



SUPPLEMENT  
TO THE  
BOMBAY GOVERNMENT GAZETTE,  
CONTAINING  
Acts and Bills of the Legislative Council of India.

Published by Authority.

THURSDAY, 26<sup>TH</sup> JANUARY 1860.

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

**Legislative Council of India.**

24th December 1859.

The following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor General on the 14th December 1859 (communicated to the Legislative Council on the 24th idem), and is hereby promulgated for general information:—

ACT No. XXV. of 1859.

*An Act to prevent the Over-crowding of Vessels carrying Native Passengers in the Bay of Bengal.*

Whereas it is necessary to prevent the over-crowding of Vessels carrying Native Passengers in the Bay of Bengal; It is enacted as follows:—

Preamble.

I. No Vessels shall carry Native Passengers from any Port or place under the Presidency of Fort St. George, or from Chittagong, or from any Port in the Province of Orissa, to any Port or place on the Eastern Coast of the Bay of Bengal or in the Straits of Malacca or in Ceylon; or from any Port or place on the Eastern Coast of the Bay of Bengal, or in the Straits of Malacca, to any Port or place under the Presidency of Fort St. George, or to Chittagong, or to any Port in the Province of Orissa, in a proportion greater than one passenger to every four tons of the burden of such Vessel, without a licence.

II. No Vessel shall be licensed to carry Passengers

Number of Native Passengers to be carried in licensed Vessels.

on any such voyage as aforesaid, in a proportion greater than one passenger to every ton of burden, nor unless the Vessel has space on a deck or platform under hatches reserved for the accommodation of the Passengers in the proportion of six superficial feet for every Passenger, with not less than five feet clear between the upper deck and the lower deck or platform: except a Vessel proceeding in ballast from any part of the Coast

First exception.

of the Gulf of Manaar or Palk's Strait to any Port or place in Ceylon, which may be licensed to carry a number of Passengers not exceeding the proportion of two and a half to every ton of her burden, provided that the whole of the space usually allotted for cargo and not occupied by ballast, be kept for the accommodation of the Passengers, and for storing the provisions and water for their use, and that the space left clear for the accommodation of the Passengers on the deck or decks

of the Vessel be not less than four superficial feet for each Passenger: and except a vessel carrying Native Passengers between Chittagong and any Port or place on the coast of Arracan, which may be licensed to carry a number of Passengers not exceeding the proportion of two and a half to every ton of her burden, subject to such regulations as the Government of Bengal may prescribe.

III. The Master or Tindal of any Vessel which shall carry Native Passengers on any such voyage as aforesaid, without a licence, in a proportion exceeding that laid down in Section I., shall be liable to a fine not exceeding twenty Rupees for each Passenger in excess of such proportion.

IV. The Master or Tindal of any licensed Vessel which shall carry on any such voyage a greater number of Passengers than is specified in the licence, or in which the accommodation therein required shall not be afforded, shall be liable to a fine not exceeding twenty Rupees for each Passenger in excess of such number, or for each Passenger who is not provided with accommodation agreeably to the licence.

V. Passengers in a greater number than one Passenger to every four tons of the burden of any Vessel, shall not be shipped from the territories under the Government of Fort St. George, or from the Province of Orissa, for Ceylon, or the Eastern Coast of the Bay of Bengal, or the Straits of Malacca; or from the Eastern Coast of the Bay of Bengal, or the Straits of Malacca, for the said territories or Province or for Chittagong, except from such Ports as shall be from time to time appointed by the local Government by an order published in the *Government Gazette*, and in the Straits Settlement in such manner as the Governor shall notify; and the Master or Tindal of any Vessel who shall take on board Passengers for such voyage from any other Port or place in a greater proportion to the burden of the Vessel than is above-mentioned, shall be liable to a fine not exceeding twenty Rupees for each Passenger embarked.

VI. It shall be at the discretion of the Collectors of Sea Customs for the Ports appointed for shipping Native Passengers, or such other persons as the local Government may from time to time appoint for the

Government to appoint Ports for shipment of Passengers, when the number of Passengers to be carried is greater than one to every four tons of burden.

Grant of licences to Vessels.

purpose, to grant licences to Vessels under this Act. Provided that such licences shall not be granted, except for Vessels within the exceptions in Section II., till the Vessels have been surveyed according to such directions as shall be given from time to time by the local Government. The licence shall describe the Vessel, her tonnage, and rig; the number of her boats, anchors, and cables; and what instruments for the purpose of navigation she is supplied with; also the name of the owner and of the Master or Tindal, and the number and composition of the crew; and shall specify the number of Passengers she may carry, and the space to be assigned for their accommodation.

VII. The Master or Tindal of any Vessel licensed to carry Passengers from any Port in the territories under the Government of Fort St. George, or from Chittagong, or from any Port in the Province of Orissa, to any Port or place on the Eastern Coast of the Bay of Bengal or the Straits of Malacca; or from any Port on the Eastern Coast of the Bay of Bengal or the Straits of Malacca, to any Port or place in the territories under the Government of Fort St. George, or to Chittagong, or to any Port in the Province of Orissa, which shall proceed on such voyage, not being furnished with provisions and water according to such scale as shall be laid down from time to time by an order of the local Government published in the *Government Gazette*, and in the Straits Settlement in such manner as the Governor shall notify, shall be liable to a fine not exceeding twenty Rupees for each Passenger in excess of the number fully supplied with provisions and water according to such scale.

