linen	1	0	0	"	
" Flannel	2	14	0	"	
Thread, Sewing	1	8	0	per lb.	
<i>Bedding.</i>					
Quilts	4	12	0	per each	
Blankets	2	6	0	"	
Sheets	1	12	0	"	
Suttrinjees	1	11	0	"	
<i>Hired Camels.</i>					
At Station and on Command	8	0	0	per each	} Chuckutta ...
At Graze	4	0	0	per month	
<i>Bread.</i>					
At Station	7	8	0	p.100lbs.	} Juggurnauth, Ma-homed Essack, and Chunder Sein ...
Camp, 15 miles	9	0	0	"	
" 30 miles	10	0	0	"	
On Command	12	0	0	"	
<i>Biscuits.</i>					
At Station	10	0	0	"	
Camp, 15 miles	11	0	0	"	
" 30 miles	11	12	0	"	
On Command	12	8	0	"	
On River's Steamer	12	12	0	"	

From 1st May 1863  
to 30th April  
1864.





From 1st June to 30th September 1863.      From 1st October to 31st May 1864.      For conveying return Stores.

**FEROZEPURE DIVISION.**

<i>Conveyance of Military Stores.</i>		Rs. As. P.	Rs. As. P.	Rs. As. P.
Delhie	per md.	1 6 0	1 4 0	0 7 0
Meerut	"	1 6 0	1 4 6	0 7 0
Roorkee	"	1 8 0	1 5 0	0 8 0
Cawnpore	"	3 4 0	3 0 0	1 4 0
Agra	"	2 8 0	2 0 0	0 14 0
Allahabad	"	3 10 0	3 4 0	1 0 0
Futtehgurh.	"	2 12 0	2 10 0	0 12 0
Umballa	"	0 13 0	0 12 0	0 6 0
Kurnaul	"	1 0 0	0 15 0	0 4 0
Kalka	"	0 15 0	0 13 0	0 6 0
Kussowlie	"	1 2 0	1 1 0	0 6 0
Simla	"	1 8 0	1 3 0	0 6 0
Subathoo	"	1 6 0	1 4 0	0 6 0
Dugshaie	"	1 6 0	1 4 0	0 6 0
Landour	"	1 4 0	1 2 0	0 7 0
Deyrah Dhoon.	"	1 4 0	1 2 0	0 7 0
Loodiana	"	0 4 0	0 4 0	0 2 0
Phillore	"	0 5 0	0 4 0	0 3 0
Jullunder	"	0 8 0	0 6 0	0 4 0
Kangra, Dhurmsala.	"	1 2 0	0 15 0	0 7 0
Hoshiarpore	"	0 12 0	0 9 0	0 3 0
Umritsur	"	0 7 0	0 5 0	0 3 0
Sealkote	"	0 15 0	0 13 0	0 5 0
Lahore	"	0 6 0	0 4 0	0 3 0
Jheelum	"	1 2 0	1 0 0	0 5 0
Deenanogur	"	0 12 0	0 9 0	0 3 0
Goolpore	"	0 14 0	0 11 0	0 5 0
Pathankote	"	0 14 0	0 11 0	0 5 0
Goordaspore	"	0 12 0	0 10 0	0 5 0
Dungoo	"	0 14 0	0 12 0	0 5 0
Mulliekpore	"	1 4 0	1 0 0	0 5 0
Sohaba	"	1 4 0	1 0 0	0 6 0
Madhopore	"	0 14 0	0 12 0	0 4 0
Rawul Pindie	"	1 10 0	1 8 0	0 9 0
Peshawur	"	2 0 0	1 14 0	0 14 0
Derah Ismail Khan.	"	2 0 0	1 14 0	0 14 0
Derah Gazee Khan	"	2 0 0	1 14 0	0 14 0
Kohat	"	2 0 0	1 14 0	0 14 0
Bunnoo	"	2 0 0	1 14 0	0 14 0
Attock	"	1 12 0	1 10 0	0 12 0
Mooltan	"	1 6 0	1 4 0	0 12 0
Googaira	"	0 6 0	0 5 0	0 2 0
Abbotabad	"	2 2 0	2 0 0	0 12 0
Campbellpore and Nowshera	"	2 0 0	1 12 0	0 10 0
Sirsa	"	1 0 0	0 12 0	0 4 0
Hissar	"	0 13 0	0 11 0	0 4 0
Huzara	"	2 0 0	1 15 0	0 11 0
Huttee Murdan	"	2 2 0	2 0 0	0 12 0
Ghaut	"	0 1 0	0 1 0	0 0 0

Baboo Ramkomul and Misree Lcll.

From 1st May 1863 to 30th April 1864.

<i>For conveyance of Malt Liquor.</i>		per Hhds.	per Hhds.	per Md.
		Rs. As. P.	Rs. As. P.	Rs. As. P.
Delhie	...	8 8 0	7 8 0	0 7 0
Meerut	...	8 8 0	7 8 0	0 7 0
Umballa	...	5 0 0	4 8 0	0 6 0
Kalka	...	7 0 0	6 8 0	0 6 0
Kussowlie	...	9 0 0	8 0 0	0 6 0
Subathoo	...	8 8 0	8 0 0	0 6 0

	From 1st June to 30th September 1863.			From 1st October to 31st May 1864.			For conveying return Stores.		
	per Hhds.			per Hhds.			per Md.		
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
Simla	9	8	0	8	0	0	0	6	0
Dugshai	7	8	0	7	0	0	0	6	0
Landour	8	8	0	7	8	0	0	6	0
Jullunder	4	0	0	3	8	0	0	4	0
Lahore	2	8	0	2	0	0	0	3	0
Sealkote	5	0	0	4	8	0	0	5	0
Jheelum	6	8	0	6	0	0	0	5	0
Rawul Pindie	9	8	0	8	0	0	0	9	0
Attock	11	0	0	10	0	0	0	14	0
Peshawur	14	0	0	12	8	0	0	14	0
Campbellpore and Nowshera	14	0	0	12	8	0	0	14	0
Kangra and Dhurmsala	7	0	0	6	8	0	0	7	0
Mooltan	8	4	0	8	4	0	0	12	0
Ghaut to Godown	0	5	4	0	5	0	0	0	0
From Godown to Canteen	0	2	0	0	2	0	0	0	0

Baboo Ramkomul and Misree Loll.

From 1st May 1863 to 30th April 1864.

J. C. SCOTT,  
*Offg. Commissary General.*

**Wanted**

A WRITER and Sherishtadar for the Abkaree Department. The Applicant must be well versed in the English and Persian languages and possess Testimonials to character and qualifications. Salary Rupees 30. Rupees 5,000 security required.

J. S. DRUMMOND,  
*Officiating Collector.*

BEHAR COLLECTORSHIP; }  
" Gya, }  
The 1st June 1863. }

**Notice.**

MR. R. D. HIME, Assistant Collector of Cuttack, has been authorized to draw Bills on the Government Treasuries.

R. N. SHORE,  
*Commissioner.*

COMMISSIONER'S OFFICE; }  
CUTTACK DIVISION, }  
Camp Chirchika, in Killah }  
Bankee, }  
The 1st June 1863. }

**Vacancies in Behar, North-West Division.**

Deputy Inspectors, Salary Rupees 150 and Rupees 100.

Candidates must be English, Urdu, and Hindi Scholars, and Entrance Certificate Holders.

*Teacherships in the Patna College.*

An European or East Indian  
Teacher of English Literature, Salary Rs. 200  
An Anglo Urdu Teacher ... " 150  
A Junior Ditto ... " 80  
A Teacher of Mathematics ... " 100  
A Junior Ditto (with a  
knowledge of Urdu) ... " 60

Apply to the Director of Public Instruction, Bengal, or to the Inspector of Schools, North-West Division, at Patna.

S. W. FALLON, M. A., P. L. D.,  
*Inspector of Schools, N. W. Dn.*

PATNA,  
The 13th June 1863. }

[ 1717 ]

ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary right of Government to the several Khass Mehals, named in the list hereunto annexed in the District of Mymensing, will be sold by Public Auction at the Collector's Office, on Wednesday, the 15th July 1863, or 32nd Aussar 1270, B. S. Sale to commence at noon and the Mehals to be sold in the order in which they stand. The Purchasers of such Mehals will be subject to the conditions laid down below:—

CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas as entered against each below, to the highest bidder, above the upset price.

2nd.—The sale to be subject to existing leases, and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jumma-bundee made by the Revenue Authorities.

3rd.—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government and the sale cancelled if the whole amount of purchase money be not paid by noon of the fifteenth day after the sale, reckoning the day of sale as one, and the Mehal will be again put up for sale at the risk of the former Purchaser.

5th.—Under the Board's Circular, No. 17 of the 28th February 1862, Purchasers shall be bound to pay for the construction of roads and improvement of communications one per cent. on the Sudder Jumma assessed from the date of entry upon their purchase. This sum will be realizable in the same manner as other arrears of Revenue.

List.

Number.	Number of Towjee.	Names of Mehals.	Area.	Sudder Jumma.			Road Cess.			Total Sudder Jumma.			Upset Price.		
				B.	C.	C.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
3	5008	Talook Sreenarain Sircar, Tuppeh Hajradee ...	94 12 0	32	0	0	0	6	0	32	6	0	64	12	0
13	5043	Talook Ramsunker Dutt, Tuppeh Hajradee ...	19 4 7	8	8	9	0	2	0	8	10	9	17	5	6
14	5040	Talook Ramsunker Dutt, Tuppeh Hajradee ...	44 0 9	18	11	3	0	3	0	18	14	3	37	12	6
21	4996	Talook Ram Bhuder Roy, Tuppeh Hajradee ...	129 1 12	18	4	0	0	3	0	18	7	0	36	14	0
22	4997	Talook Nursing Ramgopal, Tuppeh Hajradee ...	389 17 4	102	0	0	1	0	0	103	0	0	206	0	0
23	4985	Talook Munsoor Khan, Tuppeh Hajradee ...	15 17 0	4	8	0	0	1	0	4	9	0	9	2	0
40	5890	Talook Sherkhan, Kismut Pawun, Pergunnah Zeinshye ...	1,625 16 8	201	1	0	2	0	0	203	1	0	406	2	0
42	4960	Talook Koonj Sirdar, Pergunnah Zeinshye ...	28 17 2	58	8	6	0	10	0	59	2	6	118	5	0
45	4963	Kismut Ghoradhura, in Pergunnah Zeinshye ...	156 12 15	28	1	6	0	5	0	28	6	6	56	13	0
47	4964	Talook Gopeenauth Pura-manik, Tuppeh Luteeb-pore ...	69 5 0	42	5	0	0	7	0	42	12	0	85	8	0

MYMENSING; COLLECTOR'S OFFICE, }  
The 28th May 1863.

W. H. HENDERSON,  
Collector.

[ 1718 ]

**ADVERTISEMENT OF SALE.**

NOTICE is hereby given, that the Zemindary right of Government to the several Khas Mehals situated in the District of Bhaugulpore, and mentioned in the Statement hereunto annexed, will be put up to sale, under orders of the Board of Revenue, No. 53, dated 21st April 1863, and Commissioner's No. 1032, dated 24th April 1863, at the Bhaugulpore Collectorate, on Monday, the 29th June 1863, corresponding with the 28th Assar 1270 F. S.

The Purchasers of such Mehals will be subject to the Conditions laid down below :—

**CONDITIONS OF SALE.**

1st.—Estates to be sold, with the Sudder Jumma entered in the annexed Statement against each Mehal, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government and the sale cancelled if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will again be put up for sale at the risk of the former Purchaser.

5th.—The Purchaser will, in addition to the Sudder Jumma of the Estate, be bound to pay one per cent. for the construction of roads and improvement of communications.

Number.	Number of Towjee.	Names of Mehals and Pergunnals.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
1	3042	Gird Line Thannah Kherhee, Pergunnah Kherhee ...	65 19 19	*15 2 8	30 4 10	* This includes 2 annas 5 pie one per cent. Road Fund.
2	2577	Amanut Sircar Thannah Chichroun in Ruseedpoor, &c. Pergunnah Jehangirah ...	1,304 0 9½	†126 4 0	252 8 0	† This includes 1 Rupee 4 annas one per cent. Road Fund.
3	1057	Jageer of Munno Loll Naik, Thannah Angurpoor, Pergunnah Bhaugulpore ...	25 0 0	‡33 5 3	66 10 6	‡ This includes 5 annas 3 pie one per cent. Road Fund.

H. MADOCKS,

Collector.

BHAUGULPORE; }  
Collector's Office,  
The 21st May 1863.

**ADVERTISEMENT OF SALE.**

NOTICE is hereby given, that the Zemindary right of Government to the undermentioned Khas Mehals, situated in the District of Patna, and mentioned in the Statement hereunto annexed, will be put up to sale, under orders of the Board of Revenue, Lower Provinces, No. 83, dated 23rd May 1863, in the Patna Collectorate, on Tuesday, the 23rd June 1863, corresponding with 22nd Assar 1270 F. S.

The Purchaser of such Mehal will be subject to the Conditions laid down below :—

**CONDITIONS OF SALE.**

1st.—Estates to be sold, with the Sudder Jumma entered against each below, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—If the amount of the purchase money do not exceed Rupees 100, the whole amount to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will again be put up for sale at the risk of the former purchaser.

5th.—Under the Board's Circular Order No. 17, dated 28th February 1862, Purchasers shall be bound to pay for the construction of roads and improvement of communication one per cent. on the total Sudder Jumma assessed from the date of entry upon their purchase. This sum will be leviable in the same manner as other arrears of Revenue.

Number of Statement.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	SUDDER JUMMA.			Upset Price.
				Jumma assessed.	Road Cess.	Total Sudder Jumma	
			B. K. G. C.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
109	51	One-fourth of Mouzah Birtthoo, Pergunnah Tilhara	169 3 10 5	450 0 0	4 8 0	454 8 0	909 0 0
116	239	Lodeepore Omnar, Pergunnah Tilhara.	115 3 13 5	356 8 0	3 8 0	360 0 0	720 0 0

PATNA COLLECTORATE,  
The 26th May 1863.

H. ALEXANDER,  
Collector.

### ADVERTISEMENT OF SALE

NOTICE is hereby given, that the Zemindary right of Government to the undermentioned Khas Mehal, situated in the District of Furreedpore, will be put up to sale, under order of the Board of Revenue No. 51 of the 1st May 1863, in the Furreedpore Collectorate, on Tuesday, the 30th of June 1863, corresponding with 17th Assar 1270 B. S.

The Purchaser of the Mehal will be subject to the Conditions laid down below:—

#### CONDITIONS OF SALE.

1st.—The Estate to be sold, with the Sudder Jumma entered against it below, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases, and to the right conferred by the Settlement proceedings and laws in force, and Purchaser to be bound to respect the rights of resident cultivators who have signed the Jumma bundee made by the Revenue Authorities.

3rd.—If the purchase money do not exceed Rupees 100, the whole amount to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be made at once of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government, and the sale cancelled, if the whole amount of purchase money be not paid by noon of the fifteenth day after the sale, reckoning the day of sale as one, and the Mehal will again be put up for sale at the risk of the former Purchaser.

5th.—The Purchaser will be bound to pay an additional sum of one per cent. on the Sudder Jumma for construction of roads and improvement of communications. This sum will be levied by the same process as other arrears of Revenue on the Estate.

Number.	Towjee Number.	Name of Mehal and Pergunnah	Area.	Sudder Jumma.	Upset Price.	REMARKS.
94	881	Jugura Bhatohur, third portion, Pergunnah Musabhye. ...	B. C. C. 1211 11 10	Rs. As. P. 148 0 0	Rs. As. P. 296 0 0	The term of the existing lease extends to the 30th of April 1867.

FURREEDPORE COLLECTORATE,  
The 16th May 1863.

L. R. TOTENHAM,  
Collector.

*Court for the Relief of Insolvent Debtors at Calcutta.*

In the matter of J. L. Swaries, otherwise called J. Swaries, of Moorgheehatta Lane, in Calcutta, Writer in the High Court, Appellate Jurisdiction, an Insolvent. } On Tuesday, the 9th day of June instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 1st day of August next, and that the said Insolvent do then attend to be examined before the said Court.

Gillanders, Attorney.

In the matter of Samuel Edward Henderson, formerly of Monghyr, and then of Bhaugulpore, and lately carried on trade and business at both places, as Wine Merchant, Hotel-keeper, and General Dealer, under the name, style, and firm of Henderson and Company, but at present residing at Cooley Bazar, in Calcutta, an Insolvent. } On Monday, the 8th day of June instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 1st day of August next, and that the said Insolvent do then attend to be examined before the said Court.

Hart, Attorney.

In the matter of Henry George Hailes, formerly carried on business as a Milliner at Allahabad, in the North-Western Provinces, but at present of No. 14, Jorallow Street, in Calcutta, an Insolvent. } On Thursday, the 11th day of June instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 1st day of August next, and that the said Insolvent do then attend to be examined before the said Court.

Weskin, Attorney.

Chief Clerk's Office, the 12th June 1863.

In the matter of John Samuel Woodward, an Insolvent. } On Saturday, the 6th day of June instant, an account of the receipts and disbursements of the Official Assignee, from the 25th day of November 1857 to the 30th day of May last, was filed in the Office of the Chief Clerk, and it was ordered that Saturday, the 4th day of July next, should be appointed for the further hearing of the matters for the purpose of making a Dividend.

“ Any Creditor or other person interested who may intend to establish or oppose any claims upon the Estate of the said Insolvent may attend and be heard, having given notice to the Chief Clerk three clear days before the day of hearing.”  
J. Cochrane, Official Assignee.

In the matter of Lewis Albert DeCroyer, an Insolvent. } On Saturday, the 6th day of June instant, an account of the receipts and disbursements of the Official Assignee, from the 17th day of November 1862 to the 30th day of May last, was filed in the Office of the Chief Clerk, and it was ordered that Saturday, the 4th day of July next, should be appointed for the fur-

ther hearing of the matters for the purpose of making a Dividend.

“ Any Creditor or other person interested who may intend to establish or oppose any claim upon the Estate of the said Insolvent may attend and be heard, having given notice to the Chief Clerk three clear days before the day of hearing.”  
J. Cochrane, Official Assignee.

In the matter of Sir Albert John DeHoche, an Insolvent. } On Saturday, the 6th day of June instant, an account of the receipts and disbursements of the Official Assignee, from the 1st day of April 1861 to the 31st day of May last, was filed in the Office of the Chief Clerk, and it was ordered that Saturday, the 4th day of July next, should be appointed for the further hearing of the matters for the purpose of making a Dividend.

“ Any Creditor or other person interested who may intend to establish or oppose any claim upon the Estate of the said Insolvents may attend and be heard, having given notice to the Chief Clerk three clear days before the day of hearing.”  
J. Cochrane, Official Assignee.

In the matter of Sallah David Joseph Ezra, an Insolvent. } On Saturday, the 6th day of June instant, an account of the receipts and disbursements of the Official Assignee, from the 13th day of March to the 30th day of May last, was filed in the Office of the Chief Clerk, and it was ordered that Saturday, the 4th day of July next, should be appointed for the further hearing of this matter for the purpose of making a Dividend.

“ Any Creditor or other person interested who may intend to establish or oppose any claim upon the Estate of the said Insolvent may attend and be heard, having given notice to the Chief Clerk three clear days before the day of hearing.”  
J. Cochrane, Official Assignee.

In the matter of Beharee Loll Dhcechet, an Insolvent. } On Saturday, the 6th day of June instant, an account of the receipts and disbursements of the Official Assignee, from the 13th day of March 1862 to the 30th day of May last, was filed in the Office of the Chief Clerk, and it was ordered that Saturday, the 4th day of July next, should be appointed for the further hearing of this matter for the purpose of making a Dividend.

“ Any Creditor or other person interested who may intend to establish or oppose any claim upon the Estate of the said Insolvent may attend and be heard, having given notice to the Chief Clerk three clear days before the day of hearing.”  
J. Cochrane, Official Assignee.

In the matter of Ezekiel Joshua Gubboy, an Insolvent. } On Saturday, the 6th day of June instant, it was ordered that Saturday, the 1st day of August next, be appointed for the further hearing of this matter, that unless cause be shewn to the contrary on that day, the said Insolvent be discharged personally as well as to his after acquired property from all liability for debts, claims, and demands of and against the said Insolvent at the time of the filing of his petition for relief.

Carapiet, Attorney.



In the matter of John } On Saturday, the 6th  
Aram Michael, an In- } day of June instant, it  
solvent. } was ordered that Satur-  
day, the 1st day of August next, be appointed for  
the further hearing of this matter, that unless  
cause be shewn to the contrary on that day, the  
said Insolvent be discharged personally as well as  
to his after acquired property from the demands of  
all the creditors following, whose names are insert-  
ed in this Order *Nisi*, that is to say, Baboo Rajkissen  
Mitter, Mr. George Peters, Baneymadub Roy,  
Mr. C. G. M. Shircore, Ramchunder Banerjee,  
Messrs. J. M. Edmond and Company, Messrs.  
Dunn and Company, Messrs. Bufrinyoung and  
Company, Messrs. Mackenzie, Lyall and Com-  
pany, Messrs. Badham Brothers, Messrs. Sib  
Chunder Dutt and Company, A. Luddy, S. Y.  
Gubboy, E. J. Ezra, Messrs. Samuel, Smith, Sons  
and Company, Mr. J. C. Michael, Baneymadub  
Roy, William Anderson, and C. A. Vertannes, and  
Baboo Isenchunder Sain.

Strong, Attorney.  
Chief Clerk's Office, the 16th June 1863.

**Preliminary Meeting of the Union  
Steam Tug Company "Limited,"  
held at the Registered Office  
of the Company on Wed-  
nesday, the 10th  
June 1863.**

WILLIAM GRANT, Esq., having been voted to  
the Chair, it was proposed by G. D. Galastaun, Esq.,  
and seconded by Baboo Peary Chund Mitter, and  
carried—

1st.—That the Agreement entered into by the  
Secretaries for the purchase of the Steamers *Fire  
Queen, Vulcan, John Bull, and Banshee*, and the  
mode of payment as shewn in the draft Agreement  
as modified be approved of.

2nd.—Proposed by J. C. Michael, Esq., and  
seconded by Captain H. Handley, that the calls  
on the Shares be made in the following order,  
*viz.*—

First Call of Rs. 100 per Share on the 20th June.
Second " " 75 " " 20th Sept.
Third " " 75 " " 20th Nov.

The Deed of the Company was then read by  
their Solicitor, and with some amendments was  
adopted.

3rd.—Proposed by John De'Souza, Esq., and  
seconded by M. Gregory, Esq., that the following  
gentlemen be appointed as First Directors of the  
Company:—

William Grant, Esq., Chairman.  
G. Whitney, Esq.  
Captain H. Handley.  
Hadje Jackeriah Mahomed, Esq.  
Khan Mahomed Dhurmsee, Esq.  
Hadje Abdool Rohoman Moosah, Esq.

After a vote of thanks to the Chair the Meeting  
separated.

(Sd.) WILLIAM GRANT,  
Chairman.

**H. Dear & Co.,**

TIMBER MERCHANTS.

THE above Firm is prepared to undertake the  
supply of Sleepers or Timber to Railway Com-  
panies or other parties.

For the last 11 years the Firm has successfully  
carried out very heavy engagements with the  
East Indian Railway Company, as also with the  
Government of India, and has still extensive Con-  
tracts with both for Timber and Sleepers.

H. DEAR & Co.

MONGHYR,  
The 27th January 1863. }

**Notice.**

A VALUABLE MEHAL TO BE LET OUT IN PUTNEE.

MEHAL Parpoogee, in Pergunnah Shall Baree, of  
Zillah Dinagepore, No. 401, belonging to the  
Moharanees of Burdwan, will be let out in Putnee  
at an annual Jumma of not less than Rupees 4,072,  
and on the payment of an adequate pun or bonus.  
Parties desirous of taking it are requested to for-  
ward their applications to the Rajbaree of Burdwan  
on or before the 3rd July 1863 (20th Assar 1270),  
stating the Jumma and Pun they would give.

The Sudder Jumma of the Mehal is Rupees  
2,071-4-9½, payable at the Dinagepore Collectorate.

BURDWAN RAJBAREE, }  
The 12th June 1863. }

**Notice.**

If the Heir-at-law of Henry Michael Corney, a  
native of Holland, and late of Howrah, in the  
Suburbs of Calcutta, deceased, who came out from  
Australia some time in the year one thousand  
eight hundred and fifty-nine as a Ship's Car-  
penter, and who was lately employed in one of the  
Dock Yards at Howrah, will communicate with  
the undersigned, he will hear of something to  
his advantage.

JOHN R. SHIRCORE,  
Solicitor.

1, Fancy Lane ; }  
CALCUTTA, }  
The 3rd June 1863. }

**Notice.**

MR. ALEXANDER GRIGOR has been appointed  
Sub-Manager and Accountant at this Branch, and  
is authorized to sign for the Bank in that capacity.

By Order of the Directors,

W. H. FULLER,  
Manager,  
Calcutta Branch.

BANK OF HINDUSTAN, CHINA,  
AND JAPAN "LIMITED," }  
4, Hastings' Street, }  
The 16th June 1863. }

**Bengal Printing Company "Limited."**

THE SEVENTH Half-yearly General Meeting of the Shareholders will take place at the Office of the Company, No. 9, Hastings' Street, Colvin's Ghaut, on Tuesday, the 30th June 1863, at 4 o'clock in the afternoon.

By Order of the Directors,

GEO. F. COPLEY,  
Secretary.

CALCUTTA,  
The 15th June 1863. }

**The Bengal Coal Company "Limited."**

REGISTERED UNDER ACT XIX. OF 1857.

A DIVIDEND at the rate of Rs. 80 per Share, free of Income Tax, will be payable at the Office of the Company on and after the 1st July next.

Proprietors are requested to send in their Share Certificates that Receipts and Cheques may be prepared.

GORDON, STUART & Co.,  
Secretaries.

CALCUTTA,  
The 15th June 1863. }

**Notice.**

IN consequence of the death of MR. G. WALLACE, JUNIOR, a Member of our Firm, his interest and responsibility ceased on 30th April last. We request that all claims against us up to the 31st of this month be forthwith presented for payment; and all persons indebted to our Firm are required to settle their accounts without further notice.

GIBSON, WALLACE AND CO.

CALCUTTA,  
The 31st May 1863. }

**Notice.**

THE undersigned will, from and after this date, conduct their business under the style and name of "GIBSON AND CO."

GIBSON, WALLACE AND CO.

**Stolen,**

THE Government of India Note (No. 16468) for Rupees 50, posted in the Durbungah Post Office under cover of a registered letter addressed to Baboo Pran Nath Mullick, Joyrampore, via Neeschundipore Post Office, Nuddea.

KASSY CHUNDER MOOKERJEE.

**Notice.**

LOST Second-half of the Currency Note, No. A.05410, for Rupees 500. Payment stopped at the Bank.

JOHN BEAMES,  
Offg. Collector.

PURNEAH,  
The 13th June 1863. }

**NOTICES issued by the POST-MASTER of CALCUTTA.**

No. 307.

The 12th June 1863.—Notice is hereby given, that the Mails for Penang, Singapore, and Hong-Kong, for transmission per Steamer *Lightning*, will be closed at this Office on Friday, the 19th instant, at 6 P. M.

No. 308.

The 12th June 1863.—Notice is hereby given, that the Mails for Singapore and Hong-Kong, for transmission per Steamer *Thunder*, will be closed at this Office on Saturday, the 20th instant, at 6 P. M.

No. 309.

The 13th June 1863.—Notice is hereby given, that the Mails for Bimlipatam, Coconada, Masulipatam, and Madras, for transmission per Steamer *Penang*, will be closed at this Office on Friday, the 19th instant, at 6 P. M.

No. 311.

The 15th June 1863.—The Overland Mail per Steamer *Bengal* will be closed on Monday, the 22nd instant, at 6 P. M.

Letters for Madras, Ceylon, the Straits, China, Mauritius, and Australia, can be sent by this opportunity.

	Weight.	Via Marseilles.	Via Southampton.
Postage.	Under 1/4 Ounce	Rs. 0 6 0	Rs. 0 4 0
	" 1/2 "	" 0 8 0	" 0 4 0
	" 3/4 "	" 0 14 0	" 0 8 0
	" 1 "	" 1 0 0	" 1 0 0
	" 2 "	" 2 0 0	" 1 0 0

No. 312.

The 15th June 1863.—The Post-Master begs to inform the Public that the Overland Express Packet of the 1st instant and the safe Dak of the 31st ultimo arrived at Bombay in time for the Overland Steamer.



APPENDIX TO  
**The Calcutta Gazette.**

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WEDNESDAY, JUNE 17, 1863.

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LAND SALE NOTICE.

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NOTICE is hereby given, under Section VI., Act XI. of 1859, that the undermentioned Estate, in Zillah Tirhoot, will be put to public and unreserved sale, at the Collector's Office of that District, on Tuesday, the 30th June 1863, corresponding with 29th Assaur 1270 Fusly, for the recovery of the amount of Decree, under Act X. of 1859, passed by the Collector of Bhaugulpore, which, by the Regulations and Acts in force, is directed to be realized:—

*Class I.—Permanently-settled Estate.*

No. 1580.—Mouzah Raghoolee, Pergunnah Jurail; recorded Proprietor Jhummun Doss; Sudder Jumma Rupees 523-12. The rights and interests of Chuthturdhary Thakoor and Bubooah Thakoor are only to be sold.

TIRHOOT; }  
Collector's Office, }  
The 6th June 1863. }

T. BRUCE LANE,  
Collector.



# The Calcutta Gazette.

SATURDAY, JUNE 20, 1863.

Government of Bengal.

—  
LEGISLATIVE DEPARTMENT.

The following Act of the Lieutenant-Governor of Bengal in Council, received the assent of His Honor on the 18th May 1863, and having been assented to by His Excellency the Governor-General on the 22nd June 1863, is hereby promulgated for general information:—

ACT No. VI of 1863.

*An Act to vest the property of the Town of Calcutta, and the management of its Municipal affairs, in a Corporation, and to make better provision for the Conservancy and Improvement of the Town, and for the levying of rates and taxes therein.*

WHEREAS it is expedient to vest the property of the Town of Calcutta, and the management of its Municipal affairs, in a Corporation, and to make better provision for the Conservancy and Improvement of the Town, and for the levying of rates and taxes therein: It is enacted as follows:

I. Act XIV of 1856 (*for the Conservancy and Improvement of the Towns of Calcutta, Madras, and Bombay*), and Act XXV of 1856 (*to comprise in one Act the provisions necessary for the assessment and collection of Municipal rates and taxes in the Towns of Calcutta, Madras, and Bombay*), so far as they relate to the Town of Calcutta; and Act XXVIII of 1856 (*for appointing Municipal Commissioners, and for levying rates and taxes in the town of Calcutta*)—are hereby repealed respectively, except so far as they repeal the whole, or any part of, any other Act, and except as to any assessment which shall have been made, or to any act or offence which shall have been done or committed, or to any fine or penalty which shall have been incurred, or to any money which shall have become due, or to any proceedings which shall have been commenced, before this Act shall come into operation. Any sum of money due, or which

may become due, under any or either of the said Acts, may be levied and recovered by the Justices under the provisions of this Act.

II. The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction:—

The word "Town" shall include all places within the local limits of the ordinary original civil jurisdiction of Her Majesty's High Court of Judicature at Fort William in Bengal.

The expression "The Justices" shall mean the Corporation of "The Justices of the Peace for the Town of Calcutta."

The word "Street" shall mean any road, street, square, court, alley, or passage, whether a thoroughfare or not, over which the public have a right of way, and also the roadway over any public bridge or causeway, within the Town.

The word "Land" shall include messuages, buildings, tenements, and hereditaments, of any tenure.

The word "month" shall mean calendar month.

The word "oath" shall include any affirmation or declaration lawfully substituted for an oath.

The word "Owner" shall mean the person for the time being receiving the rent of the land or premises in connection with which the word is used, whether on his own account, or as agent, or trustee, for any other person, or who would so receive the same if such land or premises were let to a tenant. Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

The word "Owner" shall mean the person for the time being receiving the rent of the land or premises

in connection with which the word is used, whether on his own account, or as agent, or trustee, for any other person, or who would so receive the same if such land or premises were let to a tenant.

Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

" Person." The word " person " shall include any association or body of persons, whether incorporated or not.

Words importing the singular number shall include the plural number ; and words importing the plural number shall include the singular number.

Gender. Words importing the masculine gender shall include the feminine.

III. All Justices of the Peace for Bengal, Behar, and Orissa, resident in the Town of Calcutta, and all Justices of the Peace for the Town of Calcutta, shall, by the name of " The Justices of the Peace for the Town of Calcutta," be a body corporate and have perpetual succession and a common seal, and by such name shall sue and be sued.

The Justices of the Peace for the time being in Calcutta, to be a Corporation for the purposes of this Act.

IV. All lands, buildings, works, and hereditaments, utensils, materials, books, plans, maps, papers, effects, monies, securities, and other property, moveable and immoveable, of what nature or kind soever, and all interest therein, whether vested, contingent, or in remainder, which shall, on the 1st day of July 1863, be vested in, or held in trust for, the Municipal Commissioners appointed under the said Act XXVIII of 1856, or which would have been vested in, or held in trust for, such Municipal Commissioners but for the passing of this Act, and all such estate and interest of and in the same respectively, as shall then be or would have been in, or in trust for, the said Municipal Commissioners or any of them, with all rights of way and other rights and easements now used and enjoyed by the said Municipal Commissioners, shall, on and from the date when this Act comes into operation, be vested in the Justices : and all persons who shall then owe any money to the said Municipal Commissioners, or to any person on behalf of the Municipal Commissioners, shall pay the same to the Justices or as they shall direct : and all monies which shall be then due and owing by, or recoverable from, the Municipal Commissioners, shall be paid by, or recoverable from, the Justices : and all contracts, agreements, mortgages, bonds, covenants, and securities, made or entered into before this Act comes into operation, to, with, or in favor of, or by or for, the said Municipal Commissioners, or any previous Municipal Commissioners for the Town of Calcutta, or any of them, or any person on behalf of such Municipal Commissioners, respectively, and all rights of action and suit arising out of contract or otherwise, shall take effect, and may be proceeded on and enforced, as near as circumstances will admit, in favor of, by, against, and with reference to, the Justices, in such manner as the same would have taken effect, and might have been proceeded on and enforced, in favor of, by, against, and with reference to, the said Municipal Commissioners respectively, or any of them, if this Act had not been passed.

All the property and rights of action of the Municipal Commissioners vested in the Justices.

V. No action, suit, prosecution, or other proceeding whatsoever, commenced or carried on either by or against the said Municipal Commissioners previously to the coming of this Act into operation, shall abate or be discontinued or prejudicially

affected by this Act, but shall continue and take effect both in favor of and against the Justices, in the same manner in all respects as the same would have continued and taken effect in relation to the said Municipal Commissioners, or any of them, if this Act had not been passed : and all decrees and orders made, and all fines and penalties imposed and incurred, respectively, previously to the coming into operation of this Act, shall and may be enforced, levied, recovered, and proceeded for, and all administrative proceedings, commenced previously to the coming into operation of this Act, shall and may be continued, proceeded with, and completed, in such or the like manner as if this Act had not been passed, the Justices being, in reference to the matters aforesaid, in all respects substituted in the place of the said Municipal Commissioners.

VI. All monies received by the Justices by virtue of this or any other Act, all fines, fees, and penalties, paid to or levied by them, under this Act, and all monies which may be assigned by Government for purposes of Conservancy or Improvement in the Town, shall constitute a fund, which shall be called the Municipal Fund of Calcutta, and shall, together with all property of what nature or kind soever which may become vested in the Justices, be under the direction, management, and control of the Justices, in the manner hereinafter provided, and shall be held and applied by them as Trustees for the purposes of this Act.

What shall constitute the Municipal Fund.

VII. The Lieutenant-Governor of Bengal shall, from time to time, appoint one of the said Justices of the Peace to be Chairman of the Justices. Such Chairman shall be removable from Office by the Lieutenant-Governor, if his removal be recommended by a Resolution in favor of which not less than two-thirds of the Justices of the Peace present at a Special General Meeting of the Justices shall have voted, but not otherwise.

VIII. The Justices at a Special General Meeting, to be held within fifteen days from the date of the first appointment of a Chairman, shall nominate a proper person to be Vice-Chairman of the Justices. Such nomination shall be subject to the approval of the Lieutenant-Governor of Bengal ; but when such approval shall have been duly notified to the Justices, the appointment shall be made by them. In the event of any nomination made by the Justices not being approved of by the Lieutenant-Governor, or of any vacancy occurring in the Office of Vice-Chairman, the Justices shall forthwith proceed, at a Special General Meeting, to make a fresh nomination and appointment, subject to the approval of the Lieutenant-Governor of Bengal, and so on from time to time. Provided that no person shall be appointed to the office of Vice-Chairman, who is not at the time of appointment a Justice of the Peace.

IX. It shall be lawful for the Justices at a Special General Meeting, from time to time, to appoint proper persons to the several offices of Secretary, of Engineer, of Surveyor, of Health Officer, of Collector of Taxes, and of Assessor.

Appointment and removal of Chairman of the Justices.

Appointment of Secretary, Engineer, Surveyor, Health Officer, Collector of Taxes, and Assessor.

of Taxes, and of Assessor, for the Town of



Calcutta. Every person so appointed, and the Vice-Chairman, shall be in all things under the immediate orders of the Chairman, and shall perform such duties as shall be assigned by him, and shall be removable by the Justices by a Resolution in favor of which not less than two-thirds of the Justices of the Peace present at a Special General Meeting shall have voted.

X. The Chairman and Vice-Chairman shall respectively reside within the Town of Calcutta, and shall devote his whole time to the duties of his office; and no Chairman or Vice-Chairman shall have or engage in any other profession, trade, or business whatsoever: Provided that nothing in this Act shall be deemed to prevent any Civil or Military Officer in the service of Government, from holding the office of Chairman or Vice-Chairman, so long as such Officer shall fill no other appointment: Provided further that it shall be lawful for any Chairman to hold also the office of Commissioner of Police for the Town of Calcutta, if he shall be appointed to such office by the Lieutenant-Governor of Bengal.

XI. The Chairman and the Vice-Chairman, respectively, may receive such allowances out of the Municipal Fund as shall be from time to time fixed by the Justices at a Special General Meeting. Provided that such allowance for any Chairman shall not exceed the rate of three thousand Rupees a month (exclusive of house rent, which may or may not, at the discretion of the Justices, be also allowed): and provided that such allowance for any Vice-Chairman shall not exceed the rate of twelve hundred Rupees a month.

