



SUPPLEMENT
TO THE
BOMBAY GOVERNMENT GAZETTE
CONTAINING
BILLS OF THE GOVERNMENT OF INDIA.

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Separate Paging is given to these Supplements, in continuation from one to the other, that the Bills may be collected into a separate Compilation.

HOME DEPARTMENT (Legislative).

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations, on the 29th January 1862, and was referred to a Select Committee, who will make a report thereon after the 1st of May next:—

A Bill for Securing certain Grants of Immoveable Property made by the State.

Whereas it is expedient and proper that grants of immoveable property made for services rendered to the State, or for the support of any Title, Office, or Dignity conferred by the State, should be applied to the purpose for which the grant shall have been made, and that the property so granted should not be liable to be diverted from such purpose; It is enacted as follows:—

I. Whenever any grant of immoveable property shall be made as above to any persons as a reward for services rendered to the State, or to accompany or support any Title, Office, or Dignity conferred by the State, it shall be lawful for the Governor General of India in Council to declare,—*first*, that no assignment, agreement, sale, security, or alienation of any kind of, or in respect to, such property, or of any future interest therein, shall be made by the grantee, or by any person to whom such property shall descend, under the limitations of such grant (save and except leases for any period not exceeding seven years, or for any further period terminable with the life of the lessor); and that all such assignments, agreements, sales, securities, and alienations, save and except such leases as aforesaid, shall be null and void; *secondly*, that the property so granted shall be exempt from seizure, attachment, or sequestration by process of any Court of Civil Judicature, and from sale under any process in execution of any decree or order of any such Court; and *thirdly*, in what manner, and subject to what limitations, the property so granted shall, after the death of the grantee, descend in his family, namely, whether according to the ordinary law of inheritance applicable to the grantee, or to the rule

of primogeniture or otherwise; or to make any one or more of such declarations. Any such declaration shall be valid and effectual, and the property in respect of which it is made shall thereupon be held and enjoyed, subject to such declaration, and in accordance with the terms thereof.

II. It shall be lawful for the Governor General of India in Council, with the consent of the proprietor or proprietors at the time of any immoveable property which shall have been granted to any person before the passing of this Act for service rendered to the State, or to support any Title, Office, or Dignity conferred by the State, and which shall continue the property of the grantee or of any descendant of the grantee, to whom the property shall have descended under the limitations of the grant, to make any one or more of such declarations as aforesaid in respect of such property, and thereupon such declarations shall, from the date thereof, have the same force and effect in respect of the property to which it applies as a declaration made under the last preceding Section.

III. No such declaration as is provided for in the last preceding Section of this Act shall apply to, or affect any assignment, agreement, order, sale, security, or lien, or any right, title, or interest made, created, or acquired, in respect of any property to which such declaration relates, or any process of any Court of Civil Judicature issued in respect thereof before the making of such declaration, or the claim of any creditor in respect of any debt personally incurred by the grantee subsequently to the acquisition of the grant, or by any descendant of the grantee to whom the property shall have descended under the limitations of the grant if such debt shall have been incurred before the passing of this Act.

IV. Whenever any creditor or other person require execution in Mode of satisfaction of any claim or right instead of sale. of any claim or right barred by declaration this Act, by the sale of any property in respect of which any such declaration as aforesaid shall have been made, the same shall be made in accordance with the provisions of the Act in that behalf made.

made, if it shall appear that satisfaction of the claim can be made within a reasonable period otherwise than by a sale of the property, the Court from which such execution is required shall make provision for the satisfaction of the claim in such manner as shall seem best, instead of proceeding to the sale of the property.

V. Any declaration made under this Act shall be registered in the Office of the Collector and in the Office of the Principal Register of Deeds of the District in which the property is situate, in books to be kept for the purpose by such Collector and Principal Register of Deeds, and shall be published in the Official Gazette.

M. WYLIE,
Depty. Secy to the Govt. of India,
Home Department.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations, on the 29th January 1862, and was referred to a Select Committee, who will make a report thereon after the 1st of May next:—

A Bill to Revive and continue in Force for a further period Act XXXIII. of 1857 (to make further Provision relating to Foreigners.)