VIII. The Master or Tindal of any Vessel licensed to carry Passengers as aforesaid, who shall wilfully and without satisfactory excuse omit to supply to every Passenger the prescribed allowance of food and water, shall be liable for such omission to a fine which may extend to twenty Rupees for every Passenger who has suffered privation thereby.

IX. The Master or Tindal of any Vessel licensed to carry Passengers from any Port under the Government of Fort St. George to Ceylon, or between Chittagong and any Port or place on the coast of Arracan, who shall proceed on any such voyage without having laid in a supply of water and provisions for the Passengers according to a scale to be fixed by the Collector of Sea Customs for such Port, or such other person as the local Government may from time to time appoint for the purpose, which shall be hung up at the Custom House of the Port, shall be liable to a fine not exceeding one hundred Rupees.

X. The Master or Tindal of any Vessel licensed to carry Passengers as hereinbefore provided, shall sign and deliver, in duplicate, to the principal Officer of Customs at the place of embarkation, or such other person as the local Government may, from time to time, appoint for the purpose, a list, according to the form annexed to this Act, of all Passengers to be conveyed in such Vessel; and such Officer, after satisfying himself of the correctness of the same, and that the number of Passengers authorised is not exceeded, shall countersign and return one such list to the Master or Tindal, to be produced to the proper Officer at the Port to which the Vessel is bound; and should any additional Passengers engage to proceed by such Vessel after such list has been so countersigned, the Master or Tindal may insert their names in the original list, obtaining the signature of the controlling Officer as before. The Officer in charge of the Customs may withhold the Port Clearance till this rule is complied with.

XI. If any Vessel, bringing Native Passengers into any Port or place whatsoever on the Eastern Coast of the Bay of Bengal or in the Straits of Malacca, from any Foreign European Settlement situate on the line of coast within the limits of the Presidency of Fort St. George, shall have on board a greater number of Passengers than in the proportion prescribed in Section I. of this Act, the Master or Tindal of such Vessel shall be liable to a penalty of twenty Rupees for each Passenger in excess of such proportion, unless the vessel shall have been licensed under Section VI. of this Act, and shall have complied with the stipulations as regards space, water, and provisions laid down in Section II.

XII. The principal Officer in charge of the Customs at the Port of embarkation or of destination, or any person authorised by him, shall be at liberty at all times to enter and inspect any Passenger Vessel, and the fittings, provisions, and stores therein; and whoever impedes such entry or inspection, or refuses to allow of the same, shall be liable to a fine not exceeding fifty Rupees.

XIII. If any Native Passenger in any Ship shall be landed at any Port or place other than the Port or place at which he may have contracted to land, unless with his previous consent, or unless such landing is made necessary by perils of the sea or other unavoidable accident, the Master shall, for each offence, be liable to a penalty not exceeding two hundred Rupees.

XIV. Nothing in this Act contained shall take away or abridge any right of action which may accrue to any Native Passenger, or to any other person, in respect of the breach or non-performance of any contract made with the Master or Owner of the Ship or his Agent.

XV. All offences against this Act shall be punishable in a summary manner by a Magistrate. If the person directed to pay any penalty is the Master or Tindal of a Ship, and the same is not paid at the time and in the manner prescribed by the order of payment, the Magistrate may, in addition to the means prescribed by law for enforcing payment, direct, by warrant, the amount remaining unpaid to be levied by distress and sale of the said Ship, her tackle, furniture, and apparel.

XVI. For the purpose of the adjudication of penalties under this Act, any offence shall be deemed to have been committed within the limits of the jurisdiction of the Magistrate of the place where the offender is found.

XVII. Any Magistrate imposing any penalties under this Act may, if he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed, or in or towards payment of the expenses of the proceedings.

XVIII. The word "Magistrate" in this Act shall include a Magistrate of Police appointed under Act XIII. of 1856, a Joint Magistrate, and any person lawfully exercising the powers of a Magistrate, and a Justice of the Peace.

The words "Local Government" shall mean the person or persons for the time being immediately adminis-

*Certain licensed Passenger Vessels to carry provisions according to appointed scale.*

*Penalty for omitting to supply Passengers with prescribed allowance of food and water.*

*Supply of provisions on board Passenger Ships plying to and from Ceylon.*

*List of Passengers to be signed by Master.*

*Additional Passengers.*

*Penalty for bringing Native Passengers into any Port on the Eastern Coast of the Bay of Bengal from any Foreign European Settlement, in excess of authorised proportion.*

*Penalty for impeding entry or inspection.*

*Penalty on landing Passenger at a place other than that at which he has contracted to land.*

*Passenger's right of action preserved.*

*Adjudication of offences and recovery of penalties.*

*Sum ordered to be paid leviable by distress on ship.*

*Jurisdiction.*

*Interpretation. "Magistrate."*

*"Local Government."*

teasing the Executive Government of that portion of the said territories where the Port or place in question is situate.

XIX. This Act shall commence and take effect from the expiration of Act Commencement of Act . I. of 1857.

### SCHEDULE.

Form.

1	2	3	4	5	6	7
Name of Vessel.	Name of Master.	Tons per Register.	Port of Embarkation.	Names and numbers of Passengers.	Port at which Passengers have contracted to be landed.	Date of Departure.

(Signed) \_\_\_\_\_, Master.

(Countersigned) \_\_\_\_\_, Principal Officer of Customs.