XII. Every Secretary, Engineer, Surveyor, Health Officer, Collector of Taxes, and Assessor, appointed as hereinbefore provided, may receive such allowance out of the Municipal Fund, as shall be from time to time fixed by the Justices at a Special General Meeting.

XIII. The Chairman may from time to time appoint all such Overseers, Clerks, and Subordinate Officers, and servants, as he shall think necessary and proper to assist in the execution of this Act, and may, from time to time, remove any of such persons and appoint others in their place; and out of the Municipal Fund he may, with the sanction of the Justices at a Special General Meeting, pay such allowances to the said persons respectively, or in case of absence on leave such portion thereof, as he shall think reasonable. Provided that no person shall be appointed to, or removed from, any office the monthly salary of which exceeds two hundred Rupees, without the sanction of the Justices at a Meeting.

XIV. Every Overseer, Clerk, and other Officer appointed by, or acting under, the authority of the Municipal Commissioners under Act XXVIII of 1856, and not acting contrary to the provisions of this Act, shall hold and enjoy his office and employment, together with the salary or

emolument thereunto annexed, until he shall be removed therefrom by the Chairman or by the Justices at a Meeting. Every such Overseer, Clerk, and Officer shall have the like power and authority for the purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like pains and penalties, and to the like power of removal, in all respects as if he had been appointed by virtue of this Act.

XV. It shall be lawful for the Justices at a Special Meeting, with the sanction of the Lieutenant-Governor of Bengal, to grant such leave of absence to any Chairman or any Officer appointed under Sections VIII and IX of this Act, and, in the case of any Officer appointed under either of those Sections, to make such arrangements for the carrying on the duties of his office during his absence on leave, as shall to them seem proper. In any case in which leave of absence shall be granted to the Chairman, the Lieutenant-Governor of Bengal shall appoint one of the Justices of the Peace to act as Chairman in his place, or shall make such other arrangements for carrying on the duties of the office as shall to him seem proper. Any person appointed under this Section to act for the Chairman or any other Officer, shall, while so acting, have all the powers and be liable to all the restrictions, limitations, and provisions, which the Chairman or other Officer for whom he may be appointed to act, would, under this Act, have or be liable to.

XVI. In any case in which leave of absence shall be granted under the last preceding Section, the Justices may at a Special Meeting, with the sanction of the Lieutenant-Governor of Bengal, out of the Municipal Fund, pay to any Chairman or other Officer aforesaid, such allowance, during absence on leave, as shall to them seem proper. Provided that no greater expenditure from the Municipal Fund shall be in any case incurred in the whole, by reason of any such allowance, or of any allowance paid under Section XIII, than would have been incurred had no leave been granted.

XVII. Clause 1.—No Chairman or Vice-Chairman, or other Officer, or servant, of the Justices, shall be in any wise concerned, or interested, in any contract or work, made with, or executed for, the Justices; and if any such Chairman or Vice-Chairman, or other Officer or servant, be so concerned or interested, he shall be incapable of afterwards holding or continuing in any office or employment under the Justices, and shall forfeit and pay the sum of five hundred Rupees, which may be recovered by suit, by any person, with full costs of suit. Provided that no person, being a shareholder of any Joint Stock Company established by, or under the provisions of, any Act of Parliament, or of the Government of India, or by Charter, shall be prevented from being employed as a Chairman, Vice-Chairman, or other Officer or servant, by reason of any contract between such Company and the Justices, or of any work executed by such Company.

Clause 2.—If any person employed under this Act, not being a public servant within the meaning of Section 21 of

Penalty on Officers, &c., for taking unauthorized fees.

Penalty on Officers, &c., for taking unauthorized fees.

Justices to grant leave of absence, &c., with sanction of Government.

Penalty on Officers, &c., for taking unauthorized fees.

Penalty on Officers, &c., for taking unauthorized fees.

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the Indian Penal Code, shall accept or obtain, or agree to accept, or attempt to obtain, from any person, for himself, or for any other person, any gratification whatever, other than legal remuneration, as a reward for doing, or forbearing to do, any official act, or for showing or forbearing to show, in the exercise of his official functions, favor or disfavor, to any person, or for rendering or attempting to render any service or disservice to any person, with the Justices, or with any public servant, or with the Government, as such, he shall be punished with imprisonment, either simple or rigorous, for a term which may extend to three years, or with a fine not exceeding five thousand Rupees, or with both.

XVIII. The Justices shall provide and keep an Office within the Town, and during all days of business, keep open a book, in which shall be entered all reasonable complaints, made, orally or by letter, by any inhabitant or the owner or occupier of any house, building, or land within the Town, of any matter cognizable by the Justices; and the proper Officer of the Justices shall forthwith enquire into the truth of all such complaints, and report thereon to the Justices; and such report shall be entered in the said book; and such book shall be open, at all reasonable times, to any inhabitant or owner or occupier of land within the limits of the Town.

XIX. There shall be four Quarterly Meetings in every year, and two Ordinary Meetings in every month, at which the Justices shall meet for the transaction of general business: and it shall not be necessary to give any notice of the business to be transacted at such Meetings. The Quarterly Meetings shall be held at noon, on the first Monday in the months of January, April, July, and October, and the Ordinary Meetings at noon on the first and third Monday of every month respectively, or if any such Monday shall happen to be a holiday allowed by Government, then on the next succeeding day which shall not be such a holiday.

XX. The Chairman, or, in his absence, the Vice-Chairman, may, whenever he thinks fit, and shall upon a requisition made in writing by any ten Justices of the Peace, call a Special, or Special General, Meeting of the Justices. Previous to any such Meeting being held, at least seven days' clear notice, specifying the time and place of such intended Meeting, and the purpose for which it is to be held, shall be given by advertisement in the English and Bengallee Government Gazettes, and in at least two of the daily English Newspapers, and in two Vernacular Newspapers, published in Calcutta.

XXI. No business shall be brought before or transacted at any Special, or Special General, Meeting, other than the business specified in the notice given under the last preceding Section: Provided always that any Justice of the Peace may submit to a Special, or Special General, Meeting, any Resolution, beyond the matters mentioned in the notice given of such Meeting, if he shall have given not less than three days' previous notice of his intention so to do, by leaving a copy of the Resolution at the Office of the Justices.

XXII. All acts authorized or required to be done by the Justices, and all questions which may come before them for decision, shall, save as is herein otherwise provided, be done, and decided by, a majority of the Justices of the Peace present at any Ordinary or Quarterly Meeting, before which the matter may be brought.

XXIII. The Chairman and Vice-Chairman shall attend all Meetings of the Justices held under this Act, unless prevented by sickness or other reasonable cause; and the Chairman, or, in his absence, the Vice-Chairman, shall preside at every such Meeting, and shall have a second, or casting, vote in all cases of equality of votes. In the absence of both the Chairman and Vice-Chairman, the Justices of the Peace present at any Meeting shall choose some one of their number to preside. The President of any Meeting at which a quorum of the Justices of the Peace shall be present, may, with the consent of the Meeting, adjourn the 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 such adjournment took place.

XXIV. No business shall be transacted at any Meeting unless a quorum of Justices of the Peace be present; that is to say, at an Ordinary Meeting unless at least three Justices of the Peace be present, at a Special Meeting unless at least seven Justices of the Peace be present, and at a Special General, or Quarterly, Meeting unless at least twenty-five Justices of the Peace be present; Provided always that, if at any Meeting of the Justices there shall not be a sufficient number of Justices of the Peace present to form a quorum, the President (whether he be the Chairman, or not) shall adjourn the Meeting to such convenient time and place as he shall think fit; and the business which would have been brought before the original Meeting had there been a quorum present, shall be brought before, and disposed of by, the adjourned Meeting in the usual manner, whether there be a quorum of Justices of the Peace present at such adjourned Meeting or not.

XXV. Minutes of the Proceedings of all Meetings of the Justices shall be drawn up, and fairly entered in a book to be kept for that purpose, and shall be signed by the President after each Meeting; and the said Minutes shall, at all reasonable times, be open at the Office of the Justices to the inspection of any Justice of the Peace without charge, and of any other person on payment of a fee of eight annas.

XXVI. At any Special General, or Quarterly, Meeting, unless a poll be demanded by at least five Justices of the Peace, and at any Special, or Ordinary, Meeting, unless a poll be demanded by at least three Justices of the Peace, a declaration by the President that a Resolution has been carried, and an entry to that effect in the book of Proceedings of the Justices, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favor of, or against, such Resolution.

**XXVII.** If a poll be demanded as in the last preceding Section mentioned, or be taken at any Meeting of what kind soever, the votes of the Justices of the Peace present shall be taken by the President, each being called on to vote in order of seniority on the roll of the Justices of the Peace, and the result of such poll shall be deemed to be the Resolution of the Justices at such Meeting.

**XXVIII.** The Chairman or Vice-Chairman shall, except upon such holidays as shall be allowed by Government, attend daily at the Office of the Justices for the transaction of business connected with or arising under this Act, and, when so attending, shall have all the powers vested by this Act in the Justices; and they may, respectively, exercise the like powers at all times in carrying out the orders of the Justices, or in executing any works sanctioned by them, and generally in the management of the business aforesaid. Provided that it shall not be lawful for the Chairman or Vice-Chairman to act in opposition to, or contravention of, any order of the Justices, or to exercise any power which it is by this Act expressly declared shall be exercised only by the Justices at a Meeting.

**XXIX.** The Justices may enter into all such contracts as may be necessary for carrying this Act into execution. The Chairman or the Vice-Chairman may, for and on behalf of the Justices, enter into any such contract whereof the value or amount shall not exceed five hundred Rupees: but every such contract, whereof the value or amount shall exceed five hundred Rupees, shall be in writing and signed by the Chairman, or in his absence by the Vice-Chairman, and two other Justices of the Peace, and shall be sealed with the seal of the Justices. Every contract so entered into as aforesaid, and duly executed by the other parties thereto, shall be binding on the Justices and their successors, and upon all other parties thereto, and their executors, administrators, successors, or assigns, to all intents and purposes. Provided always that the Justices may compound with any contractor or other person in respect of any penalty incurred by reason of the non-performance of any contract entered into as aforesaid, whether such penalty be mentioned in any such contract or in any bond, or otherwise, for such sums of money or other recompense as to the Justices may seem proper.

**XXX.** It shall be lawful for the Justices at a Meeting, from time to time, to appoint from among the Justices of the Peace, such and so many Committees, either of a General, or of a Special, nature, and consisting of such number of persons as they may think fit, for the purpose of inquiring into and reporting upon any matter connected with the Conservancy or Improvement of the Town, or of advising and aiding the Chairman in the discharge of any portion of his executive duties, which in the discretion of the Justices would be better regulated or managed with the advice and aid of any such Committee: Provided that the Chairman or the Vice-Chairman shall be a Member of every such Committee, and that the Proceedings of every such Committee shall be submitted to the Justices at a Meeting.

**XXXI.** At a Special General Meeting to be held under this Act on the second Monday in the month of July 1863, or as soon after as conveniently may be, the Chairman shall lay before the Justices a Budget or Estimate, prepared by him, of the expenditure and income of the Municipality from the date on which this Act shall come into operation up to the first subsequent day of January: and at the Quarterly Meeting to be held in the month of October in each year, the Chairman shall lay before the Justices a Budget or Estimate, prepared by him, of the expenditure and income of the Municipality for the year commencing on the 1st of January then next succeeding, in such detail and form as the Justices shall from time to time, by order passed at a Quarterly, or Special General, Meeting, direct. Provided always that such Budget shall be completed and printed, and a copy thereof sent by post or otherwise to each of the Justices of the Peace, resident within twenty miles of Government House, at least seven days prior to the Meeting before which the Budget is to be laid.

**XXXII.** The Budget shall shew what expenditure it is proposed to incur during the period to which it relates, and the manner in which it is proposed to meet such expenditure.

**XXXIII.** It shall be in the discretion of the Justices to pass, or to reject, or to modify, the estimates of all or any sums entered in the Budget. No new work or series of works, the entire estimated cost of which as shewn in the Budget shall exceed fifty thousand Rupees, shall be commenced without the sanction of the Lieutenant-Governor having been previously obtained.

**XXXIV.** The accounts of the receipts and expenditure of the Justices shall be audited and examined once in every year, at the least, at such time and by such Auditors as shall from time to time be appointed by the Lieutenant-Governor of Bengal. For the purposes of any audit and examination of accounts under this Act, the Auditors may, by summons in writing, require the production before them of all books, deeds, contracts, accounts, vouchers, and all other documents and papers which they may deem necessary, and may require any person, holding or accountable for any such books, deeds, contracts, accounts, vouchers, documents, or papers, to appear before them at any such audit and examination, or adjournment thereof, and to make and sign a declaration with respect to the same: and if any such person neglect or refuse so to do, or to produce any such books, deeds, contracts, accounts, vouchers, documents, or papers, or to make or sign such declaration, he shall be liable for every neglect or refusal to a penalty not exceeding one hundred Rupees. All Auditors acting under this Act shall, in respect of each audit, be paid out of the Municipal Fund such reasonable remuneration as the Lieutenant-Governor of Bengal shall from time to time determine: Provided always that, before each audit and examination of accounts under this Act, the Chairman shall give ten days' notice of the time and place at which the same will be made, by ad-

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vertisement in the English and Bengalee Government Gazettes, and in at least two of the daily English Newspapers, and in two Vernacular Newspapers, published in Calcutta; and a copy of the accounts to be audited and examined shall be deposited in the Office of the Justices, and be open during office hours thereat, to the inspection of all persons interested, for seven days before the audit and examination, and all such persons shall be at liberty to take copies of, or extracts from, the same, without the payment of any fee; and within fourteen days after the audit and examination shall have been completed, the Auditors shall report upon the accounts audited and examined, and shall deliver such report to the Justices at a Meeting, who shall cause the same to be deposited in the Office of the Justices, and to be published in the Calcutta Gazette, and in some one or more of the said newspapers.

XXXV. Whereas the assessments last made under the said Acts XXV and XXVIII of 1856, include the months of July, August, September, October, November, and December 1863, and power is given by this Act to impose and levy rates upon the owners and occupiers of the same houses, buildings, and lands, which were subject before the passing of this Act to the said assessments, for a period including the same months, it is hereby enacted that any sum of money, which would have become due from any owner or occupier in respect of the said assessments for the several months aforesaid, may be levied and recovered by the Justices in like manner as the same might have been levied and recovered if this Act had not been passed, unless the Justices shall impose and levy any other rate under the provisions of this Act.

XXXVI. At the Special General Meeting to be held on the second Monday in the month of July 1863 as aforesaid, or as soon after as conveniently may be, the Justices shall fix the rates at which such taxes as are leviable under this Act shall be levied, from the date on which this Act shall come into operation, till the first day of January next ensuing: and at the Quarterly Meeting to be held in the month of October in each year, the Justices shall fix the rates at which such taxes as are leviable under this Act, shall be levied for the year commencing on the first day of January then next ensuing.

The rates so fixed shall not be altered before the Quarterly Meeting held in the next succeeding month of October, except by a Resolution passed by the Justices at a Special General Meeting.

XXXVII. A tax, at a rate not exceeding the rates specified in the Schedule (A) to this Act annexed, shall be imposed upon all carriages, horses, ponies, and mules, kept within the Town, and shall be payable in advance: Provided that this Section shall not apply to, or include,—Gun carriages, or Ordnance carts or wagons: Cavalry horses, or horses of the Mounted Police: Horses belonging to Officers doing Regimental duty at the Presidency, at the rate of one horse for each Officer: vehicles, horses, ponies, or mules belonging to the Government, or to the Justices: vehicles kept for sale, and not used

for any other purpose, if kept by bona fide dealers in such vehicles.

XXXVIII. The owner of every carriage, horse, pony, or mule, kept within the Town, shall before the 1st day of October 1863, and shall, on or before the 1st day of January and the first day of July in each year, forward to the Office of the Justices a statement in writing, signed by him, containing a description of the vehicles and animals liable to the tax, for which he desires to take out a license. The owner shall at the same time pay to the Justices such sum as shall be payable by him, for the half year commencing on the first day of July 1863, or on such subsequent first day of January or of July (as the case may be), for the vehicles and animals specified in in such statement, according to the rates given in the said Schedule. Any person becoming possessed, between the first day of January, and the first day of July, or between the first day of July and the first day of January, of a carriage, horse, pony, or mule so kept, shall, within a week of becoming so possessed, send to the Office of the Justices a similar statement, together with the full amount payable for the then current half year according to the said Schedule, unless he shall be able to prove, to the satisfaction of the Justices, that the tax for the half year has previously been paid.

XXXIX. On receiving the amount of the tax as aforesaid, the Justices, or some person duly authorized by them in that behalf, shall give to the person paying the same, a license for each of the vehicles and animals for the period in respect of which the money is received. The owner of every carriage, horse, pony, or mule, who shall have received a license for the same, shall, at all reasonable times during the said period, be bound to produce such license, when called upon to do so by the Justices, or any person duly authorized in writing by them to demand its production.

XI. If the owner of any carriage, horse, pony, or mule, so kept as aforesaid, shall not have duly taken out a license under the last preceding Section, he shall, on conviction before a Justice of the Peace, be liable to a fine not exceeding three times the amount of the tax which would have been payable by such person, supposing him to have duly paid the same as soon as it became due. Provided that no proceeding shall be taken, before the first day of October 1863, to enforce such penalty against any person who shall not have duly taken out such license for the half year commencing on the first day of July in the year aforesaid.

XLI. The Justices, at their discretion, may compound, for any period not exceeding one year, with livery stable-keepers, and other persons keeping carriages for hire, for a certain sum to be paid for the carriages so kept by such persons, in lieu of the taxes specified in the Schedule (A). And if any person, having so compounded, shall refuse to pay the sum compounded for on the demand of the Justices, he shall, on conviction before a Justice of the Peace, be liable to a fine not exceeding three times the amount so payable.



**XLIII.** The Justices shall, from time to time, cause to be prepared and entered in distinct columns, in a book to be kept at the Office of the Justices, and to be open to the inspection of any person who shall apply for leave to inspect the same, a list of the persons who during the then current period of six months shall have received a license under Section XXXIX of this Act, and of the vehicles and animals in respect of which they may have paid.

**XLIII.** It shall be lawful for the Justices, or any person or persons appointed by them for that purpose, at any time between sunrise and sunset, to enter and inspect any stable or coach-house, or any place wherein they may have reason to believe that there is any vehicle or animal liable to taxation under Section XXXVII of this Act, for which a license has not been duly taken out; and the Justices may summon any person, whom they have reason to believe to be liable to the payment of any tax under the last mentioned Section, or any servant of such person, and may examine such person or servant as to the number and description of the horses and carriages in respect of which such person is liable to be taxed. Whoever being so summoned shall, without lawful excuse, fail to appear in pursuance of the summons, and whoever hinders or obstructs the Justices or any person appointed by them as aforesaid, from or in entering or inspecting any such stable, coach-house, or place, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding one hundred Rupees.

**XLIV.** Every cart, hackery, and other wheeled vehicle without springs kept and used within the Town, and every cart, hackery, and other such vehicle plying for hire within the Town, or let for hire within or without the Town and used within it, shall be registered in the Office of the Justices with the name and residence of the owner, and shall bear the number of such registration in such manner as the Justices shall direct. Provided that this Section shall not apply to, or include, carts, hackeries, or other such vehicles as aforesaid, kept at any place more than eight miles distant from Government House, and used only temporarily and casually in the Town; or to carts, hackeries, or other wheeled vehicles without springs, the property of Government; or to Conservancy carts, hackeries, or other such vehicles belonging to the Justices.

**XLV.** The registration of carts, hackeries, and other vehicles under the last preceding Section, shall be made and the numbers assigned half-yearly, on or before the first day of January and the first day of July in each year, upon such days as the Justices shall appoint, and a fee of four Rupees shall be paid for each registration. Any person becoming possessed, between the first day of January and the first day of July, or between the first day of July and the first day of January, of any such cart, hackery, or other vehicle, which has not been registered for the then current half-year, shall, within a week of becoming so possessed, register the same, and the Justices shall grant registration in any such case, on payment of a fee for the unexpired portion of the current half-year, calculated at the

**XLV.** The registration of carts, hackeries, and other vehicles under the last preceding Section, shall be made and the numbers assigned half-yearly, on or before the first day of January and the first day of July in each year, upon such days as the Justices shall appoint, and a fee of four Rupees shall be paid for each registration. Any person becoming possessed, between the first day of January and the first day of July, or between the first day of July and the first day of January, of any such cart, hackery, or other vehicle, which has not been registered for the then current half-year, shall, within a week of becoming so possessed, register the same, and the Justices shall grant registration in any such case, on payment of a fee for the unexpired portion of the current half-year, calculated at the

rate of four Rupees aforesaid. When any registered cart, hackery, or other vehicle is transferred within any half-year, it shall be registered anew in the name of the person to whom it has been transferred; and a fee of four annas shall be paid for every such last mentioned registration.

**XLVI.** Whoever owns or keeps any cart, hackery, or other wheeled vehicle without having caused the same to be registered under the last preceding Section, shall, on and after the first day of October 1863, be liable, on conviction before a Justice of the Peace, to a fine not exceeding three times the usual registration fee: and the Justices, or any Officer duly authorized by them, may seize or cause to be seized any such cart, hackery, or other vehicle, (provided the same be not employed at the time of seizure in the conveyance of any passengers or goods,) together with the horses, bullocks, or other animals drawing the same, and may detain them: and all Police Officers are hereby required, on the application of the Justices or their Officers as aforesaid, to seize and detain the same. If the person owning or keeping such cart, hackery, or other vehicle, shall be convicted before a Justice of the Peace under this Section, and ordered to pay a fine, and if the vehicle seized be not claimed, and the fine be not paid within ten days, such vehicle, together with the animals seized with it (if any), may be sold by auction by order of a Justice of the Peace, and the proceeds applied to the payment of the fine, and to the costs and charges incurred on account of the seizure, detention, and sale; and the surplus (if any), if not claimed by the owner or the person keeping such cart, hackery, or other vehicle within a further period of twenty days, shall be paid to the Justices.

**XLVII.** On and after the first day of July 1863 every person who shall exercise any of the professions, trades, or callings specified in Schedule (B) to this Act annexed, shall take out a license and shall pay for the same such annual sum as is in the said Schedule (B) mentioned: provided that for any such license which shall be granted before the first day of January 1864, there shall be paid only one half of the said annual sum.

**XLVIII.** Every license under Section XLVII shall be granted by the Justices or by some person duly authorized by them in that behalf, and shall specify the date of the grant thereof, the true name of the person to whom the license is granted, and the sum paid for such license.

**XLIX.** Every license shall have effect and continue in force from the day of the date thereof until the day hereinafter appointed for the expiration thereof; and every such license which shall be granted before the 1st day of January 1864 shall expire on that day, and every such license which shall be granted upon or at any time after that day, shall expire on the 31st day of December next after the day of the granting thereof.

L. Every person to whom any such license shall be granted and who shall be desirous of continuing to exercise his profession, trade, or calling after the expiration thereof, shall take out a fresh license for that purpose for the following year, to expire on the day appointed in the last preceding Section, and shall renew the same from year to year, so long as he shall desire to continue such profession, trade, or calling.

LL. The Chairman shall determine under which of the classes mentioned in the Schedule (B) to this Act annexed, every person to whom a license may be granted shall be assessed. The Justices at a Meeting shall from time to time declare what are to be considered, Bazars, Hauts, or Public Markets, within the meaning of this Act.

LII. As soon as may be after the first day of January in every year, the Chairman shall prepare a list of the persons licensed under this Act, which list shall state the profession, trade, or calling of each of the persons therein named, the class under which he is assessed, and the sum paid by him in respect of his license, and such list shall be filed in the Office of the said Chairman, and be open to public inspection at all reasonable times.

LIII. If, after the first day of October 1863, any person within the said limits shall exercise his profession, trade, or calling without having duly taken out a license as required by Section XLVII, he shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding three times the amount which in the judgment of such Justice of the Peace would have been payable by such person in respect of a license duly taken out as aforesaid.

LIV. Any person required by Section XLVII to take out a license, who shall, without reasonable excuse, neglect or refuse to produce and show his license, when required so to do by an Officer duly empowered in writing by the Chairman to make such requisition, shall, on conviction before a Justice of the peace, be liable to a penalty not exceeding one hundred Rupees.

LV. An annual rate, not exceeding ten per centum of their annual value, may be imposed by the Justices upon all houses, buildings, and lands, in the Town, and shall be assessed in the manner hereinafter described: Provided that it shall be at the option of the Justices, in lieu of such rate, to levy upon any lands unappropriated to any building or premises, or upon any native huts with their appurtenances, a fixed annual rate not exceeding four Rupees for every cottah occupied by them, respectively. Any rate levied under this Section shall be payable by the owners of the said houses, buildings, lands, and huts, respectively, by quarterly instalments.

LVI. Houses, buildings, and lands situate in Fort William, on the esplanade of the Fort, and in Cooly Bazar, and buildings used exclusively as places of public worship, shall not be liable to any rate under the last preceding Section.

LVII. If the annual value or fixed rate referred to in Section LV, shall in any case exceed the amount of rent payable by the lessee or tenant to the owner, the owner may in such case recover from the lessee or tenant the difference between the sum assessed upon him, and the sum at which he would have been assessed had he been rated only upon the amount of rent actually payable to him, and such difference shall be added to the rent payable by such lessee or tenant, and shall be recoverable by the owner from him, by such means and in like manner in all respects as such rent is recoverable.

LVIII. When any house shall have been vacant for sixty consecutive days during any year, the Justices shall remit so much, not exceeding one-half, of the rate for that year, as may be proportionate to the number of days the said house may have remained unoccupied: provided that the owner of such house, or his agent, shall have given to the Justices notice in writing of the vacancy thereof, and that the amount of rate to be remitted shall be calculated from the date of the delivery of such notice.

LIX. To provide for the lighting of the public streets of the Town, an annual Lighting-rate, not exceeding two per centum of their annual value, may be imposed by the Justices upon all houses, buildings, and lands in the Town, and shall be assessed in the manner hereinafter described. Provided that it shall be at the option of the Justices, in lieu of such rate, to levy upon any lands unappropriated to any building or premises, or upon any native huts with their appurtenances, a fixed annual rate, not exceeding twelve annas and ten pies, for every cottah occupied by such last mentioned lands, or huts with their appurtenances. Any rate levied under this Section, or under Section LXI, shall be payable by the occupiers of the said houses, buildings, lands, and huts, respectively, by quarterly instalments.

LX. The Justices shall cause the public streets of the Town to be sufficiently lighted: and the sum applicable annually to the current expenses of lighting the said streets, shall be the gross proceeds of the said Lighting-rate and no more; but the Justices may expend, out of the Municipal Fund, such further sums as may from time to time be requisite for the purchase, setting up, and maintaining of lamps, lamp-posts, pipes, and other necessary apparatus.

LXI. The Justices shall carry out a complete system for the supply of water within the Town, and shall for that purpose cause such pipes to be laid and such tanks, reservoirs, and other works to be made and constructed as shall be necessary. Such supply shall be deemed, for the purposes of this Act, to be complete within the Town, or within any divi-

sion or portion thereof, so soon as the Justices shall have, with the sanction of the Lieutenant-Governor of Bengal, declared, by notification published in the Government Gazette, that the supply is complete within the Town, or within any such division or portion thereof. So soon as the supply shall be complete within the Town or within any division or portion thereof, it shall be lawful for the Justices to impose an annual water-rate, not exceeding two per centum of their annual value, upon all houses and buildings within the Town or within the division or portion (as the case may be) within which the supply of water is complete, and such rate shall be assessed in the manner herein-after described. Provided that, if the water shall be supplied in any house or building at a height exceeding three feet, and not exceeding twenty-five feet, from the level, an additional rate of one per centum of the annual value of such house or building shall be imposed; and that, if the water shall be supplied at a height exceeding twenty-five feet but under fifty feet, an additional rate of two per centum of their annual value shall be imposed; and a further additional rate of one per centum for every twenty-five feet above the height of fifty feet. Provided, also, that it shall be at the option of the Justices, in lieu of the said first mentioned rate of two per centum, to levy upon any native huts, a fixed annual rate, not exceeding twelve annas and ten pias, for every cottah of land occupied by such huts with their appurtenances.

**LXII.** Every occupier shall be liable to the Lighting-rate and to the Water-rate for the time of his occupation; and when any person shall have been an occupier for a part only of any quarter, the Justices shall charge him with only so much of the rate for that quarter, as may be proportionate to the number of days during which he shall have continued to be an occupier. No such rate shall be chargeable to any person on account of any unoccupied house for the time during which it may remain unoccupied. Provided always that,

Proviso. when any person ceases to be the occupier of any premises liable to the rate, he shall give the Justices notice thereof, or, if he fail to give such notice, he shall be liable to the rate assessed on the said premises for the whole quarter, although they may have been occupied for a part only of such quarter.

**LXIII.** When any house or building, or any land, is let by the owner in apartments, flats, or portions, the owner shall be liable to pay the Lighting-rate and the Water-rate, instead of the occupier or occupiers.

**LXIV.** When any person, who rents from the owner any house or building, or any land, sublets the same in apartments or portions, such person; for the purposes of the Lighting-rate and of the Water-rate, shall be held to be the occupier.

**LXV.** If, during the course of any quarter, the Justices shall have reason to believe that any person, who, if the current quarter had come to an end, would be liable to pay the House-rate, the Lighting-rate, or the Water-rate, for that quarter, is about to remove from the Town forthwith, it shall be lawful for the Justices to declare

such person liable to the immediate payment of the said rates, or any of them, from the commencement of that quarter up to the date of such declaration, and the amount of such rate for such time due from such person, shall be leviable forthwith, in like manner and in all respects as the said rates are in ordinary cases leviable.

**LXVI.** The estimated gross annual rent at which the houses, buildings, and lands, liable to the rate or rates imposed under this Act upon houses, buildings, and lands according to the annual value thereof, might reasonably be expected to let from year to year, shall, for the purposes of the rates leviable under this Act, be held and deemed to be the annual value of such houses, buildings, and lands. The value of a house or building so estimated shall not include the value of any machinery contained therein.

**LXVII.** The annual value at which any lands, houses, buildings, or huts assessed by the Justices, with their appurtenances, are to be assessed, or the area on which they are to be rated under this Act, shall be fixed by the Justices, and such lands, houses, buildings, and huts with their appurtenances, shall be assessed or rated, upon the value or the area so fixed, for three years from the date on which it is so fixed, and on no other value or area. Provided that, if during the currency of the said period of three years any new building shall be erected on any land, or any substantial alteration and improvement shall be made in any premises, it shall be lawful for the Justices to cause such land or premises to be again assessed, and such last mentioned assessment shall be in force, and the rate shall be levied according to it, until the expiration of the said three years.

**LXVIII.** The annual value assessed, or the area fixed, by the Justices as hereinbefore provided, shall be entered in a book to be kept at the Office of the Justices, wherein shall also be written in distinct columns the name of the owner of the property; or, if the occupier, and not the owner, is the person liable to pay the rate, the name of the occupier; a designation of the property, either by name or number, sufficient to identify the same, together with the name of the street or district in which such property is situate, and the amount of the rate assessed or fixed thereon.

**LXIX.** The Justices shall, immediately after this Act comes into operation, proceed without delay to make a valuation or measurement of all lands, houses, tenements, and premises within the Town, and for such purpose shall divide the Town into such and so many districts as they many think fit, and proceed to make a separate valuation or measurement district by district, and shall enter the same in the said book. The valuation which, at the date of this Act coming into operation, shall stand entered in the book kept at the Office of the Municipal Commissioners, shall be taken as the first under this Act, till a new one be made. Valuation now standing in the book of the Municipal Commissioners, to be taken as the first under this Act, till a new one be made. XXV of 1856, shall be taken to be the first valuation made under this Act,



until such time as the Justices shall have caused a new valuation or a measurement to be made.

LXX. When the name of the owner or occupier is not known, it shall be sufficient to designate him in the said book, and also in any notice or other proceeding under this Act, as "the owner" or "the occupier" of the property on which the rate is assessed, without further description.

LXXI. In order to enable the Justices to arrive at a fair valuation or measurement of any houses, buildings, or lands liable to the rate, it shall be lawful for the Justices to require the owner or occupier of such houses, buildings, or lands to furnish them with returns of the measurements and of the rent or annual value thereof; and for the like purpose, it shall be lawful for the Justices, or any person or persons appointed by them for that purpose, at any time between sunrise and sunset, to enter and inspect and measure such houses, buildings, or lands, after having given forty-eight hours' previous notice of such their intention to the occupier thereof; and whoever refuses or fails to furnish any such return for the space of one week from the day on which he shall have been required so to do, or knowingly makes a false or incorrect return, and whoever hinders, obstructs, or prevents any Justice of the Peace, or any person appointed by the Justices as aforesaid, from entering or inspecting or measuring any such houses, buildings, or lands, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding two hundred Rupees.

LXXII. When the valuation and measurement of any of the districts of the Town, into which it may have been divided under Section LXIX of this Act, shall have been completed, the Justices shall give public notice thereof, and of the place where the said book containing the valuation and measurement and the rate assessed, or a copy of the said book, may be inspected, by advertisement in the English and Bengalee Government Gazettes, and in at least two of the daily English newspapers, and in two Vernacular newspapers, published in Calcutta, and also by placards posted up in conspicuous places throughout such district of the Town; and the person in whose custody such book may be, shall permit every person claiming to be the owner or occupier of property included in the assessment or measurement, or the agent of such owner or occupier, to inspect the book and to make extracts therefrom without payment of any fee; and every person who does not claim to be such owner or occupier, to inspect and make extracts, in like manner, on payment of a fee of one Rupee.

LXXIII. The Justices shall, at the time and in the manner in the preceding Section mentioned, give public notice of a day, not being less than fifteen days from the publication of such notice, when they will proceed to revise the said valuation or measurement and assessment; and in all cases in which any property is for the first time assessed, or in which the valuation or measurement of any property previously assessed is increased, shall give special notice thereof to the owners or occupiers of such property.

LXXIV. After the appeals have been enquired into, and after the revision of the valuation or measurement and assessment has been completed, the amendments, if any, made in the said book, shall be authenticated by the seal of the Justices; and thereupon, and subject to such alterations and amendments as may thereafter be duly made, the rate so assessed shall be deemed to be the rate for the whole three years for which the assessment is made, and this period shall be calculated from the commencement of the quarter in which any such amendment shall be so authenticated.

LXXV. Provided always that the Chairman or Vice-Chairman may at any time amend the said book, by inserting therein the name of any person whose name ought to be so inserted, or by inserting any property liable to the rate, after giving notice to such person as may be interested in the making of the amendment, of a day, not being less than fifteen days from the date of the service of such notice, when such amendment is to be made; or by striking out the name of any person or any property not liable to the rate, or reducing the amount of the rate, without notice; and if any amendment shall be made, in cases where notice is required, the same shall be deemed to have been made on the expiration of fifteen days after service of the said notice; and any person interested in such amendment may appeal, by application in writing to the Justices left at their Office three days before the day fixed in the said notice for such amendment.

LXXVI. It shall not be necessary to prepare a new book every three years, but the Justices may adopt the valuation or measurement and assessment contained in the book for any period of three years, with such alterations as may, in particular cases, be deemed necessary, as the valuation or measurement and assessment for the three years next following. Provided always that public notice of such valuation or measurement and assessment shall be given, in the manner prescribed in Section LXXII of this Act; and the provisions of that and the three following Sections shall be applicable to the said valuation or measurement and assessment, and to the book or books in which it is contained.

LXXVII. Appeals against any rate assessed or demanded by the Justices under the provisions of this Act, shall be heard and determined by not less than three Justices of the Peace. But no such

LXXVIII. After revision, the assessment book to be authenticated by seal of Justices.

LXXIX. Rate assessed to be deemed the rate for three years.

LXXX. Alteration or amendment of assessment.

LXXXI. New assessment book need not be prepared every three years.

LXXXII. Proviso.

LXXXIII. Hearing of appeals.

LXXXIV. Appeals against any rate assessed or demanded by the Justices under the provisions of this Act, shall be heard and determined by not less than three Justices of the Peace. But no such

appeal shall be heard unless the amount of the rate has been deposited with the Justices.

**LXXVIII.** The assessment by the Justices of any rate, when no appeal therefrom is made as hereinbefore provided, and the adjudication of any appeal under the preceding Section, shall be final and conclusive.

**LXXIX.** When any rate is due, the Justices shall cause to be presented, to the person liable to the payment thereof, a bill for the sum due, which shall also contain a statement of the period, and a description of the property or thing, for which the rate is charged.

**LXXX.** If the bill is not paid, by the person liable to pay the same, within seven days from the presentation thereof, the Justices may cause to be served upon such person a notice of demand, in the form contained in the Schedule (C) to this Act annexed, or to the like effect; and if he shall not, within seven days from the service of such notice of demand,

pay the sum due, or show sufficient cause, to the satisfaction of the Justices, for non-payment of the same, such sum, with all costs, may be levied by distress and sale of the goods and chattels of the defaulter, or if the defaulter be the occupier of any house, building, or land in respect of which a rate is due, by distress and sale of any goods and chattels found on the premises, under a warrant in the form contained in the Schedule (D) to this Act annexed, or to the like effect, to be issued for that purpose by the Justices. For every notice of demand under this Section which the Justices shall cause to be served upon any person, a fee not exceeding one Rupee, the amount of which shall be in each case fixed by the Justices, shall be paid by such person. Such fee shall be added to the amount of the rate in respect of which the notice is given, and, if not duly paid, shall be levied in the same manner as such rate may be levied.

**LXXXI.** The Officer charged with the execution of a warrant of distress under the last preceding Section, shall make an inventory of the goods and chattels seized under any such warrant, and shall at the same time give a notice in writing, in the form contained in the Schedule (E) to this Act annexed, to the person in possession thereof at the time of the seizure, that the said goods and chattels will be sold as therein mentioned.

**LXXXII.** If the warrant is not in the meantime discharged or suspended by the Justices, the goods and chattels seized shall be sold under the orders of the Justices, who shall apply the proceeds, or such part thereof as may be necessary, in discharge of the said arrears and costs; and the surplus, if any, shall be returned, on demand, to the person in possession of the goods and chattels at the time of the seizure. Fees shall be payable upon distraints under this Act, according to the rates set forth in the Table of Fees in the said Schedule.

**LXXXIII.** The goods and chattels of any person from whom any rate is due, may be distrained, wherever the same may be found, for default in the payment of the money due from such person.