Whereas it was enacted by Act XXVIII. of 1859, that Act XXXIII. of 1857 (to make further provision relating to Foreigners) should continue in force for two years from the 5th day of December 1859; and whereas it is expedient to revive and continue the said Act for a further period; It is enacted as follows:—

The said Act XXXIII. of 1857 shall continue in force for the period of two years from the 5th day of December 1861, and shall be deemed and taken to have had effect as if this Act had actually passed and received the assent of the Governor General before the expiration of the said Act XXXIII. of 1857, as continued in force by the said Act XXVIII. of 1859.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, as its title imports, is to continue in force for a further period the Act of 1857, which was passed to enable the Government to prevent the subjects of Foreign States from residing or sojourning in India, or from passing through, or travelling in, the same, without the consent of the Government.

The original Act expired on the 5th December 1859, and was renewed for two years by the Act No. XXVIII. of that year. It expired again on the 5th December 1861, and it is now thought by the Governor General in Council expedient to renew it for a like period of two years, that is, to the 5th December 1863.

In addition to the general reasons which led to the passing of the Act of 1857, and which still to some extent prevail, a special reason for continuing it in force is afforded by the recent Concordat between the Pope and Portugal, under which it is probable that the subjects of Foreign European nations may resort to India in greater numbers; and in positions of greater influence, than heretofore.

No objection has been made to the Act of 1857 as it stands, and it is therefore not proposed to alter any of its provisions, but simply to prolong the time of its duration to the end of next year.

(Signed). CECIL BEADON.

22nd January 1862.

M. WYLIE,
Depty. Secy. to the Govt. of India,
Home Department.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations, on the 29th January 1862, and was referred to a Select Committee, who will make a report thereon after the 1st of May next:—

A Bill to provide for a New Silver and a New Copper Coinage.

Whereas it is expedient to provide for a new Silver and a new Copper Coinage, It is enacted as follows:—

I. From the day of so much of the Repeal of Acts. 1st and 2nd Sections of Act XVII. of 1835 (relating to Gold and Silver Coinage) as provides that the Silver Coins therein mentioned only shall be coined at the Mints within the territories of the East India Company, and that such Coins shall bear on the reverse the words "The East India Company"; and the Acts XXXI. of 1837 (relating to Coinage) and XXI. of 1838 (relating to the Silver Coinage); and Acts XXI. of 1835, XXI. of 1844, and XI. of 1854 (relating to the Copper Coinage) shall be repealed, except as to any act already done, or any Coin already coined or issued under the same.

II. From the day of 1862 the under-mentioned Silver and Copper Coins only shall be coined at the Mints in British India:—

Silver Coin.

- A Rupee.
- A Half Rupee.
- A Quarter Rupee, or Four-Anna Piece.
- An Eighth of a Rupee, or Two-Anna Piece.

Copper Coin.

- A Double Piece, or Half Anna.
- A Piece, or Quarter Anna.
- A Half Piece, or one-eighth of an Anna.
- A Pie, being one-third of a Piece, or one-twelfth of an Anna.

III. The Rupee so coined shall be of the same weight and standard as those provided for the Company's Silver Coins. Rupee by the said Act XVII. of 1835, that is to say, the weight shall be 180 grains Troy, and the standard as follows:— $\frac{1}{16}$ th, or 165 grains of pure Silver; $\frac{1}{16}$ th, or 15 grains of Alloy. The other Silver Coins shall be of proportionate weight, and of the same standard.

IV. The Copper Coins so coined shall be of the weight prescribed for Coins of the same denominations respectively by Acts XXI. of 1835 and XI. of 1854, that is to say:—

The Double Piece shall weigh 200 grains Troy.
The Piece 100 "
The Half Piece 50 "
The Pie 33 $\frac{1}{2}$ "

V. Until the Governor General in Council shall otherwise order under the power hereinafter reserved, the Silver and Copper Coins so coined shall bear on the obverse the likeness and the name of Her Majesty Queen Victoria, and the inscription "Victoria Queen," and on the reverse the designation of the Coins in English filled by the word "India," with such date and embellishments on each Coin as the Governor General in Council from time to time may direct.