*Note.*—In the case of Vessels carrying Passengers to Ceylon, or between Chittagong and any Port or place on the Coast of Arracan, it will be sufficient to insert the number, and not the names, of Passengers in Column 5.

W. MORGAN,  
Clerk of the Council.

### Legislative Council of India.

24th December 1859.

The following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor General on the 14th December 1859 (communicated to the Legislative Council on the 24th idem), and is hereby promulgated for general information:—

ACT No. XXVI. of 1859.

*An Act to continue in Force for a further period, Act XXVIII. of 1857.*

Whereas it is expedient that Act XXVIII. of 1857 (relating to the importation, manufacture, and sale of Arms and Ammunition, and for Regulating the right to Keep or Use the same) should continue in force for a further period; It is enacted as follows:—

Act XXVIII. of 1857 continued till 30th June 1860.

I. Act XXVIII. of 1857 shall continue in force until the 30th day of June 1860.

W. MORGAN,  
Clerk of the Council.

### Legislative Council of India.

24th December 1859.

The following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor General on the 14th December 1859 (communicated to the Legislative Council on the 24th idem), and is hereby promulgated for general information:—

ACT No. XXVII. of 1859.

*An Act to continue in Force for a further period, Acts XIV. of 1857, XVI. of 1857, and XVII. of 1857.*

Whereas it is expedient that Act XIV. of 1857 (to make further provision for the trial and punishment of certain offences relating to the Army, and of offences against the State), Act XVI. of 1857 (to make tem-

porary provision for the trial and punishment of heinous offences in certain Districts), and Act XVII. of 1857 (to provide temporarily for the apprehension and trial of Native Officers and Soldiers for Mutiny and Desertion), should continue in force until the end of the year 1860; It is enacted as follows:—

I. Acts XIV. of 1857, XVI. of 1857, and XVII. of 1857 shall continue in force until the end of the year 1860.

W. MORGAN,  
Clerk of the Council.

### Legislative Council of India.

7th January 1860.

The following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor General on the 26th December 1859 (communicated to the Legislative Council on the 7th January 1860), and is hereby promulgated for general information:—

ACT No. XXVIII. of 1859.

*An Act to revive and continue in force for a further period Act XXXIII. of 1857 (to make further provision relating to Foreigners).*

Whereas by Act XXXIII. of 1857 ("An Act to make further provision relating to Foreigners," which received the assent of the Governor General on the 5th December 1857), it was enacted that the said Act should continue in force for two years; and whereas it is expedient to revive and continue the said Act for a further period; It is enacted as follows:—

I. The said Act XXXIII. of 1857 shall continue in force for the period of two years from the 5th day of December 1859, 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.

W. MORGAN,  
Clerk of the Council.

### Legislative Council of India.

7th January 1860.

The following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor General on the 5th January 1860 (communicated to the Legislative Council on the 7th idem), and is hereby promulgated for general information:—

ACT No. I. of 1860.

*An Act to empower the Governor General in Council to increase the rate of Duty on Salt imported into the North-Western Provinces of the Presidency of Bengal.*

Whereas it is expedient to increase the rate of Duty on Salt imported into the North-Western Provinces of the Presidency of Bengal; It is enacted as follows:—

I. So much of Section II. of Act XIV. of 1843 (for regulating the levy of Customs' Duties, and the manufacture of Salt in the North-Western Provinces of the Presidency of Bengal) as prescribes the levy of a Duty of Two Rupees per maund on the Import of Salt into the said Provinces, and of a further Duty of One Rupee per maund on the transmission thereof to the Eastward of Allahabad, is hereby repealed.

II. It shall be lawful for the Governor General in Council to order the levy, on and after the 24th day of December 1859, of a Customs' Duty, not exceeding Three Rupees per maund, on Salt imported into the North-Western Provinces.

the Presidency of Bengal. A further Duty, not exceeding One Rupee per maund, to be fixed by order of the Governor General in Council, shall, on and after the said 24th day of December 1859, be leviable on the transmission of Salt to the Eastward of Allahabad.

III. Every Collector of Customs and other Officer is hereby indemnified for anything done on and after the said 24th day of December 1859 in collecting or enforcing the Duty imposed under the provisions of this Act or by virtue of any order of Government heretofore made authorizing the levy of any such Duty, or in otherwise carrying this Act into effect: and no action or other proceeding shall be maintained against any such Collector or other Officer in respect of anything so done.

W. MORGAN,  
Clerk of the Council.

### Legislative Council of India.

31st December 1859.

The following Bill was read a second time in the Legislative Council of India on the 31st December 1859, and was referred to a Select Committee, who are to report thereon after the 7th of March next:—

*A Bill to Repeal certain Laws relating to the Jurisdiction of the Zillah Court of Furruckabad.*

Whereas it is expedient to repeal certain Laws relating to the jurisdiction of the Zillah Court of Furruckabad; It is enacted as follows:—

Preamble.

relating to the jurisdiction of the Zillah Court of Furruck-

abad; It is enacted as follows:—

I. Section VIII. of Regulation II. 1803 of the Bengal Code (enacting a rule for the guidance of the Zillah Court of Furruckabad, with reference to complaints preferred against any of the dependants of the Nawab of Furruckabad) and Act XII. of 1836 (relating to the execution by the said Court of certain decrees passed by the Nawab under the provisions of the said Regulation) are hereby repealed.

Laws repealed.

W. MORGAN,  
Clerk of the Council.

### Legislative Council of India.

31st December 1859.