**LXXXIV.** If the sum due on account of any rate from the owner of any house, building, or land remains unpaid, after notice of demand has been duly served, the Justices may demand the amount from the occupier for the time being of such house, building, or land, and, on non-payment thereof, may recover the same by distress and sale of any goods and chattels found on the premises; and in such case, the occupier may deduct, from the next and following payments of his rent, the amount which may be so paid by or recovered from him. Provided that no arrear of rate which has remained due from the owner of any house, building, or land for more than one year, shall be so recovered from the occupier thereof.

**LXXXV.** No distress levied by virtue of this Act shall be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any defect or want of form in the notice, schedule, summons, notice of demand, warrant of distress, inventory, or other proceeding relating thereto, nor shall such party be deemed a trespasser *ab initio*, on account of any irregularity afterwards committed by him; but all persons aggrieved by such irregularity may recover full satisfaction for any special damage sustained by them, in any Court of competent jurisdiction.

**LXXXVI.** Instead of proceeding by distress and sale, or in case of failure to realize by distress the whole or any part of the sum due in respect of any rate, the Justices may sue the person liable to pay the same, in any Court of competent jurisdiction.

**LXXXVII.** Every notice, schedule, summons, or notice of demand, regarding any assessment, rate, or tax, or any money due in respect of the same, may be served personally upon the person to whom the same is addressed, or be left at his usual place of abode with some adult male member or servant of his family, or, if it cannot be so served, may be put up on some conspicuous part of such place of abode, and shall thereby be deemed to be duly served. Provided that, if the place of abode of the owner of any house, building, or land, in respect of which a rate is assessed, be unknown, or if the owner of any such house, building, or land be not resident within the limits of the Town, every such notice, summons, or notice of demand shall be deemed to be duly served, if put up on some conspicuous part of the house, building, or land in respect of which the rate is assessed.

**LXXXVIII.** No assessment, and no charge or demand of a rate or tax, made under the authority of this Act, shall be impeached or affected by reason of any mistake in the name of any person liable to pay the rate or tax, or in the description of any property or thing liable to the rate or tax, or any mistake in the amount of assessment, provided the directions of this Act be in substance and effect complied with; and no proceedings under this Act shall, for want of form, be quashed or set aside in any Court of Justice.

**LXXXIX.** The Justices shall carry out such a complete system of sewerage and drainage within the

**LXXXIX.** The Justices shall carry out such a complete system of sewerage and drainage within the

Town as they may think desirable, subject to the approval of the Lieutenant-Governor of Bengal, and subject to such alterations as may from time to time be ordered by him.

XC. The Lieutenant-Governor of Bengal may determine what portions, if any, of the environs of the Town shall be included in the said system of sewerage and drainage, and may declare the boundaries thereof by notification in the Government Gazette. An annual rate, to be fixed from time to time by the said Lieutenant-Governor, not exceeding two and a half per centum of their annual value, may be imposed upon all houses, buildings, and lands situated within the boundaries so notified, and the same shall be payable by the owners thereof in quarterly instalments. For the purposes of the said rate, the houses, buildings, and lands situated within such boundaries as aforesaid, shall be held to be a part of the Town; and all the provisions of this Act which relate to the assessment and collection of rates payable by owners, shall have effect in respect to such rates.

XCI. It shall be lawful for the Justices, with the sanction of the Lieutenant-Governor of Bengal, to erect wharves, jetties, or quays, in any river or canal bordering upon lands which may belong to the Justices. And it shall be lawful for the Justices to levy, upon all goods shipped or landed at any such quays, wharves, or jetties, erected as aforesaid, wharfage, portage, and other fees, according to a scale to be laid down from time to time by the Justices with the sanction of the Lieutenant-Governor of Bengal.

XCII. It shall be lawful for the Officers, appointed by the Justices to superintend the landing and shipment of goods from any quays, wharves, and jetties erected under the provisions of the last preceding Section, to detain any such goods until the wharfage, portage, and other charges due thereon shall have been paid.

XCIII. *Clause 1.*—For the construction of works of a permanent nature under this Act, the Justices may, with the sanction of the Lieutenant-Governor of Bengal, from time to time, borrow by way of debenture, on the security of the rates, taxes, and dues imposed and levied on account of the Municipal Fund under this or any Act passed in that behalf, or of a portion of them, and at such rate of interest and upon such terms as to the time of re-payment and otherwise as the said Lieutenant-Governor may approve, any sums of money the Justices may require for the objects aforesaid.

*Clause 2.*—All the debentures aforesaid, issued under the authority of this Act, shall be in the form contained in the Schedule (F) to this Act, and shall be transferable by endorsement, and the right to sue in respect of the monies secured by any of such debentures, shall be vested in the holders thereof for the time being, without any preference by reason of some of such debentures being prior in date to others.

*Clause 3.*—The Justices may at any time, with such consent as aforesaid, raise, by the issue of new debentures, any money that may be required to pay any

monies for the time being due on any debentures issued in pursuance of this Act.

XCIV. It shall be lawful for the Justices to keep in their Office a Register of all births and deaths in the Town, and for this purpose they shall divide the Town into such and so many Districts as they shall think fit, and for every such District they shall appoint a person to be Registrar of births and deaths within such District.

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XCIV. It shall be lawful for the Justices to keep in their Office a Register of all births and deaths in the Town, and for this purpose they shall divide the Town into such and so many Districts as they shall think fit, and for every such District they shall appoint a person to be Registrar of births and deaths within such District.

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required to be known and registered touching the death of such person. Any person who shall refuse or neglect to give any information which it is his duty to give under this Section, shall be liable to a penalty not exceeding one hundred Rupees.

C. Every person by whom the information contained in any Register of births or deaths under this Act shall have been given, shall sign in the Register his name, description, and place of abode; and no such registration shall be deemed to be complete or of any effect until such person shall have so signed it.

CI. At such times and in such manner as shall be directed from time to time by the Justices, an account shall be taken of the number of persons who, at the time of taking such account, shall be within the Town, and the persons employed in taking such account shall set down the several particulars respecting the same which are hereinafter prescribed.

CII. The Chairman shall superintend the taking of such account, and shall cause to be prepared and issued, for the use of the persons to be employed, such forms and instructions as he shall, with the sanction of the Lieutenant-Governor, deem necessary, and all the expenses incurred shall be defrayed out of the Municipal Fund.

CIII. Each Police division of the Town shall be formed into one or more Enumeration Districts.

CIV. At such times as shall be appointed under Section CI of this Act, and as shall be notified in the Official Gazette by the Lieutenant-Governor of Bengal, every occupier of a dwelling-house or of any part of a dwelling-house distinctly occupied, and every person to whom a Schedule, as hereinafter provided, may have been delivered, shall afford such information, in regard to all persons who were abiding in his house, or in the place under his charge, on the night immediately preceding, and in such manner, as may, under this Act, be lawfully required of them.

CV. The Chairman shall select a sufficient number of competent persons to act as enumerators; and every such enumerator, under the direction of the Chairman, shall visit every house within his District, except as hereinafter provided, and shall take an account in writing of the name, sex, age, caste, nationality, and occupation, of every living person who shall abide therein on the night immediately preceding the day appointed as aforesaid, and shall also take an account of the occupied houses and the houses then being built and therefore uninhabited, and also of all other uninhabited houses within his District, and in all respects conform to, and obey, the instructions which may be issued to him by the Chairman in this behalf. Provided always that, in the case of females, no account shall be taken either of their name or age.

CVI. The Chairman, when he may deem such a course to be advisable, may cause a Schedule, in such form as shall be sanctioned by the Lieutenant-Governor, to be delivered to any occupier of any dwelling-house who he shall have ascertained to be able to write, and such occupier shall fill in all the particulars required in the form on the day to be appointed, and shall deliver the same to such persons as may be duly authorized to demand the same.

CVII. Any Military or Naval Officers in command of bodies of Military and Naval men, or of Vessels of War, or any Master of a Merchant Vessel, or Nacodah or Tindal of a vessel or boat, or any person in charge of a Lunatic Asylum, Hospital, or Prison, or of any public or private charitable or scholastic institution, or any keepers of Hotels or Lodging-houses, shall, if required, act as enumerators for the purpose of taking account of persons under their command or charge, or abiding in their houses, on the night immediately preceding the day to be appointed; every person so required to act as an enumerator shall receive and conform to all instructions in writing which may be issued to him by the Chairman in that behalf.

CVIII. The Chairman shall obtain, by such ways and means as shall appear to him best adapted for the purpose and as shall be sanctioned by the Lieutenant-Governor, returns of the particulars required by this Act with respect to all houseless persons, and all persons who, during the said night preceding the day to be appointed, were on out-door night duty, or for any other reason were not abiding in any house of which account is to be taken by the enumerators.

CIX. All public streets in the Town (not being the property and kept under the control of the Government), existing at the time this Act comes into operation, or which shall afterwards be made, and the pavements, stones, and other materials thereof, and also all erections, materials, implements, and other things provided for such streets, shall vest in and belong to the Justices.

CX. The Justices, with the sanction of the Government of Bengal, may lay out and make new streets, and may build and construct bridges and tunnels; and may turn, divert, discontinue, or stop up, any public street, and may widen, open, enlarge, or otherwise improve, any such street; making due compensation to the owners and occupiers of any land, houses, or buildings which may be required for any such purposes.

CXI. In laying out or making any new street or in turning, diverting, widening, opening, enlarging, or otherwise improving any public street, in addition to the land required for the carriage-ways and foot-ways thereof, the Justices may purchase also the land necessary for the houses and buildings to form the said street, and may sell and dispose of the same, with such stipulations and conditions as to the class and description of houses or buildings to be erected thereon, as they shall think fit. Provided that, if any land be taken under the provisions of this Act, compensation shall be made to the owners for any direct or immediate damage which may be done thereby to any adjoining land or buildings of such owner.

**CXII.** The Justices may agree with the owners of any land or building for the absolute purchase thereof for the purpose of laying out and making new streets, or of widening, enlarging, or otherwise improving any of the public streets, or for any other purpose whatever connected with the conservancy or general improvement of the Town.

**CXIII.** When there is any hinderance to the acquisition by purchase of any land or building required for the purposes of this Act, the Government of Bengal, upon the representation of the Justices and after such inquiry as may be thought proper, may declare that the land or building is needed for a public purpose, and may order proceedings for obtaining possession of the same for Government, and for determining the compensation to be paid to the parties interested, according to any laws now or hereafter to be in force for the acquisition of land for public purposes. And the Government of Bengal may vest such land or building in the Justices, on their paying the compensation awarded.

**CXIV.** The Justices may sell any lands or buildings vested in them by virtue of this Act, or acquired by them for the purposes thereof, either together or in parcels as they may find most convenient and advantageous, and the proceeds of such sale shall be applied to the purposes of this Act; and for carrying such sale into effect, the Justices may execute a conveyance of the lands sold to the purchaser, and such conveyance shall be under the common seal of the Justices, and shall be executed in all respects in the manner hereinbefore provided for the execution of contracts, the value or amount of which exceeds five hundred Rupees.

**CXV.** Whenever any street hereby vested in the Justices shall be discontinued and stopped up under the provisions of Section CX of this Act, the Justices may sell the lands, or such part thereof as shall not be required for the purposes of this Act.

**CXVI.** The Justices shall, so far as the funds at their disposal will admit, from time to time, cause the public streets to be maintained and repaired; and from time to time may cause the same to be paved, metalled, flagged, channelled, sewered, or otherwise improved, and the surface thereof to be raised, lowered, or altered, as they may think fit; and may also make

and keep in repair any footways for the use of passengers in any such street, and also from time to time place, on the sides of such foot-ways or otherwise, such fences and posts as may be needed for the protection of foot-passengers.

**CXVII.** The Justices shall cause the streets, including the foot-ways thereof, to be regularly swept and cleansed; and the dust, dirt, ashes, rubbish, and filth of every sort found thereon, to be collected and removed.

**CXVIII.** The Justices may cause any number of moveable or fixed dust-boxes or other convenient receptacles, where-

in dust, dirt, ashes, and rubbish may be temporarily deposited until removed and carried away, to be provided and placed in proper and convenient situations, and may require the occupiers of houses in streets to cause all such matter as aforesaid to be deposited daily or otherwise periodically in the said receptacles. Every person who, after such receptacles have been provided, and after such requisition as above mentioned, shall deposit, or cause or permit to be deposited, any such matter in any street, except in such receptacles, shall be liable to a penalty not exceeding ten Rupees for each offence.

**CXIX.** Whoever deposits, or permits his servants to deposit, any dust, dirt, dung, ashes; garden, kitchen, or stable refuse; or filth of any kind, or any animal matter, or any broken glass or earthenware, or other rubbish, in any street or on any public quay, jetty, ghaut, or landing place, or on any part of a river-bank whether above or below high-water mark, except in such places and in such manner and at such hours as shall be fixed by the Justices, shall be liable to a penalty not exceeding ten Rupees for each offence. The Justices may, in manner hereinafter provided, make Bye-Laws for regulating the making of such deposits, and for the removing and carrying away the same, and for charging the person making the deposit, with the expense of removing it or carrying it away.

**CXX.** Whoever causes or allows the water of any sink or sewer, or any other offensive liquid matter belonging to him or being on his land, to run, drain, or be thrown or put upon any street, or causes or allows any offensive matter from any sewer or privy to run, drain, or be thrown into a surface drain in any street, shall be liable to a penalty not exceeding ten Rupees for each offence.

**CXXI.** The Justices from time to time may fix the hours within which only it shall be lawful to remove any night-soil or other such offensive matter. When the Justices have fixed such hours and given public notice thereof, whoever removes or causes to be removed along any street any such offensive matter at any time, except within the hours so fixed, and also whoever, at any time, whether such hours have been fixed by the Justices or not, uses for any such purpose any cart, carriage, or other receptacle or vessel not having a covering proper for preventing the escape of the contents thereof or of the stench therefrom, or who slops or spills any such offensive matter in the removal thereof, or who does not carefully sweep and clean every place in which any such offensive matter has been slopped or spilled, or who places or sets down in any public place any vessel containing such offensive matter, or who drives or takes or causes to be driven or taken any cart, carriage, receptacle, or vessel used for any such purpose as aforesaid, through any street or by any route other than such as shall from time to time be by public notice appointed for that purpose by the Justices, shall be liable to a penalty not exceeding twenty Rupees for each offence.

**CXXII.** The Justices, from time to time, shall appoint or provide places convenient for the deposit of the night-soil, dung, and other filth, and the dust, dirt, ashes, and rubbish

collected and removed under the authority of this Act; and for keeping all cattle, carts, implements, and other things required for the above or any of the purposes of this Act; and, for any of such purposes, the Justices may purchase or take on lease any land or buildings by them considered necessary, or may cause any new building to be made upon any land to be purchased or hired by them.

**CXXIII.** All dirt, dust, ashes, rubbish, sewerage, soil, dung, and filth, collected, to be the property of the Justices. All rubbish, &c., collected from the streets, houses, privies, sewers, and cess-pools, shall be the property of the Justices, who shall have power to sell or dispose of the same as they may think proper, and the money arising from the sale thereof, shall be applied to the purposes of this Act.

**CXXIV.** The Justices, so far as the funds at their disposal will admit, and so far as they may deem requisite for the public convenience, shall cause the public streets to be watered; and for that purpose may provide such works and engines as they may think necessary.

**CXXV.** Whoever builds any wall, or erects or sets up any fence, rail, post, or other obstruction or encroachment, in any public street or in or over any open drain, sewer, or aqueduct along the side of any such street after this Act comes into operation, shall be liable, to a penalty not exceeding one hundred Rupees; and the Justices shall have power to remove any such obstruction or encroachment; and the expense of such removal shall be paid by the person erecting the same, and shall be recoverable as hereinafter provided. Nothing herein contained shall prevent the Justices from allowing any temporary erections in any public street on occasions of festivals and ceremonies.

**CXXVI.** Whoever displaces, takes up, or makes any alteration in the pavement, flags, or other materials, or in the fences or posts of any public street, without the consent in writing of the Justices, or without other lawful authority, shall be liable to a penalty not exceeding fifty Rupees.

**CXXVII.** Every person who wishes to make or lay out any new street, shall give notice in writing thereof to the Justices, shewing the intended level and width of such street; and the level and width of every such street shall be fixed or approved by the Justices; and whoever lays out, makes, or builds upon, any such street, otherwise than in accordance with the level and width so fixed or approved, shall be liable to a penalty not exceeding five hundred Rupees; and the Justices may, if they think fit, cause any such street, laid out or made at a level or width otherwise than in accordance with the level or width so fixed or approved as aforesaid, to be altered; or may cause any building, erected in any such street otherwise than in accordance with such level and width, to be altered, or if necessary removed, and the expenses thereby incurred shall be paid to them by the offender, and be recoverable as hereinafter provided. If no such level or width be fixed, and no approval or disapproval of the level or

**CXXVIII.** It shall not be lawful for any person to erect, within the Town, any hut or any range or block of huts, on any plot or parcel of ground on which no huts are standing, without previous notice to the Justices; and the Justices may require such hut or huts to be built so that they may stand in regular lines, with a free passage or way in front of each line, of such width as the Justices may think proper for salutary ventilation, and to facilitate scavengering, and at such a level as will admit of sufficient drainage. And if any such hut or huts be built without giving such notice to the Justices, or otherwise than as required by the Justices, the Justices may give notice to the builder or builders thereof to take down and remove the same within one month, and if such hut or huts be not taken down or removed according to such notice, the Justices may cause the same to be taken down and removed, and the expense incurred in doing so shall be paid by the said builder or builders, and shall be recoverable as hereinafter provided.

**CXXIX.** Whenever the Justices are satisfied, from inspection or by report of competent persons, that any existing block of huts in the Town, is, by reason of the manner in which the huts are crowded together, or of the want of drainage and the impracticability of scavengering, attended with risk of disease to the inhabitants or the neighbourhood, they may, with the sanction of the Government of Bengal, cause a notice to be fixed to some conspicuous part of such block of huts, requiring the owners or occupiers thereof, or, at the option of the Justices, the owner of the land on which such huts are built, within a reasonable time to be fixed by the Justices for that purpose, to execute such operations as the Justices with such sanction as aforesaid may deem necessary for the avoidance of such risk. And in case such owners or occupiers, or the owner of the land, shall refuse or neglect to execute such operations within the time appointed, the Justices may cause the said huts to be taken down, or such operations to be performed in respect of such huts, as the Justices may deem necessary to prevent such risk. If such huts be pulled down, the Justices shall cause the materials of each hut to be sold separately, if such sale can be effected; and the proceeds shall be paid to the owner of the hut, or if the owner be unknown, or the title disputed, shall be held in deposit by the Justices, until the person interested therein shall obtain the order of a competent Court for the payment of the same. The Calcutta Court of Small Causes shall be deemed a competent Court for that purpose.

**CXXX.** If any street (not being a public street), or any part thereof, be not levelled, paved, metalled, flagged, channelled, and sewered to the satisfaction of the Justices, they may, by notice in writing to the respective owners or occupiers of the premises fronting, adjoining, or abutting upon, such parts thereof as may need to be levelled, paved, metalled, flagged, channelled, and sewered, require them to level, metal, pave,

**CXXXI.** Whenever the Justices are satisfied, from inspection or by report of competent persons, that any existing block of huts in the Town, is, by reason of the manner in which the huts are crowded together, or of the want of drainage and the impracticability of scavengering, attended with risk of disease to the inhabitants or the neighbourhood, they may, with the sanction of the Government of Bengal, cause a notice to be fixed to some conspicuous part of such block of huts, requiring the owners or occupiers thereof, or, at the option of the Justices, the owner of the land on which such huts are built, within a reasonable time to be fixed by the Justices for that purpose, to execute such operations as the Justices with such sanction as aforesaid may deem necessary for the avoidance of such risk. And in case such owners or occupiers, or the owner of the land, shall refuse or neglect to execute such operations within the time appointed, the Justices may cause the said huts to be taken down, or such operations to be performed in respect of such huts, as the Justices may deem necessary to prevent such risk. If such huts be pulled down, the Justices shall cause the materials of each hut to be sold separately, if such sale can be effected; and the proceeds shall be paid to the owner of the hut, or if the owner be unknown, or the title disputed, shall be held in deposit by the Justices, until the person interested therein shall obtain the order of a competent Court for the payment of the same. The Calcutta Court of Small Causes shall be deemed a competent Court for that purpose.

**CXXXII.** Whenever the Justices are satisfied, from inspection or by report of competent persons, that any existing block of huts in the Town, is, by reason of the manner in which the huts are crowded together, or of the want of drainage and the impracticability of scavengering, attended with risk of disease to the inhabitants or the neighbourhood, they may, with the sanction of the Government of Bengal, cause a notice to be fixed to some conspicuous part of such block of huts, requiring the owners or occupiers thereof, or, at the option of the Justices, the owner of the land on which such huts are built, within a reasonable time to be fixed by the Justices for that purpose, to execute such operations as the Justices with such sanction as aforesaid may deem necessary for the avoidance of such risk. And in case such owners or occupiers, or the owner of the land, shall refuse or neglect to execute such operations within the time appointed, the Justices may cause the said huts to be taken down, or such operations to be performed in respect of such huts, as the Justices may deem necessary to prevent such risk. If such huts be pulled down, the Justices shall cause the materials of each hut to be sold separately, if such sale can be effected; and the proceeds shall be paid to the owner of the hut, or if the owner be unknown, or the title disputed, shall be held in deposit by the Justices, until the person interested therein shall obtain the order of a competent Court for the payment of the same. The Calcutta Court of Small Causes shall be deemed a competent Court for that purpose.



flag, channel, and sewer the same within a time to be specified in such notice, and upon non-compliance the Justices may, if they think fit, execute the works mentioned or referred to therein: and the expenses incurred by them in so doing shall be paid by the owners in default according to the frontage of their respective premises, and in such proportion as shall be settled by the Justices, or, in case of dispute, as shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses; and such expense shall be recoverable as hereinafter provided.

**Proviso.** Provided always that, after such streets shall have been so levelled, paved, metalled, flagged, channelled, and sewered, on the requisition of the Justices, or by the Justices as aforesaid, at the expense of the owners, such owners shall have a right to require that the street shall be declared a public street, to be from time to time repaired by the Justices out of the Municipal Fund.

**CXXXI.** If any street (not being a public street, but being a street over or through which the public have or may hereafter have a right of way) be levelled, paved, metalled, flagged, channelled, and sewered to the satisfaction of the Justices, they may, if they think fit, by notice in writing put up in any part of such street, declare the same to be a public street, and thereupon the same shall become a public street, and be from time to time repaired by them out of the Municipal Fund.

**CXXXII.** The Justices may, upon such terms as they shall think fit, allow any house or building to be set forward for improving the line of any public street in which such house or building is situated.

**CXXXIII.** When any house or building, any part of which projects beyond the regular line of a public street, or beyond the front of the house or building on either side thereof, has been taken down in order to be re-built or altered, the Justices may require the same to be set back to or towards the line of the street or the line of the adjoining houses or buildings. Provided always that the Justices shall make full compensation to the owner of any such house or building for any damage he may thereby sustain, and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CXXXIV.** The Justices shall, from time to time, cause to be put up or painted on a conspicuous part of some house, building, wall, or place at or near each end, corner, or entrance of every street, the name by which such street is to be known; and whoever destroys, pulls down, or defaces any such name, or puts up any name different from that put up by order of the Justices, shall be liable to a penalty not exceeding twenty Rupees.

**CXXXV.** The Justices may, from time to time, fix a number in a conspicuous place on the outer side of any house or building, or at the

entrance of the enclosure thereof fronting the street; and whoever destroys, pulls down, or defaces any such number, shall be liable to a penalty not exceeding twenty Rupees.

**CXXXVI.** All doors, gates, bars, and ground-floor windows put up after this Act comes into operation, which open upon any public street, shall be hung or placed so as not to open outwards and cause obstruction; and if any such door, gate, bar, or window be hung or placed so as to open outwards on any such street and cause obstruction, the owner of the premises to which the same is attached shall, within eight days after notice from the Justices to that effect, cause the same to be altered so as not to open outwards and cause obstruction, and in case he neglects so to do, the Justices may make such alteration, and the expense thereof shall be paid by such owners, and shall be recoverable as hereinafter provided.

**CXXXVII.** If any door, gate, bar, or ground-floor window, put up before this Act comes into operation, is hung or placed so as to open outwards upon any public street and cause obstruction, the Justices may alter the same, so that no part thereof, when open, shall cause an obstruction, and the expense thereof shall be paid by the owners and be recoverable as hereinafter provided.

**CXXXVIII.** The owner of every house or building in any public street shall, within fifteen days after notice from the Justices to that effect, put up and keep in good condition proper troughs and pipes for catching and carrying the water from the roof and other parts of such house or building, and for discharging the same in such manner as the Justices shall direct, and in default of compliance with such notice within the period aforesaid, such owner shall be liable to a penalty not exceeding ten Rupees for every day that he shall so make default.

**CXXXIX.** The Justices may give notice in writing to the owner or occupier of any house or building, to remove or alter any projection, encroachment, or obstruction, which, after this Act comes into operation, shall be erected or placed against or in front of such house or building, and such owner or occupier shall, within fifteen days after the service of such notice upon him, remove such projection, encroachment, or obstruction, or alter the same in such manner as shall have been directed by the Justices, and in default thereof shall be liable to a penalty not exceeding two hundred Rupees; and the Justices in such case may remove such projection, encroachment, or obstruction; and the expense of such removal shall be paid by the owner or occupier so making default, and shall be recoverable as hereinafter provided. Provided that, when the expense shall have been paid by the occupier, except in the case

**Proviso.** in which such projections, encroachments, or obstructions were made or put up by him, such occupier shall be entitled to deduct the expense of removing or altering the same, from the rent payable by him to the owner of the house or building.

**CXL.** The Justices may cause any such projection, encroachment, or obstruction, erected or placed against or in front of any house or building, in any public street, before this Act comes into operation, to be removed, or altered as they think fit; provided that notice of removal. they give notice of such intended removal or alteration to the occupier of the house or building against or in front of which such projection, encroachment, or obstruction shall be, thirty days before such alteration or removal is begun; and if such projection, encroachment, or obstruction shall have been lawfully made, they shall make reasonable compensation to every person who suffers damage by such removal or alteration; and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CXLI.** The Justices may give permission in writing to the owners or certain projections from occupiers of houses or buildings in public streets, to put up verandahs, balconies, sun-shades, weather-frames, and the like, to project from any upper-story thereof over the street, to an extent not exceeding five feet from the foundation.

**CXLII.** The external roofs and walls of huts or other buildings erected or made of inflammable materials, shall not be made of grass, leaves, mats, or other such inflammable materials; and it shall not be lawful for the owner of any hut or other building, in or near any street, now having an external roof or wall made of any such material, and which is contiguous to or adjoining to any other building, to suffer such roof or wall to remain after this Act comes into operation, unless with the consent in writing of the Justices; and whoever makes any external roof or wall of such materials, or suffers any roof or wall made of such materials to continue contrary to the provisions herein contained, and who shall not remove or alter the same within one month after notice given to him for that purpose by the Justices, shall be liable to a penalty not exceeding ten Rupees for every day that such roof or wall shall continue. Any person may give information and institute a prosecution under this Section.

**CXLIII.** If, in any street, any house, building, or wall, or any thing affixed thereon, be deemed by the Justices to be in a ruinous state, or likely to fall, or in any way dangerous to the inhabitants of such house or building, or to the neighbouring houses or buildings, or to the occupiers thereof, or to passengers, they shall immediately, if it appears to them to be necessary, cause a proper board or fence to be put up for the protection of passengers, and shall cause notice in writing to be given to the owner, if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door or other conspicuous part of the said premises or otherwise to be given to the occupier thereof (if any), requiring such owner or occupier forth-

with to take down, secure, or repair such house, building, wall, or thing affixed thereon, as the case shall require; and if such owner or occupier do not begin to repair, take down, or secure the same within three days after such notice, and complete such work with due diligence, the Justices shall cause all or so much of such house, building, wall, or thing as they shall think necessary, to be taken down, repaired, or otherwise secured; and all the expenses incurred by the Justices shall be paid by the owner of the premises, and shall be recoverable from him as hereinafter provided.

**CXLIV.** If any such house, building, or wall, or any part of the same, be pulled down by virtue of the powers aforesaid, the Justices may sell the materials thereof, or so much of the same as shall be taken down, and apply the proceeds of such sale in payment of the expenses incurred, and shall restore any overplus arising from such sale to the owner of such house, building, or wall, on demand. The Justices, although they sell such materials for the purposes aforesaid, shall have the same remedies for compelling the payment of so much of the said expenses as may remain due after the application of the proceeds of such sale, as by this Act are given to them for compelling the payment of the whole of the said expenses.

**CXLV.** If any building or land, by reason of abandonment or of disputed ownership or other cause, shall remain untenanted, and thereby become a resort of idle and disorderly persons, or be complained of by any two or more of the neighbours as a nuisance, the Justices, after due enquiry, may cause notice in writing to be given to the owner, or to the person claiming to be the owner, if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door of the building or some conspicuous part of the premises, requiring the persons concerned therein, whoever they may be, to secure or enclose the same; and if such notice shall not be complied with within eight days, the Justices shall cause the necessary work to be executed, and all expenses thereby incurred shall be paid by the owner of the premises, and shall be recoverable as hereinafter provided.

**CXLVI.** Whoever, being the occupier of a house within the Town, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil, filth, or any noxious or offensive matter, in or upon the roof of such house, or in any out-house, yard, or ground attached to and occupied with such house, or suffers such receptacle to be in a filthy or noxious state, or neglects to employ proper means to remove the filth therefrom and to cleanse and purify the same, shall be liable to a penalty not exceeding fifty Rupees for each offence.

**CXLVII.** Whoever, being the owner or occupier of any house, building, or land, within the Town, whether tenanted or otherwise, suffers the same to be in a filthy and unwholesome state, or overgrown with vegetation, shall be liable to a penalty not exceeding fifty Rupees, and to a penalty not exceeding ten Rupees for every day after conviction for such offence during which the offence is continued.

**CXLVIII.** The Justices may give notice to the owner or occupier of any land to trim or prune the hedges thereof bordering any public road or street, so that they may not exceed the height of seven feet from the level of the road; and to cut and trim all trees which by overhanging any public road or street obstruct the passage or cause damage thereto; and in the event of such notice not being complied with within eight days from the date thereof, the Justices may cause the said hedges and trees to be cut and trimmed in the manner required, and the expense incurred by the Justices in respect thereof shall be paid to them by the owners, and shall be recoverable as hereinafter provided.

**CXLIX.** Whoever within the Town shall keep any pig-stye to the front of any street, not being shut out therefrom by a sufficient wall or fence, and whoever shall within the Town, without the permission of the Justices, keep more than ten swine or more than twenty sheep or goats, or ten horned cattle, shall be liable to a penalty not exceeding fifty Rupees.

**CL.** All public sewers and drains, and all sewers, drains, tunnels, and culverts in, alongside, or under the streets, existing at the time this Act comes into operation or afterwards made, and whether made at the cost of the Justices or otherwise, and all works, materials, and things appertaining thereto, shall be vested in and belong to the Justices.

**CLI.** The Justices, in making any main or other sewers for the drainage of the Town, may, if needful, carry such sewers through, across, or under any street, or any place laid out as, or intended for, a street, or any cellar or vault which may be under any of the streets, and (after reasonable notice in writing in that behalf) into, through, or under any inclosed or other land whatsoever, making full compensation for any damage done thereby; and if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CLII.** The Justices shall maintain, and from time to time repair, and as they see fit, enlarge, alter, arch-over, or otherwise improve, all or any of the sewers and drains vested in them by this Act: and may discontinue, close up, or destroy such of them as they may deem useless or unnecessary. Provided that if, by reason of any thing done under this Section, any person is deprived of the lawful use of any sewer or drain, the Justices shall, at a place within one hundred feet of the sewer or drain of the use of which he is deprived, provide the means of drainage into some public sewer, tidal river, or other place into which the Justices are empowered to empty their sewers, and thereupon the owner shall make a drain leading thereunto, of such materials, of such size, at such level, and with such fall, as the Justices shall direct; and if he neglect to do so within a reasonable time, the Justices may cause the same to be done, and the expenses thereby incurred shall be paid by the owner, and shall be recoverable as hereinafter provided.

**CLIII.** The Justices shall, so far as the funds at their disposal will admit, cause the sewers and drains belonging to them to be so constructed, maintained, and kept, as not to be a nuisance or injurious to health, and to be properly cleared, cleansed, and emptied; and for the purpose of flushing, cleansing, and emptying the same, they may construct and place, either above or underground, such reservoirs, sluices, engines, and other works as may be necessary; and they may also, with the sanction of the Government of Bengal, cause all or any of such sewers and drains to communicate with and be emptied into any tidal river or other fit place, or cause the refuse from such sewers and drains to be conveyed by a proper channel to the most convenient site for its deposit, and may sell the same for any agricultural or other purposes as may be deemed most expedient, but so that the same shall not become a nuisance.

**CLIV.** When the contents of any sewer or drain, or any other flow or ceiving sewerage to filth or refuse, are discharged into any river or stream, in the bed or channel of which the quantity of water at any season of the year is so much diminished by natural or artificial causes as to be insufficient to keep such channel clean or clear, the Justices, with the sanction of the Government of Bengal, so far as the funds at their disposal will admit, shall make such alteration in the bed of such river or stream as may prevent such sewer and drain-water from spreading over the surface of such bed, or from accumulating and stagnating in parts thereof to the injury of health or the annoyance of the surrounding population.

**CLV.** Whoever, without the written consent of the Justices first obtained, makes or causes to be made any drain into any of the sewers or drains vested in the Justices by this Act, shall be liable to a penalty not exceeding two hundred Rupees; and the Justices may cause such branch-drain to be demolished, altered, re-made, or otherwise dealt with as they shall think fit; and all the expense incurred thereby shall be paid by the person making such branch-drain, and shall be recoverable as hereinafter provided.

**CLVI.** No building shall be newly erected over any sewer or drain vested in the Justices by this Act, without their written consent; and if any building be so erected, the Justices may cause such building to be pulled down, or otherwise dealt with as they may think fit; and the expenses thereby incurred shall be paid by the person offending and be recoverable as hereinafter provided.

**CLVII.** If any house or building within the Town and within a reasonable distance of a sewer fit for use, or of some tidal river or other place at which the Justices are empowered to empty their sewers, be at any time not drained to the satisfaction of the Justices by a sufficient drain or pipe communicating with some sewer, tidal river, or other place as aforesaid, the Justices may, if the owner neglects to do so within fifteen days after notice, construct or lay from such house or building a covered drain or pipe, of such materials, of such size, at such level, and with such fall, as they shall

**CLVIII.** The Justices may give notice to the owner or occupier of any land to trim or prune the hedges thereof bordering any public road or street, so that they may not exceed the height of seven feet from the level of the road; and to cut and trim all trees which by overhanging any public road or street obstruct the passage or cause damage thereto; and in the event of such notice not being complied with within eight days from the date thereof, the Justices may cause the said hedges and trees to be cut and trimmed in the manner required, and the expense incurred by the Justices in respect thereof shall be paid to them by the owners, and shall be recoverable as hereinafter provided.



think necessary for the draining of such house or building; and the expenses incurred by the Justices in respect thereof, if not forthwith paid by the owner, shall be recoverable as hereinafter provided.

**CLVIII.** No house or building shall be here-  
Level of houses here- after built within the Town upon a lower level than will allow of the drainage of such house or building being led into some public sewer either then existing or projected, or into some tidal river or other place into which the Justices are empowered to empty their sewers.

**CLIX.** If any house or building, newly erected or re-built within the Town after this Act comes into operation, have such means of drainage, as in the last preceding Section mentioned, existing within one hundred feet thereof, the owner shall make a drain leading thereunto from the site of such house or building, of such materials, of such size, at such level, and with such fall, as the Justices may direct; and if he neglect to do so within a reasonable time, the Justices may cause the same to be done, and the expenses thereby incurred shall be paid by the owner and shall be recoverable as hereinafter provided.

**CLX.** Before beginning, within the town, to build or re-build any house, the person intending to build or re-build such house shall give to the Justices notice thereof in writing, and shall accompany such notice with a plan, shewing the levels at which the foundation and lowest floor of such house are proposed to be laid, by reference to some level ascertained under the direction of the Justices.

**CLXI.** Within fourteen days after receiving such notice, the Justices shall signify their approval of the proposed levels, or, if they disapprove thereof, they shall fix other levels in lieu thereof within the same time.

**CLXII.** If such building be begun or made without sending such notice and plan, or at any levels different from those fixed by the Justices within the said fourteen days, or in any other respect contrary to the provisions of this Act, the Justices may, if necessary, cause such building to be altered or demolished as the case may require; and the expense thereby incurred shall be paid by the person failing to comply with the provisions aforesaid; and shall be recoverable as hereinafter provided.

**CLXIII.** If the Justices fail to signify in writing their approval or disapproval of the levels shewn on such plan as aforesaid, and to fix other levels within fourteen days after receiving such notice and plan as aforesaid, the person giving such notice may, notwithstanding any thing hereinbefore contained, proceed to build or re-build the house therein referred to according to the levels shewn on such plan, provided that

such building or re-building be otherwise in accordance with the provisions of this Act.

**CLXIV.** All sewers and drains in streets, whether public or private, shall be provided by the Justices, or by the persons to whom they severally belong, with proper traps or other coverings or means of ventilation so as to prevent stench. If the owner of any private sewer or drain shall, for ten days after notice given to him by the Justices, neglect or delay to provide proper traps or coverings or means of ventilation as aforesaid, the Justices may forthwith provide and apply the same; and the expense incurred thereby shall be paid by the owner of such sewer or drain, and shall be recoverable as hereinafter provided.

**CLXV.** The Justices may erect on or fix to any house or building such pipes as they may deem necessary for the proper ventilation of the sewers belonging to them, and such pipes shall be carried to a height of not less than six feet above the highest part of the house or building, and erected so as not to occasion any nuisance or inconvenience to any house or building in the neighbourhood.

**CLXVI.** Whoever throws or puts, or permits his servants to throw or put, any earth, dirt, ashes; garden, kitchen, or stable refuse; or any broken glass or earthen-ware, or other rubbish, or, until suitable sewers shall be provided, any night-soil, into any sewer or drain belonging to any of the Justices, or into any drain communicating therewith, shall be liable to a penalty not exceeding fifty Rupees for each offence.

**CLXVII.** The Justices may provide and maintain in proper and convenient situations, so as not to create a nuisance, common necessities and urinals, and shall cause the same, when provided, to be kept in proper order and to be daily cleansed.