VI. It shall be lawful for the Governor General in Council, from time to time, to direct the coining and issuing of all Coins authorised by this Act, and to prescribe, in lieu of the likeness and inscription as heretofore prescribed, such other devices and inscriptions and embellishments for all or any of the Coins hereby

authorised, as he may, by order in Council to be published in the *Government Gazette*, direct.

VII. The said Rupee and Half Rupee shall be a legal tender in payment or on account of all engagements whatever, provided the Coin shall not have lost more than two per cent. in weight, and provided it shall not have been clipped or filed, or have been defaced or diminished, otherwise than by use.

VIII. The Quarter Rupee and Eighth of a Rupee shall be legal tender only for the fractions of a Rupee, subject to the same provisions as in the last preceding Section mentioned.

IX. The Double Pice shall be a legal tender for one thirty-second part of a Rupee, or for Half an Anna.

The Pice for one-sixty-fourth part of a Rupee, or for One-fourth of an Anna.

The Half Pice for one-hundred-and-twenty-eighth part of a Rupee, or for One-eighth of an Anna; and the Pie, one-third of a Pice, for the one-hundred-and-ninety-second part of a Rupee, or the Twelfth of an Anna.

Provided, that none of the said Copper Coins shall be a legal tender, except for the fractions of a Rupee, and except in the Settlement of Prince of Wales' Island, Singapore, and Malacca, for the fractions of a Dollar.

X. All Silver Coins of the weight and standard specified in the said Acts XVII. of 1835, and XXI. of 1838, issued since the passing of those Acts respectively, and before the day of and declared by those Acts respectively to be a legal tender, and all Copper Coins of the weight specified in the said Acts XXI. of 1835, XXII. of 1844, and XVII. of 1855, issued since the passing of those Acts respectively, and before the day of and declared by those Acts respectively to be a legal tender, shall continue to be a legal tender for the amounts thereof respectively, subject to the same conditions and provisions as under those Acts respectively, anything in this Act contained notwithstanding.

XI. All Acts and Laws in force in British India at the time of the passing of this Act respecting the Queen's Coin, or the Silver or Copper Coin current in British India, and not repugnant to the provisions of this Act, shall be and continue in full force and effect, and shall be applied to the Silver and Copper Coin to be coined in pursuance of this Act.

XII. The words "British India" in this Act denote the territories which are or may become vested

in Her Majesty by the Statute 21 and 22 Vic., c. 106, entitled "An Act for the better Government of India."

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to legalise the Coinage at and issue from the Mints of the new Silver and Copper Coins which the Government proposes to issue, and the Dies of which have been prepared in England.

These Coins are of the same denomination, standard, and weight as those of the Coin already in use. The only change proposed to be made in the Coin which requires for its sanction an alteration in the law, consists in the omission of the words "East India Company," and of the designation of the Coin in Persian, which, under the present law, must be impressed on the reverse of the Coin.

In lieu thereof the new Coin will bear on its obverse the name and title, as well as the likeness of the Queen, and on the reverse the designation of the Coin in English. There are other changes in the devices and ornaments on the Coin, but this is the only one calling for alteration of the law, as the Governor General in Council in his executive capacity, is empowered by the Act above referred to, to prescribe such other embellishments for the Silver Coinage as he may think fit.

The present Bill provides that the Coin shall bear the likeness of Her Majesty, and the inscription "Victoria Queen," until the Governor General in Council shall otherwise direct, and empowers the Governor General in Council from time to time to vary the devices and inscriptions.

The proposed change in the Copper Coinage, which also mainly consists in the substitution of the name of the Queen for that of the East India Company, does not of itself require any change in the law; for power is given by Act XVII. of 1835, Section X., Act XXI. of 1835, and Act XXII. of 1844, to the Governor General in Council by Order in Council, to prescribe the devices and inscriptions for the Copper Coin.

But as the provisions for the Copper Coinage are scattered through several Acts* it has seemed desirable (except as to such of them as apply to the Copper Coin in the Straits' Settlement, which stand on a different footing from the rest of India in that respect) to repeal these Acts, and consolidate their provisions in the present Bill.

(Signed) W. RITCHIE.

The 22nd January 1862.

M. WYLIE,
Depy. Secy. to the Govt. of India,
Home Department.