The following Bill was read a second time in the Legislative Council of India on the 31st December 1859, and was referred to a Select Committee, who are to report thereon after the 7th of March next:—

*A Bill to provide for the Execution of Process within the Precincts of the Residence of His Majesty the King of Oude.*

Whereas it is expedient to make provision for the execution of process within the precincts of the residence of His Majesty the King of Oude; It is enacted as follows:—

Preamble.

the execution of process within the precincts of the residence

of His Majesty the King of Oude; It is enacted as follows:—

I. When any process, issued by any Civil Court, Collector, or other Revenue Officer in Her Majesty's East-Indian Territories, is required to be served or executed within the precincts of the premises occupied by the King of Oude, such process shall be transmitted to the Officer appointed to be Agent with His Majesty on the part of the British Government, and such Officer shall cause such process to be served or executed according to the exigency thereof, and shall return the same with a certificate of what shall have been done thereon.

II. When any process, issued by any Criminal Court, Justice of the Peace, Magistrate, or Officer exercising the powers or any of the powers of a Magistrate in Her Majesty's East-Indian Territories, is required to be served or executed within the precincts of the premises occupied by the King of Oude, such process may, at the discretion of the Court

or Officer issuing the same, be transmitted to the Officer who shall have been appointed Agent with His Majesty on the part of the British Government; and, in such case, such Officer shall cause such process to be served or executed according to the exigency thereof, and shall return the same with a certificate of what shall have been done thereon.

III. Every certificate returned by the Agent with His Majesty under this Act, shall in all cases be admitted as *prima facie* proof of the truth of the matters stated therein.

IV. It shall be lawful for the Governor General in Council to define, for the purposes of this Act, by notification in the *Calcutta Gazette*, the limits of the precincts of the premises occupied by the King of Oude, and from time to time in like manner to alter such limits.

W. MORGAN,  
Clerk of the Council.

### Legislative Council of India.

24th December 1859.

The following Bill was read a second time in the Legislative Council of India, on the 24th December 1859, and was referred to a Select Committee, who are to report thereon after the 28th of February next:—

*A Bill to Provide for the Good Order and Discipline of the Battalions of Military Police.*

Whereas it is expedient to provide for good order and discipline in the Battalions of Military Police entertained under the Governments of Bengal and of the North-Western Provinces; It is enacted as follows:—

Preamble.

and discipline in the Battalions of Military Police entertained under the Governments of Bengal and of the North-Western Provinces; It is enacted as follows:—

I. For the better regulation of discipline and the maintenance of good order in the Battalions of Military Police entertained under the Lieutenant Governors of Bengal and the North-Western Provinces, all Native Officers, Non-Commissioned Officers, and Privates attached to, or serving with those Battalions shall be subject to the provisions of this Act, and on the commission of any of the offences enumerated in the Table annexed to this Act to be tried as hereinafter directed.

Military Police Battalions in Bengal and the North-Western Provinces to be subject to Act for all offences enumerated in the Schedule.

Provided that if any Battalion or part thereof, in time of war or when employed against any persons in arms hostile to the Government, shall be placed under the orders of any Officer Commanding the Military Forces of the Government, it shall be competent to this Officer to direct all persons attached to the Battalion of Military Police to be held amenable to any Articles of War that shall be in force among the Troops under his command, so far as the same shall be applicable.

II. The cognizance of the commission of any of the offences enumerated in the Table annexed to this Act which shall be charged against any Officer, Non-Commissioned Officer, or Private of a Battalion of Military Police, is vested in the Commanding Officer of each Battalion who, if he find sufficient grounds for a trial, shall try the offender as provided in this Act.

III. All Officers, Non-Commissioned Officers, and Privates of Police Battalions shall be amenable to the ordinary Courts of Criminal jurisdictions with respect to any offence of which a Magistrate may take cognizance; and it shall be competent to the Commanding Officer of a Police Battalion in any case which he may try under this Act and which is also triable by a Magistrate, instead of trying the offender, to report the circumstances for the information of the Magistrate having jurisdiction in the matter. When, in any case, a Magistrate is certified that an offence committed by an Officer, Non-Commissioned Officer, or Private of a Police Battalion is under trial by a Commanding Offi-

Cognizance of offences vested in Commanding Officer.

Table annexed to this Act

which shall be charged against any Officer, Non-

Commissioned Officer, or Private of a Battalion of

Military Police, is vested in the Commanding Officer

of each Battalion who, if he find sufficient grounds for

a trial, shall try the offender as provided in this Act.

all Officers, Non-Commissioned Officers, and

Privates of Police Battalions

shall be amenable to the ordinary Courts of Criminal

jurisdictions with respect to any offence of which a

Magistrate may take cognizance; and it shall be competent to the

cer empowered under this Act to try the same, he shall stay his own proceedings.

IV. When a Commanding Officer finds ground for the trial or investigation of any offence, he may direct the person charged, if an Officer or Non-Commissioned Officer, to be placed under arrest; if a Private to be placed in confinement.

V. The depositions of prosecutors and witnesses and the statements of offenders shall be taken down in the Vernacular language of the parties under examination, but it shall be competent to the Lieutenant Governors of Bengal and of the North-Western Provinces, with respect to any of the offences enumerated in the annexed Table, to direct the Presiding Officer to record the depositions of witnesses by way of running narrative in his own handwriting and in his own language and to dispense with a Vernacular record of the evidence in such cases.