**CLXVIII.** The Justices may license, for any period not exceeding one year, such necessities for public accommodation, and such tola mehters' depôts, as they, from time to time, may think proper; and whoever keeps any public necessary, or any tola mehter's depôt without such license, or, having a license for a public necessary or tola mehter's depôt, suffers the same to be in a filthy or noxious state, or neglects to employ proper means for cleaning the same, shall, on conviction before a Justice of the Peace, be liable to a penalty not exceeding one hundred Rupees, and the license may be cancelled by the Justice before whom the person is convicted. Provided also that it shall be lawful for the Justices at any time, on giving one month's notice, to cancel any license granted under this Section, if it shall seem proper to them to cancel it.

**CLXIX.** The owner or occupier of any house or building having a privy on his premises, shall have such privy shut out by a

sufficient roof, and wall or fence, from the view of persons passing by, or residing in the neighbourhood: and it shall not be lawful for any owner or occupier to keep any privy with a door or trap-door opening on to any street. Every owner or occupier who shall omit to comply with, or shall commit any breach of, any of the provisions of this Section, shall be liable to a penalty of ten Rupees a day for each day of default or breach. Provided that the Justices may, in their discretion, permit the continuance, for such time as they may fix, of any such privy with a door or trap-door opening on to any street, where such privy already exists and does not create a nuisance.

**CLXX.** All branch-drains, as well within as without the lands or buildings to which they belong, and all privies and cess-pools within the Town, shall be under the survey and control of the Justices, and shall be altered, repaired, and kept in proper order at the costs and charges of the owners of the lands and buildings to which the same belong, or for the use of which they are constructed or continued; and if the owners neglect, the Justices may cause the same to be done and charge the owners with the expense.

If owners neglect, the Justices may cause the same to be done and charge the owners with the expense. that purpose, to alter, repair, and put the same into good order in the manner required by the Justices, the Justices may cause such drain, privy, or cess-pool to be altered, repaired, and put in good order, and the expense incurred by the Justices in respect thereof, shall be paid by the owner, and shall be recoverable as hereinafter provided.

**CLXXI.** If any such drain, privy, or cess-pool be constructed, after this Act comes into operation, contrary to the directions and regulations of the Justices or contrary to the provisions of this Act, or if any person, without the consent of the Justices, constructs, re-builds, or unstops, any drain, privy, or cess-pool which has been ordered by them to be demolished or stopped up, or not to be made, every person so doing shall be liable to a penalty not exceeding fifty Rupees; and the Justices may cause such amendment or alteration to be made in any such drain, privy, or cess-pool, as they think fit; and the expense thereof shall be paid by the person by whom such drain, privy, or cess-pool was improperly constructed, re-built, or unstopped, and shall be recoverable from him as hereinafter provided.

**CLXXII.** The Justices, or any Officer appointed by them for the purpose, may inspect any such drain, privy, or cess-pool, and for that purpose, at any time between sunrise and sunset, after one hour's notice in writing to the occupier of the premises to which such drain, privy, or cess-pool is attached, may enter upon any lands and buildings, with such assistants and workmen as are necessary, and cause the ground to be opened where they or he may think fit, doing as little damage as may be; and if, upon such inspection, it appears that the drain, privy, or cess-pool is not in good order and condition, or that it has been constructed after this Act comes into operation contrary to the provisions thereof,

the expenses of such inspection shall be paid by the person to whom such drain, privy, or cess-pool may belong, and shall be recoverable as hereinafter provided; but if the drain, privy, or cess-pool be found to be in proper order and condition, and not to have been constructed in violation of the provisions of this Act, the Justices or Officer as aforesaid shall cause the ground to be closed and made good as soon as may be; and the expenses of opening, closing, and making good, such drain, privy, or cess-pool, shall, in that case, be defrayed by the Justices. Provided always that nothing hereinbefore contained shall authorize an entry into the zenanas or private apartments appropriated to the females of Hindoo and Musulman families, for the purpose of such inspection, except by the agency of women.

**CLXXIII.** Where any notice is required by Service of notice on this Act to be given to the owners and occupiers owner or occupier, of any of buildings and lands. building or land, such notice, addressed to the owner or occupier, as the case may require, may be served on the occupier of such building or land, or left with some adult male member or servant of his family, or, if the notice cannot be so served, or if there be no occupier, may be put up on some conspicuous part of such building or land, and it shall not be necessary in any such notice to name the occupier or the owner. Provided always that, when the owner and his residence are known to the Justices, it shall be their duty, if such owner be residing within the limits of their authority, to cause every notice, required to be given to the owner of any building or land, to be served on such owner or left with some adult male member or servant of his family; and, if the owner be not resident within such limits, they shall send every such notice by post addressed to his residence, and proof of delivery of the notice at the Post Office shall be held to be due service of the same.

**CLXXIV.** Whenever, under the provisions of this Act, any work is required to be executed by the owner or occupier of any building or land, and default is made in the execution of such works, the Justices, whether any penalty is or is not provided for such default, may cause such work to be executed; and the expense thereby incurred shall be paid to them by the person by whom such work ought to have been executed, and shall be recoverable as hereinafter provided.

**CLXXV.** If the defaulter be the owner of the building or land, the Justices may, by way of Power to levy charges the building or land, the on occupier, who may deduct the same from his rent. additional remedy, whether any action or proceeding has been brought or taken against any such owner or not, require the payment of all or any part of the expenses payable by the owner for the time being, from the person who then or at any time thereafter occupies the building or land under such owner, and, in default of payment thereof by such occupier on demand, the same may be levied by distress of the goods and chattels of such occupier; and every such occupier shall be entitled to deduct, from the rent payable by him to his landlord, so much as is so paid by or recovered from him in respect of any such expenses.

**CLXXVI.** No occupier of any building or land shall be liable to pay more money, in respect of any expenses charged by this Act on the owner thereof, than the amount of rent due from him, for the premises in respect of which such expenses are payable, at the time of the demand made upon him, or which at any time after such demand has accrued and become payable by him, unless he neglect or refuse, upon application made to him for that purpose by the Justices, truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable; but the burden of proof that the sum demanded of any such occupier is greater than the rent which was due by him at the time of such demand or which has since accrued, shall lie upon such occupier; provided further that nothing herein contained shall be taken to affect any special contract, made between any such owner or occupier, respecting the payment of the expenses of any such works as aforesaid.

**CLXXVII.** Whenever default is made by the occupier, in default of owner, may execute works and deduct expenses from his rent. owner of any building or land, in the execution of any work required to be executed by him, the occupier of such building or land may, with the approval of the Justices, cause such work to be executed, and the expense thereof shall be paid to him by the owner, or the amount may be deducted out of the rent from time to time becoming due from him to such owner.

**CLXXVIII.** If the occupier of any building or land prevent the owner thereof from carrying into effect, in respect of such building or land, any of the provisions of this Act, after notice of his intention so to do has been given by the owner to such occupier, any Justice of the Peace, upon proof thereof, may give an order in writing, requiring such occupier to permit the owner to execute all such works, with respect to such building or land, as may be necessary for carrying into effect the provisions of this Act; and if, after the expiration of eight days from the date of the order, such occupier continue to refuse to permit such owner to execute such works, such occupier shall, for every day during which he so continues to refuse, be liable to a penalty not exceeding fifty Rupees; and every such owner, during the continuance of such refusal, shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

**CLXXIX.** All public tanks, reservoirs, cisterns, wells, aqueducts, conduits, tunnels, pipes, pumps, and other water-works, existing at the time this Act comes into operation or afterwards made, laid, or erected, and whether made, laid, or erected at the cost of the Justices or otherwise, and all bridges, buildings, engines, works, materials, and things, connected therewith or appertaining thereto, and also any adjacent land (not being private property) appertaining to any public tank, shall be vested in and belong to the Justices.

**CLXXX.** The Justices shall cause all existing public tanks, reservoirs, cisterns, wells, aqueducts, conduits, tunnels, pipes, pumps, and other water-works used for the supply of water to the inhabitants or for the other purposes mentioned in this Act, to be continued, maintained, and supplied with water; or they shall substitute other such works, and shall cause them to be maintained and supplied with water; and the Justices may, with the sanction of the Government of Bengal, from time to time, construct aqueducts and lay pipes for bringing water into the Town, and may provide any number of new tanks, reservoirs, cisterns, wells, and other such water-works for the purpose aforesaid.

**CLXXXI.** Whoever, except as permitted by the Justices under Section CLXXXIV, bathes in any stream, tank, reservoir, well, cistern, conduit, or aqueduct belonging to the Justices, or washes or causes to be washed therein, any horse, dog, or other animal, or any wool, cloth, or wearing apparel, or any utensils for cooking or other purposes, or leather, or the skin of any animal, or other foul or offensive thing; or throws, puts, or casts, or causes to enter therein, any animal, or any gravel, stone, dust, or rubbish, or any dirt, filth, or other noisome or offensive matter or thing; or causes or suffers to run, drain, or be brought there-into, the water of any sink, sewer, drain, engine, or boiler, or any other unwholesome or offensive liquid matter or thing belonging to him or flowing from any house or building or from any ground occupied by him; or does any thing whatsoever whereby any such water shall be in any degree fouled or corrupted—shall be liable to a penalty not exceeding fifty Rupees for each offence.

**CLXXXII.** Whoever, being the proprietor of any gas-works, or being engaged or employed in the manufacture or supply of gas, or being the occupier or proprietor of any place where an offensive trade or manufacture is carried on, wilfully does any act connected with the said business, whereby the water in any stream, tank, reservoir, well, cistern, conduit, aqueduct, or other water-works, belonging to the Justices, is fouled or corrupted, shall be liable to a penalty not exceeding one thousand Rupees, and to a further penalty, not exceeding five hundred Rupees, for every day while the offence is continued after twenty-four hours' notice in writing from the Justices in this behalf, and the Justices may, after twenty-four hours' notice in writing, lay open and examine any pipes, conduits, and works belonging to such persons; and if, upon such examination, it appears that the water has been fouled or corrupted by any thing proceeding from or contained in the pipes, conduits, or works examined, the expenses of such examination shall be paid by the person to whom such pipes, conduits, or works belong, or under whose management or control they may be, and be recoverable from him as hereinafter provided; but if it appear that the water has not been so fouled or corrupted, then such expenses, and all damages



occasioned by the examination, shall be paid by the Justices.

**CLXXXIII.** Whoever wilfully or carelessly injures any water-works belonging to the Justices, or unlawfully draws off, diverts, or takes water from any such water-works, or from any water or streams, belonging to the Justices, by which such water-works are supplied, shall be liable to a penalty not exceeding one hundred Rupees.

**CLXXXIV.** The Justices may, at their discretion, set apart any public ghaut or place, or any part of the strand of any river (not being private property), for the purpose of being used as a bathing place; and may also provide or set apart a sufficient number of convenient tanks or runs of water for the inhabitants to bathe in, and may also set apart tanks or reservoirs, or runs of water, for washing animals or clothes, or for any other purpose connected with the health, cleanliness, and comfort of the inhabitants.

**CLXXXV.** The Justices may, in the manner hereinafter provided, make Bye-laws to regulate—

For regulating all or any matters and things whatsoever connected with the water to be supplied by them, and the use of such water for any of the purposes mentioned in this Act;

And for regulating the time and places of bathing for persons of each sex in the places provided or appointed by them for the purpose of bathing, in such manner as shall appear to the Justices necessary, making due allowance for the habits and customs of the country.

**CLXXXVI.** When any private tank or low marshy ground, or any waste or stagnant water, being within any private enclosure, appears to the Justices to be injurious to health, or to be offensive to the neighbourhood, it shall be lawful for the Justices to require, by notice in writing, the owner of the said premises to cleanse or fill up such tank or marshy ground, or to drain off or remove such stagnant water; and if he shall refuse or neglect to comply with such requisition during eight days from the service thereof, the Justices, their Officers, and workmen, may enter into the said premises, and do all necessary acts for all or any of the purposes aforesaid, as they shall think fit; and the expense incurred thereby shall be paid by the owner of such premises, and shall be recoverable as hereinafter provided.

**CLXXXVII.** The Justices are hereby empowered, from time to time, as they shall see fit, to drain off into any sewers belonging to them, and cleanse and fill up or otherwise abate, any stagnant pool, ditch, tank, pond, or other receptacle of water (the same not being within any private enclosure), which shall appear to them to be useless or unnecessary, or likely to prove injurious to the health of the inhabitants, whether the same be the private property of any person or otherwise; and the Justices, their Officers, and workmen, may do all

necessary acts for effecting any of the purposes aforesaid.

**CLXXXVIII.** The Justices, in executing any works directed or authorized by this Act to be made, shall provide and make, at their own expense, a sufficient number of convenient ways, water-courses, drains, and channels in the place of such as may be interrupted, injured, or rendered useless by reason of the execution of such works; and, in case of any difference arising between the Justices respectively and the persons affected thereby, such difference shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CLXXXIX.** When the pavement or surface of any street, or when any sewer or drain, shall be opened or broken up by the Justices, their Officers, or servants, they shall, with all convenient speed, complete the work on account of which the same shall have been broken up, and fill in the ground, and make good the pavement and surface, and the sewer or drain, so opened or broken up, and carry away the rubbish occasioned thereby; and shall, in the meantime, cause the place where such pavement or surface shall be so opened or broken up, to be fenced and guarded, and sufficiently lighted during the night.

**CXC.** If the Justices deem it necessary for the purposes of this Act to raise, sink, or otherwise alter, the situation of any water-pipe or gas-pipe, or other water-works, or gas-works, laid in any of the streets, they may, from time to time, by notice in writing, require the person to whom any such pipes or works belong or under whose control they may be, to cause forthwith, or as soon as conveniently may be, any such pipes or works to be raised, sunk, or otherwise altered in position, in such manner as the Justices direct; provided that such alteration be not such as permanently to injure such works, or to prevent the water or gas from flowing as freely and conveniently as before; and the expenses attending such raising, sinking, or altering, and full compensation for the damage done thereby, shall be paid by the Justices, as well to the persons to whom such pipes or works belong, as to all other persons. And if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CXCI.** If the person to whom any such pipes or works belong or under whose control they may be, do not proceed forthwith, or as soon as conveniently may be after the receipt of such notice, to cause the same to be raised, sunk, or altered, in such manner as the Justices require, the Justices may themselves cause such pipes or works to be raised, sunk, or altered, as they may think fit, provided that such works be not permanently injured thereby or the water or gas prevented from flowing as freely and conveniently as before.

**CXCII.** Every person intending to build or take down any building, or to alter or repair the outward part of any building, where any street or footway will be obstructed or rendered inconvenient by means of such work, shall, before beginning the same, and having first obtained a license in writing from the Justices so to do, cause sufficient hoards or fences to be put up, in order to separate the building, where such works are being carried on, from the street or footway, and shall continue such hoard or fence standing and in good condition, to the satisfaction of the Justices, during such time as the public safety or convenience requires, and shall cause the same to be sufficiently lighted during the night; and every such person who begins to build, or to take down, or alter, or repair, any building contrary to the provisions of this Section, or who, without license, erects or sets up any hoards, scaffolding, or fence whatsoever, or who, being licensed, fails to put up such fence or hoard, or to continue the same standing and in good condition as aforesaid during the time aforesaid, or who does not, while the said hoards or fences are standing, keep the same sufficiently lighted during the night, or who does not remove the same when directed by the Justices within eight days, shall be liable to a penalty not exceeding fifty Rupees, and a further penalty not exceeding fifty Rupees for every day while the offence is continued, after twenty-four hours' notice from the said Justices.

**CXCIII.** The Justices shall, during the construction or repair by them of any of the streets, sewers, drains vested in them, take proper precaution for guarding against accident, by shoring up and protecting the adjoining houses, and shall cause such bars, chains, or posts to be fixed across or in any of the streets, to prevent the passage of carriages, carts, or other vehicles, cattle or horses, while such works are carried on, as to them shall seem proper; and the Justices shall cause any sewer or drain or other works in streets, during the construction or repair thereof by them, to be sufficiently lighted and guarded during the night; and whoever takes down, alters, or removes, any of the said bars, chains, or posts, or extinguishes any light, without the authority or consent of the Justices, shall be liable to a penalty not exceeding fifty Rupees.

**CXCIV.** No persons shall deposit any building materials, or make a hole in any street, without the permission of the Justices; and when such permission is granted to any person, he shall, at his own expense, cause such materials, or such hole, to be sufficiently fenced and enclosed until the materials are removed, or the hole is filled up or otherwise made secure; and shall cause the same to be sufficiently lighted during the night; and whoever deposits materials or makes a hole without such permission, or fails to fence or enclose and light such materials or hole, or does not remove such materials or fill up such hole when the permission has been withdrawn, shall be liable to a penalty not exceeding fifty Rupees, and a further penalty not exceeding fifty Rupees for every day while the offence is continued, after twenty-four hours' notice from the Justices.

**CXCV.** If any building, tank, well, or hole, or other place, be, for want of sufficient repair, protection, or enclosure, dangerous to passengers, the Justices shall cause the same to be repaired, protected, or enclosed, so as to prevent danger therefrom; and the expenses of such repair, protection, or enclosure shall be paid to the Justices by the owner of the property so repaired, protected, or enclosed, and shall be recoverable as hereinafter provided.

**CXCVI.** No place shall be used as a slaughter-house within the Town, unless a license in writing for the use thereof as a slaughter-house has been obtained from the Justices, who are hereby empowered, at their discretion, from time to time, to grant such licenses; and whoever, without such license, uses as a slaughter-house any place within the Town, shall be liable to a penalty not exceeding two hundred Rupees, and to a penalty not exceeding fifty Rupees for every day after the conviction for such offence, during which the said offence is continued.

**CXCVII.** The Justices may, from time to time, if they shall think fit, with the sanction of the Government of Bengal, provide places for the purpose of being used as slaughter-houses, and they may, in the manner hereinafter provided, make bye-laws for and with respect to the management, regulation, and charges for the use of such places.

**CXCVIII.** Every owner or occupier or farmer of any market for the sale of butcher's meat, poultry, fish, or vegetables, or of any slaughter-house, within the Town, shall cause such drains to be made therein as shall be considered sufficient by the Justices, and (if required so to do by the Justices) shall cause all the floors and drains to be paved with stone or burnt brick, and shall also cause a supply of water to be provided sufficient for keeping such market or slaughter-house in a clean and wholesome state; and if such owner, occupier, or farmer, after notice in writing given to him by the Justices that such market or slaughter-house is defective in any of the said particulars, and requiring him to remedy the defect specified therein, he shall be liable to a penalty, not exceeding fifty Rupees, for every day during which such default is continued.

**CXCIX.** The Justices may, in manner hereinafter provided, make bye-laws for the inspection of all such markets and of all slaughter-houses within the Town, and for the management and conduct of the business therein, and for keeping the same in a cleanly and proper state, and for removing filth at least once every twenty-four hours.

**CC.** It shall be lawful for any Justice of the Peace, on the application of the Justices or any of their Officers, setting forth that there is just cause to believe that any article, which has been rendered or has become noxious or unfit for use as food or drink for man, is in the possession of any person for the purpose of being sold or

offered or exposed for sale within the Town as food or drink for man, to grant a warrant to enter upon the premises of such person, and to search for and seize such article, and if it appear to the said Justice, upon the evidence of a competent person, that the same is noxious or unfit for such use, he shall order such article to be forfeited and disposed of in such way as to him shall seem proper.

**CCI.** The Justices, or any person appointed by them for that purpose, may at all reasonable times, with or without assistants, enter into and inspect any market, building, shop, stall, or place used for the sale of

butcher's meat, poultry, fish, or vegetables, or as a slaughter-house, and may examine any animal, carcase, meat, poultry, game, flesh, fish, or vegetables which may be therein; and in case any animal, carcase, meat, poultry, game, flesh, fish, or vegetables appear to be intended for the food of man and to be unfit for such food, may seize the same; and if it appear to a Justice of the Peace, upon the evidence of a competent person, that such animal, carcase, meat, poultry, game, flesh, fish, or vegetables is unfit for the food of man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for sale or used for such food, and the owner thereof, or the person in whose possession the same is found, shall be liable to a penalty not exceeding one hundred Rupees.

**CCII.** The Justice of the Peace, before whom any person is convicted of an offence contrary to the provisions of this Act relating to slaughter-houses, or of the non-observance of any of the bye-laws relating thereto made by virtue of this Act, in addition to the penalty imposed on such person under the authority of this Act, may suspend, for any period not exceeding two months, the license granted to such person under this Act; and the said Justice, upon the conviction of any person for a second or other subsequent like offence, in addition to the penalty imposed under the authority of this Act, may declare the license granted under this Act revoked.

**CCIII.** Whoever, during the period for which any such license is suspended, or after the same is revoked as aforesaid, slaughters cattle, or allows cattle to be slaughtered in the slaughter-house to which such license relates, shall be liable to a penalty, not exceeding one hundred Rupees, for every day, after the conviction for such offence, during which the said offence is continued.

**CCIV.** The owner or occupier of every place within the Town, used at the time this Act comes into operation for any of the following purposes, namely, for melting tallow—or for boiling offal or blood—or as a soap-house—oil-boiling house—dyeing house—tannery—brick, pottery, or lime-kiln—sago manufactory—or other manufactory or place of business from which offensive or unwholesome smells arise—or as a yard or depot for hay, straw, wood, or coal—shall, within three months after this Act comes into operation, register the same at the Office of the Justices, in a book

to be kept by them for that purpose; and whoever, after the expiration of the said three months and after eight days' notice from the Justices, uses any such place without the same being registered, shall be liable to a penalty, not exceeding one hundred Rupees, for every day during which the offence is continued.

**CCV.** No place shall be newly used within the Town for any of the purposes mentioned in the last preceding Section, except under a license from the

Justices, who are hereby empowered, at their discretion, from time to time, to grant such licenses; and whoever, without a license, uses any such place for such purpose, shall be liable to a penalty not exceeding five hundred Rupees, and a penalty not exceeding fifty Rupees for every day after the conviction for such offence, during which the said offence is continued.

**CCVI.** The Justices may, in the manner hereinafter provided, make bye-laws for the inspection of every place within the Town used for any of the purposes mentioned in Section CCIV, and for the management and conduct of such business, whether the same be newly established or not, in such manner as they may think necessary and proper, in order to prevent or diminish the noxious or injurious or offensive effect thereof.

**CCVII.** If it be shewn to the satisfaction of the Justices that any place licensed under Section CCV or CCVI, or registered under Section CCIV of this Act, is a nuisance to the neighbourhood, they may give notice to the occupier to discontinue the use of such place within one month; and whoever, after the expiration of that time, uses such place, or permits it to be used, in such a manner as to be a nuisance to the neighbourhood, shall be liable to a penalty, not exceeding two hundred Rupees, for every day during which it shall be so used.

**CCVIII.** The Justices may, if they think fit, cause a survey and measurement to be made of every burial ground and every place used as such; and every such place, and every burning ground, existing at the time this Act comes into operation, shall, within one month after this Act shall have come into operation, be registered by the owner or the person having the control thereof, or, if there be no owner or person authorised to control the same, by order of the Justices, in a book to be kept by them for that purpose; and whoever, after the expiration of the said time, knowingly buries or burns, or causes, procures, or suffers to be buried or burned, any corpse in or on any ground not so registered as a burial or burning ground, shall be liable to a penalty not exceeding one hundred Rupees.

**CCIX.** No vault or grave shall be made within the walls of, or underneath, any church or chapel or other place of public worship built after this Act comes into operation, and no burial or burning ground, whether public or private,



shall be opened, made, or formed after this Act comes into operation, otherwise than by or under the authority of the Government of Bengal, without a license, describing the extent and boundaries thereof, first obtained from the Justices, who are hereby empowered, at their discretion, from time to time, to grant such licenses; and whoever shall bury or burn, or cause, permit, or suffer to be buried or burned, any corpse in any vault, grave, or burial or burning ground, opened, made, or formed without such license or contrary to the terms thereof, shall be liable to a penalty not exceeding five hundred Rupees.

**CCX.** If, upon the evidence of competent persons, the Justices, with the sanction of the Government of Bengal, shall certify, in manner hereinafter provided, that any burial ground or place of burial, or any place used for the burning of corpses, is in such a state as to be dangerous to the health of persons living in the neighbourhood thereof, or that any church or other place of public worship is dangerous to the health of persons frequenting the same, by reason of the state of the vaults or graves within the walls of, or underneath, the same, or in any church-yard or burial ground adjacent thereto, and shall also certify that a fitting place for interment or burning (as the case may be) exists within a convenient distance and is available, it shall not be lawful, after a time (not less than two months) to be named in such certificate, to bury or burn, or permit or suffer to be buried or burned, any corpses in, upon, within, or under the ground, church, or place of worship to which the certificate relates, except in so far as may be allowed by such certificate; and whoever, after due publication of such certificate as hereinafter provided, buries or burns, or causes, permits, or suffers to be buried or burned, any corpse contrary to this enactment, shall be liable to a penalty not exceeding two hundred Rupees. Provided always that every such certificate shall be published in the Government Gazette, and that a translation thereof in Bengalee shall, in the case of a burial or burning ground, be affixed conspicuously on some part of the said ground.

Justices to issue certificates prohibiting the use of improper burial and burning places.

**CCXI.** Notwithstanding any such certificate as in the preceding Section mentioned, where by usage or otherwise there is at the time this Act comes into operation any right of interment in or under any church or chapel, or in any vault of such church or chapel, or of any church-yard, burial ground, or place of burial affected by such certificate, or where any exclusive right of interment, or any exclusive right to ground for the purpose of interment, has been purchased or acquired before this Act comes into operation, it shall be lawful for the Justices, if, on application made to them, they are satisfied that the exercise of such right or the use of such ground will not be injurious to health, to grant a license for such exercise or use, during such time and subject to such conditions and restrictions as they may think fit.

Proviso.

Justices may, in certain cases, permit interment in churches, &c.

**CCXII.** The Justices may, from time to time, out of the Municipal Fund, with the sanction of the Government of Bengal, provide fitting places to be used as burial or burning grounds.

Justices may provide places to be used as burial or burning grounds.

**CCXIII.** The Justices may, in manner hereinafter provided, make bye-laws for the inspection and regulation of burial and burning grounds, and may thereby prescribe rules as to the depth of graves and places of interment, and generally as to all matters connected with the good order of burial and burning grounds, due regard being had to the religious usages of the several classes of the community.

**CCXIV.** The Justices shall, for the purposes of this Act, have power, by themselves or their Officers, between sunrise and sunset, to enter into and upon any building or land, as well for the purpose of making any survey or inspection which they may be entitled to make, as for the purpose of executing any work authorized by this Act to be executed by them, without being liable to any legal proceedings or molestation whatsoever on account of such entry, or of any thing done in any part of such building or land in pursuance of this Act. Provided that, except when herein otherwise provided, the Justices or their Officers shall not enter upon any building or land which may be occupied at the time, unless with the consent of the occupier thereof, without previously giving the said occupier twenty-four hours' notice of his or their intention to do so.

**CCXV.** The Justices, or their Officers or servants, may enter upon the land of any person adjoining to, or being within the distance of one hundred yards of, any works by this Act authorized to be made, for the purpose of depositing upon such land, any soil, gravel, sand, lime, brick, stone, or other materials, or for any other purposes connected with the formation of the said works, without making any previous payment, tender, or deposit, doing as little damage as may be in the exercise of the several powers hereby granted to them, and making compensation for such temporary occupation or temporary damage of the said land to the owner and occupier thereof, from time to time, and as often as any such temporary occupation shall be taken or such temporary damage done, and making compensation to the owner also for the permanent injury (if any) to such land; and if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses. Provided that, before the Justices make any such temporary use as aforesaid of the land adjoining or lying near to the said works, they shall give fourteen days' notice of such their intention to the owners and occupiers of such land, and shall set apart, by sufficient fences, so much of the land as shall be required to be used as aforesaid, from the other land adjoining thereto.

Power to enter upon lands for the purposes of this Act.

Power to Justices to enter on lands adjacent to works.

Proviso.

**CCXVI.** Whoever at any time obstructs or molests any person employed by the Justices, or any person with whom they may have contracted under the provisions of this Act, in the performance and execution of their or his duty, or of any thing which they are respectively empowered or required to do by virtue or in consequence of this Act; or removes any

Penalty for obstructing persons employed by the Justices in their duty.

Proviso.

mark set up for the purpose of indicating any level or direction necessary to the execution of works authorized by this Act, shall be liable to a penalty not exceeding two hundred Rupees, or, in the discretion of the Justice of the Peace before whom he is convicted, to imprisonment for any term not exceeding two months.

**CCXVII.** For the purposes of laying pipes or constructing aqueducts for bringing water into the Town from any place without the limits thereof, or for the purpose of making sewers or drains to communicate with, or empty themselves into, any public sewer, lake, stream, canal, or water-course without the said limits, it shall be lawful, whenever a plan for laying any such pipes or constructing any such aqueduct, sewer, or drain shall have been approved by the Government of Bengal, for the Justices and their Officers, with such assistants as they may require, to exercise, in the laying of such pipes and construction of such aqueduct, sewer, or drain, throughout the line of country through which the said pipes, aqueduct, sewer, or drain are to run, all the powers which by this Act it is lawful for them to exercise within the Town, and which may be necessary for the laying of such pipes or the construction of such aqueduct, sewer, or drain, without being subject to any action or molestation whatever for so doing; and it shall also be lawful for any Magistrate of any district, through which the said pipes, aqueduct, sewer, or drain are to run, to exercise, in respect thereof, the like powers and jurisdiction within the limits of his own district, as it is, by this Act, lawful for a Justice of the Peace to exercise in respect of any work to be executed by the Justices within the Town.

**CCXVIII.** It shall be lawful for the Justices, from time to time, to make bye-laws, and to repeal, alter, and amend the same, subject to the confirmation hereinafter mentioned, for the several purposes for which bye-laws are authorised by this Act to be made; and also to make bye-laws, and to repeal, alter, and amend the same, subject to such confirmation, for the guidance and control of persons employed by them and for preserving order and cleanliness in the Town, and for carrying out any of the purposes of this Act. Provided that no such bye-law shall be repugnant to any law in force, and that no penalty for any one infringement of such bye-law shall exceed twenty Rupees, and that, in the case of a continuing infringement, no penalty shall exceed ten Rupees for each day after notice from the Justices of such infringement.

**CCXIX.** No bye-law, or alteration of a bye-law, shall have effect until the same is confirmed by the Lieutenant-Governor of Bengal.

**CCXX.** No bye-law, or alteration of a bye-law, shall be confirmed until the same has been published in the Government Gazette in English and in Bengalee at least seven times, nor till the space of one month has elapsed since the date of the first publication, during which period a copy of such proposed bye-law shall be kept at the Office of the Justices; and all persons may, at any time between ten o'clock in the morning and five

o'clock in the afternoon, inspect such copy without fee or reward.

**CCXXI.** Such bye-laws, when confirmed, shall be published in the Government Gazette in English and in Bengalee, and a copy thereof, in English and in Bengalee, shall be painted or placed on boards, which shall be hung up in some conspicuous part of the Office of the Justices.

**CCXXII.** All Courts and Magistrates shall take judicial notice of such bye-laws, when the same shall have been confirmed and published as aforesaid.

**CCXXIII.** The Justices shall publish short particulars of the several offences for which any penalty is imposed by this Act, or by any bye-law made under this Act, and of the amount of every such penalty, and shall cause such particulars, in English, Bengalee, and Oor-doo, to be painted or placed on boards, which shall be hung up in some conspicuous part of the Office of the Justices.

**CCXXIV.** The Justices may direct any prosecution for any public nuisance whatsoever, and may order proceedings to be taken for the recovery of any penalties and for the punishment of any persons offending against the provisions of this Act, and may order the expenses of such prosecution or other proceedings to be paid out of the Municipal Fund. But nothing in this Section shall be held to hinder any person from prosecuting any other person for any nuisance.

**CCXXV.** Nothing in this Act shall be construed to render lawful any act or omission on the part of any person, which is, or but for this Act would be deemed to be, a nuisance at common law, nor to exempt any person, guilty of a nuisance at common law, from prosecution or action in respect thereof.

**CCXXVI.** No action shall be brought against the Justices, or any of their Officers, or any person acting under the direction of the Justices, for any thing done or intended to be done under the powers of this Act, until the expiration of one month next after notice in writing shall have been delivered or left at the Office of the Justices, or at the place of abode of such person, explicitly stating the cause of action, and the name and place of abode of the intended plaintiff, and of his attorney or agent in the cause; and upon the trial of any such action the plaintiff shall not be permitted to go into evidence of any cause of action, except such as is stated in the notice so delivered; and unless such notice be proved, the Court shall find for the defendant; and every such action shall be commenced within three months next after the accrual of the cause of action, and not afterwards; and if any person to whom any such notice of action is given shall, before action brought, tender sufficient amends to the plaintiff, such plaintiff shall not recover in any such action when brought; and if no such tender shall have been made, it shall be lawful for the defendant in such action,

Justice empowered to make bye-laws.

Publication of bye-laws.

Bye-laws to be judicially noticed.

Publication of penalties.

Justice may direct prosecutions.

Act not to affect nuisances at common law.

No action to be brought against Justices or their Officers until after one month's notice of cause of action.

by leave of the Court where such action shall be pending, at any time before issue joined, to pay into Court such sum of money as he shall think fit, and thereupon such proceedings shall be had as in other cases where defendants are allowed to pay money into Court.

**CCXXVII.** The Justices may make compensation, out of the Municipal Fund, to all persons sustaining any damage by reason of the exercise of any of the powers vested in the Justices, their Officers, or servants, under and by virtue of this Act.

**CCXXVIII.** When any license is granted under the provisions of Sections CLXVIII or CXCVI of this Act, authorizing the use of any place for any of the purposes therein described, and when permission is given under Section CXXV for making any temporary erection, or under Section CXXI for putting up any projection, the Justices may charge a fee for such license or permission; and the rates of the fees to be so charged shall be from time to time adjusted by the Justices with the sanction of the Government, provided that no such fee shall exceed the sum of one hundred Rupees. When permission or license is given for the temporary occupation of any ground belonging to the Justices under the provisions of Section CXCII or Section CXCIV, the Justices may charge rent for such ground, according to the time the occupation may continue, at such rates as may, from time to time, be sanctioned by the Government of Bengal.

**CCXXIX.** In all cases where any damages, costs, or expenses are by this Act directed to be paid, the amount of the same, in case of dispute, shall be ascertained and determined by a Judge of the Calcutta Court of Small Causes.

**CCXXX.** In any case referred to a Judge of a Court of Small Causes under this Act, it shall be lawful for the said Judge, on the application of either party, to summon the other party to appear before him, at a time and place to be named in such summons, and every such summons shall be served by delivering the original, or a copy thereof, to the person summoned, or by leaving the same at his usual or last known place of abode, with some adult male member or servant of his family. Upon the appearance of the parties, or, in the absence of any of them, upon proof of due service of the summons, it shall be lawful for such Judge to hear and determine such question, and, for that purpose, to examine such parties or any of them, and their witnesses, on oath; and the costs of every such enquiry shall be in the discretion of such Judge, who shall determine the amount thereof.

**CCXXXI.** If the amount of damages, costs, or expenses, ascertained in the manner above described, be not paid by the party liable to pay the same, within seven days after demand, such amount may be recovered, under a warrant of the said Judge, by distress and sale of the goods and chattels of such party; and the overplus arising from the sale thereof, after satisfying such amount and the costs of the distress and sale, shall be returned on demand to the party whose goods shall have been distrained.

**CCXXXII.** Instead of proceeding by distress or sale, and in case of failure to realize by distress the whole or any part of any expenses, charges, or damages awarded under the provisions of this Act, the Justices may sue the person liable to pay the same, in any Court of competent jurisdiction.

**CCXXXIII.** *Clause 1.*—Every prosecution under this Act may be instituted before any Justice of the Peace, except in cases otherwise provided for, and every fine or penalty imposed under or by virtue of this Act or any by-law made in pursuance thereof, may be recovered by a summary proceeding before a Justice of the Peace, upon information exhibited by order of the Justices, and, in default of payment of such fine or penalty, the same may be levied, under the warrant of such Justice of the Peace, by distress and sale of the goods of such offender, with all such powers for the issuing of such warrant and upon the return thereof, as are exercised by a Magistrate of Police under Act XIII of 1856 (*for regulating the Police of the Towns of Calcutta, Madras, and Bombay*) and Act XLVIII of 1860 (*to amend Act XIII of 1856*), or any other Act for regulating the Police of the Town of Calcutta in force for the time being.

*Clause 2.*—Every prosecution under Clause 2 of Section XVII of this Act shall be instituted in such manner as a prosecution under Section CLXI of the Indian Penal Code would be instituted, and before such Magistrate or Court as shall have authority to entertain charges and prosecutions in reference to the said last mentioned Section, and not otherwise.

**CCXXXIV.** The Justice of the Peace by whom any fine or penalty is imposed by virtue of this Act, may award any portion, not being more than one-half thereof, to the informer, and shall order the remainder—or, if he makes no award to the informer, the whole of such fine or penalty,—to be paid to the Justices, to be by them applied to the purposes of this Act.

**CCXXXV.** No person shall be liable to any fine or penalty under this Act, for any offence made cognizable before a Justice of the Peace, unless the complaint respecting such offence shall have been made before a Justice of the Peace within two months next after the commission of such offence.

**CCXXXVI.** If, through any act, neglect, or default, on account whereof any person shall have incurred any penalty imposed by this Act, any damage to the property of the Justices shall have been committed by such person, he shall be liable to make good such damage, as well as to pay such penalty; and the amount of such damage shall, in case of dispute, be determined by the Justice of the Peace by whom the party incurring such penalty shall have been convicted; and on non-payment of such damage on demand, the same shall be levied by distress, and such Justice of the Peace shall issue his warrant accordingly.



CCXXXVII. It shall be the duty of all Police Officers to give immediate information to the Justices, of any offence committed contrary to the provisions of this Act. Any Police Officer may arrest any person committing in his view any offence against any of the provisions of this Act, if the name and address of such person be unknown to him, or if such person decline to give his name and address, or if the Police Officer in question shall have reason to doubt the accuracy of such name and address, if given; and such person may be detained at the Station House until his name and address shall be correctly ascertained.

