

APPELLATE CIVIL.

Before Mr. Justice Mitter and Mr. Justice Maclean.

MAHOMED ELAHEE BUKSH AND OTHERS (DEFENDANTS) v. BROJOKISHORE SEN AND OTHERS (PLAINTIFFS).*

1878
July 9.

Limitation—Beng. Act VIII of 1869, s. 29—Computation of Time according to English Calendar.

Held, in accordance with former decisions of the High Court, that, for the purpose of computing the period of limitation prescribed by s. 29 of Beng. Act VIII of 1869, the calculation is to be made according to the English calendar.

THE judgment in this case simply follows the decision in the cases of *Jay Mangal Sing v. Lal Rang Pal Sing* (1), *Khasro Mandar v. Premlal* (2), and *Luchmeeput Singh Bahadoor v. Raj Coomaree Dabee* (3).

Appeal decreed.

ORIGINAL CIVIL.

Before Sir Richard Garth, Kt., Chief Justice, and Mr. Justice Markby.

BIDDOMOYE DABEE DABEE v. SITARAM

AND

BIDDOMOYE DABEE DABEE v. SOOBUL DAS MULLICK.

1878
July 24.

Custody of Servant—Possession—Pledge of Goods—Contract Act (Act IX of 1872), s. 178.

A servant entrusted by his mistress with the custody of goods, pawned them during her absence. The mistress sued in *trover* for the goods. *Held*, that the custody of the servant was not "possession" within the meaning of s. 178 of the Contract Act, and that if he was to be regarded as having taken

* Special Appeal, No. 1636 of 1877, against the decree of F. C. Fowle, Esq., Judge of Zilla Tipperah, dated the 2nd of February 1877, modifying the decree of Baboo Hara Chunder Dass, Munsif of Amirgunge, dated the 11th of December 1875.

(1) 4 B. L. R., App., 53.

(2) 9 B. L. R., App., 41.

(3) 23 W. R., 275.