VI. If any person not amenable to this Act when duly summoned to appear as a witness shall not appear: or appearing shall refuse to give his evidence, the default or recusancy, as it may be, may be notified to the Magistrate having jurisdiction in the place where the trial is held under this Act, and the Magistrate shall be competent to deal with the case as if the default or recusancy had occurred in any matter pending before himself.

VII. When a Commanding Officer shall be of opinion that any Officer, Non-Commissioned Officer, or Private charged with the commission of any of the offences enumerated in Article I. of the annexed Table is guilty, and that a sentence of two years' imprisonment with or without labour, and in the case of Non-Commissioned Officers or Privates with or without stripes, is inadequate to the offence, he shall commit the prisoner for trial before the Sessions Judge of any District in which the investigation may have been held, and the Sessions Judge shall try the prisoner as in ordinary cases provided. If the Sessions Judge convict the prisoner, he shall pronounce such sentence as he may think fit: but no sentence of death shall be carried into effect without the proceedings being referred for the revision of the Sudder Court, and the Sudder

Reference to Sudder Court when sentence of death is passed.

Court shall confirm or mitigate the sentence or acquit the prisoner as it may deem fitting.

VIII. When a Commanding Officer shall acquit the person tried, the order of acquittal shall be final; but it shall be competent to the Inspector of Military Police in Bengal or the Commissioner of Military Police in the North-Western

Provinces, under such limitation and control as the Lieutenant-Governors of those Provinces may impose, on a review of the proceedings held by a Commanding Officer in any case, to direct the dismissal of the Officer, Non-Commissioned Officer, or Private under trial.

IX. When a Commanding Officer shall convict a person under trial, he shall pronounce such sentence as he may consider adequate to the offence committed, within the limits of the punishments prescribed in the annexed Table: but whenever the sentence pronounced shall, in the case of Officers, exceed simple imprisonment for or the forfeiture of pay for one month in the whole; or, in the case of Non-Commissioned Officers or Privates shall exceed six months' imprisonment with labour or with fifty stripes—the trial shall be referred for the confirmation of the Inspector or Commissioner as aforesaid; and it shall be competent to the Inspector or the Com-

missioner in any such case to confirm or mitigate the sentence imposed or to acquit the prisoner.

X. In any case not referred by a Commanding Officer, it shall be competent to the Inspector or Commissioner as aforesaid to call for the proceedings and to confirm or mitigate the sentence pronounced or discharge the prisoner.

XI. No Officer, Non-Commissioned Officer, or Private shall be dismissed except with the sanction of the Inspector or the Commissioner of Military Police; and in the case of an Officer except with the sanction of the local Government.

XII. When a Commanding Officer shall sentence a Non-Commissioned Officer to corporal punishment, he shall at the same time order him to be reduced to the ranks, unless the sentence include dismissal.

XIII. When a Commanding Officer shall convict any Non-Commissioned Officer of any of the offences enumerated in the annexed Table, it shall be competent to him to reduce the offender to a lower grade or to the ranks, in lieu of or in addition to the punishment which he may inflict; but whenever the sentence is required to be confirmed by the Inspector or Commissioner aforesaid, the order for the reduction of the prisoner shall be subject to the same confirmation.

XIV. When a Commanding Officer shall convict a Non-Commissioned Officer or a Private of any of the offences enumerated in the annexed Table, he may order the offender to be dismissed in lieu of or in addition to the sentence which he may inflict.

XV. When any Officer, Non-Commissioned Officer, or Private shall be dismissed, he shall forfeit all claim to pension.

XVI. When any Officer not being the Commanding Officer of a Battalion, shall be on detached duty in command of a Company or other party of the Battalion, it shall be competent to the

Inspector or Commissioner of Military Police with the sanction of the local Government to vest him specially with the powers of a Commanding Officer of a Battalion for the trial of the offences defined in any or all of the following Articles of the annexed Table: that is, Articles 6, 7, 8, 9, 11, 12, 14, 15.

XVII. Any person sentenced to imprisonment under this Act may be confined in any prison or place that the local Government may think fit to direct.

XVIII. It shall be competent to the Inspector or Commissioner of Police as aforesaid, subject to the approval and direction of the local Governments, to require Officers having authority to try offences under this Act to submit monthly or other returns of the cases under trial, and to prescribe suitable forms for the same.

XIX. If a Battalion of Military Police or a party thereof be detached on duty beyond the limits of the Government to which it belongs, the jurisdiction vested in Commanding Officers of Battalions and in other Officers under Sections II. and XVI. of this Act may be exercised in any place, district, or province in which the said Battalion or party may be employed.