CCXXXVIII. If the Lieutenant-Governor of Bengal shall have determined that any portion of the environs of the Town shall be included in the system of sewerage and drainage authorized by this Act, and if the said Lieutenant-Governor shall have declared the boundaries thereof by Notification in the Calcutta Gazette, then Sections CL to CLXVI, both inclusive, of this Act, shall have effect within the boundaries so declared; and all such expenses and compensation, under the said Sections and by the provisions of this Act, may be determined by a Judge of the Calcutta Court of Small Causes, may be ascertained and determined by the Judge of the Court of Small Causes having jurisdiction within such boundaries; and all penalties payable under the said Sections and under the provisions of this Act, shall be enforced in the manner prescribed by Section LXI of the Code of Criminal Procedure, before the Magistrate having jurisdiction within such boundaries.

CCXXXIX. Whenever the Justices shall have incurred any expenses in the execution of any of the works which, under Sections CXXX, CLVII, and CLIX of this Act, the owners of any premises, houses, or buildings are required to execute, the Justices may either recover the amount of such expenses in the manner therein provided, or, if they think fit, may take engagements from the said owners for the quarterly payment of such sums as will be sufficient to defray the whole amount of the said expenses, with interest thereon at the rate of six per centum per annum, within a period not exceeding five years, and such sums, when due, may be recovered by the same process by which rates may be recovered under this Act.

CCXL. This Act shall commence and take effect on and from the first day of July 1863.

SCHEDULE A.—(Referred to in Section XXXVII.)

TAX ON CARRIAGES, HORSES, PONIES, AND MULES.

	Rupees. per half year.
For every 4-wheel Carriage on springs, drawn by 2 horses .. .. .	12 0 0
If more than one such Carriage, then for every such Carriage after the first, two-thirds of the above rate.	

For every 4-wheel Carriage on springs, drawn by one horse, or pony, or a pair of ponies under thirteen hands .. .. .	6 0 0
If more than one such Carriage, then for every such Carriage after the first, two-thirds of the above rate.	
For every 2-wheel Carriage on springs .. .. .	6 0 0
For every Horse (not a Race Horse) .. .. .	6 0 0
For every Race Horse .. .. .	12 0 0
For every Pony under thirteen hands, or Mule .. .. .	2 0 0
Ponies under eleven hands, and Children's Carriages, the wheels of which do not exceed twenty-four inches in diameter, are exempted.	

SCHEDULE B.—(Referred to in Sections XLVII and LI.)

LICENSE ON TRADES AND CALLINGS.

Class I.

	Yearly.
Every Joint Stock Company .. .. .	100 Rs.

Class II.

Every Merchant, Banker, Shroff, Banian, Wholesale Trader, and Commission Agent; and every Practising Surgeon, Physician, Dentist, Architect, Civil Engineer, Barrister, Attorney, Proctor, Notary Public, and Pleader of the High Court .. .. .	
Every Owner or Farmer of a Haut or Bazar .. .. .	50 "
Every Owner of Cotton, Jute, Hide, or other Screws; and every Auctioneer .. .. .	
Every Hotel-keeper, Boarding House-keeper, Shop-keeper, Manufacturer, or Trader, whose shop or place of business is assessed under Section LV at 100 Rupees a month or upwards .. .. .	

Class III.

Every Broker or Daloll employed in the wholesale transfer or purchase of Imports or Exports, or in the sale of Government Securities, Shares, and Bills of Exchange, or in procuring Freight .. .. .	
Every Practising Licentiate of Medicine, Apothecary, and Veterinary Surgeon .. .. .	
Every keeper of a Spirit Shop, Punch House, or Billiard Room, Wholesale Tobacco or Jute Depot .. .. .	
Every Hotel-keeper, Boarding House-keeper, Shop-keeper, Manufacturer, or Trader, whose shop or place of business is assessed under Section LV at more than 25 Rupees, but less than 100 Rupees a month .. .. .	25 "
Every Pawn-broker, and every person having a shop or place of business registered under Section CCIV or CCV .. .. .	
Every Pleader, Mookhtear, or Law Agent, not included in Class II. .. .. .	

**Class IV.**

Every Hotel-keeper, Boarding and Lodging-house keeper, Shop-keeper, Manufacturer, or Trader, whose shop or place of business is kept in a Brick-house, but not included in Class II or Class III .. 12 Rs.  
 Every keeper of a permanent Stall at a daily public Market or in a Chowk ..  
 Every Poddar or Money Changer ..  
 Every Hakeem, Koberaj, and Native Doctor, not included in any other Class ..

**Class V.**

Every keeper of a Shop not included in any other Class, and every Dalol not included in Class III .. 4 "  
 Every Pedlar, Hawker, and Box-wallah ..

**Class VI.**

All other itinerant dealers .. 1 "

NOTE.—A person who carries on several kinds of business and may come under more than one of the designations in this Schedule, shall be chargeable only under one of such designations, at the discretion of the Justices ; and in the case of a Firm consisting of two or more persons, payment by any one of such persons shall be considered to be payment by the Firm.

**SCHEDULE C.—(Referred to in Section LXXX.)**

**NOTICE OF DEMAND.**

TAKE notice that the Justices of the Peace for the Town of Calcutta demand from you the sum of \_\_\_\_\_ due from\* [you] as owner (or occupier) (here describe the property or thing upon which the rate or tax is imposed) for the months of \_\_\_\_\_ 186 ; and that, if the sum due, together with \_\_\_\_\_ for this notice, is not paid into the Office of the said Justices at \_\_\_\_\_ or if sufficient cause for the non-payment of the sum is not shewn to the Justices within seven days from the service of this notice, a warrant of distress will be issued for the recovery of the same with costs.

(L. S.) (Signature of the Chairman, Vice-Chairman, or Secretary.)

Date \_\_\_\_\_

\* In the case of a demand under Section LXXXIV, state that notice of demand has been served upon the owner, and that the sum due remains unpaid.

**SCHEDULE D.—(referred to in Section LXXX.)**

**DISTRESS WARRANT.**

To (here insert the name of the Officer charged with the execution of the warrant.)

WHEREAS \_\_\_\_\_ of \_\_\_\_\_ has not paid or shewn sufficient cause for the non-payment of the sum of \_\_\_\_\_ Rupees due for the rates (or taxes) (or rates and taxes) mentioned in the margin for the months of \_\_\_\_\_ 186 , although the said sum has been duly demanded in writing from the said \_\_\_\_\_ and seven days have elapsed since the service of the notice of demand ; This is to command you to distrain the goods and chattels of the said \_\_\_\_\_ (or as the case may be, any goods and chattels found on

the premises referred to) to the amount of the said sum of \_\_\_\_\_ Rupees, and such further sum as may be sufficient to defray the charges of taking, keeping, and selling such distress ; and if, within seven days next after such distress, the said sum shall not be paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distress, to sell the said goods and chattels ; and having paid and deducted, out of the proceeds of the sale, the said sum of \_\_\_\_\_ Rupees, and the charges of taking, keeping, and selling such distress, to return the surplus, if any, on demand, to the person whom you shall find in possession of the said goods and chattels. If sufficient distress cannot be found of the goods and chattels of the said \_\_\_\_\_ you are to certify the same to us, together with this Warrant.

(L. S.) (Signature of the Chairman, Vice-Chairman, or Secretary.)

**SCHEDULE E.—(referred to in Section LXXXI.)**

**FORM OF INVENTORY AND NOTICE.**

(State particulars of goods seized.)

TAKE notice that I have this day seized the goods and chattels specified in the above Inventory for the sum of \_\_\_\_\_ Rupees due for the rates (or taxes) mentioned\* in the margin for the months of \_\_\_\_\_ 186 ; and that, unless you pay into the Office of the said Justices of the Peace for the Town of Calcutta the amount due, together with the costs of this distress, within seven days from the day of the date of this notice, the goods and chattels will be sold.

(Signature of the Officer executing the Warrant of distress.)

Date \_\_\_\_\_

**TABLE OF FEES PAYABLE IN DISTRAINTS UNDER THIS ACT,—(referred to in Section LXXXII.)**

Sum distrained for.	Fee.	
	Rs.	As.
Under 5 Rupees ..	0	8
5 and under 10 Rupees	1	0
10 " 15 " ..	1	8
15 " 20 " ..	2	0
20 " 25 " ..	2	8
25 " 30 " ..	3	0
30 " 35 " ..	3	8
35 " 40 " ..	4	0
40 " 45 " ..	4	8
45 " 50 " ..	5	0
50 " 60 " ..	6	0
60 " 80 " ..	7	8
80 " 100 " ..	9	0
Above 100 " ..	10	0

The above charge includes all expenses, except when Peons are kept in charge of property distrained, in which case four annas must be paid daily for each man.



**HOME DEPARTMENT.**

No. 281.

*Simla, the 11th June 1863.*

*Notification.*—His Excellency the Viceroy and Governor General is pleased to appoint Lieutenant William Vertue, of the 29th Regiment, Madras Native Infantry, to officiate as a Second Class Assistant District Superintendent of Police in the Central Provinces with effect from the 2nd December 1862.

C. U. AITCHISON,  
*Under-Secy. to the Govt. of India,*  
*with the Governor General.*

No. 3867.

*Fort William, the 17th June 1863.*

*Notifications.*—In supersession of the Rules issued on the 17th February 1834, the following Rules are published for the information and guidance of Chaplains at Military Stations:—

I. When the Troops are marched to Church the Commanding Officer, in concurrence with the Chaplain, will fix the hour of Divine Service.

II. When a Chaplain proposes to quit his principal Station for the purpose of visiting any of his smaller Stations, or when he intends to apply for temporary leave of absence, he must give timely notice to the chief Military and Civil Resident Authorities, in order that if there be any cogent reasons against the absence of the Chaplain they may be submitted to the Government.

III. The Chaplain will visit the European Hospitals at least twice in every week, and oftener when his presence is called for.

IV. The religious instruction of children of the Church of England, and of all Protestant children where no other arrangement is made by Government, is specially entrusted to the Chaplain, who will carefully carry out Article 38 of the Army School Regulations, as those Regulations are applied to India in a Circular dated Darjeeling, August 27th, 1862, issued by the Bishop of Calcutta at the request of His Excellency the Commander-in-Chief.

V. The Chaplain will enter carefully all the Baptisms, Marriages, and Burials of Soldiers and their children in the Register of the Station. He will also affix his signature to the entries of these religious ordinances (when performed by him) which are made in the Regimental Register Book.

No. 3927.

*The 18th June 1863.*

The President in Council is pleased to attach Messrs. R. H. Wilson and J. W. Edgar, of the Civil Service, reported qualified for the Public Service, to the Bengal Division of the Presidency of Fort William.

No. 3928.

*The 19th June 1863.*

Messrs. C. E. Girdlestone, E. V. Westmacott, T. Norman, and T. W. Rawlins, Junior Civil Servants, having, within the prescribed interval after arrival in India, passed examinations in two languages, have each been presented with the authorized donation of Rupees 800.

Mr. Girdlestone has further been presented with a Gold Medal of Merit for the "marked proficiency" with which he passed in his second language (Persian).

No. 3929.

The Reverend Joseph Baly, of the Bengal Ecclesiastical Establishment, has been granted by the Right Hon'ble the Secretary of State for India an extension of leave, on Medical Certificate, for three months.

No. 3930.

Captain O. L. Smith, District Superintendent of Police, Fyzabad, has obtained leave of absence from the 5th to the 7th April, in extension of that granted to him by Notification No. 2983, dated the 12th ultimo.

No. 3931.

The President in Council is pleased to extend the provisions of Section XXXIV. of Act V. of 1861 to the undermentioned Towns within the Central Provinces:—

<i>Districts.</i>		<i>Towns.</i>
Bhundara	...	Bhundara.
Chunda	...	Chunda.
Wurdah	...	Kowtah.
Chindwarra	...	Chindwarra.
Nursingpore	...	Nursingpore.
Seonee	...	Seonee.
Mundlah	...	Mundlah.
Hoshungabad	...	Hoshungabad.
Dumoh	...	Dumoh.
Baitool	...	Baitool.
Raepore	...	Raepore.
Sumbulpore	...	Sumbulpore.
Belaspore	...	Belaspore.
Upper Godavery District	...	Sironcha

E. C. BAYLEY,

*Secy. to the Govt. of India.*

**FOREIGN DEPARTMENT.**

No. 366.

GENERAL.

*Simla, the 11th June 1863.*

*Notification.*—Mr. H. H. Butts is appointed Extra Assistant Commissioner of the Third Class in Oudh and posted to the Gondah District with effect from the 23rd May, *vice* Mahomed Buksh, resigned.

No. 82.

JUDICIAL.

*Simla, the 12th June 1863.*

His Excellency the Viceroy and Governor General is pleased to appoint Major T. H. Chamberlain, of the Thuggee Department, to be City Magistrate in Lucknow.

C. U. AITCHISON,  
*Under-Secy. to the Govt. of India,*  
*with the Governor General*



No. 303.

POLITICAL.

Port William, the 18th June 1863.

With reference to General Order dated 30th December last, No. 1206, it is hereby notified that Her Majesty has been pleased to sanction the appointment of Monsieur J. Lombard to be Consul-General for France at Calcutta.

No. 177.

JUDICIAL.

The 19th June 1863.

A Commission of the Peace was issued from the High Court of Judicature in Bengal on the 22nd ultimo, directed to the undermentioned Officers serving in the Punjab and in the Central Provinces, viz.,—

Lieutenant Robert Joseph Logan Crutchly ...	Punjab.
Lieutenant Frank William Grant ...	
Lieutenant Alfred Frederick Pollock Harcourt ...	
Lieutenant Edward George Godolphin Hastings ...	
Lieutenant Charles MacFarlane	
Mr. James George Delmerick ..	
Captain Hector Mackenzie ...	
Mr. Harry Rivett Carnac ...	
Captain John Ashburner ...	
Mr. Charles Edward Bernard...	
Lieutenant George Augustus Alves Warner ...	
Captain Henry Frederick Bolton ...	
Mr. William Munton ...	
Lieutenant Thomas Wakefield	
Mr. Henry James MacGeorge	
Captain Francis Henry Hammer ...	Central Provinces.
Lieutenant Montagu Plantaganet Ricketts ...	
Major Francis Lane Magniac	
Mr. Augustus Morrell Russell	
„ Fergus MacNaghten ...	
Captain John Jeffreys Fulton ..	
Lieutenant-Colonel James George Balmain ...	
Major Julius Bentall Dennys...	
Lieutenant Frederick Dickinson Faber ...	
Major Hastings Broughton Impey ...	
Captain James Loch ...	
Mr. James Wright Chisholm...	
„ William Oswald Bell ...	
Lieutenant Charles Halyburton Grace ...	
Mr. Hastings Read ...	
Lieutenant James Ducat ...	
Mr. William Ramsay ...	
„ Theodore Lawrence Crawley ...	

No. 306.

POLITICAL.

With reference to General Order dated 19th December last, No. 1190, it is hereby notified

that Her Majesty has been pleased to sanction the appointment of Mr. Clarence E. A. D'Souza to be Consul for Brazil at Calcutta.

No. 307.

It is hereby notified that Her Majesty has been pleased to sanction the appointment of Mr. W. Brooke to be Consular Agent for the United States of America at Moulmein instead of Vice-Consul, as notified in General Order dated 13th January last, No. 39.

No. 910.

GENERAL.

Mr. William DeCourcy Ireland, Extra Assistant Commissioner at Toungoo, in British Burmah, discharged the duties of Collector of Customs at that place, in addition to his own, from the 19th April to the 30th June 1861 inclusive.

E. C. BAYLEY,

Offg. Secy. to the Govt. of India.

LIST of Persons entitled to the "India Medal," whose Medals lie unclaimed in the Office of the Secretary to the Government of India, in the Foreign Department.

Names of Parties.

Abbott, A. E.	... Engine Driver.
Burrows, John	... Clerk.
Collins, J.	... Pupil, La Martiniere.
Creed, E.	... Ditto, ditto.
Creed, G.	... Ditto, ditto.
Cameron.	... Merchant.
Dodd, G. N.	... Civil Surgeon.
Davey, Peter	... Clerk.
DeRavara, J.	... Steward, La Martiniere.
Deverine, J.	... Late Superintendent, <i>Constantia</i> .
Davis, J.	... Overseer.
Dawson, Captain	... Oudh Military Police.
Parly, J.	... Railway Inspector.
Sadler, Lieutenant T. J.	... Oudh Military Police.
Smith, C.	... Railway Inspector.
Tucker, R. T.	... Civil Service.
Wilson, R.	... Merchant Tailor.

H. M. DURAND, Colonel,

Secy. to the Govt. of India.

**FINANCIAL DEPARTMENT.**

No. 2707.

*Fort William, the 19th June 1863.*

*Notification.*—Mr. D. Onslow, B. A., a Probationer of the Account Department, is promoted to Class V. from the 1st instant.

E. H. LUSHINGTON,  
*Secy. to the Govt. of India.*

**MILITARY DEPARTMENT.**

GENERAL-ORDER BY HIS EXCELLENCY THE GOVERNOR GENERAL OF INDIA.

*Simla, the 11th June 1863.*

No. 75A. of 1863.—The services of the following Officers are placed at the disposal of the Government of Bengal for employment in the Police:—

Captain C. T. Hitchins, Bengal Staff Corps, Instructor of Musketry, East Indian Regiment.

Lieutenant A. R. Wilkinson, General List, Infantry, paid Doing Duty Officer, 35th Regiment Native Infantry.

*Simla, the 12th June 1863.*

No. 76A. of 1863.—The services of Assistant Surgeon L. H. Lees, of the 31st Regiment (Punjab) Native Infantry, are placed at the disposal of the Foreign Department, with the Governor General.

H. W. NORMAN, *Lieut.-Colonel,*  
*Secy. to the Govt. of India,*  
*with the Governor General.*

**MILITARY DEPARTMENT.**

*Fort William, the 17th June 1863.*

No. 403 of 1863.—*Erratum.*—In Government General Order No. 810 of the 21st August 1862, laying down a Scale shewing the number of shares of Prize Staff Officers are entitled to

<i>For</i>	<i>Read</i>
Full Pay of Brevet-Major, two extra shares,	Full Pay of Captains having Brevet rank of Major, Lieutenant-Colonel, or Colonel, two shares.

Order Books to be corrected accordingly.

No. 404 of 1863.—Captain E. S. Jackson, of the late 12th Native Infantry, Second Class Assistant, Stud Department, is allowed leave of absence, from the 17th May to the 17th November next, to visit Nynce Tal, Almorah, and the Kumaon Hills, on Medical Certificate, under the new Regulations.

No. 405 of 1863.—The undermentioned Officer is permitted to proceed to Europe on leave of absence on Sick Certificate:—

Assistant Surgeon James Rawlinson Jackson, M. D., of the Medical Department, Superintendent of the Central Prison, Allahabad	} For twenty months, under the new Regulations.
..	

*Fort William, the 18th June 1863.*

No. 406 of 1863.—The undermentioned Officer is permitted to proceed to Europe on Furlough on private affairs:—

Lieutenant William George Keppel, of the late 6th European Regiment, doing duty with the 19th Bengal Cavalry	} For three years under the old Regulations.
..	

*Fort William, the 19th June 1863.*

No. 407 of 1863.—The undermentioned Officers having completed twenty-six years' service, eight years of which were on permanent Staff employ, to be Lieutenant-Colonels, from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

*Bengal Staff Corps.*

Major (Brevet-Colonel) O. Cavenagh	} 12th June 1863
Major (Brevet-Colonel) J. S. Paton	
Major C. P. Trower	

No. 408 of 1863.—The undermentioned Officers having completed twenty years' service, six years of which were on permanent Staff employ, to be Majors, from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

*Bengal Staff Corps.*

Captain (Brevet Lieutenant-Colonel) T. A. Carey	} 21st May 1863.
Captain E. W. E. Howard	
„ D. Mocatta	} 9th June 1863.
„ G. W. Fraser	
„ J. J. Eckford	
„ (Brevet-Major) C. Warde	} 10th June 1863.
„ H. P. Babbage	

No. 409 of 1863.—The undermentioned Officers having completed twelve years' service, four years of which were on permanent Staff employ, to be Captains, from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :—

*Bengal Staff Corps.*

Lieutenant J. C. Miller ... } 13th June 1863.  
 „ W. M. Gibbon ... }

No. 410 of 1863.—The undermentioned Warrant Officer has reported his return from England :—

*Date of Arrival at  
 Fort William.*

Conductor Edward Skiddy, } 11th June 1863.  
 Barrack Master, Benares ... }

No. 411 of 1863.—The undermentioned Officers have reported their departure on the dates specified opposite to their respective names :—

Lieutenant C. C. Jervoise, of Her Majesty's 19th Hussars, proceeded to Europe, on private affairs, for one year without pay. General Order by the Commander-in-Chief dated 23rd April 1863 ... } *Golden Fleece,*  
 Lieutenant R. Morris, of Her Majesty's 19th Hussars, proceeded to Europe, on private affairs, for six months without pay. General Order by the Commander-in-Chief dated 19th May 1863 ... } 20th May 1863.

Captain W. K. Fooks, of the Royal Artillery, on leave for eighteen months. General Order by the Commander-in-Chief dated 20th May 1863 ...

Lieutenant W. M. Gibbon, of the Bengal Staff Corps, District Superintendent of Police, Shahpore, Punjaub, on leave for fifteen months. Government General Order No. 340 of the 16th May 1863 ... } *Nabia,* 24th  
 May 1863.

Lieutenant R. N. Evans, of the late 53rd Regiment Native Infantry, doing duty with the 24th (the Punjaub) Regiment Native Infantry, on leave for eighteen months. Government General Order No. 355 of the 25th May 1863 ...

Captain and Brevet-Major F. W. Lambert, of the late 56th Regiment Native Infantry, Honorary Aide-de-Camp to the Governor General, on Furlough for three years. Government General Order No. 359 of the 27th May 1863 ... } *Erymanthe,* 4th  
 June 1863.  
 Major C. F. G. Lamb, of the Bengal Staff Corps, on leave for fifteen months. Government General Order No. 355 of the 26th May 1863. }

Lieutenant A. Shepherd, of the late 5th European Light Cavalry, doing duty with the 3rd Bengal Cavalry, proceeded to Europe, on private affairs, for one year without pay. Government General Order No. 371 of the 2nd June 1863 ... } *Candia,* 10th  
 June 1863.  
 Lieutenant W. E. Chambers, of the late 19th Regiment Native Infantry, District Superintendent of Police, Gawalparah, on leave for twenty months. Government General Order No. 382 of the 6th June 1863 ... }

No. 412 of 1863.—The undermentioned individual is admitted to pension as specified opposite to his name :—

Gunner John Ragan, of No. 2 } One shilling per  
 Battery, Bengal Artillery ... } diem, payable in  
 Europe.

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

**PUBLIC WORKS DEPARTMENT.**

GENERAL,—ESTABLISHMENTS.

No. 56.

*Simla, the 9th June 1863.*

*Notifications.*—Major W. E. Warrand, R. E., is appointed Deputy Consulting Engineer to the Government of the Punjab, Railway Department, with effect from the 28th\* March 1863, the date on which he was relieved by Captain Sim from his officiating appointment of Consulting Engineer.

\* Public Works Department Notification No. 12, dated 14th April 1863.





Absentee Rules, in extension of the leave granted to him on the 8th of April last.

NOTIFICATIONS.—*The 10th June 1863.*—The leave granted to Mr. H. T. Baker, Assistant Superintendent of Police, Monghyr, on the 29th ultimo, is cancelled at his request.

*The 15th June 1863.*—Mr. W. M. Beaufort, of the Civil Service, reported his departure from India on the 10th instant on the Steam-ship *Candia*.

*The 16th June 1863.*—The services of the following Officers doing duty with the Kamroop Regiment are placed at the disposal of the Government of India, in the Military Department:—

Lieutenant C. I. Prendergast.  
" W. G. Maitland.

*The 17th June 1863.*—The following List of Candidates who have passed at the late Examination for Higher and Lower Grade of Pleaders in the High and Mofussil Courts of the Lower Provinces is published for general information:—

#### HIGHER GRADE.

##### For the High Court.

1. Baboo Govind Chunder Banerjee.
2. " Sreenath Banerjee.
3. " Rajendernath Bose.

##### For the Mofussil Courts.

1. Baboo Dwarkanath Mookerjee.
2. " Juddoonath Mitter.
3. Mr. J. S. Rochfort.
4. Baboo Nilmoney Sein.
5. " Khetter Mohun Mookerjee.
6. " Poornoo Chunder Shome.
7. " Taraprosno Mookerjee.
8. " Rajender Misree.
9. " Roopnath Banerjee.
10. " Kedernath Bose.
11. " Mohindronath Mitter.
12. " Ishurnarain Sing.
13. " Parbutty Coomar Mitter.
14. " Rojonekant Banerjee.

#### LOWER GRADE.

##### For the Mofussil Courts.

1. Baboo Rajkissen Mookerjee.
2. Mr. Francis Rice Dissent.
3. Baboo Kally Prosono Chatterjee.
4. " Ram Chunder Moozoemdar.
5. " Poorno Chunder Roy.
6. " Lall Gopal Dutt.
7. " Dwarkanauth Sein.
8. " Shoshee Bhooshun Roy.
9. " Hurree Churn Bose.
10. " Kartick Chunder Roy.
11. " Rajkoomar Moitro.
12. " Mohesh Chunder Bose.
13. " Esukishshore Mookerjee.
14. " Prabodha Chunder Mitter.
15. " Sreenath Chunder.
16. " Setanath Doss.
17. " Barssur Bose.
18. " Sreenath Acharjee.
19. " Hungsheedhur Mookerjee.
20. Mobaruk Ally.
21. Baboo Grish Chunder Mitter.
22. " Hurry Mohun Geohno.
23. Mr. M. B. Morrison.
24. Baboo Deesumbeharry Mitter.

*The 18th June 1863.*—It is hereby notified, under Section CLXI., Act VI. of 1863, that from and after the 1st of August next no Boat which shall not have been duly licensed and registered shall be allowed to ply as a Cargo Boat for the landing and shipping of Merchandize within the limits of the Port of Calcutta.

A. EDEN

Secy. to the Govt. of Bengal.

### ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces.

MARINE DEPARTMENT.—*The 9th June 1863.*—Appointment.—No. 147.—Mr. J. Stewart Amos to be Commander of the Flat Kotree, on probation for three months, *vice* Mr. Hooper, resigned.

POLICE DEPARTMENT.—*The 10th June 1863.*—Leave.—No. 425.—Lieutenant. R. J. Wimberley, Officiating District Superintendent of Police, has obtained leave of absence for four months, on Medical Certificate, to visit the hills north of Derah, with effect from the date of his availing himself of the same.

No. 430.—Lieutenant J. S. Tait, District Superintendent of Police, has obtained privilege leave for three months with effect from the 1st of August next.

T. D. FORSYTH,

Offg. Secy. to Govt., Punjab.

PUBLIC WORKS DEPARTMENT.—*The 8th June 1863.*—Transfers.—No. 421 C.—Doorga Pershad, Sub-Surveyor, First Class, First Grade, 2nd Division, Barce Doab Canal Works, to the Revenue Establishment of that Division.

No. 432. C.—Gholam Rusool, Sub-Overseer, First Class, First Grade, from the Lahore to the Kohat Division.

*The 9th June 1863.*—No. 450 C.—With reference to Punjab Gazette Notification No. 4661, dated 11th February 1862, the rank of Sub-Surveyor Narain Dass, of the Canal Department, is First Class Third Grade, not Second Class, First Grade.

*The 10th June 1863.*—Transfer.—No. 458 C.—Major F. G. Stainforth, Assistant Engineer, First Class, from the Rawulpindee Division to the 3rd Division, Lahore and Peshawur Road.

*The 10th June 1863.*—Promotions.—No. 469 C.—Baboo Sita Nath Mitra, Assistant Accountant, Second Class, to be Assistant Accountant, First Class.

Lalla Jumayat Sing, Assistant Accountant, Third Class, to be Assistant Accountant, Second Class.

These promotions to have effect from 1st June.

*The 12th June 1863.*—No. 741.—With reference to Punjab Government Notification No. 257, dated the 28th May 1863, the number of English Clerks of the third class sanctioned for the Punjab is one only, not two, as therein stated.

B. MARSDEN, Secy. to Govt., Punjab.

SALT FOR EXPORTATION.

STATEMENT shewing the quantity of Salt in store available for exportation on private trade at each of the several Ports of Export in the undermentioned Districts.

NAME OF DISTRICT.	Ports at which Salt is generally available for export on private trade.	Quantity allotted for private exportation in 1863.	Quantity exported on private trade or assigned to applicants up to 30th April 1863.	Quantity remaining in store actually available for export on 1st May 1863.	REMARKS.
		INDIAN MAUNDS.	INDIAN MAUNDS.	INDIAN MAUNDS.	
Godavery	Coringa	1,50,000	8,800	1,41,200	Boats are easily procurable. Boats are easily obtainable at the first four Ports; and at Bingsinipalli they can be procured from the neighbouring Ports.
Nellore	Iskapalli	49,000	.....	49,000	
	Varini	90,000	.....	90,000	
	Kistnapatnam	60,000	.....	60,000	
	Pakala	20,807-20 Srs	.....	20,807-20 Srs.	
	Bingsinipalli	6,969	.....	6,969	
Tanjore	Kattumavadi	1,00,000	.....	1,00,000	Boats are procurable in each of the Ports.
	Negapatam	10,909	1,560	9,349	
	Naidavasal	50,000	.....	50,000	
Madura	Kelakarai	51,600	.....	51,600	
	Davi Pattanum	72,000	.....	72,000	
Madras	Thondy	89,520	.....	89,520	
	Madras	2,00,335	1,57,859	42,476	
	Ennore	1,35,090	65,458	69,632	
	Covelong	92,268	48,099	44,169	
	Total	11,78,408-20 Srs.	2,82,076	8,95,822-20 Srs.	

N. B.—Salt for export will be supplied by Government at the rate of 15 Rupees per 100 Indian Maunds, which includes charges of Shipment, except at the Port of Madras, where the Salt will be delivered on the beach.

Revenue Board Office, Chepauk, 26th May 1863.

R. A. DALYELL,  
Sub-Secretary.

PUBLISHED for general information,

By Order of the Board of Revenue,

FORT WILLIAM,  
The 15th June 1863. }

H. L. DAMPIER,  
Secretary.

Opium Notification.

NOTICE is hereby given, that the seventh sale of Opium, the provision of 1861-62, will be held at the Exchange Hall on Thursday, the 9th of July 1863, at 11 A. M., and will comprize 3,300 Chests, viz.,—

Behar Opium	...	1,360
Benares Opium	...	1,440
<b>Total Chests</b>	...	<b>3,300</b>

2. The general Conditions of the sale now advertized will be the same as usual; they may be ascertained by reference to the Notification issued on the 8th November 1862, and published in the Government and Exchange Gazettes, or on application at the Office of the Board of Revenue.

3. The latest mode for deposit and clearance will be the 14th and 15th July 1863 respectively, that is to say, the Bank of Bengal Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by Purchasers in the Sale Room, will be received after 4 P. M. of Tuesday, the 14th July 1863, and no Bank of Bengal Receipts in full payment of lots will be

accepted after 4 P. M. of Friday, the 24th July 1863.

4. In addition to the quantity, above advertized for sale the following quantities, more or less, of Behar and Benares Opium of 1861-62, will be brought to sale in the present year on or about the dates specified below. The Board, however, reserve to themselves the right of altering these dates should circumstances render it expedient to do so:—

		Behar about Chests.	Benares about Chests.	Total about Chests.
On or about Monday,	10th Aug. 1863.	1,860	1,440	3,300
" " Monday,	7th Sept. "	1,860	1,440	3,300
" " Monday,	5th Oct. "	1,860	1,440	3,300
" " Monday,	9th Nov. "	1,860	1,440	3,300
" " Monday,	7th Dec. "	1,858	1,464	3,317
<b>Total</b>	...	<b>9,298</b>	<b>7,224</b>	<b>16,517</b>

By Order of the Board of Revenue,

R. B. CHAPMAN,  
Junior Secretary.

FORT WILLIAM,  
The 5th June 1863. }

**Vacancies in Behar, North-West Division.**

Deputy Inspectors, Salary Rupees 150 and Rupees 100.

Candidates must be English, Urdu, and Hindi Scholars, and Entrance Certificate Holders.

*Teacherships in the Patna College.*

Second Master (English Literature) ... Salary Rs. 200  
 An Anglo Urdu Teacher ... " " 150  
 A Junior Ditto ... " " 80  
 A Teacher of Mathematics ... " " 100  
 A Junior Ditto (with a knowledge of Urdu) ... " " 60

Apply to the Director of Public Instruction, Bengal, or to the Inspector of Schools, North-West Division, at Patna.

S. W. FALLON, M. A., P. L. D.,  
 Inspector of Schools, N. W. Dn.

PATNA,  
 The 13th June 1863.

No. 746.

**Notice**

Is hereby given, that from and after the 1st July next the Pykarry System and Sales from Government Retail Golahs within the Jellalore Division will be abolished. On and after the above date the Salt trade is open entirely to the Public, and Salt may be introduced under Rowannah into all the following Chowkies:—

Contai.	Sibpore.
Bahiree.	Tickra.
Errinch.	Govindpore.
Chowmook.	Calcapore.
Puttaspore.	Jellalore
Khutnuggur.	and
Agrachour.	Dantoon.

A. ELLIOT,  
 Offg. Controller.

Office of Controller of }  
 Govt. Salt Chowkeys, }  
 The 8th June 1863.

**ADVERTISEMENT OF SALE.**

NOTICE is hereby given, that the Zemindarry right of Government to the Khas Mehal situated in the District of Moorshedabad, and mentioned in the Statement herewith annexed, will be put up to sale, under orders of the Board of Revenue, dated 21st April 1863, in the Moorshedabad Collectorate, on Monday, the 29th June 1863, corresponding with the 16th Assar 1270 B. S.

**CONDITIONS OF SALE.**

1st.—The Estate to be sold, with the Sudder Jumma given below, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jumma bundee made by the Revenue Authorities.

3rd.—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government and the sale to be cancelled if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will again be put up to sale at the risk of the former Purchaser.

5th.—In addition to the ordinary Sudder Jumma fixed on the Estate Purchasers will be bound to pay an annual sum calculated at one per cent. on the Sudder Jumma, to be devoted to the construction of roads and improvement of communications. This sum will be leviable in the same manner as other arrears of Revenue.

Number.	Towjee Number.	Name of Mehal and Pergunnah.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
1	563	Chur Pooraparah, Pergunnah Koourpurtap	B. C. C. 300 2 4	Rs. As. P. 92 5 6	Rs. As. P. 184 11 0	

MOORSHEDABAD;  
 Collector's Office,  
 The 12th June 1863.

COLIN MACKENZIE,  
 Officiating Collector.

[ 1761 ]

**ADVERTISEMENT OF SALE.**

NOTICE is hereby given, that the Zemindary right of Government to the several Khass Mehals, named in the list herewith annexed, in the District of Mymensing, will be sold by Public Auction at the Collector's Office, on Wednesday, the 15th July 1863, or 32nd Aushar 1270, B. S. Sale to commence at noon and the Mehals to be sold in the order in which they stand. The Purchasers of such Mehals will be subject to the Conditions laid down below:—

**CONDITIONS OF SALE.**

1st.—Estates to be sold, with the Sudder Jummas as entered against each below, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jumrabundee made by the Revenue Authorities.

3rd.—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government and the sale cancelled if the whole amount of purchase money be not paid by noon of the fifteenth day after the sale, reckoning the day of sale as one, and the Mehal will be again put up for sale at the risk of the former Purchaser.

5th.—Under the Board's Circular, No. 17 of the 28th February 1862, Purchasers shall be bound to pay for the construction of roads and improvement of communications one per cent. on the Sudder Jumma assessed from the date of entry upon their purchase. This sum will be realizable in the same manner as other arrears of Revenue.

*List.*

Number.	Number of Towjee.	Names of Mehals.	Area.	Sudder Jumma.			Road Cess.			Total Sudder Jumma.			Upset Price.		
				B.	C.	C.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
3	5008	Talook Sreenarain Sircar, Tuppeh Hajradee ...	94 12 0	32	0	0	0	6	0	32	6	0	64	12	0
13	5043	Talook Ramsunker Dutt, Tuppeh Hajradee ...	19 4 7	8	8	9	0	2	0	8	10	9	17	5	6
14	5040	Talook Ramsunker Dutt, Tuppeh Hajradee ...	44 0 9	18	11	3	0	3	0	18	14	3	37	12	6
21	4996	Talook Ram Bhuder Roy, Tuppeh Hajradee ...	129 1 12	18	4	0	0	3	0	18	7	0	36	1	0
22	4997	Talook Nursing Ramgopal, Tuppeh Hajradee ...	339 17 4	102	0	0	1	0	0	103	0	0	206	0	0
23	4985	Talook Munsoor Khan, Tuppeh Hajradee ...	15 17 0	4	8	0	0	1	0	4	9	0	9	2	0
40	5380	Talook Sher Khan, Kismut Pawun, Pergunnah Zeinshye ...	1,625 16 8	201	1	0	2	0	0	203	1	0	406	2	0
42	4960	Talook Koonj Sirdar, Pergunnah Zeinshye ...	26 17 2	58	8	6	0	10	0	59	2	6	118	5	0
45	4983	Kismut Ghoradhura, in Pergunnah Zeinshye ...	156 12 15	28	1	6	0	5	0	28	6	6	56	13	0
47	4964	Talook Gopeenauth Paramanik, Tuppeh Luteebpore ...	69 5 0	42	5	0	0	7	0	42	12	0	85	8	0

Mymensing, Collector's Office, 7  
The 23rd May 1863.

W. H. HANDESON,  
Collector.



**ADVERTISEMENT OF SALE.**

NOTICE is hereby given, that the Zemindary right of Government to the several Khas Mehals situated in the District of Bhaugulpore, and mentioned in the Statement hereunto annexed, will be put up to sale, under orders of the Board of Revenue, No. 53, dated 21st April 1863, and Commissioner's No. 1032, dated 24th April 1863, at the Bhaugulpore Collectorate, on Monday, the 29th June 1863, corresponding with the 28th Assar 1270 F. S.

The Purchasers of such Mehals will be subject to the Conditions laid down below:—

**CONDITIONS OF SALE.**

1st.—Estates to be sold, with the Sudder Jumma entered in the annexed Statement against each Mehal, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government and the sale cancelled if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will again be put up for sale at the risk of the former Purchaser.

5th.—The Purchaser will, in addition to the Sudder Jumma of the Estate, be bound to pay one per cent. for the construction of roads and improvement of communications.

Number.	Number of Towjee.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
1	8042	Gird Line <sup>2</sup> Thannah Kherhee, Pergunnah Kherhee ...	65 19 19	*15 2 5	80 4 10	* This includes 2 annas 5 pie one per cent. Road Fund.
2	2577	Amanut Sircar Thannah Chichroun in Ruseedpoor, &c. Pergunnah Jehangirah ...	1,304 0 9½	†126 4 0	252 8 0	† This includes 1 Rupee 4 annas one per cent. Road Fund.
3	1057	Jageer of Munno Loll Naik, Thannah Augarpoor, Pergunnah Bhaugulpore ...	25 0 0	‡33 5 3	66 10 6	‡ This includes 5 annas 3 pie one per cent. Road Fund.

H. MADOCKS,

Collector.

BHAUGULPORE;  
Collector's Office,  
The 21st May 1863.

**ADVERTISEMENT OF SALE.**

NOTICE is hereby given, that the Zemindary right of Government to the undermentioned Khas Mehals, situated in the District of Patna, and mentioned in the Statement hereunto annexed, will be put up to sale, under orders of the Board of Revenue, Lower Provinces, No. 68, dated 23rd May 1863, in the Patna Collectorate, on Tuesday, the 23rd June 1863, corresponding with 22nd Assar 1270 F. S.

The Purchaser of such Mehal will be subject to the Conditions laid down below:—

**CONDITIONS OF SALE.**

1st.—Estates to be sold, with the Sudder Jumma entered against each below, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—If the amount of the purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will again be put up for sale at the risk of the former purchaser.

5th.—Under the Board's Circular Order No. 17, dated 28th February 1862, Purchasers shall be bound to pay for the construction of roads and improvement of communication one per cent. on the total Sudder Jumma assessed from the date of entry upon their purchase. This sum will be leviable in the same manner as other arrears of Revenue.

Number of Statement.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	SUDDER JUMMA.			Upset Price.
				Jumma assessed.	Road Cess.	Total Sudder Jumma.	
			B. K. G. C.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
109	51	One-fourth of Mouzah Birthoo, Pergunnah Tilhara	169 3 10 5	450 0 0	4 8 0	454 8 0	909 0 0
116	289	Lodespore Omnar, Pergunnah Tilhara	115 3 13 5	356 8 0	3 8 0	360 0 0	720 0 0

PATNA COLLECTORATE,  
The 26th May 1863.

H. ALEXANDER,  
Collector.

### ADVERTISEMENT OF SALE

NOTICE is hereby given, that the Zemindary right of Government to the undermentioned Khas Mehal, situated in the District of Furreedpore, will be put up to sale, under order of the Board of Revenue No. 51 of the 1st May 1863, in the Furreedpore Collectorate, on Tuesday, the 30th of June 1863, corresponding with 17th Assar 1270 B. S.

The Purchase of the Mehal will be subject to the Conditions laid down below:—

#### CONDITIONS OF SALE.

1st.—The Estate to be sold, with the Sudder Jumma entered against it below, to the highest bidder above the upset price.

2nd.—The sale to be subject to existing leases, and to the right conferred by the Settlement proceedings and laws in force, and Purchaser to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—If the purchase money do not exceed Rupees 100, the whole amount to be paid down at once.

4th.—If the amount of purchase money exceed Rupees 100, a deposit to be made at once of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government, and the sale cancelled, if the whole amount of purchase money be not paid by noon of the fifteenth day after the sale, reckoning the day of sale as one, and the Mehal will again be put up for sale at the risk of the former Purchaser.

5th.—The Purchaser will be bound to pay an additional sum of one per cent. on the Sudder Jumma for construction of roads and improvement of communications. This sum will be levied by the same process as other arrears of Revenue on the Estate.

Number.	Towjee Number.	Name of Mehal and Pergunnah.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
94	381	Jugura Bhatachur, third portion, Pergunnah Nuseebshye.	1211 11 10	Rs. As. P. 148 0 0	Rs. As. P. 296 0 0	The term of the existing lease extends to the 30th of April 1867.

PATNA COLLECTORATE,  
The 1st May 1863.

L. R. TOTTENHAM,  
Collector.

[ 1764 ]

No. 1.

**Commissariat Notice.**

SEALED Tenders will be received by the Commissariat Officer at Dinapore and Hazareebaugh up to 4 P. M. of the 1st July 1863, and opened by him at his Office at noon on the following day in the presence of all parties who may be pleased to attend for the supply, by Contract, of the Articles specified in the subjoined Schedule.

- II. No Tenders will be received except on forms obtainable from the Executive Officer.
- III. Tenders are to be superscribed with "Tenders for
- IV. Tenders offered after the hour named in this Advertisement will be refused.
- V. Tendering parties must lodge with their Tenders the requisite Earnest Money by Treasury Receipt or Government Promissary Note.
- VI. Parties may tender for each and any of the Station separately or otherwise.
- VII. Separate Tenders must be furnished for the Articles under each class.

**SCHEDULE.**

No. of Tenders separately invited.	Name of the Article.	Period for which Contract is invited.	Aggregate Quantity probably deliverable during the Contract.	Where and to whom Article is deliverable.	Instalments deliverable, and specific time of delivery.	Amount of Earnest Money.	Security to be deposited for Contract.	Quality of Supply.	REMARKS.
1	Bread ...	From 1st August 1863 to 30th April 1864.	276,760 lbs.	Dinapore. To Commanding and Medical Officers.	At half an hour before sunrise daily according to daily ration indents, which will be furnished previous evening.	500 Rupees.	At 10 per cent on probable annual outlay.	First sort as used by Officers in their Messes.	

DINAPORE EXECUTIVE COMMISSARIAT OFFICE,  
The 9th June 1863.

S. CHALMERS, Esq.,  
Deputy Assistant Commissary General.

Statement of the Affairs of the Bank of Bengal for the Week ending 17th June 1863.

LIABILITIES		ASSETS	
Government Capital paid up	1,09,90,909 0 0	Government Securities, Investment No. 1	7,16,948 8 0
Reserve Fund	16,68,435 5 0	Loans on Government Securities at Head Office and Branches	89,54,573 0 0
Current Reserve	3,17,40,001 9 2	Accounts of Credit on ditto	6,01,410 6 2
Profit and Loss	4,19,564 7 1	Mercantile Bills discounted at ditto	90,53,646 13 6
		Dead Stock	2,43,844 6 8
Chief Cashier at Head Office and Branches	1,94,38,900 0 0	Banker's Balances	9,478 10 0
Bank of Bengal, Calcutta	2,51,787 9 6	Sundries	3,30,409 8 7
Bank of Bengal, Dacca	44,15,584 0 0		2,19,928 10 8
Bank of Bengal, Chittagong	9,89,058 0 0		1,93,87,830 0 1
		Treasury Reserve in Coin at Head Office	1,23,59,588 2 0
		Ditto at Branches	27,85,725 7 1
		Ditto invested in Government Securities and claims against Government	85,12,970 0 0
		Bank's Reserve in Notes at Head Office	41,52,362 11 7
		Ditto in Silver	13,34,000 0 0
		Ditto in Notes at Branches	26,01,790 11 16
		Ditto in Silver	
			1,09,01,003 7 6
			39,36,790 11 10
			5,94,91,656 9 8

By Order of the Directors,  
GEO. DICKSON,  
Secretary and Treasurer.

D. Woods,  
Chief Accountant and Deputy Secretary.

To BE SOLD, pursuant to a Decree of the late Supreme Court, dated 16th May 1859, in a cause of *Bameocomar Coondoo versus Boli Chund Sing*, with the approbation of the Master of the High Court, on a day to be hereinafter named, the right, title, and interest of *Hurris Chunder Sing*, deceased, in the following properties, that is to say,—

No. 1.—A one anna and six pie share in the family dwelling-house and land situate at *Burranssy Ghose's Street*, Calcutta, being an undivided moiety of 1 biggah, 4 cottahs, 12 chittacks allotted to the share of *Boli Chund Sing* under a partition between the parties entitled to the dwelling-house, and which thereabouts is bounded on the East by the properties of the said *Boli Chund Sing*, *Bindabun Coondoo*, *Khettermohun Coondoo*, and *Shait Chunder Paul*; on the West by the property allotted to the said *Sreekissen Sing*.

Also a one anna and six pie share of the said *Hurris Chunder Sing* in a piece of land at *Jorasanko*, opposite to the lastmentioned family dwelling-house, being an undivided moiety of 2 cottahs, 3 chittacks, 9 feet, more or less, allotted to the share of *Boli Chund Sing* under the said family partition, and which lastmentioned piece of land is bounded on the North and East by *Burranssy Ghose's Street*; on the South by property of *Hurris Chunder Ghose*; and on the West by the portion awarded to *Sreekissen Sing*.

No. 2.—Also a two annas share of the said *Hurris Chunder Sing*, a piece of tenanted land No. 29, called *Gylaparrah*, in *Bulloram Day's Street*, *Jorasanko*, Calcutta, containing by estimation two biggahs, more or less, and bounded on the North by the tenanted land of *Kallypersaud Ghose*; on the West partly by the tenanted land of *Kistomohun Sing* and partly by the premises belonging to different other parties; on the North by *Bulloram Day's Street*; and on the East by the tenanted land of *Kallypersaud Ghose*.

No. 3.—Also a two annas share of the said *Hurris Chunder Sing* in a tenanted house No. 32, with a piece of land thereto belonging, containing by estimation three cottahs, more or less, situate at *Chasadhophaparra Street*, Calcutta, and bounded on the East by the family dwelling-house of *Kissore Paul*; on the North by the house and premises of *Khettermohun Sett*; on the West by a Lane there; and on the South by *Chasadhophaparra Street*.

No. 4.—Also a two annas share in a piece of tenanted land called *Chota Bagan*, situate at *Boloaree*, in *Twenty-four Pergunnahs*, containing by estimation three biggahs, more or less, and bounded on the East by the dwelling-house and land of *Bonomally Mundle* and *Kally Kisto Mundle*; on the North by the dwelling-house and land of *Issur Chunder Ghose*; on the West by the family dwelling-house and land of *Sumboo Chunder Seekdar*; and on the South by waste land and the family dwelling-house of *Nobin Boystolee*.

Further particulars may be had at the Office of *Mr. T. Owen*, Old Post Office Street, Calcutta, or in the Office of the Master of the High Court.

JOSEPH GOODEVE,  
Master.

HIGH COURT;  
Master's Office,  
The 12th June 1863.

T. OWEN,  
Defendant's Attorney.



**Wanted**

A WRITER and Sherishtadar for the Abkaree Department. The Applicant must be well versed in the English and Persian languages and possess Testimonials to character and qualifications. Salary Rupees 30. Rupees 5,000 security required.

J. S. DRUMMOND,  
*Officiating Collector.*

BEHAR COLLECTORSHIP;  
*Gya,*  
The 1st June 1863.

*Court for the Relief of Insolvent Debtors at Calcutta.*

In the matter of Ezekiel } On Saturday, the 6th  
Joshua Gubboy, an In- } day of June instant, it  
solvent. } was ordered that Satur-  
day, the 1st day of August next, be appointed for the further hearing of this matter, that unless cause be shewn to the contrary on that day, the said Insolvent be discharged personally as well as to his after acquired property from all liability for debts, claims, and demands of and against the said Insolvent at the time of the filing of his petition for relief.

*Carapiet, Attorney.*

In the matter of John } On Saturday, the 6th  
Aram Michael, an In- } day of June instant, it  
solvent. } was ordered that Satur-  
day, the 1st day of August next, be appointed for the further hearing of this matter, that unless cause be shewn to the contrary on that day, the said Insolvent be discharged personally as well as to his after acquired property from the demands of all the creditors following, whose names are inserted in this Order *Nisi*, that is to say, Baboo Rajkissen Mitter, Mr. George Peters, Baneymadub Roy, Mr. C. G. M. Shircore, Ramchunder Banerjee, Messrs. J. M. Edmond and Company, Messrs. Dunn and Company, Messrs. Burkinyoung and Company, Messrs. Mackenzie, Lyall and Company, Messrs. Badham Brothers, Messrs. Sib Chunder Dutt and Company, A. Luddy, S. Y. Gubboy, E. J. Ezra, Messrs. Samuel Smith, Sons and Company, Mr. J. C. Michael, Baneymadub Roy, William Anderson, and C. A. Vertannes, and Baboo Issenchunder Sain.

*Strong, Attorney.*

*Chief Clerk's Office, the 16th June 1863.*

In the matter of Bhoy- } Notice, that the peti-  
rubchunder Chucker- } tion of the said Insol-  
butty, of Hautcollah, in } vent, seeking the benefit  
Calcutta, Broker, an } of the Act. XI. Vic., cap.  
Insolvent. } XXI., was filed in the  
Office of the Chief Clerk on the 16th day of June instant, and by an order of the same date the Estate and Effects of the said Insolvent were vested in the Official Assignee.

*Gillanders, Attorney.*

In the matter of Bhoy- } On Tuesday, the 16th  
rubchunder Chucker- } day of June instant, it  
butty, of Hautcollah, in } was ordered that the  
Calcutta, Broker, an In- } matters of the petition  
solvent. } of the said Insolvent be  
heard on Saturday, the 1st day of August next, and that the said Insolvent do then attend to be examined before the said Court.

*Gillanders, Attorney.*

In the matter of Joseph Willis, late of Garden Reach, but now residing at Pollock Street, in Calcutta, Merchant and Agent, carrying on trade and business at Pollock Street aforesaid under the style and firm of Willis and Earle, an Insolvent. Notice, that the petition of the said Insolvent, seeking the benefit of the Act XI. Vic., cap. XXI., was filed in the Office of the Chief Clerk on the 17th day of June instant, and by an order of the same date the Estate and Effects of the said Insolvent were vested in the Official Assignee.

*Paliologus, Attorney.*

In the matter of Choo- } On Saturday, the 6th  
neyloll Nundy, an In- } day of June instant, it  
solvent. } was ordered that the  
hearing of this matter do stand adjourned until Saturday, the 1st day of August next, and that the said Insolvent do then attend to be examined before the said Court; and it was also ordered that, in lieu of personal service of this order on Mettydoss Doss, Bhagbutt Day, and Jeynarain Doss, respectively, Creditors of the said Insolvent, copies of this Order in the English and Bengallee languages be posted up in the Lower Verandah of the High Court of Judicature at Fort William in Bengal, at the gate of the Calcutta Exchange, and of the Custom House, China Bazar, and Burra Bazar.

*Pearson, Attorney.*

*Chief Clerk's Office, the 19th June 1863.*

**Notice.**

**SALE OF WASTE LANDS.**

NOTICE is hereby given, that a Lot of waste land, consisting of about 335 acres, situated in Zillah Durrung, and bounded as shewn at the foot of this Notice, having been applied for under the Notification of the Government of Bengal, dated 30th August 1862, and the Circular Order of the Board of Revenue, Lower Provinces, No. 63, dated 14th October 1862, it will be put up to sale by Auction to the highest bidder, above the upset price of Rupees 2-8 an acre, on the 2nd day of October 1863, at the Office of the Collector of Durrung. The sale will be made in the manner and subject to the conditions prescribed by the Government Order and Circular Order above cited.

T. LAMB, *Captain,*  
*Deputy Commissioner.*

**BOUNDARIES OF THE LOT.**

On the North by Koleoree tree.  
On the South by Amora tree.  
On the East by cultivated land of the Village.  
On the West Ravine.

**Notice.**

A VALUABLE MEHAL TO BE LET OUT IN PUTNEE.

MEHAL Parpoogee, in Pergunnah Shall Baree, of Zillah Dinagepore, No. 401, belonging to the Moharanees of Bardwan, will be let out in Putnee at an annual Jumma of not less than Rupees 4,072, and on the payment of an adequate pun or bonus. Parties desirous of taking it are requested to forward their applications to the Rajbaree of Burdwan on or before the 3rd July 1863 (20th Assar 1270), stating the Jumma and Pun they would give.

The Sudder Jumma of the Mehal is Rupees 2,071-4-9 $\frac{1}{2}$ , payable at the Dinagepore Collectorate.

BURDWAN RAJBAREE, }  
The 12th June 1863. }

**Notice.**

MR. ALEXANDER GRIGOR has been appointed Sub-Manager and Accountant at this Branch, and is authorized to sign for the Bank in that capacity.

By Order of the Directors,

W. H. FULLER,  
Manager,  
Calcutta Branch.

BANK OF HINDUSTAN, CHINA,  
AND JAPAN "LIMITED," }  
4, Hastings' Street,  
The 16th June 1863. }

**Bengal Printing Company "Limited."**

THE Seventh Half-yearly General Meeting of the Shareholders will take place at the Office of the Company, No. 9, Hastings' Street, Colvin's Ghaut, on Tuesday, the 30th June 1863, at 4 o'clock in the afternoon.

By Order of the Directors,

Geo. F. COPLEY,  
Secretary.

CALCUTTA, }  
The 15th June 1863. }

**Notice.**

IN consequence of the death of MR. G. WALLACE, JUNIOR, a Member of our Firm, his interest and responsibility ceased on 30th April last. We request that all claims against us up to the 31st of this month be forthwith presented for payment; and all persons indebted to our Firm are required to settle their accounts without further notice.

GIBSON, WALLACE AND CO.

CALCUTTA, }  
The 31st May 1863. }

**Notice**

THE undersigned will, from and after this date, conduct their business under the style and name of "GIBSON AND CO."

GIBSON, WALLACE AND CO.

**Baug Bazar Screw Company  
"Limited."**

NOTICE is hereby given, that an Extraordinary General Meeting of the Shareholders of the above Company will be held at 3 P. M. in this Office on Tuesday, August 18th, for the purpose of receiving the final Accounts prior to the dissolution of the Company.

JOHN BORRADAILE & Co.,  
Secretaries.

3, PATRIE PLACE, }  
The 17th June 1863. }

**Central Assam Tea Company, "Limited."**

NOTICE.

AN Extraordinary General Meeting of Shareholders will be held at noon on Tuesday, the 25th of August next, when the substitution of the following Clauses, in lieu of those bearing the like numbers in the present Articles of Association, will be proposed, viz.,—

Clause 10. It shall be lawful for the Directors from time to time to borrow on loan for the purposes of the Company in such manner as they may think fit, provided that the aggregate amount so borrowed shall not at any one time exceed in amount one-fourth of the paid-up Capital.

Clause 24. The future management of the Company shall be by a Board of Directors composed of not more than seven nor less than five Directors, each of whom shall always be the registered proprietor of not less than twenty shares in the Company; and three Directors shall form a quorum, and all acts and proceedings of such quorum shall be considered to be the acts and proceedings of the Directors or Board of Directors, and shall be binding on the Company and on every individual Shareholder. In the event of an even number of Directors being present at any Board Meeting, and the votes on any question before such Meeting being equal, the Chairman shall be entitled to give a casting vote in addition to his own vote as a Director.

Clause 38. Not less than ten days' notice of every Half-yearly Ordinary General Meeting, and one calendar month's notice of every Extraordinary General Meeting, shall be given in one or more of the daily Calcutta Newspapers, and every notice for convening any Meeting of the Company shall be published on four several days at least in such papers.

Clause 39. Every Shareholder shall have one vote for every share up to ten. He shall have an additional vote for every two shares beyond the first ten shares up to one hundred, and an additional vote for every five shares held by him beyond the first hundred shares. In the event of an even number of Shareholders being present at any General Meeting, and the votes on any question before such Meeting being equal, the Chairman shall be entitled to give a casting vote in addition to his own vote as a Shareholder.

Clause 47. Twice in every year the Directors shall lay before the Company in General Meeting a Statement of the Income and Expenditure for the half-year made up to the 31st day of October and 30th day of April in each year, a Balance Sheet shewing the Assets and Liabilities, and a Statement of Profit and Loss.

By Order of the Board of Directors,

J. H. ALLEN,  
Managing Director and Secretary.  
Calcutta, May 18th, 1863.

**Notice.**

If the Heir-at law of Henry Michael Corney, a native of Holland, and late of Howrah, in the Suburbs of Calcutta, deceased, who came out from Australia some time in the year one thousand eight hundred and fifty-nine as a Ship's Carpenter, and who was lately employed in one of the Dock Yards at Howrah, will communicate with the undersigned, he will hear of something to his advantage.

JOHN R. SHIRCORE,  
*Solicitor.*

1, *Fancy Lane* ; }  
CALCUTTA, }  
The 3rd June 1863. }

**H. Dear & Co.,**

TIMBER MERCHANTS.

THE above Firm is prepared to undertake the supply of Sleepers or Timber to Railway Companies or other parties.

For the last 11 years the Firm has successfully carried out very heavy engagements with the East Indian Railway Company, as also with the Government of India, and has still extensive Contracts with both for Timber and Sleepers.

H. DEAR & Co.

MONGHYR, }  
The 27th January 1863. }

**Stolen.**

THE Government of India Note (No. 16468) for Rupees 50, posted in the Durbungah Post Office under cover of a registered letter addressed to Baboo Pran Nath Mullick, Joyrampore, *via* Neeschundipore Post Office, Nuddea.

KASSY CHUNDER MOOKERJEE.

**Lost.**

THE Right half of a Currency Note, No.  $\frac{A}{11}$  08617, for Rupees 50.

**Postal Notice.**

UNDER instructions received from Her Majesty's Post-Master General Letters sent *via* Marseilles from India, Penang, and Singapore to the United Kingdom will be subject, from the 15th proximo, to the following rates of postage, *viz.*—

Sent to the United Kingdom <i>via</i> Marseilles from	Not exceeding $\frac{1}{2}$ oz. in weight.	Above $\frac{1}{2}$ oz. and not exceeding 1 oz.	Above 1 oz. and not exceeding 2 ozs.	Above 2 ozs. and not exceeding 2 ozs.	Every oz. after the first.
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
India .....	0 6 8	0 13 4	1 10 8	3 5 4	0 13 4
Penang ... } Singapore ... }	0 10 8	1 5 4	2 10 8	5 5 4	1 5 4

The alteration consists of the abolition of the present rate of French postage (3*d.* per quarter ounce) and the substitution of a rate of 4*d.* per half ounce, the English postage (6*d.* per half ounce) remaining as at present.

A. M. MONTEATH,

*In charge of the Office of the  
Director-General of the Post Office of India.*

CALCUTTA, }  
The 19th June 1863. }

**NOTICES issued by the  
POST-MASTER of CALCUTTA.**

No. 308.

*The 12th June 1863.*—Notice is hereby given, that the Mails for Singapore and Hong-Kong, for transmission per Steamer *Thunder*, will be closed at this Office on Saturday, the 20th instant, at 6 P. M.

No. 311.

*The 15th June 1863.*—The Overland Mail per Steamer *Bengal* will be closed on Monday, the 22nd instant, at 6 P. M.

Letters for Madras, Ceylon, the Straits, China, Mauritius, and Australia, can be sent by this opportunity.

Postage.	Weigh	Via Marseilles.			Via Southampton.		
		Rs.	As.	P.	Rs.	As.	P.
}	Under $\frac{1}{4}$ Ounce	0	6	0	0	4	0
	" $\frac{1}{2}$ "	0	8	0	0	8	0
	" $\frac{3}{4}$ "	0	14	0	0	8	0
	" 1 "	1	0	0	1	0	0
" 2 "	2	0	0	1	0	0	

No. 312.

*The 15th June 1863.*—The Post-Master begs to inform the Public that the Overland Express Packet of the 1st instant and the safe Dak of the 31st ultimo arrived at Bombay in time for the Overland Steamer.

No. 314.

*The 17th June 1863.*—Notice is hereby given, that in consequence of the departure of the Steamer *Penang* having been postponed the Mails for Bimlipatam, Coconada, Masulipatam, and Madras will be closed at this Office on Monday, the 22nd instant, at 6 P. M.

No. 315.

*The 17th June 1863.*—Notice is hereby given, that the Mails for Port Blair, for transmission per Steamer *Arracan*, will be closed at this Office on Wednesday, the 24th instant, at 6 P. M.

No. 316.

*The 18th June 1863.*—Notice is hereby given, that the Mails for Gallee and Bombay, for transmission per Peninsular and Oriental Company's Steamer *Orissa*, will be closed at this Office on Saturday, the 20th instant, at 6 P. M.

No. 317.

*The 19th June 1863.*—Mail Packets for the Overland Mail which leaves Bombay on the 9th July will be closed at this Office at 5 P. M. on Sunday, the 28th instant, *via* Marseilles only.

Letters and Papers for transmission *via* Bombay will be received up to 6 P. M. on every day prior to the 28th, and Inland Postage to Bombay must be prepaid in Stamps on Letters sent by this opportunity to places in Egypt and to Countries in Foreign Europe *via* Trieste

**RATES OF POSTAGE.**

				Rs.	As.	P.
Under $\frac{1}{4}$ Ounce	..	..	..	0	6	0
" $\frac{1}{2}$ "	..	..	..	0	8	0
" $\frac{3}{4}$ "	..	..	..	0	14	0
" 1 "	..	..	..	1	0	0

No. 318.

*The 19th June 1863.*—The Public are informed that an Express Packet to the extent of 200 Ounces will be sent to Bombay on Monday, the 29th instant, and Letters will be received up to 6 P. M. of the same day.

Each Firm or Individual will be allowed to send Letters up to one Ounce in weight, and the Express Postage must be paid in Cash at the Window at one Rupee for  $\frac{1}{4}$  of an Ounce in addition to the Steamer Postage paid by Stamps.

No. 319.

*The 19th June 1863.*—An After-Packet per Steamer *Bengal* will be kept open at this Office till 3 P. M. of the 23rd instant.





APPENDIX TO  
**The Calcutta Gazette.**

SATURDAY, JUNE 20, 1863.

LAND SALE NOTICE.

NOTICE is hereby given, under Section VI., Act XI. of 1859, that the undermentioned Estates, in Zillah Behar, will be put up to public and unreserved Sale, at the Collector's Office of that District on the 7th day of July 1863, for arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as arrears of Revenue due on the 8th day of June 1863:—

*Class II.—Temporary-settled Estates.*

No. 2267.—Mehal Hurnarampoor, Pergunnah Putehrookhee; recorded Proprietors Mussamut Amcerun, Mussamut Lutefa, Himmur Ali Kabizan Dodraj Sing, Ijaradar of the share of Tarnee Sing and Bakur Ali Khan, Zurpeshgheedar; Sudder Jumma Rupees 543.

*Class IV.—Estates to be sold on account of demands realizable in the same manner as arrears of Revenue.*

No. 2604.—Mehal Sindhaneh and Pergunnah Roh; recorded Proprietors Oomadhur Bhut, Sukharan Bhut, Nunkooram Bhut, selves and Guardians of Deokissoon Bhut, Mitterdeo Bhut, Bhurrit Sing, Resal Sing, Gunesh Sing, Dummur Sing, Loka Roy, Rewa Sing, Gosyn Lutchmeenarain Pooree, and Thanoo Sow; Sudder Jumma Rupees 1,249-8. The rights and interests of Sukharan Bhut, decree debtor, will alone be sold to recover the amount due to Mussamut Koondua Kooer, decree-holder.

*Class I.—Permanently-settled Estates.*

No. 3192.—Mehal Ooprawan, Pergunnah Sunay; recorded Proprietors Sreekunt Sing and Bistoom Churn Sing, Malekan and Malgoozaran; Sudder Jumma Rupees 1,174-6-0.

*Class IV.—Estates to be sold on account of demands realizable in the same manner as arrears of Revenue.*

No. 4602.—Mehal Ukree Panday Bigha, &c., Pergunnah Nurhut; recorded Proprietors Mirza Enact Hossain Khan, Mokurreedar of Singhowl Mai Nusseebun, Dhono, Malikan and Mokurreedaran of Ukree Pandey Bigha; Sudder Jumma Rupees 770-2. The rights and interests of Syud Sooltan Ali, Syud Furzund Ali, and Syud Furhut Ali, heirs of Mussamut Nusseebun, deceased, will alone be sold to recover the amount decreed due to Boodhoo Sing, Dabee Sing, Komul Sing, and Secba Sing, decree-holders.

BEHAR COLLECTORATE; }  
Gya, }  
The 16th June 1863. }

J. S. DRUMMOND,

Officiating Collector



# The Calcutta Gazette.

WEDNESDAY, JUNE 24, 1863.

Government of Bengal.

LEGISLATIVE DEPARTMENT.

THE following Act of the Lieutenant-Governor of Bengal in Council received the assent of His Honor on the 18th May 1863, and having been assented to by His Excellency the Governor-General on the 12th June 1863, is hereby promulgated for general information:—

ACT No. VI of 1863.

*An Act to vest the property of the Town of Calcutta, and the management of its Municipal affairs, in a Corporation, and to make better provision for the Conservancy and Improvement of the Town, and for the levying of rates and taxes therein.*

WHEREAS it is expedient to vest the property of the Town of Calcutta, and the management of its Municipal affairs, in a Corporation, and to make better provision for the Conservancy and Improvement of the Town, and for the levying of rates and taxes therein: It is enacted as follows:

I. Act XIV of 1856 (*for the Conservancy and Improvement of the Towns of Calcutta, Madras, and Bombay*), and Act XXV of 1856 (*to comprise in one Act the provisions necessary for the assessment and collection of Municipal rates and taxes in the Towns of Calcutta, Madras, and Bombay*), so far as they relate to the Town of Calcutta; and Act XXVIII of 1856 (*for appointing Municipal Commissioners, and for levying rates and taxes in the town of Calcutta*)—are hereby repealed respectively, except so far as they repeal the whole, or any part of, any other Act, and except as to any assessment which shall have been made, or to any act or offence which shall have been done or committed, or to any fine or penalty which shall have been incurred, or to any money which shall have become due, or to any proceedings which shall have been commenced, before this Act shall come into operation. Any sum of money due, or which

may become due, under any or either of the said Acts, may be levied and recovered by the Justices under the provisions of this Act.

II. The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction:—

The word "Town" shall include all places within the local limits of the ordinary original civil jurisdiction of Her Majesty's High Court of Judicature at Fort William in Bengal.

The expression "The Justices" shall mean the Corporation of "The Justices of the Peace for the Town of Calcutta."

The word "Street" shall mean any road, street, square, court, alley, or passage, whether a thoroughfare or not, over which the public have a right of way, and also the roadway over any public bridge or causeway, within the Town.

The word "Land" shall include messuages, buildings, tenements, and hereditaments, of any tenure.

The word "Month" shall mean calendar month.

The word "Oath" shall include any affirmation or declaration lawfully substituted for an oath.

The word "Owner" shall mean the person for the time being, receiving the rent of the land or premises in connection with which the word is used, whether on his own account, or as agent, or trustee, for any other person; or who would so receive the same if such land or premises were let to a tenant. Provided that no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

" Person." The word " person " shall include any association or body of persons, whether incorporated or not.

Words importing the singular number shall include the plural number ; and words importing the plural number shall include the singular number.

Gender. Words importing the masculine gender shall include the feminine.

III. All Justices of the Peace for Bengal, Behar, and Orissa, resident in the Town of Calcutta, and all Justices of the Peace for the Town of Calcutta, shall, by the name of " The Justices of the Peace for the Town of Calcutta," be a body corporate and have perpetual succession and a common seal, and by such name shall sue and be sued.

IV. All lands, buildings, works, and hereditaments, utensils, materials, books, plans, maps, papers, effects, monies, securities, and other property, moveable and immoveable, of what nature or kind soever, and all interest therein, whether vested, contingent, or in remainder, which shall, on the 1st day of July 1863, be vested in, or held in trust for, the Municipal Commissioners appointed under the said Act XXVIII of 1856, or which would have been vested in, or held in trust for, such Municipal Commissioners but for the passing of this Act, and all such estate and interest of and in the same respectively, as shall then be or would have been in, or in trust for, the said Municipal Commissioners or any of them, with all rights of way and other rights and easements now used and enjoyed by the said Municipal Commissioners, shall, on and from the date when this Act comes into operation, be vested in the Justices : and all persons who shall then owe any money to the said Municipal Commissioners, or to any person on behalf of the Municipal Commissioners, shall pay the same to the Justices or as they shall direct : and all monies which shall be then due and owing by, or recoverable from, the Municipal Commissioners, shall be paid by, or recoverable from, the Justices : and all contracts, agreements, mortgages, bonds, covenants, and securities, made or entered into before this Act comes into operation, to, with, or in favor of, or by or for, the said Municipal Commissioners, or any previous Municipal Commissioners for the Town of Calcutta, or any of them, or any person on behalf of such Municipal Commissioners, respectively, and all rights of action and suit arising out of contract or otherwise, shall take effect, and may be proceeded on and enforced, as near as circumstances will admit, in favor of, by, against, and with reference to, the Justices, in such manner as the same would have taken effect, and might have been proceeded on and enforced, in favor of, by, against, and with reference to, the said Municipal Commissioners respectively, or any of them, if this Act had not been passed.

V. No action, suit, prosecution, or other proceeding whatsoever, commenced or carried on either against Municipal Commissioners not to abate, by or against the said Municipal Commissioners previously to the coming of this Act into operation, shall abate or be discontinued or prejudicially

affected by this Act, but shall continue and take effect both in favor of and against the Justices, in the same manner in all respects as the same would have continued and taken effect in relation to the said Municipal Commissioners, or any of them, if this Act had not been passed : and all decrees and orders made, and all fines and penalties imposed and incurred, respectively, previously to the coming into operation of this Act, shall and may be enforced, levied, recovered, and proceeded for, and all administrative proceedings, commenced previously to the coming into operation of this Act, shall and may be continued, proceeded with, and completed, in such or the like manner as if this Act had not been passed, the Justices being, in reference to the matters aforesaid, in all respects substituted in the place of the said Municipal Commissioners.

VI. All monies received by the Justices by virtue of this or any other Act, all fines, fees, and penalties, paid to or levied on them, under this Act, and all monies which may be assigned by Government for purposes of Conservancy or Improvement in the Town, shall constitute a fund, which shall be called the Municipal Fund of Calcutta, and shall, together with all property of what nature or kind soever which may become vested in the Justices, be under the direction, management, and control of the Justices, in the manner hereinafter provided, and shall be held and applied by them as Trustees for the purposes of this Act.

VII. The Lieutenant-Governor of Bengal shall, from time to time, appoint one of the said Justices of the Peace to be Chairman of the Justices. Such Chairman shall be removeable from Office by the Lieutenant-Governor, if his removal be recommended by a Resolution in favor of which not less than two-thirds of the Justices of the Peace present at a Special General Meeting of the Justices shall have voted, but not otherwise.

VIII. The Justices at a Special General Meeting, to be held within fifteen days from the date of the first appointment of a Chairman, shall nominate a proper person to be Vice-Chairman of the Justices. Such nomination shall be subject to the approval of the Lieutenant-Governor of Bengal ; but when such approval shall have been duly notified to the Justices, the appointment shall be made by them. In the event of any nomination made by the Justices not being approved of by the Lieutenant-Governor, or of any vacancy occurring in the Office of Vice-Chairman, the Justices shall forthwith proceed, at a Special General Meeting, to make a fresh nomination and appointment, subject to the approval of the Lieutenant-Governor of Bengal, and so on from time to time. Provided that no person shall be appointed to the office of Vice-Chairman, who is not at the time of appointment a Justice of the Peace.

IX. It shall be lawful for the Justices at a Special General Meeting, from time to time, to appoint proper persons to the several offices of Secretary, of Engineer, of Surveyor, of Health Officer, of Collector of Taxes, and of Assessor, for the Town of

Appointment of Secretary, Engineer, Surveyor, Health Officer, Collector of Taxes, and Assessor.

Calcutta. Every person so appointed, and the Vice-Chairman, shall be in all things under the immediate orders of the Chairman, and shall perform such duties as shall be assigned by him, and shall be removeable by the Justices by a Resolution in favor of which not less than two-thirds of the Justices of the Peace present at a Special General Meeting shall have voted.

X. The Chairman and Vice-Chairman shall respectively reside within the Town of Calcutta, and shall devote his whole time to the duties of his office; and no Chairman or Vice-Chairman shall have or engage in any other profession, trade, or business whatsoever: Provided that nothing in this Act shall be deemed to prevent any Civil or Military Officer in the service of Government, from holding the office of Chairman or Vice-Chairman, so long as such Officer shall fill no other appointment: Provided further that it shall be lawful for any Chairman to hold also the office of Commissioner of Police for the Town of Calcutta, if he shall be appointed to such office by the Lieutenant-Governor of Bengal.

XI. The Chairman and the Vice-Chairman, respectively, may receive such allowances out of the Municipal Fund as shall be from time to time fixed by the Justices at a Special General Meeting. Provided that such allowance for any Chairman shall not exceed the rate of three thousand Rupees a month (exclusive of house rent, which may or may not, at the discretion of the Justices, be also allowed): and provided that such allowance for any Vice-Chairman shall not exceed the rate of twelve hundred Rupees a month.

XII. Every Secretary, Engineer, Surveyor, Health Officer, Collector of Taxes, and Assessor, appointed as hereinbefore provided; may receive such allowance out of the Municipal Fund, as shall be from time to time fixed by the Justices at a Special General Meeting.

XIII. The Chairman may from time to time appoint all such Overseers, Clerks, and Subordinate Officers, and servants, as he shall think necessary and proper to assist in the execution of this Act, and may, from time to time, remove any of such persons and appoint others in their place; and out of the Municipal Fund he may, with the sanction of the Justices at a Special General Meeting, pay such allowances to the said persons respectively, or in case of absence on leave such portion thereof, as he shall think reasonable. Provided that no person shall be appointed to, or removed from, any office the monthly salary of which exceeds two hundred Rupees, without the sanction of the Justices at a Meeting.

XIV. Every Overseer, Clerk, and other Officer appointed by, or acting under, the authority of the Municipal Commissioners under Act XXVIII of 1858, and not acting contrary to the provisions of this Act, shall hold and enjoy his office and employment, together with the salary or

emolument thereunto annexed, until he shall be removed therefrom by the Chairman or by the Justices at a Meeting. Every such Overseer, Clerk, and Officer shall have the like power and authority for the purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like pains and penalties, and to the like power of removal, in all respects as if he had been appointed by virtue of this Act.

XV. It shall be lawful for the Justices at a Special Meeting, with the sanction of the Lieutenant-Governor of Bengal, to grant such leave of absence to any Chairman or any Officer appointed under Sections VIII and IX of this Act, and, in the case of any Officer appointed under either of those Sections, to make such arrangements for the carrying on the duties of his office during his absence on leave, as shall to them seem proper. In any case in which leave of absence shall be granted to the Chairman, the Lieutenant-Governor of Bengal shall appoint one of the Justices of the Peace to act as Chairman in his place, or shall make such other arrangements for carrying on the duties of the office as shall to him seem proper. Any person appointed under this Section to act for the Chairman or any other Officer, shall, while so acting, have all the powers and be liable to all the restrictions, limitations, and provisions, which the Chairman or other Officer for whom he may be appointed to act, would, under this Act, have or be liable to.