*Table of Offences and Punishments referred to in the foregoing Bill.*

	IF AN OFFICER.	IF A NON-COMMISSIONED OFFICER OR PRIVATE.
<p>1. Any Officer, Non-Commissioned Officer, or Private who shall begin, excite, cause, or join in any mutiny or sedition in the Battalion or Corps to which he belongs or in any other Battalion or Corps, Police or Military, on any pretence whatever; or who, being present at any mutiny or sedition shall not use his utmost endeavours to suppress it, or who coming to the knowledge of any mutiny, intended mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table, that is to say—</p>	<p>To suffer death, or be transported for life, or to be imprisoned with or without labour for a term of years, or be dismissed the Service.</p>	<p>To suffer death, or be transported for life, or be imprisoned with or without labor for a term of years, or to suffer corporal punishment not exceeding one hundred stripes, and with or without imprisonment, with or without labour, not exceeding seven years.</p>
<p>2. Any Officer, Non-Commissioned Officer, or Private who shall shamefully abandon or deliver up any garrison, fortress, post, or guard committed to his charge or which it was his duty to defend; or who shall use means to induce any other Officer Non-Commissioned Officer, or Private of any Battalion or Regiment whatever so to abandon or deliver up any such garrison, fortress, post, or guard, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for the period of two years with or without labour, with or without dismissal from the Service, or to dismissal with or without forfeiture of arrears of pay.</p>	<p>To imprisonment for two years with or without labour, and with or without corporal punishment not exceeding one hundred stripes, or to one hundred stripes with or without forfeiture of arrears of pay.</p>
<p>3. Any Officer, Non-Commissioned Officer, or Private who shall hold correspondence with or give intelligence to any person in arms against the State either directly or indirectly; or who coming to the knowledge of such correspondence or communication shall not discover it immediately to the Commanding Officer, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for the period of two years with or without labour, with or without dismissal from the Service, or to dismissal with or without forfeiture of arrears of pay.</p>	<p>To imprisonment for two years with or without labour, and with or without corporal punishment not exceeding one hundred stripes, or to one hundred stripes with or without forfeiture of arrears of pay.</p>
<p>4. Any Officer, Non-Commissioned Officer, or Private who shall treacherously, cowardly, or shamefully misbehave himself before any person in arms against whom he is led, or shamefully demur to perform any duty on which he is employed, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for the period of two years with or without labour, with or without dismissal from the Service, or to dismissal with or without forfeiture of arrears of pay.</p>	<p>To imprisonment for two years with or without labour, and with or without corporal punishment not exceeding one hundred stripes, or to one hundred stripes with or without forfeiture of arrears of pay.</p>
<p>5. Any Officer, Non-Commissioned Officer or Private who, by the use of sounds, signs, or words or by any means whatever, intentionally create false or unnecessary alarms in the party, battalion, or other troops with which in quarters or elsewhere he may be employed, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned with or without labour for the period of two years.</p>	<p>To be imprisoned with or without labour for two years, or to suffer corporal punishment not exceeding one hundred stripes with or without imprisonment as aforesaid.</p>
<p>6. Any Officer, Non-Commissioned Officer, or Private who shall strike his superior Officer, or shall draw or offer to draw or lift up any weapon or use or offer any violence against him, whether on or off duty, and under all circumstances in which his superior Officer may be distinguishable as such in any manner, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned with or without labour for the period of two years.</p>	<p>To be imprisoned with or without labour for the period of two years, or to suffer corporal punishment not exceeding one hundred stripes with or without imprisonment as aforesaid.</p>
<p>7. Any Officer, Non-Commissioned Officer, or Private who shall be grossly insubordinate or insolent to his superior Officer in the execution of his office, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one half of the sum due for two successive months.</p>	<p>To suffer corporal punishment not exceeding fifty stripes or to forfeit arrears of pay for one month.</p>
<p>8. Any Officer, Non-Commissioned Officer, or Private who shall strike or force any sentry, or shall strike or otherwise ill-treat any other Officer Non-Commissioned Officer, or Private, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for a period not exceeding six months, or to be dismissed the Service with or without the forfeiture of arrears of pay for one month; or to forfeit pay not exceeding one-half of the sum due for two successive months.</p>	<p>To be imprisoned for the period of six months, with or without corporal punishment not exceeding fifty stripes, or to suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month.</p>
<p>9. Any Officer, Non-Commissioned Officer, or Private who shall disobey any lawful command of his superior Officer, or refuse to perform any duty</p>	<p>To be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit</p>	<p>To suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month.</p>