XVI. In any case in which leave of absence shall be granted under the last preceding Section, the Justices may at a Special Meeting, with the sanction of the Lieutenant-Governor of Bengal, out of the Municipal Fund, pay to any Chairman or other Officer aforesaid, such allowance, during absence on leave, as shall to them seem proper. Provided that no greater expenditure from the Municipal Fund shall be in any case incurred in the whole, by reason of any such allowance, or of any allowance paid under Section XIII, than would have been incurred had no leave been granted.

XVII. Clause 1.—No Chairman or Vice-Chairman, or other Officer, or servant, of the Justices, shall be in any wise concerned, or interested, in any contract or work, made with, or executed for, the Justices; and if any such Chairman or Vice-Chairman, or other Officer or servant, be so concerned or interested, he shall be incapable of afterwards holding or continuing in any office or employment under the Justices, and shall forfeit and pay the sum of five hundred Rupees, which may be recovered by suit, by any person, with full costs of suit. Provided that no person, being a shareholder of any Joint Stock Company established by, or under the provisions of, any Act of Parliament, or of the Government of India, or by Charter, shall be prevented from being employed as a Chairman, Vice-Chairman, or other Officer or servant, by reason of any contract between such Company and the Justices, or of any work executed by such Company.

Clause 2.—If any person employed under this Act, not being a public servant within the meaning of Section 21 of

Penalty on Officers, &c., for taking unauthorized fees.

Penalty on Officers, &c., being interested in contracts &c.

Penalty on Officers, &c., being interested in contracts &c.

Penalty on Officers, &c., being interested in contracts &c.

Penalty on Officers, &c., being interested in contracts &c.

Penalty on Officers, &c., being interested in contracts &c.

Penalty on Officers, &c., being interested in contracts &c.

Penalty on Officers, &c., being interested in contracts &c.

Penalty on Officers, &c., being interested in contracts &c.



the Indian Penal Code, shall accept or obtain, or agree to accept, or attempt to obtain, from any person, for himself, or for any other person, any gratification whatever, other than legal remuneration, as a reward for doing, or forbearing to do, any official act, or for showing or forbearing to show, in the exercise of his official functions, favor or disfavor, to any person, or for rendering or attempting to render any service or disservice to any person, with the Justices, or with any public servant, or with the Government, as such, he shall be punished with imprisonment, either simple or rigorous, for a term which may extend to three years, or with a fine not exceeding five thousand Rupees, or with both.

XVIII. The Justices shall provide and keep an Office within the Town, and during all days of business, keep open a book, in which shall be entered all reasonable complaints, made, orally or by letter, by any inhabitant or the owner or occupier of any house, building, or land within the Town, of any matter cognizable by the Justices; and the proper Officer of the Justices shall forthwith enquire into the truth of all such complaints, and report thereon to the Justices; and such report shall be entered in the said book; and such book shall be open, at all reasonable times, to any inhabitant or owner or occupier of land within the limits of the Town.

XIX. There shall be four Quarterly Meetings in every year, and two Ordinary Quarterly and Ordinary Meetings in every month, at which the Justices shall meet for the transaction of general business: and it shall not be necessary to give any notice of the business to be transacted at such Meetings. The Quarterly Meetings shall be held at noon, on the first Monday in the months of January, April, July, and October, and the Ordinary Meetings at noon on the first and third Monday of every month respectively, or if any such Monday shall happen to be a holiday allowed by Government, then on the next succeeding day which shall not be such a holiday.

XX. The Chairman, or, in his absence, the Vice-Chairman, may, whenever he thinks fit, and shall upon a requisition made in writing by any ten Justices of the Peace, call a Special, or Special General, Meeting of the Justices. Previous to any such Meeting being held, at least seven days' clear notice, specifying the time and place of such intended Meeting, and the purpose for which it is to be held, shall be given by advertisement in the English and Bengallee Government Gazettes, and in at least two of the daily English Newspapers, and in two Vernacular Newspapers, published in Calcutta.

XXI. No business shall be brought before or transacted at any Special, or Special General, Meeting, other than the business specified in the notice given under the last preceding Section: Provided always that any Justice of the Peace may submit to a Special, or Special General, Meeting, any Resolution, beyond the matters mentioned in the notice given of such Meeting, if he shall have given not less than three days' previous notice of his intention so to do, by leaving a copy of the Resolution at the Office of the Justices.

XXII. All acts authorized or required to be done by the Justices, and all questions which may come before them for decision, shall, save as is herein otherwise provided, be done, and decided by, a majority of the Justices of the Peace present at any Ordinary or Quarterly Meeting, before which the matter may be brought.

XXIII. The Chairman and Vice-Chairman shall attend all Meetings of the Justices held under this Act, unless prevented by sickness or other reasonable cause; and the Chairman, or, in his absence, the Vice-Chairman, shall preside at every such Meeting, and shall have a second, or casting, vote in all cases of equality of votes. In the absence of both the Chairman and Vice-Chairman, the Justices of the Peace present at any Meeting shall choose some one of their number to preside. The President of any Meeting at which a quorum of the Justices of the Peace shall be present, may, with the consent of the Meeting, adjourn the 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 such adjournment took place.

XXIV. No business shall be transacted at any Meeting unless a quorum of Justices of the Peace be present; that is to say, at an Ordinary Meeting unless at least three Justices of the Peace be present, at a Special Meeting unless at least seven Justices of the Peace be present, and at a Special General, or Quarterly, Meeting unless at least twenty-five Justices of the Peace be present; Provided always that, if at any Meeting of the Justices there shall not be a sufficient number of Justices of the Peace present to form a quorum, the President (whether he be the Chairman, or not) shall adjourn the Meeting to such convenient time and place as he shall think fit; and the business which would have been brought before the original Meeting had there been a quorum present, shall be brought before, and disposed of by, the adjourned Meeting in the usual manner, whether there be a quorum of Justices of the Peace present at such adjourned Meeting or not.

XXV. Minutes of the Proceedings of all Meetings of the Justices shall be drawn up, and fairly entered in a book to be kept for that purpose, and shall be signed by the President after each Meeting; and the said Minutes shall, at all reasonable times, be open at the Office of the Justices to the inspection of any Justice of the Peace without charge, and of any other person on payment of a fee of eight annas.

XXVI. At any Special General, or Quarterly, Meeting, unless a poll be demanded by at least five Justices of the Peace, and at any Special, or Ordinary, Meeting, unless a poll be demanded by at least three Justices of the Peace, a declaration by the President that a Resolution has been carried, and an entry to that effect in the book of Proceedings of the Justices, shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favor of, or against, such Resolution.

**XXVII.** If a poll be demanded as in the last preceding Section mentioned, or be taken at any Meeting of what kind soever, the votes of the Justices of the Peace present shall be taken by the President, each being called on to vote in order of seniority on the roll of the Justices of the Peace, and the result of such poll shall be deemed to be the Resolution of the Justices at such Meeting.

**XXVIII.** The Chairman or Vice-Chairman shall, except upon such holidays as shall be allowed by Government, attend daily at the Office of the Justices for the transaction of business connected with or arising under this Act, and, when so attending, shall have all the powers vested by this Act in the Justices; and they may, respectively, exercise the like powers at all times in carrying out the orders of the Justices, or in executing any works sanctioned by them, and generally in the management of the business aforesaid. Provided that it shall not be lawful for the Chairman or Vice-Chairman to act in opposition to, or contravention of, any order of the Justices, or to exercise any power which it is by this Act expressly declared shall be exercised only by the Justices at a Meeting.

**XXIX.** The Justices may enter into all such contracts as may be necessary for carrying this Act into execution. The Chairman or the Vice-Chairman may, for and on behalf of the Justices, enter into any such contract whereof the value or amount shall not exceed five hundred Rupees: but every such contract, whereof the value or amount shall exceed five hundred Rupees, shall be in writing and signed by the Chairman, or in his absence by the Vice-Chairman, and two other Justices of the Peace, and shall be sealed with the seal of the Justices. Every contract so entered into as aforesaid, and duly executed by the other parties thereto, shall be binding on the Justices and their successors, and upon all other parties thereto, and their executors, administrators, successors, or assigns, to all intents and purposes. Provided always that the Justices may compound with any contractor or other person in respect of any penalty incurred by reason of the non-performance of any contract entered into as aforesaid, whether such penalty be mentioned in any such contract or in any bond, or otherwise, for such sums of money or other recompense as to the Justices may seem proper.

**XXX.** It shall be lawful for the Justices at a Meeting, from time to time, to appoint from among the Justices of the Peace, such and so many Committees, either of a General, or of a Special, nature, and consisting of such number of persons as they may think fit, for the purpose of inquiring into and reporting upon any matter connected with the Conservancy or Improvement of the Town, or of advising and aiding the Chairman in the discharge of any portion of his executive duties, which in the discretion of the Justices would be better regulated or managed with the advice and aid of any such Committee: Provided that the Chairman or Vice-Chairman shall be a Member of every such Committee, and that the Proceedings of every such Committee shall be submitted to the Justices at a Meeting.

**XXXI.** At a Special General Meeting to be held under this Act on the second Monday in the month of July 1863, or as soon after as conveniently may be, the Chairman shall lay before the Justices a Budget or Estimate, prepared by him, of the expenditure and income of the Municipality from the date on which this Act shall come into operation up to the first subsequent day of January: and at the Quarterly Meeting to be held in the month of October in each year, the Chairman shall lay before the Justices a Budget or Estimate, prepared by him, of the expenditure and income of the Municipality for the year commencing on the 1st of January then next succeeding, in such detail and form as the Justices shall from time to time, by order passed at a Quarterly, or Special General, Meeting, direct. Provided always that such Budget shall be completed and printed, and a copy thereof sent by post or otherwise to each of the Justices of the Peace, resident within twenty miles of Government House, at least seven days prior to the Meeting before which the Budget is to be laid.

**XXXII.** The Budget shall shew what expenditure it is proposed to incur during the period to which it relates, and the manner in which it is proposed to meet such expenditure.

**XXXIII.** It shall be in the discretion of the Justices to pass, or to reject, or to modify, the estimates of all or any sums entered in the Budget. No new work or series of works, the entire estimated cost of which as shewn in the Budget shall exceed fifty thousand Rupees, shall be commenced without the sanction of the Lieutenant-Governor having been previously obtained.

**XXXIV.** The accounts of the receipts and expenditure of the Justices shall be audited and examined once in every year, at the least, at such time and by such Auditors as shall from time to time be appointed by the Lieutenant-Governor of Bengal. For the purposes of any audit and examination of accounts under this Act, the Auditors may, by summons in writing, require the production before them of all books, deeds, contracts, accounts, vouchers, and all other documents and papers which they may deem necessary, and may require any person, holding or accountable for any such books, deeds, contracts, accounts, vouchers, documents, or papers, to appear before them at any such audit and examination, or adjournment thereof, and to make and sign a declaration with respect to the same: and if any such person neglect or refuse so to do, or to produce any such books, deeds, contracts, accounts, vouchers, documents, or papers, or to make or sign such declaration, he shall be liable for every neglect or refusal to a penalty not exceeding one hundred Rupees. All Auditors acting under this Act shall, in respect of each audit, be paid out of the Municipal Fund such reasonable remuneration as the Lieutenant-Governor of Bengal shall from time to time determine: Provided always that, before each audit and examination of accounts under this Act, the Chairman shall give ten days' notice of the time and place at which the same will be made, by

**XXXV.** A Budget or Estimate of Income and Expenditure to be submitted annually to the Justices.

**XXXVI.** Revision and passing of Estimates.

**XXXVII.** No new work, the estimated cost of which exceeds 50,000 Rupees, to be commenced without the sanction of Government.

**XXXVIII.** Accounts to be audited and examined.

advertisement in the English and Bengallee Government Gazettes, and in at least two of the daily English Newspapers, and in two Vernacular Newspapers, published in Calcutta; and a copy of the accounts to be audited and examined shall be deposited in the Office of the Justices, and be open during office hours thereat, to the inspection of all persons interested, for seven days before the audit and examination, and all such persons shall be at liberty to take copies of, or extracts from, the same, without the payment of any fee; and within fourteen days after the audit and examination shall have been completed, the Auditors shall report upon the accounts audited and examined, and shall deliver such report to the Justices at a Meeting, who shall cause the same to be deposited in the Office of the Justices, and to be published in the Calcutta Gazette, and in some one or more of the said newspapers.

**XXXV.** Whereas the assessments last made under the said Acts XXV and XXVIII of 1856, include the months of July, August, September, October, November, and December 1863, and power is given by this Act to impose and levy rates upon the owners and occupiers of the same houses, buildings, and lands, which were subject before the passing of this Act to the said assessments, for a period including the same months, it is hereby enacted that any sum of money, which would have become due from any owner or occupier in respect of the said assessments for the several months aforesaid, may be levied and recovered by the Justices in like manner as the same might have been levied and recovered if this Act had not been passed, unless the Justices shall impose and levy any other rate under the provisions of this Act.

**XXXVI.** At the Special General Meeting to be held on the second Monday in the month of July 1863 as aforesaid, or as soon after as conveniently may be, the Justices shall fix the rates at which such taxes as are leviable under this Act shall be levied, from the date on which this Act shall come into operation, till the first day of January next ensuing; and at the Quarterly Meeting to be held in the month of October in each year, the Justices shall fix the rates at which such taxes as are leviable under this Act, shall be levied for the year commencing on the first day of January then next ensuing. The rates so fixed shall not be altered before the Quarterly Meeting held in the next succeeding month of October, except by a Resolution passed by the Justices at a Special General Meeting.

**XXXVII.** A tax, at a rate not exceeding the rates specified in the Schedule (A) to this Act annexed, shall be imposed upon all carriages, horses, ponies, and mules, kept within the Town, and shall be payable in advance. Provided that this Section shall not apply to, or include,—Gun carriages, or Ordnance carts or wagons: Cavalry horses, or horses of the Mounted Police: Horses belonging to Officers doing Regimental duty at the Presidency, at the rate of one horse for each Officer: vehicles, horses, ponies, or mules belonging to the Government, or to the Justices: vehicles kept for sale, and not used

for any other purpose, if kept by *bona fide* dealers in such vehicles.

**XXXVIII.** The owner of every carriage, horse, pony, or mule, kept within the Town, shall before the 1st day of October 1863, and shall, on or before the 1st day of January and the first day of July in each year, forward to the Office of the Justices a statement in writing, signed by him, containing a description of the vehicles and animals liable to the tax, for which he desires to take out a license. The owner shall at the same time pay to the Justices such sum as shall be payable by him, for the half year commencing on the first day of July 1863, or on such subsequent first day of January or of July (as the case may be), for the vehicles and animals specified in in such statement, according to the rates given in the said Schedule. Any person becoming possessed, between the first day of January, and the first day of July, or between the first day of July and the first day of January, of a carriage, horse, pony, or mule so kept, shall, within a week of becoming so possessed, send to the Office of the Justices a similar statement, together with the full amount payable for the then current half year according to the said Schedule, unless he shall be able to prove, to the satisfaction of the Justices, that the tax for the half year has previously been paid.

**XXXIX.** On receiving the amount of the tax as aforesaid, the Justices, or some person duly authorized by them in that behalf, shall give to the person paying the same, a license for each of the vehicles and animals for the period in respect of which the money is received. The owner of every carriage, horse, pony, or mule, who shall have received a license for the same, shall, at all reasonable times during the said period, be bound to produce such license, when called upon to do so by the Justices, or any person duly authorized in writing by them to demand its production.

**XL.** If the owner of any carriage, horse, pony, or mule, so kept as aforesaid, shall not have duly taken out a license under the last preceding Section, he shall, on conviction before a Justice of the Peace, be liable to a fine not exceeding three times the amount of the tax which would have been payable by such person, supposing him to have duly paid the same as soon as it became due. Provided that no proceeding shall be taken, before the first day of October 1863, to enforce such penalty against any person, who shall not have duly taken out such license for the half year commencing on the first day of July in the year aforesaid.

**XLI.** The Justices, at their discretion, may compound, for any period not exceeding one year, with livery stable-keepers, and other persons keeping carriages for hire, for a certain sum to be paid for the carriages so kept by such persons, in lieu of the taxes specified in the Schedule (A). And if any person, having so compounded, shall refuse to pay the sum compounded for on the demand of the Justices, he shall, on conviction before a Justice of the Peace, be liable to a fine not exceeding three times the amount so payable.



**XLII.** The Justices shall, from time to time, cause to be prepared and entered in distinct columns, in a book to be kept at the Office of the Justices, and to be open to the inspection of any person who shall apply for leave to inspect the same, a list of the persons who during the then current period of six months shall have received a license under Section XXXIX of this Act, and of the vehicles and animals in respect of which they may have paid.

List of persons licensed under Section XXXIX, to be entered in a book.

**XLIII.** It shall be lawful for the Justices, or any person or persons appointed by them for that purpose, at any time between sunrise and sunset, to enter and inspect any stable or coach-house, or any place wherein they may have reason to believe that there is any vehicle or animal liable to taxation under Section XXXVII of this Act, for which a license has not been duly taken out; and the Justices may summon any person, whom they have reason to believe to be liable to the payment of any tax under the last mentioned Section, or any servant of such person, and may examine such person or servant as to the number and description of the horses and carriages in respect of which such person is liable to be taxed. Whoever being so summoned shall, without lawful excuse, fail to appear in pursuance of the summons, and whoever hinders or obstructs the Justices or any person appointed by them as aforesaid, from or in entering or inspecting any such stable, coach-house, or place, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding one hundred Rupees.

**XLIV.** Every cart, hackery, and other wheeled vehicle without springs kept and used within the Town, and every cart, hackery, and other such vehicle plying for hire within the Town, or let for hire within or without the Town and used within it, shall be registered in the Office of the Justices with the name and residence of the owner, and shall bear the number of such registration in such manner as the Justices shall direct. Provided that this Section shall not apply to, or include, carts, hackeries, or other such vehicles as aforesaid, kept at any place more than eight miles distant from Government House, and used only temporarily and casually in the Town; or to carts, hackeries, or other wheeled vehicles without springs, the property of Government; or to Conservancy carts, hackeries, or other such vehicles belonging to the Justices.

**XLV.** The registration of carts, hackeries, and other vehicles under the last preceding Section, shall be made and the numbers assigned half-yearly, on or before the first day of January and the first day of July in each year, upon such days as the Justices shall appoint, and a fee of four Rupees shall be paid for each registration. Any person becoming possessed, between the first day of January and the first day of July, or between the first day of July and the first day of January, of any such cart, hackery, or other vehicle, which has not been registered for the then current half-year, shall, within a week of becoming so possessed, register the same, and the Justices shall grant registration in any such case, on payment of a fee for the unexpired portion of the current half-year, calculated at the

Fee for registration.

rate of four Rupees aforesaid. When any registered cart, hackery, or other vehicle is transferred within any half-year, it shall be registered anew in the name of the person to whom it has been transferred; and a fee of four annas shall be paid for every such last mentioned registration.

**XLVI.** Whoever owns or keeps any cart, hackery, or other wheeled vehicle without having caused the same to be registered under the last preceding Section, shall, on and after the first day of October 1863, be liable, on conviction before a Justice of the Peace, to a fine not exceeding three times the usual registration fee; and the Justices, or any Officer duly authorized by them, may seize or cause to be seized any such cart, hackery, or other vehicle, (provided the same be not employed at the time of seizure in the conveyance of any passengers or goods,) together with the horses, bullocks, or other animals drawing the same, and may detain them; and all Police Officers are hereby required, on the application of the Justices or their Officers as aforesaid, to seize and detain the same. If the person owning or keeping such cart, hackery, or other vehicle, shall be convicted before a Justice of the Peace under this Section, and ordered to pay a fine, and if the vehicle seized be not claimed, and the fine be not paid within ten days, such vehicle, together with the animals seized with it (if any), may be sold by auction by order of a Justice of the Peace, and the proceeds applied to the payment of the fine, and to the costs and charges incurred on account of the seizure, detention, and sale; and the surplus (if any), if not claimed by the owner or the person keeping such cart, hackery, or other vehicle within a further period of twenty days, shall be paid to the Justices.

**XLVII.** On and after the first day of July 1863 every person who shall within the Town exercise any of the professions, trades, or callings specified in Schedule (B) to this Act annexed, shall take out a license and shall pay for the same such annual sum as is in the said Schedule (B) mentioned: provided that for any such license which shall be granted before the first day of January 1864, there shall be paid only one half of the said annual sum.

**XLVIII.** Every license under Section XLVII shall be granted by the Justices or by some person duly authorized by them in that behalf, and shall specify the date of the grant thereof, the true name of the person to whom the license is granted, and the sum paid for such license.

**XLIX.** Every license shall have effect and continue in force from the day of the date thereof until the day hereinafter appointed for the expiration thereof; and every such license which shall be granted before the 1st day of January 1864 shall expire on that day, and every such license which shall be granted upon or at any time after that day, shall expire on the 31st day of December next after the day of the granting thereof.

**License to be granted by Justices and to specify particulars.**

**License to be in force how long.**

**Persons exercising certain professions, trades, and callings in the Town, to take out a license.**



L. Every person to whom any such license shall be granted and who shall be desirous of continuing to exercise his profession, trade, or calling after the expiration thereof, shall take out a fresh license for that purpose for the following year, to expire on the day appointed in the last preceding Section, and shall renew the same from year to year, so long as he shall desire to continue such profession, trade, or calling.

LI. The Chairman shall determine under which of the classes mentioned in the Schedule (B) to this Act annexed, every person to whom a license may be granted shall be assessed. The Justices at a Meeting shall from time to time declare what are to be considered, Bazzars, Hauts, or Public Markets, within the meaning of this Act.

LII. As soon as may be after the first day of January in every year, the Chairman shall prepare a list of the persons licensed under this Act, which list shall state the profession, trade, or calling of each of the persons therein named, the class under which he is assessed, and the sum paid by him in respect of his license, and such list shall be filed in the Office of the said Chairman, and be open to public inspection at all reasonable times.

LIII. If, after the first day of October 1863, any person within the said limits shall exercise his profession, trade, or calling without having duly taken out a license as required by Section XLVII, he shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding three times the amount which in the judgment of such Justice of the Peace would have been payable by such person in respect of a license duly taken out as aforesaid.

LIV. Any person required by Section XLVII to take out a license, who shall, without reasonable excuse, neglect or refuse to produce and show his license, when required so to do by an Officer duly empowered in writing by the Chairman to make such requisition, shall, on conviction before a Justice of the Peace, be liable to a penalty not exceeding one hundred Rupees.

LV. An annual rate, not exceeding ten per centum of their annual value, may be imposed by the Justices upon all houses, buildings, and lands, in the Town, and shall be assessed in the manner hereinafter described: Provided that it shall be at the option of the Justices, in lieu of such rate, to levy upon any lands unappropriated to any building or premises, or upon any native huts with their appurtenances, a fixed annual rate not exceeding four Rupees for every cottah occupied by them, respectively. Any rate levied under this Section shall be payable by the owners of the said houses, buildings, lands, and huts, respectively, by quarterly instalments.

LVI. Houses, buildings, and lands situate in Fort William, on the esplanade of the Fort, and in Cooly Bazar, and buildings used exclusively as places of public worship, shall not be liable to any rate under the last preceding Section.

LVII. If the annual value or fixed rate referred to in Section LV, shall in any case exceed the amount of rent payable by the lessee or tenant to the owner, the owner may in such case recover from the lessee or tenant the difference between the sum assessed upon him, and the sum at which he would have been assessed had he been rated only upon the amount of rent actually payable to him, and such difference shall be added to the rent payable by such lessee or tenant, and shall be recoverable by the owner from him, by such means and in like manner in all respects as such rent is recoverable.

LVIII. When any house shall have been vacant for sixty consecutive days during any year, the Justices shall remit so much, not exceeding one-half, of the rate for that year, as may be proportionate to the number of days the said house may have remained unoccupied: provided that the owner of such house, or his agent, shall have given to the Justices notice in writing of the vacancy thereof, and that the amount of rate to be remitted shall be calculated from the date of the delivery of such notice.

LIX. To provide for the lighting of the public streets of the Town, an annual Lighting-rate, not exceeding two per centum of their annual value, may be imposed by the Justices upon all houses, buildings, and lands in the Town, and shall be assessed in the manner hereinafter described. Provided that it shall be at the option of the Justices, in lieu of such rate, to levy upon any lands unappropriated to any building or premises, or upon any native huts with their appurtenances, a fixed annual rate, not exceeding twelve annas and ten pies, for every cottah occupied by such last mentioned lands, or huts with their appurtenances. Any rate levied under this Section, or under Section LXI, shall be payable by the occupiers of the said houses, buildings, lands, and huts, respectively, by quarterly instalments.

LX. The Justices shall cause the public streets of the Town to be sufficiently lighted: and the sum applicable annually to the lighting of the said streets, shall be the gross proceeds of the said Lighting-rate and no more; but the Justices may expend, out of the Municipal Fund, such further sums as may from time to time be requisite for the purchase, setting up, and maintaining of lamps, lamp-posts, pipes, and other necessary apparatus.

LXI. The Justices shall carry out a complete system for the supply of water within the Town, and shall for that purpose cause such pipes to be laid and such tanks, reservoirs, and other works to be made and constructed as shall be necessary. Such supply shall be deemed, for the purposes of this Act, to be complete within the Town, or within any divi-

LXII. The Justices shall cause a complete system for the supply of water within the Town, and shall for that purpose cause such pipes to be laid and such tanks, reservoirs, and other works to be made and constructed as shall be necessary. Such supply shall be deemed, for the purposes of this Act, to be complete within the Town, or within any divi-

sion or portion thereof, so soon as the Justices shall have, with the sanction of the Lieutenant-Governor of Bengal, declared, by notification published in the Government Gazette, that the supply is complete within the Town, or within any such division or portion thereof. So soon as the supply shall be complete within the Town or within any division or portion thereof, it shall be lawful for the Justices to impose an annual water-rate, not exceeding two per centum of their annual value, upon all houses and buildings within the Town or within the division or portion (as the case may be) within which the supply of water is complete, and such rate shall be assessed in the manner hereinafter described. Provided that, if the water shall be supplied in any house or building at a height exceeding three feet, and not exceeding twenty-five feet, from the level, an additional rate of one per centum of the annual value of such house or building shall be imposed; and that, if the water shall be supplied at a height exceeding twenty-five feet but under fifty feet, an additional rate of two per centum of their annual value shall be imposed; and a further additional rate of one per centum for every twenty-five feet above the height of fifty feet. Provided, also, that it shall be at the option of the Justices, in lieu of the said first mentioned rate of two per centum, to levy upon any native huts, a fixed annual rate, not exceeding twelve annas and ten pies, for every cottah of land occupied by such huts with their appurtenances.

• LXII. Every occupier shall be liable to the Lighting-rate and to the Water-rate for the time of his occupation; and when any person shall have been an occupier for a part only of any quarter, the Justices shall charge him with only so much of the rate for that quarter, as may be proportionate to the number of days during which he shall have continued to be an occupier. No such rate shall be chargeable to any person on account of any unoccupied house for the time during which it may remain unoccupied. Provided always that, when any person ceases to be the occupier of any premises liable to the rate, he shall give the Justices notice thereof, or, if he fail to give such notice, he shall be liable to the rate assessed on the said premises for the whole quarter, although they may have been occupied for a part only of such quarter.

LXIII. When any house or building, or any land, is let by the owner in apartments, flats, or portions, the owner shall be liable to pay the Lighting-rate and the Water-rate, instead of the occupier or occupiers.

LXIV. When any person, who rents from the owner any house or building, or any land, sublets the same in apartments or portions, such person, for the purposes of the Lighting-rate and of the Water-rate, shall be held to be the occupier.

LXV. If, during the course of any quarter, the Justices shall have reason to believe that any person, who, if the current quarter had come to an end, would be liable to pay the House-rate, the Lighting-rate, or the Water-rate, for that quarter, is about to remove from the Town forthwith, it shall be lawful for the Justices to declare

such person liable to the immediate payment of the said rates, or any of them, from the commencement of that quarter up to the date of such declaration, and the amount of such rate for such time due from such person, shall be leviable forthwith, in like manner and in all respects as the said rates are in ordinary cases leviable.

LXVI. The estimated gross annual rent at which the houses, buildings, and lands, liable to the rate or rates imposed under this Act upon houses, buildings, and lands according to the annual value thereof, might reasonably be expected to let from year to year, shall, for the purposes of the rates leviable under this Act, be held and deemed to be the annual value of such houses, buildings, and lands. The value of a house or building so estimated shall not include the value of any machinery contained therein.

LXVII. The annual value at which any lands, houses, buildings, or huts with their appurtenances, are to be assessed, or the area on which they are to be rated under this Act, shall be fixed by the Justices, and such lands, houses, buildings, and huts with their appurtenances, shall be assessed or rated, upon the value or the area so fixed, for three years from the date on which it is so fixed, and on no other value or area. Provided that, if during the currency of

the said period of three years any new building shall be erected on any land, or any substantial alteration and improvement shall be made in any premises, it shall be lawful for the Justices to cause such land or premises to be again assessed, even though the three years shall not have expired, and such last mentioned assessment shall be in force, and the rate shall be levied according to it, until the expiration of the said three years.

LXVIII. The annual value assessed, or the area fixed, by the Justices as hereinbefore provided, shall be entered in a book to be kept at the Office of the Justices, wherein shall also be written in distinct columns the name of the owner of the property; or, if the occupier, and not the owner, is the person liable to pay the rate, the name of the occupier; a designation of the property, either by name or number, sufficient to identify the same, together with the name of the street or district in which such property is situate, and the amount of the rate assessed or fixed thereon.

LXIX. The Justices shall, immediately after this Act comes into operation, proceed without delay to make a valuation or measurement of all lands, houses, tenements, and premises within the Town, and for such purpose shall divide the Town into such and so many districts as they many think fit, and proceed to make a separate valuation or measurement district by district, and shall enter the same in the said book. The valuation which, at the date of this Act coming into operation, shall stand entered in the book kept at the Office of the Municipal Commissioners under Section V of Act XXV of 1856, shall be taken to be the first valuation made under this Act,

until such time as the Justices shall have caused a new valuation or a measurement to be made.

**LXX.** When the name of the owner or occupier is not known, it shall be sufficient to designate him in the said book, and also in any notice or other proceeding under this Act, as "the owner" or "the occupier" of the property on which the rate is assessed, without further description.

**LXXI.** In order to enable the Justices to arrive at a fair valuation or measurement of any houses, buildings, or lands liable to the rate, it shall be lawful for the Justices to require the owner or occupier of such houses, buildings, or lands to furnish them with returns of the measurements and of the rent or annual value thereof; and for the like purpose, it shall be lawful for the Justices, or any person or persons appointed by them for that purpose, at any time between sunrise and sunset, to enter and inspect and measure such houses, buildings, or lands, after having given forty-eight hours' previous notice of such their intention to the occupier thereof; and whoever refuses or fails to furnish any such return for the space of one week from the day on which he shall have been required so to do, or knowingly makes a false or incorrect return, and whoever hinders, obstructs, or prevents any Justice of the Peace, or any person appointed by the Justices as aforesaid, from entering or inspecting or measuring any such houses, buildings, or lands, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding two hundred Rupees.

**LXXII.** When the valuation and measurement of any of the districts of the Town, into which it may have been divided under Section LXIX of this Act, shall have been completed, the Justices shall give public notice thereof, and of the place where the said book containing the valuation and measurement and the rate assessed, or a copy of the said book, may be inspected, by advertisement in the English and Bengalee Government Gazettes, and in at least two of the daily English newspapers, and in two Vernacular newspapers, published in Calcutta, and also by placards posted up in conspicuous places throughout such district of the Town; and the person in whose custody such book may be, shall permit every person claiming to be the owner or occupier of property included in the assessment or measurement, or the agent of such owner or occupier, to inspect the book and to make extracts therefrom without payment of any fee; and every person who does not claim to be such owner or occupier, to inspect and make extracts, in like manner, on payment of a fee of one Rupee.

**LXXIII.** The Justices shall, at the time and in the manner in the preceding Section mentioned, give public notice of a day, not being less than fifteen days from the publication of such notice, when they will proceed to revise the said valuation or measurement and assessment; and in all cases in which any property is for the first time assessed, or in which the valuation or measurement of any property previously assessed is increased, shall give special notice

thereof to the owners or occupiers of such property. All appeals against such valuation or measurement and assessment shall be made to the Justices, by application in writing left at their Office three days before the day fixed in the said public notice for the revising of the said valuation or measurement and assessment, and upon hearing such appeals the Justices shall make such amendments, if any, in the said assessment and in the said book, as they shall think proper.

**LXXIV.** After the appeals have been enquired into, and after the revision of the valuation or measurement and assessment has been completed, the amendments, if any, made in the said book, shall be authenticated by the seal of the Justices; and thereupon, and subject to such alterations and amendments as may thereafter be duly made, the rate so assessed shall be deemed to be the rate for the whole three years for which the assessment is made, and this period shall be calculated from the commencement of the quarter in which any such amendment shall be so authenticated.

**LXXV.** Provided always that the Chairman or Vice-Chairman may at any time amend the said book, by inserting therein the name of any person whose name ought to be so inserted, or by inserting any property liable to the rate, after giving notice to such person as may be interested in the making of the amendment, of a day, not being less than fifteen days from the date of the service of such notice, when such amendment is to be made; or by striking out the name of any person or any property not liable to the rate, or reducing the amount of the rate, without notice: and if any amendment shall be made, in cases where notice is required, the same shall be deemed to have been made on the expiration of fifteen days after service of the said notice; and any person interested in such amendment may appeal, by application in writing to the Justices left at their Office three days before the day fixed in the said notice for such amendment.

**LXXVI.** It shall not be necessary to prepare a new book every three years, but the Justices may adopt the valuation or measurement and assessment contained in the book for any period of three years, with such alterations as may, in particular cases, be deemed necessary, as the valuation or measurement and assessment for the three years next following. Provided always that public notice of such valuation or measurement and assessment shall be given, in the manner prescribed in Section LXXII of this Act; and the provisions of that and the three following Sections shall be applicable to the said valuation or measurement and assessment, and to the book or books in which it is contained.

**LXXVII.** Appeals against any rate assessed or demanded by the Justices under the provisions of this Act, shall be heard and determined by not less than three Justices of the Peace. But no such

Alteration or amendment of assessment.

New assessment book need not be prepared every three years.

Hearing of appeals.

Rate assessed to be deemed the rate for three years.

Rate assessed to be deemed the rate for three years.

Rate assessed to be deemed the rate for three years.



appeal shall be heard unless the amount of the rate has been deposited with the Justices.

**LXXXVIII.** The assessment by the Justices of any rate, when no appeal therefrom is made as hereinbefore provided, and the adjudication of any appeal under the preceding Section, shall be final and conclusive.

**LXXXIX.** When any rate is due, the Justices shall cause to be presented, to the person liable to the payment thereof, a bill for the sum due, which shall also contain a statement of the period, and a description of the property or thing, for which the rate is charged.

**LXXX.** If the bill is not paid, by the person liable to pay the same, within seven days from the presentation thereof, the Justices may cause to be served upon such person a notice of demand, in the form contained in the Schedule (C) to this Act annexed, or to the like effect; and if he shall not, within seven days from the service of such notice of demand,

**Distress.** pay the sum due, or show sufficient cause, to the satisfaction of the Justices, for non-payment of the same, such sum, with all costs, may be levied by distress and sale of the goods and chattels of the defaulter, or if the defaulter be the occupier of any house, building, or land in respect of which a rate is due, by distress and sale of any goods and chattels found on the premises, under a warrant in the form contained in the Schedule (D) to this Act annexed, or to the like effect, to be issued for that purpose by the Justices. For every notice of demand under this Section which the Justices shall cause to be served upon any person, a fee not exceeding one Rupee, the amount of which shall be in each case fixed by the Justices, shall be paid by such person. Such fee shall be added to the amount of the rate in respect of which the notice is given, and, if not duly paid, shall be levied in the same manner as such rate may be levied.

**LXXXI.** The Officer charged with the execution of a warrant of distress under the last preceding Section, shall make an inventory of the goods and chattels seized under any such warrant, and shall at the same time give a notice in writing, in the form contained in the Schedule (E) to this Act annexed, to the person in possession thereof at the time of the seizure, that the said goods and chattels will be sold as therein mentioned.

**LXXXII.** If the warrant is not in the meantime discharged or suspended by the Justices, the goods and chattels seized shall be sold under the orders of the Justices, who shall apply the proceeds, or such part thereof as may be necessary, in discharge of the said arrears and costs; and the surplus, if any, shall be returned, on demand, to the person in possession of the goods and chattels at the time of the seizure. Fees shall be payable upon distraints under this Act, according to the rates set forth in the Table of Fees in the said Schedule.

**LXXXIII.** The goods and chattels of any person from whom any rate is due, may be distrained, wherever found, may be distrained, wherever the same may be found, for default in the payment of the money due from such person.

**Fees.** this Act, according to the rates set forth in the Table of Fees in the said Schedule.

**LXXXIII.** The goods and chattels of any person from whom any rate is due, may be distrained, wherever found, may be distrained, wherever the same may be found, for default in the payment of the money due from such person.

**LXXXIV.** If the sum due on account of any rate from the owner of any house, building, or land remains unpaid, after notice of demand has been duly served, the Justices may demand the amount from the occupier for the time being of such house, building, or land, and, on non-payment thereof, may recover the same by distress and sale of any goods and chattels found on the premises; and in such case, the occupier may deduct, from the next and following payments of his rent, the amount which may be so paid by or recovered from him. Provided that no arrear of rate which has remained due from the owner of any house, building, or land for more than one year, shall be so recovered from the occupier thereof.

**LXXXV.** No distress levied by virtue of this Act shall be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any defect or want of form in the notice, schedule, summons, notice of demand, warrant of distress, inventory, or other proceeding relating thereto, nor shall such party be deemed a trespasser *ab initio*, on account of any irregularity afterwards committed by him; but all persons aggrieved by such irregularity may recover full satisfaction for any special damage sustained by them, in any Court of competent jurisdiction.

**LXXXVI.** Instead of proceeding by distress and sale, or in case of failure to realize by distress the whole or any part of the sum due in respect of any rate, the Justices may sue the person liable to pay the same, in any Court of competent jurisdiction.

**LXXXVII.** Every notice, schedule, summons, or notice of demand, regarding any assessment, rate, or tax, or any money due in respect of the same, may be served personally upon the person to whom the same is addressed, or be left at his usual place of abode with some adult male member or servant of his family, or, if it cannot be so served, may be put up on some conspicuous part of such place of abode, and shall thereby be deemed to be duly served. Provided that, if the place of abode of the owner of any house, building, or land, in respect of which a rate is assessed, be unknown, or if the owner of any such house, building, or land be not resident within the limits of the Town, every such notice, summons, or notice of demand shall be deemed to be duly served, if put up on some conspicuous part of the house, building, or land in respect of which the rate is assessed.

**LXXXVIII.** No assessment, and no charge or demand of a rate or tax, made under the authority of this Act, shall be impeached or affected by reason of any mistake in the name of any person liable to pay the rate or tax, or in the description of any property or thing liable to the rate or tax, or any mistake in the amount of assessment, provided the directions of this Act be in substance and effect complied with; and no proceedings under this Act shall, for want of form, be quashed or set aside in any Court of Justice.

**LXXXIX.** The Justices shall carry out such a complete system of sewerage and drainage within the

**Assessment not to be impeached, if the directions of the Act are in substance complied with.** or affected by reason of any mistake in the name of any person liable to pay the rate or tax, or in the description of any property or thing liable to the rate or tax, or any mistake in the amount of assessment, provided the directions of this Act be in substance and effect complied with; and no proceedings under this Act shall, for want of form, be quashed or set aside in any Court of Justice.

**LXXXIX.** The Justices shall carry out such a complete system of sewerage and drainage within the

**Drainage.**



Town as they may think desirable, subject to the approval of the Lieutenant-Governor of Bengal, and subject to such alterations as may from time to time be ordered by him.

XC. The Lieutenant-Governor of Bengal may determine what portions, if any, of the environs of the Town shall be included in the said system of sewerage and drainage, and may declare the boundaries thereof by notification in the Government Gazette. An annual rate, to be fixed from time to time by the said Lieutenant-Governor, not exceeding two and a half per centum of their annual value, may be imposed upon all houses, buildings, and lands situated within the boundaries so notified, and the same shall be payable by the owners thereof in quarterly instalments. For the purposes of the said rate, the houses, buildings, and lands situated within such boundaries as aforesaid, shall be held to be a part of the Town; and all the provisions of this Act which relate to the assessment and collection of rates payable by owners, shall have effect in respect to such rates.

XCII. It shall be lawful for the Justices, with the sanction of the Lieutenant-Governor of Bengal, to erect wharves, jetties, or quays, in any river or canal bordering upon lands which may belong to the Justices. And it shall be lawful for the Justices to levy, upon all goods shipped or landed at any such quays, wharves, or jetties, erected as aforesaid, wharfage, portorage, and other fees, according to a scale to be laid down from time to time by the Justices with the sanction of the Lieutenant-Governor of Bengal.

XCIII. It shall be lawful for the Officers, appointed by the Justices to superintend the landing and shipment of goods from any quays, wharves, and jetties erected under the provisions of the last preceding Section, to detain any such goods until the wharfage, portorage, and other charges due thereon shall have been paid.

XCIII. *Clause 1.*—For the construction of works of a permanent nature under this Act, the Justices may, with the sanction of the Lieutenant-Governor of Bengal, from time to time, borrow by way of debenture, on the security of the rates, taxes, and dues imposed and levied on account of the Municipal Fund under this or any Act passed in that behalf, or of a portion of them, and at such rate of interest and upon such terms as to the time of re-payment and otherwise as the said Lieutenant-Governor may approve; any sums of money the Justices may require for the objects aforesaid.

*Clause 2.*—All the debentures aforesaid, issued under the authority of this Act, shall be in the form contained in the Schedule (F) to this Act, and shall be transferable by endorsement, and the right to sue in respect of the monies secured by any of such debentures, shall be vested in the holders thereof for the time being, without any preference by reason of some of such debentures being prior in date to others.

*Clause 3.*—The Justices may at any time, with such consent as aforesaid, raise, by the issue of new debentures, any money that may be required to pay any

monies for the time being due on any debentures issued in pursuance of this Act.

XCIV. It shall be lawful for the Justices to keep in their Office a Register of all births and deaths in the Town, and for this purpose they shall divide the Town into such and so many Districts as they shall think fit, and for every such District they shall appoint a person to be Registrar of births and deaths within such District.

XCIV. Every Registrar shall dwell within the District of which he is Registrar, and shall cause to be printed and published a list, containing the name and place of abode of every Registrar in the Town.

XCVI. The Justices shall cause to be prepared and printed a sufficient number of Register Books for making entries of all births and deaths which may take place in the Town, according to the forms prescribed in Schedules (G) and (H) to this Act annexed; and the pages of such book shall be numbered progressively from the beginning to the end.

XCVII. Every Registrar shall inform himself carefully of every birth and every death which shall happen in his District after the first day of July 1863, and shall learn and register, as soon as conveniently may be after the event, without fee or reward, the particulars required to be registered, according to the forms in the said Schedules (G) and (H), respectively, touching every such birth and every such death, as the case may be, which shall not have been already registered, every such entry being made in order from the beginning to the end of the book.

XCVIII. The father or mother of every child born in the Town, or in case of the death, illness, absence, or inability of the father and mother, the occupier of the house or tenement in which such child shall have been born, shall, within one month next after the day of every such birth, give information to the Registrar of the District, according to the best of his or her knowledge and belief, of the several particulars hereby required to be known and registered touching the birth of such child. Any person whose duty it shall be to give information to a Registrar under this Section, who shall refuse or neglect to give such information, shall be liable to a penalty not exceeding one hundred Rupees.

XCIX. Some one of the persons present at the death, or in attendance during the last illness, of every person dying in the Town, or, in case of the death, illness, inability, or default of all such persons, the occupier of the house or tenement, or if the occupier be the person who shall have died, some inmate of the house or tenement in which such death shall have happened, shall, within eight days next after the day of such death, give information to the Registrar of the District, according to the best of his or her knowledge and belief, of the several particulars hereby

required to be known and registered touching the death of such person. Any person who shall refuse or neglect to give any information which it is his duty to give under this Section, shall be liable to a penalty not exceeding one hundred Rupees.

C. Every person by whom the information contained in any Register of births or deaths under this Act shall have been given, shall sign in the Register his name, description, and place of abode; and no such registration shall be deemed to be complete or of any effect until such person shall have so signed it.

CI. At such times and in such manner as shall be directed from time to time by the Justices, an account shall be taken of the number of persons who, at the time of taking such account, shall be within the Town, and the persons employed in taking such account shall set down the several particulars respecting the same which are hereinafter prescribed.

CII. The Chairman shall superintend the taking of such account, and shall cause to be prepared and issued, for the use of the persons to be employed, such forms and instructions as he shall, with the sanction of the Lieutenant-Governor, deem necessary, and all the expenses incurred shall be defrayed out of the Municipal Fund.

CIII. Each Police division of the Town shall be formed into one or more Enumeration Districts.

CIV. At such times as shall be appointed under Section CI of this Act, and as shall be notified in the Official Gazette by the Lieutenant-Governor of Bengal, every occupier of a dwelling house or of any part of a dwelling-house distinctly occupied, and every person to whom a Schedule, as hereinafter provided, may have been delivered, shall afford such information, in regard to all persons who were abiding in his house, or in the place under his charge, on the night immediately preceding, and in such manner, as may, under this Act, be lawfully required of them.

CV. The Chairman shall select a sufficient number of competent persons to act as enumerators; and every such enumerator, under the direction of the Chairman, shall visit every house within his District, except as hereinafter provided, and shall take an account in writing of the name, sex, age, caste, nationality, and occupation, of every living person who shall abide therein on the night immediately preceding the day appointed as aforesaid, and shall also take an account of the occupied houses and the houses then being built and therefore uninhabited, and also of all other uninhabited houses within his District, and in all respects conform to, and obey, the instructions which may be issued to him by the Chairman in this behalf. Provided always that, in the case of females, no account shall be taken either of their name or age.

CVI. The Chairman, when he may deem such a course to be advisable, may cause a Schedule, in such form as shall be sanctioned by the Lieutenant-

Governor, to be delivered to any occupier of any dwelling-house who he shall have ascertained to be able to write, and such occupier shall fill in all the particulars required in the form on the day to be appointed, and shall deliver the same to such persons as may be duly authorized to demand the same.

CVII. Any Military or Naval Officers in command of bodies of Military or Naval men, or of Vessels of War, or any Master of a Merchant Vessel, or Nacodah or Tindal of a vessel or boat, or any person in charge of a Lunatic Asylum, Hospital, or Prison, or of any public or private charitable or scholastic institution, or any keepers of Hotels or Lodging-houses, shall, if required, act as enumerators for the purpose of taking account of persons under their command or charge, or abiding in their houses, on the night immediately preceding the day to be appointed; every person so required to act as an enumerator shall receive and conform to all instructions in writing which may be issued to him by the Chairman in that behalf.

CVIII. The Chairman shall obtain, by such ways and means as shall appear to him best adapted for the purpose and as shall be sanctioned by the Lieutenant-Governor, returns of all houseless persons, and all persons who, during the said night preceding the day to be appointed, were on out-door night duty, or for any other reason were not abiding in any house of which account is to be taken by the enumerators.

CIX. All public streets in the Town (not being the property and kept under the control of the Government), existing at the time this Act comes into operation, or which shall afterwards be made, and the pavements, stones, and other materials thereof, and also all erections, materials, implements, and other things provided for such streets, shall vest in and belong to the Justices.

CX. The Justices, with the sanction of the Government of Bengal, may lay out and make new streets, and may build and construct bridges and tunnels; and may turn, divert, discontinue, or stop up, any public street, and may widen, open, enlarge, or otherwise improve, any such street; making due compensation to the owners and occupiers of any land, houses, or buildings which may be required for any such purposes.

CXI. In laying out or making any new street or in turning, diverting, widening, opening, enlarging, or otherwise improving any public street, in addition to the land required for the carriage-ways and foot-ways thereof, the Justices may purchase also the land necessary for the houses and buildings to form the said street, and may sell and dispose of the same, with such stipulations and conditions as to the class and description of houses or buildings to be erected thereon, as they shall think fit. Provided that, if any

land be taken under the provisions of this Act, compensation shall be made to the owners for any direct or immediate damage which may be done thereby to any adjoining land or buildings of such owner.

**CXII.** The Justices may agree with the owners of any land or building for the absolute purchase thereof for the purpose of laying out and making new streets, or of widening, enlarging, or otherwise improving any of the public streets, or for any other purpose whatever connected with the conservancy or general improvement of the Town.

**CXIII.** When there is any hinderance to the acquisition by purchase of any land or building required for the purposes of this Act, the Government of Bengal, upon the representation of the Justices and after such inquiry as may be thought proper, may declare that the land or building is needed for a public purpose, and may order proceedings for obtaining possession of the same for Government, and for determining the compensation to be paid to the parties interested, according to any laws now or hereafter to be in force for the acquisition of land for public purposes. And the Government of Bengal may vest such land or building in the Justices, on their paying the compensation awarded.

**CXIV.** The Justices may sell any lands or buildings vested in them by virtue of this Act, or acquired by them for the purposes thereof, either together or in parcels as they may find most convenient and advantageous, and the proceeds of such sale shall be applied to the purposes of this Act; and for carrying such sale into effect, the Justices may execute a conveyance of the lands sold to the purchaser, and such conveyance shall be under the common seal of the Justices, and shall be executed in all respects in the manner hereinbefore provided for the execution of contracts, the value or amount of which exceeds five hundred Rupees.

**CXV.** Whenever any street hereby vested in the Justices shall be discontinued and stopped up under the provisions of Section CX of this Act, the Justices may sell the lands, or such part thereof as shall not be required for the purposes of this Act.

**CXVI.** The Justices shall, so far as the funds at their disposal will admit, from time to time, cause the public streets to be maintained and repaired; and from time to time may cause the same to be paved, metalled, flagged, channelled, sewered, or otherwise improved, and the surface thereof to be raised, lowered, or altered, as they may think fit; and may also make

and keep in repair any footways for the use of passengers in any such street, and also from time to time place, on the sides of such foot-ways or otherwise, such fences and posts as may be needed for the protection of foot-passengers.

**CXVII.** The Justices shall cause the streets, including the foot-ways thereof, to be regularly swept and cleansed; and the dust, dirt, ashes, rubbish, and filth of every sort found thereon, to be collected and removed.

**CXVIII.** The Justices may cause any number of moveable or fixed dust-boxes in dust-boxes or other convenient receptacles, where-

in dust, dirt, ashes, and rubbish may be temporarily deposited until removed and carried away, to be provided and placed in proper and convenient situations, and may require the occupiers of houses in streets to cause all such matter as aforesaid to be deposited daily or otherwise periodically in the said receptacles. Every person who, after such receptacles have been provided, and after such requisition as above mentioned, shall deposit, or cause or permit to be deposited, any such matter in any street, except in such receptacles, shall be liable to a penalty not exceeding ten Rupees for each offence.

**CXIX.** Whoever deposits, or permits his servants to deposit, any dust, dirt, dung, ashes; garden, kitchen, or stable refuse; or filth of any kind, or any animal matter, or any broken glass or earthenware, or other rubbish, in any street or on any public quay, jetty, ghaut, or landing place, or on any part of a river-bank whether above or below high-water mark, except in such places and in such manner and at such hours as shall be fixed by the Justices, shall be liable to a penalty not exceeding ten Rupees for each offence. The Justices may, in manner hereinafter provided, make Bye-Laws for regulating the making of such deposits, and for the removing and carrying away the same, and for charging the person making the deposit, with the expense of removing it or carrying it away.

**CXX.** Whoever causes or allows the water of any sink or sewer, or any other offensive liquid matter belonging to him or being on his land, to run, drain, or be thrown or put upon any street, or causes or allows any offensive matter from any sewer or privy to run, drain, or be thrown into a surface drain in any street, shall be liable to a penalty not exceeding ten Rupees for each offence.

**CXXI.** The Justices from time to time may fix the hours within which only it shall be lawful to remove any night-soil or other such offensive matter. When the Justices have fixed such hours and given public notice thereof, whoever removes or causes to be removed along any street any such offensive matter at any time, except within the hours so fixed, and also whoever, at any time, whether such hours have been fixed by the Justices or not, uses for any such purpose any cart, carriage, or other receptacle or vessel not having a covering proper for preventing the escape of the contents thereof or of the stench therefrom, or who slops or spills any such offensive matter in the removal thereof, or who does not carefully sweep and clean every place in which any such offensive matter has been sloped or spilled, or who places or sets down in any public place any vessel containing such offensive matter, or who drives or takes or causes to be driven or taken any cart, carriage, receptacle, or vessel used for any such purpose as aforesaid, through any street or by any route other than such as shall from time to time be by public notice appointed for that purpose by the Justices, shall be liable to a penalty not exceeding twenty Rupees for each offence.

**CXXII.** The Justices, from time to time, shall appoint or provide places convenient for the deposit of the night-soil, dung, and other filth, and the dust, dirt, ashes, and rubbish



collected and removed under the authority of this Act; and for keeping all cattle, carts, implements, and other things required for the above or any of the purposes of this Act; and, for any of such purposes, the Justices may purchase or take on lease any land or buildings by them considered necessary, or may cause any new building to be made upon any land to be purchased or hired by them.

**CXXIII.** All dirt, dust, ashes, rubbish, sewer-  
age, soil, dung, and filth,  
collected, to be the proper-  
ty of the Justices. houses, privies, sewers, and  
cess-pools, shall be the property of the Justices,  
who shall have power to sell or dispose of the same  
as they may think proper, and the money arising  
from the sale thereof, shall be applied to the pur-  
poses of this Act.

**CXXIV.** The Justices, so far as the funds at  
their disposal will admit,  
Watering streets. and so far as they may deem  
requisite for the public convenience, shall cause  
the public streets to be watered; and for that  
purpose may provide such works and engines as  
they may think necessary.

**CXXV.** Whoever builds any wall, or erects  
or sets up any fence, rail,  
Future obstructions post, or other obstruction or  
in streets. encroachment, in any public  
street or in or over any open drain, sewer, or  
aqueduct along the side of any such street after  
this Act comes into operation, shall be liable, to a  
penalty not exceeding one hundred Rupees; and

the Justices shall have power  
Power to remove. to remove any such obstruc-  
tion of encroachment; and the expense of such  
removal shall be paid by the person erecting the  
same, and shall be recoverable as hereinafter  
provided. Nothing herein

contained shall prevent the  
Temporary obstruc- Justices from allowing any  
tion on occasions of fes- temporary erections in any  
tivals, &c. public street on occasions of festivals and ceremonies.

**CXXVI.** Whoever displaces, takes up, or  
makes any alteration in the  
Taking up pave- pavement, flags, or other  
ments. materials, or in the fences or  
posts of any public street, without the consent in  
writing of the Justices, or without other lawful  
authority, shall be liable to a penalty not exceed-  
ing fifty Rupees.

**CXXVII.** Every person who wishes to make  
or lay out any new street,  
Private persons lay- shall give notice in writing  
ing out new streets. thereof to the Justices, shew-  
ing the intended level and width of such street;  
and the level and width of every such street shall  
be fixed or approved by the Justices; and whoever  
lays out, makes, or builds upon, any such street,  
otherwise than in accordance with the level and  
width so fixed or approved, shall be liable to a  
penalty not exceeding five hundred Rupees; and  
the Justices may, if they think fit, cause any such  
street, laid out or made at a level or width other-  
wise than in accordance with the level or width so  
fixed or approved as aforesaid, to be altered; or  
may cause any building, erected in any such street  
otherwise than in accordance with such level and  
width, to be altered, or if necessary removed, and  
the expenses thereby incurred shall be paid to  
them by the offender, and be recoverable as hereinafter  
provided. If no such level or width be

fixed, and no approval or  
Proviso. disapproval of the level or

width proposed be signified by the Justices within  
one month, the intended street may be laid out  
and made upon the level and of the width specified  
in the notice.

**CXXVIII.** It shall not be lawful for any  
person to erect, within the  
Erection of new huts to be under the control of the Justices. Town, any hut or any range  
or block of huts, on any plot  
or parcel of ground on which  
no huts are standing, without previous notice to  
the Justices; and the Justices may require such  
hut or huts to be built so that they may stand  
in regular lines, with a free passage or way in  
front of each line, of such width as the Justices  
may think proper for salutary ventilation, and  
to facilitate scavengering, and at such a level as  
will admit of sufficient drainage. And if any such  
hut or huts be built without giving such notice to  
the Justices, or otherwise than as required by the  
Justices, the Justices may give notice to the builder  
or builders thereof to take down and remove the  
same within one month, and if such hut or huts  
be not taken down or removed according to such  
notice, the Justices may cause the same to be  
taken down and removed, and the expense in-  
curred in doing so shall be paid by the said builder  
or builders, and shall be recoverable as hereinafter  
provided.

**CXXIX.** Whenever the Justices are satisfied,  
from inspection or by report  
Power of Justices as of competent persons, that  
to existing huts. any existing block of huts  
in the Town, is, by reason of the manner in which  
the huts are crowded together, or of the want of  
drainage and the impracticability of scavengering,  
attended with risk of disease to the inhabitants or  
the neighbourhood, they may, with the sanction  
of the Government of Bengal, cause a notice to be  
fixed to some conspicuous part of such block of huts,  
requiring the owners or occupiers thereof, or, at  
the option of the Justices, the owner of the land on  
which such huts are built, within a reasonable time  
to be fixed by the Justices for that purpose, to  
execute such operations as the Justices with such  
sanction as aforesaid may deem necessary for the  
avoidance of such risk. And in case such owners  
or occupiers, or the owner of the land, shall refuse  
or neglect to execute such operations within the  
time appointed, the Justices may cause the said  
huts to be taken down, or such operations to be  
performed in respect of such huts, as the Justices  
may deem necessary to prevent such risk. If such  
huts be pulled down, the Justices shall cause the  
materials of each hut to be sold separately, if such  
sale can be effected; and the proceeds shall be paid  
to the owner of the hut, or if the owner be un-  
known, or the title disputed, shall be held in  
deposit by the Justices, until the person interested  
therein shall obtain the order of a competent Court  
for the payment of the same. The Calcutta Court  
of Small Causes shall be deemed a competent Court  
for that purpose.

**CXXX.** If any street (not being a public  
street), or any part thereof,  
Paving, &c., of pri- be not levelled, paved, me-  
vate streets. talled, flagged, channelled,  
and sewerred to the satisfaction of the Justices, they  
may, by notice in writing to the respective owners  
or occupiers of the premises fronting, adjoining, or  
abutting upon, such parts thereof as may need to  
be levelled, paved, metalled, flagged, channelled,  
and sewerred, require them to level, metal, pave,



flag, channel, and sewer the same within a time to be specified in such notice, and upon non-compliance the Justices may, if they think fit, execute the works mentioned or referred to therein: and the expenses incurred by them in so doing shall be paid by the owners in default according to the frontage of their respective premises, and in such proportion as shall be settled by the Justices, or, in case of dispute, as shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses; and such expense shall be recoverable as hereinafter provided.

**Proviso.** Provided always that, after such streets shall have been so levelled, paved, metalled, flagged, channelled, and sewered, on the requisition of the Justices, or by the Justices as aforesaid, at the expense of the owners, such owners shall have a right to require that the street shall be declared a public street, to be from time to time repaired by the Justices out of the Municipal Fund.

**CXXXI.** If any street (not being a public street, but being a street over or through which the public have or may hereafter have a right of way) be levelled, paved, metalled, flagged, channelled, and sewered to the satisfaction of the Justices, they may, if they think fit, by notice in writing put up in any part of such street, declare the same to be a public street, and thereupon the same shall become a public street, and be from time to time repaired by them out of the Municipal Fund.

**CXXXII.** The Justices may, upon such terms as they shall think fit, allow any house or building to be set forward for improving the line of any public street in which such house or building is situated.

**CXXXIII.** When any house or building, any part of which projects beyond the regular line of a public street, or beyond the front of the house or building on either side thereof, has been taken down in order to be re-built or altered, the Justices may require the same to be set back to or towards the line of the street or the line of the adjoining houses or buildings. Provided always that the Justices shall make full compensation to the owner of any such house or building for any damage he may thereby sustain, and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**Proviso.** of any such house or building for any damage he may thereby sustain, and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CXXXIV.** The Justices shall, from time to time, cause to be put up or painted on a conspicuous part of some house, building, wall, or place at or near each end, corner, or entrance of every street, the name by which such street is to be known; and whoever destroys, pulls down, or defaces any such name, or puts up any name different from that put up by order of the Justices, shall be liable to a penalty not exceeding twenty Rupees.

**CXXXV.** The Justices may, from time to time, fix a number in a conspicuous place on the outer side of any house or building, or at the

entrance of the enclosure thereof fronting the street; and whoever destroys, pulls down, or defaces any such number, shall be liable to a penalty not exceeding twenty Rupees.

**CXXXVI.** All doors, gates, bars, and ground-floor windows put up after this Act comes into operation, which open upon any public street, shall be hung or placed so as not to open outwards and cause obstruction; and if any such door, gate, bar, or window be hung or placed so as to open outwards on any such street and cause obstruction, the owner of the premises to which the same is attached shall, within eight days after notice from the Justices to that effect, cause the same to be altered so as not to open outwards and cause obstruction, and in case he neglects so to do, the Justices may make such alteration, and the expense thereof shall be paid by such owners, and shall be recoverable as hereinafter provided.

**CXXXVII.** If any door, gate, bar, or ground-floor window, put up before this Act comes into operation, is hung or placed so as to open outwards upon any public street and cause obstruction, the Justices may alter the same, so that no part thereof, when open, shall cause an obstruction, and the expense thereof shall be paid by the owners and be recoverable as hereinafter provided.

**CXXXVIII.** The owner of every house or building in any public street shall, within fifteen days after notice from the Justices to that effect, put up and keep in good condition proper troughs and pipes for catching and carrying the water from the roof and other parts of such house or building, and for discharging the same in such manner as the Justices shall direct, and in default of compliance with such notice within the period aforesaid, such owner shall be liable to a penalty not exceeding ten Rupees for every day that he shall so make default.

**CXXXIX.** The Justices may give notice in writing to the owner or occupier of any house or building, to remove or alter any projection, encroachment, or obstruction, which, after this Act comes into operation, shall be erected or placed against or in front of such house or building, and such owner or occupier shall, within fifteen days after the service of such notice upon him, remove such projection, encroachment, or obstruction, or alter the same in such manner as shall have been directed by the Justices, and in default thereof shall be liable to a penalty not exceeding two hundred Rupees; and the Justices in such case may remove such projection, encroachment, or obstruction; and the expense of such removal shall be paid by the owner or occupier so making default, and shall be recoverable as hereinafter provided. Provided that, when the expense shall have been paid by the

**Proviso.** occupier, except in the case in which such projections, encroachments, or obstructions were made or put up by him, such occupier shall be entitled to deduct the expense of removing or altering the same, from the rent payable by him to the owner of the house or building.

**CXL.** The Justices may cause any such projection, encroachment, or obstruction, erected or placed against or in front of any house or building, in any public street, before this Act comes into operation, to be removed, or altered as they think fit; provided that they give notice of such intended removal or alteration to the occupier of the house or building against or in front of which such projection, encroachment, or obstruction shall be, thirty days before such alteration or removal is begun; and if such projection, encroachment, or obstruction shall have been lawfully made, they shall make reasonable compensation to every person who suffers damage by such removal or alteration; and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CXLI.** The Justices may give permission in writing to the owners or occupiers of houses or buildings in public streets, to put up verandahs, balconies, sun-shades, weather-frames, and the like, to project from any upper-story thereof over the street, to an extent not exceeding five feet from the foundation.

**CXLII.** The external roofs and walls of huts or other buildings erected or renewed within the Town, after this Act comes into operation, shall not be made of grass, leaves, mats, or other such inflammable materials; and it shall not be lawful for the owner of any hut or other building, in or near any street, now having an external roof or wall made of any such material, and which is contiguous to or adjoining to any other building, to suffer such roof or wall to remain after this Act comes into operation, unless with the consent in writing of the Justices; and whoever makes any external roof or wall of such materials, or suffers any roof or wall made of such materials to continue contrary to the provisions herein contained, and who shall not remove or alter the same within one month after notice given to him for that purpose by the Justices, shall be liable to a penalty not exceeding ten Rupees for every day that such roof or wall shall continue. Any person may give information and institute a prosecution under this Section.

**CXLIII.** If, in any street, any house, building, or wall, or any thing affixed thereon, be deemed by the Justices to be in a ruinous state, or likely to fall, or in any way dangerous to the inhabitants of such house or building, or to the neighbouring houses or buildings, or to the occupiers thereof, or to passengers, they shall immediately, if it appears to them to be necessary, cause a proper hoard or fence to be put up for the protection of passengers, and shall cause notice in writing to be given to the owner, if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door or other conspicuous part of the said premises or otherwise to be given to the occupier thereof (if any), requiring such owner or occupier forth-

with to take down, secure, or repair such house, building, wall, or thing affixed thereon, as the case shall require; and if such owner or occupier do not begin to repair, take down, or secure the same within three days after such notice, and complete such work with due diligence, the Justices shall cause all or so much of such house, building, wall, or thing as they shall think necessary, to be taken down, repaired, or otherwise secured; and all the expenses incurred by the Justices shall be paid by the owner of the premises, and shall be recoverable from him as hereinafter provided.

**CXLIV.** If any such house, building, or wall, or any part of the same, be pulled down by virtue of the powers aforesaid, the Justices may sell the materials thereof, or so much of the same as shall be taken down, and apply the proceeds of such sale in payment of the expenses incurred, and shall restore any overplus arising from such sale to the owner of such house, building, or wall, on demand. The Justices, although they sell such materials for the purposes aforesaid, shall have the same remedies for compelling the payment of so much of the said expenses as may remain due after the application of the proceeds of such sale, as by this Act are given to them for compelling the payment of the whole of the said expenses.

**CXLV.** If any building or land, by reason of abandonment or of disputed ownership or other cause, shall remain untenanted, and thereby become a resort of idle and disorderly persons, or be complained of by any two or more of the neighbours as a nuisance, the Justices, after due enquiry, may cause notice in writing to be given to the owner, or to the person claiming to be the owner, if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door of the building or some conspicuous part of the premises, requiring the persons concerned therein, whoever they may be, to secure or enclose the same; and if such notice shall not be complied with within eight days, the Justices shall cause the necessary work to be executed, and all expenses thereby incurred shall be paid by the owner of the premises, and shall be recoverable as hereinafter provided.

**CXLVI.** Whoever, being the occupier of a house within the Town, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil, filth, or any noxious or offensive matter, in or upon the roof of such house, or in any out-house, yard, or ground attached to and occupied with such house, or suffers such receptacle to be in a filthy or noxious state, or neglects to employ proper means to remove the filth therefrom and to cleanse and purify the same, shall be liable to a penalty not exceeding fifty Rupees for each offence.

**CXLVII.** Whoever, being the owner or occupier of any house, building, or land, within the Town, whether tenanted or otherwise, suffers the same to be in a filthy and unwholesome state, or overgrown with vegetation, shall be liable to a penalty not exceeding fifty Rupees, and to a penalty not exceeding ten Rupees for every day after conviction for such offence during which the offence is continued.

**CXLVIII.** The Justices may give notice to the owner or occupier of any land to trim or prune the hedges thereof bordering any public road or street, so that they may not exceed the height of seven feet from the level of the road; and to cut and trim all trees which by overhanging any public road or street obstruct the passage or cause damage thereto; and in the event of such notice not being complied with within eight days from the date thereof, the Justices may cause the said hedges and trees to be cut and trimmed in the manner required, and the expense incurred by the Justices in respect thereof shall be paid to them by the owners, and shall be recoverable as hereinafter provided.

**CXLIX.** Whoever within the Town shall keep any pig-stye to the front of any street, not being shut out therefrom by a sufficient wall or fence, and whoever shall within the Town, without the permission of the Justices, keep more than ten swine or more than twenty sheep or goats, or ten horned cattle, shall be liable to a penalty not exceeding fifty Rupees.

**CL.** All public sewers and drains, and all sewers, drains, tunnels, and culverts in, alongside, or under the streets, existing at the time this Act comes into operation or afterwards made, and whether made at the cost of the Justices or otherwise, and all works, materials, and things appertaining thereto, shall be vested in and belong to the Justices.

**CLI.** The Justices, in making any main or other sewers for the drainage of the Town, may, if needful, carry such sewers through, across, or under any street, or any place laid out as, or intended for, a street, or any cellar or vault which may be under any of the streets, and (after reasonable notice in writing in that behalf) into, through, or under any inclosed or other land whatsoever, making full compensation for any damage done thereby; and if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

**CLII.** The Justices shall maintain, and from time to time repair, and as they see fit, enlarge, alter, arch-over, or otherwise improve, all or any of the sewers and drains vested in them by this Act: and may discontinue, close up, or destroy such of them as they may deem useless or unnecessary. Provided that if, by reason of any thing done under this Section, any person is deprived of the lawful use of any sewer or drain, the Justices shall, at a place within one hundred feet of the sewer or drain of the use of which he is deprived, provide the means of drainage into some public sewer, tidal river, or other place into which the Justices are empowered to empty their sewers, and thereupon the owner shall make a drain leading thereunto, of such materials, of such size, at such level, and with such fall, as the Justices shall direct; and if he neglect to do so within a reasonable time, the Justices may cause the same to be done, and the expenses thereby incurred shall be paid by the owner, and shall be recoverable as hereinafter provided.

**CLIII.** The Justices shall, so far as the funds at their disposal will admit, cause the sewers and drains belonging to them to be constructed, maintained, and kept, as not to be a nuisance or injurious to health, and to be properly cleared, cleansed, and emptied; and for the purpose of flushing, cleansing, and emptying the same, they may construct and place, either above or underground, such reservoirs, sluices, engines, and other works as may be necessary; and they may also, with the sanction of the Government of Bengal, cause all or any of such sewers and drains to communicate with and be emptied into any tidal river or other fit place, or cause the refuse from such sewers and drains to be conveyed by a proper channel to the most convenient site for its deposit, and may sell the same for any agricultural or other purposes as may be deemed most expedient, but so that the same shall not become a nuisance.

**CLIV.** When the contents of any sewer or drain, or any other flow or bed of stream receiving sewerage to filth or refuse, are discharged into any river or stream, in the bed or channel of which the quantity of water at any season of the year is so much diminished by natural or artificial causes as to be insufficient to keep such channel clean or clear, the Justices, with the sanction of the Government of Bengal, so far as the funds at their disposal will admit, shall make such alteration in the bed of such river or stream as may prevent such sewer and drain-water from spreading over the surface of such bed, or from accumulating and stagnating in parts thereof to the injury of health or the annoyance of the surrounding population.

**CLV.** Whoever, without the written consent of the Justices first obtained, makes or causes to be made any drain into any of the sewers or drains vested in the Justices by this Act, shall be liable to a penalty not exceeding two hundred Rupees; and the Justices may cause such branch-drain to be demolished, altered, re-made, or otherwise dealt with as they shall think fit; and all the expense incurred thereby shall be paid by the person making such branch-drain, and shall be recoverable as hereinafter provided.

**CLVI.** No building shall be newly erected over any sewer or drain vested in the Justices by this Act, without their written consent; and if any building be so erected, the Justices may cause such building to be pulled down, or otherwise dealt with as they may think fit; and the expenses thereby incurred shall be paid by the person offending and be recoverable as hereinafter provided.

**CLVII.** If any house or building within the Town and within a reasonable distance of a sewer fit for use, or of some tidal river or other place at which the Justices are empowered to empty their sewers, be at any time not drained to the satisfaction of the Justices by a sufficient drain or pipe communicating with some sewer, tidal river, or other place as aforesaid, the Justices may, if the owner neglects to do so within fifteen days after notice, construct or lay from such house or building a covered drain or pipe, of such materials, of such size, at such level, and with such fall, as they shall

**CLVIII.** The Justices may give notice to the owner or occupier of any land to trim or prune the hedges thereof bordering any public road or street, so that they may not exceed the height of seven feet from the level of the road; and to cut and trim all trees which by overhanging any public road or street obstruct the passage or cause damage thereto; and in the event of such notice not being complied with within eight days from the date thereof, the Justices may cause the said hedges and trees to be cut and trimmed in the manner required, and the expense incurred by the Justices in respect thereof shall be paid to them by the owners, and shall be recoverable as hereinafter provided.



think necessary for the draining of such house or building; and the expenses incurred by the Justices in respect thereof, if not forthwith paid by the owner, shall be recoverable as hereinafter provided.

**CLVIII.** No house or building shall be hereafter built within the Town upon a lower level than will allow of the drainage of such house or building being led into some public sewer either then existing or projected, or into some tidal river or other place into which the Justices are empowered to empty their sewers.

**CLIX.** If any house or building, newly erected or re-built within the Town after this Act comes into operation, have such means of drainage, as in the last preceding Section mentioned, existing within one hundred feet thereof, the owner shall make a drain leading thereunto from the site of such house or building, of such materials, of such size, at such level, and with such fall, as the Justices may direct; and if he neglect to do so within a reasonable time, the Justices may cause the same to be done, and the expenses thereby incurred shall be paid by the owner and shall be recoverable as hereinafter provided.

**CLX.** Before beginning, within the town, to build or re-build any house, the person intending to build or re-build such house shall give to the Justices notice thereof in writing, and shall accompany such notice with a plan, shewing the levels at which the foundation and lowest floor of such house are proposed to be laid, by reference to some level ascertained under the direction of the Justices.

**CLXI.** Within fourteen days after receiving such notice, the Justices shall signify their approval of the proposed levels, or, if they disapprove thereof, they shall fix other levels in lieu thereof within the same time.

**CLXII.** If such building be begun or made without sending such notice and plan, or at any levels different from those fixed by the Justices within the said fourteen days, or in any other respect contrary to the provisions of this Act, the Justices may, if necessary, cause such building to be altered or demolished as the case may require; and the expense thereby incurred shall be paid by the person failing to comply with the provisions aforesaid, and shall be recoverable as hereinafter provided.

**CLXIII.** If the Justices fail to signify in writing their approval or disapproval of the levels shewn on such plan as aforesaid, and to fix other levels within fourteen days after receiving such notice and plan as aforesaid, the person giving such notice may, notwithstanding any thing hereinbefore contained, proceed to build or re-build the house therein referred to according to the levels shewn on such plan, provided that

such building or re-building be otherwise in accordance with the provisions of this Act.

**CLXIV.** All sewers and drains in streets, whether public or private, shall be provided by the Justices, or by the persons to whom they severally belong, with proper traps or other coverings or means of ventilation so as to prevent stench. If the owner of any private sewer or drain shall, for ten days after notice given to him by the Justices, neglect or delay to provide proper traps or coverings or means of ventilation as aforesaid, the Justices may forthwith provide and apply the same; and the expense incurred thereby shall be paid by the owner of such sewer or drain, and shall be recoverable as hereinafter provided.

**CLXV.** The Justices may erect on or fix to any house or building such pipes as they may deem necessary for the proper ventilation of the sewers belonging to them, and such pipes shall be carried to a height of not less than six feet above the highest part of the house or building, and erected so as not to occasion any nuisance or inconvenience to any house or building in the neighbourhood.

**CLXVI.** Whoever throws or puts, or permits his servants to throw or put, any earth, dirt, ashes; garden, kitchen, or stable refuse; or any broken glass or earthen-ware, or other rubbish, or, until suitable sewers shall be provided, any night-soil, into any sewer or drain belonging to any of the Justices, or into any drain communicating therewith, shall be liable to a penalty not exceeding fifty Rupees for each offence.

**CLXVII.** The Justices may provide and maintain in proper and convenient situations, so as not to create a nuisance, common necessaries and urinals, and shall cause the same, when provided, to be kept in proper order and to be daily cleansed.

**CLXVIII.** The Justices may license, for any period not exceeding one year, such necessaries for public accommodation, and such tola mehters' depôts, as they, from time to time, may think proper; and whoever keeps any public necessary, or any tola mehter's depôt without such license, or, having a license for a public necessary or tola mehter's depôt, suffers the same to be in a filthy or noxious state, or neglects to employ proper means for cleaning the same, shall, on conviction before a Justice of the Peace, be liable to a penalty not exceeding one hundred Rupees, and the license may be cancelled by the Justice before whom the person is convicted. Provided also that it shall be lawful for the Justices at any time, on giving one month's notice, to cancel any license granted under this Section, if it shall seem proper to them to cancel it.

**CLXIX.** The owner or occupier of any house or building having a privy on his premises, shall have such privy shut out by a