	IF AN OFFICER.	IF A NON-COMMISSIONED OFFICER OR PRIVATE.
<p>imposed on him, or shall break his arrest; or at any place and time when on duty shall quit his post or party for the purpose of plunder or otherwise; or shall knowingly contravene any order in force for the preservation of good order and discipline, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>pay not exceeding one-half of the sum due for two successive months.</p>	
<p>10. Any Officer, Non-Commissioned Officer, or Private who shall desert or shall advise, persuade, or connive at desertion; or shall withhold any information likely to lead to the seizure of the deserter, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for a period not exceeding six months, or to be dismissed the Service with or without the forfeiture of arrears of pay for one month; or to forfeit pay not exceeding one-half of the sum due for two successive months.</p>	<p>To be imprisoned for the period of six months, with or without corporal punishment not exceeding fifty stripes; or to suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month.</p>
<p>11. Any Private who, being a sentry, shall leave his post or duty without being regularly relieved or without leave, or who shall sleep on his post or duty, shall on conviction be liable to be sentenced as declared in the opposite column of this Table.</p>	<p>.....</p>	<p>To suffer corporal punishment not exceeding fifty stripes or to forfeit arrears of pay for one month.</p>
<p>12. Any Officer, Non-Commissioned Officer, or Private who shall be drunk when on or required for duty, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one-half of the sum due for two successive months.</p>	<p>To suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month.</p>
<p>13. Any Officer, Non-Commissioned Officer, or Private, belonging to a guard placed in charge of property of any kind, who shall plunder or injure that property or any portion thereof, or shall connive at the act of plunder or injury being committed by any person whatever, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for a period not exceeding six months, or to be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one-half of the sum due for two successive months; and in any case the value of the property plundered or injured may be recovered from the seizure and sale of any goods belonging to the offender.</p>	<p>To be imprisoned for the period of six months, with or without corporal punishment not exceeding fifty stripes, or to suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month; and in any case the value of the property plundered or injured may be recovered from the seizure and sale of any goods belonging to the offender.</p>
<p>14. Any Officer, Non-Commissioned Officer, or Private who shall do violence to any person furnishing supplies for the use of his party or battalion or other troops, or shall force a safeguard, or shall break into any place for plunder, or shall plunder, waste, or injure any property whatever, or shall connive at any such acts, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for a period not exceeding six months, or to be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one-half of the sum due for two successive months; and in any case the value of the property plundered or injured may be recovered from the seizure and sale of any goods belonging to the offender.</p>	<p>To be imprisoned for the period of six months with or without corporal punishment not exceeding fifty stripes, or to suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month; and in any case the value of the property plundered or injured may be recovered from the seizure and sale of any goods belonging to the offender.</p>
<p>15. Any Officer, Non-Commissioned Officer, or Private who, at any post or on the march, shall illegally and against the will of any person extort money or property of any description on any pretence whatever, or shall without authority exact from villagers or others carriage, postage, or provisions, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.</p>	<p>To be imprisoned for a period not exceeding six months; or to be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one-half of the sum due for two successive months; and in any case the value of the property extorted or thing exacted, may be recovered from the seizure and sale of any goods belonging to the offender.</p>	<p>To be imprisoned for the period of six months with or without corporal punishment not exceeding fifty stripes, or to suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month; and in any case the value of the property extorted or thing exacted may be recovered from the seizure and sale of any goods belonging to the offender.</p>
<p>16. Any Non-Commissioned Officer or Private who shall purloin or designedly lose or injure or waste his horse, arms, clothes, accoutrements, ammunition, or regimental necessaries, or any of the above articles belonging to any soldier, shall on conviction be liable to be sentenced as declared in the opposite column of this Table.</p>	<p>.....</p>	<p>To suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month; and in any case the value of the thing lost, wasted, or injured may be recovered from the seizure and sale of any goods belonging to the offender.</p>
<p>17. Any Officer, Non-Commissioned Officer, or Private who shall embezzle, purloin, or fraudulently misapply any money entrusted to him on the public account or for any public purpose, or any</p>	<p>To be imprisoned for a period not exceeding six months, or to be dismissed the Service with or without the forfeiture of arrears of</p>	<p>To be imprisoned for the period of six months, with or without corporal punishment not exceeding fifty stripes or to suffer corporal</p>

	IF AN OFFICER.	IF A NON-COMMISSIONED OFFICER OR PRIVATE.
stores or property of any kind belonging to Government entrusted to his charge, or shall wilfully spoil such property or suffer it to be spoiled, or shall be concerned in or connive at any such embezzlement or fraudulent misapplication, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.	pay for one month, or to forfeit pay not exceeding one half of the sum due for two successive months; and in any case the value of the property embezzled, purloined, or fraudulently misapplied or spoiled may be recovered from the seizure and sale of any goods belonging to the offender.	punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month; and in any case the value of the property embezzled, purloined, or fraudulently misapplied or spoiled, may be recovered from the seizure and sale of any goods belonging to the offender.
18. Any person who shall steal or be accessory to the theft of money or goods the property of any person belonging to or serving with his Battalion or with any other Battalion or Corps, if the value of the property stolen do not exceed fifty Rupees, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.	To be imprisoned with or without labour for six months; and the value of the property stolen may be recovered from the seizure and sale of any goods belonging to the offender.	To be imprisoned for the period of with or without corporal punishment not exceeding fifty stripes, or to suffer corporal punishment not exceeding fifty stripes; and the value of the property stolen may be recovered from the seizure and the sale of any goods belonging to the offender.
19. Any Officer, Non-Commissioned Officer, or Private who shall, without proper authority, release or aid or connive at the escape of any prisoner, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.	To be imprisoned for a period not exceeding six months; or to be dismissed the Service with or without the forfeiture of arrears of pay for one month; or to forfeit pay not exceeding one-half of the sum due for two successive months.	To be imprisoned for the period of six months with or without corporal punishment not exceeding fifty stripes, or to suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month.
20. Any Officer, Non-Commissioned Officer, or Private who shall be guilty of any carelessness, neglect, or disorder done or suffered, to the breach of duty and of good order and discipline, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.	To be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one-half of the sum due for two successive months.	To suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month.
21. Any person amenable to the provisions of this Act who, when duly summoned to appear before any Court constituted by the Act, shall not attend or shall refuse to be sworn or to make affirmation, or to answer any lawful question, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.	To be dismissed the Service with or without the forfeiture of arrears of pay for one month; or to forfeit pay not exceeding one-half of the sum due for two successive months.	To be imprisoned for three months with or without labour and with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one-half of the sum due for two months.
22. Any person using menacing or disrespectful words, signs, or gestures in any Court constituted by this Act in the presence of the Presiding Officer shall, if amenable to this Act, on conviction be liable to be sentenced as declared in the opposite columns of this Table; if otherwise to a fine not exceeding one hundred Rupees, or in default of payment to imprisonment not exceeding two months.	To be dismissed the Service with or without the forfeiture of arrears of pay for one month, or to forfeit pay not exceeding one-half of the sum due for two successive months.	To suffer corporal punishment not exceeding fifty stripes, or to forfeit arrears of pay for one month.
23. Any Officer, Non Commissioned Officer, or Private who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any Court constituted by this Act, shall on conviction be liable to be sentenced as declared in the opposite columns of this Table.	To be imprisoned for a period not exceeding or to be dismissed the Service with or without the forfeiture of arrears of pay for one month.	To be imprisoned for a period not exceeding with or without labour.

W. MORGAN,  
Clerk of the Council.

**Legislative Council of India.**

17th December 1859.

The following Bill was read a second time in the Legislative Council of India on the 17th December 1859, and was referred to a Select Committee, who are to report thereon after the 21st of February next:—

*A Bill to Amend and Extend Act XXII. of 1836 (relating to the levy of a Toll on Boats, Rafts, and Floats, passing through the Circular and Eastern Canals).*

Whereas it has been found necessary to open for traffic a new Canal leading from the late Toll House at Dhappa to Ooltadanga, and it is expedient that a Toll

should be levied on Boats, Rafts, and Floats passing through the said Canal; It is enacted as follows:—

I. The following line of navigation, from the date of the passing of this Act, shall be subject to the provisions of Section II. Act XXII. of 1836, in like manner as is enacted with respect to the two lines of navigation therein described (that is to say),—

The line of Canal running North from the late Toll House at Dhiappa to Ooltadanga where it joins the Circular Canal.

Act to be construed as part of Act XXII. of 1836. II. This Act shall be construed as part of the said Act XXII. of 1836.

W. MORGAN, Clerk of the Council.



ACT No. XXVIII. of 1859.—Murathee.

सन १८५९ चा आक्ट २८ वा.

इंडियाचे लेजिस्लेटिव कौन्सिलाने ठरविला तो, गवरनर जनरल याणी सन १८५९ चे डिसेंबर महिन्याचे २६ वे तारिखेस मंजूर केला.

“परराज्यांतील मनुष्यां संबंधी आणखी ठराव करण्याबाबतचा” सन १८५७ चा ३३ वा आक्ट पुनः संस्थित करून आणखी मुदत पर्यंत अमलांत राखण्याविषयी आक्ट.

“परराज्यांतील मनुष्यां संबंधी आणखी ठराव करण्या विषयीचा” जो सन १८५७ चा ३३ वा आक्ट, गवरनर जनरल याणी सन १८५७ चे डिसेंबर महिन्याचे ५ वे तारिखेस मंजूर केला त्यांत असा ठराव होता की, तो आक्ट दोन वर्षे पर्यंत अमलांत राहिल; आणि सदरहू आक्ट आणखी मुदत पर्यंत पुनः संस्थित करून चालू ठेवणे योग्य आहे, यास्तव खाली लिहित्या प्रमाणे ठरविलें आहे :—

उद्देश.

१. सन १८५७ चा ३३ वा सदरहू आक्ट, सन १८५९ चे डिसेंबर महिन्याचे ५ वे तारिखे पासून दोन वर्षे पर्यंत अमलांत राहिल; आणि सन १८५७ चे, सदरहू ३३ वे आक्टाची मुदत संपण्यापूर्वी हा आक्ट ठरून गवरनर जनरल याणी मंजूर केला असता तर, जसा चालता तसा चालेल असें समजावें.

सन १८५७ चा ३३ वा आक्ट सन १८५९ चे डिसेंबर महिन्याचे ५ वे तारिखेपासून दोन वर्षे पर्यंत अमलांत राहिल.

(True Translation)

VENAYEK WASSOODEW,  
Oriental Translator to Government.

ACT No. XXVIII. of 1859.—Guzerathee.

सन १८५९ नो आक्ट २८ मो.

इंडियानी लेजिस्लेटिव कौंसिले ठराव्यो ते, गवरनर जनरले सन १८५९ ना डिसेंबर महिनानी २६ मी तारिखे मंजूर कऱ्यो.

“पारकां राजनां मांगसो बाबत वळी बीजा ठराव करवा बाबत” सन १८५७ नो ३३ मो आक्ट छे ते पाछो संस्थित (एटले चालू) करीने वधारे मुदतसुधी अंमलमां राखवा बाबतनो आक्ट.

“पारकां राजनां मांगसो बाबत वळी बीजा ठराव करवा बाबत” सन १८५७ नो ३३ मो आक्ट गवरनर जनरले सन १८५७ ना डिसेंबर महिनानी ५ मी तारिखे मंजूर कऱ्यो तेमां एवो ठराव कऱ्यो हतो के, ते आक्ट वे वरससुधी अंमलमां रेहेशे; अने ते आक्ट बीजा वधारे मुदतसुधी पाछो संस्थित करीने चालू राखवो योग्य छे, नास्ते हेठळ लख्या प्रमाणे ठराव्युं छे.

उद्देश.

१. सन १८५७ नो ३३ मो आक्ट सन १८५९ ना डिसेंबर महिनानी ५ मी तारिखयो वे वरससुधी अंमलमां रेहेशे; अने सन १८५७ ना ३३ मा आक्टनी मुदत पूरी थयां पेहेलां आ आक्ट ठरावीने गवरनर जनरले मंजूर कऱ्यो होत तो, जे प्रमाणे चालते तेज प्रमाणे चालशे एवं समजुंव.

सन १८५७ नो ३३ मो आक्ट सन १८५९ ना डिसेंबर महिनानी ५ मी तारिखयो वे वरस सुधी अंमलमां रेहेशे.

(True translation)

VENAYEK WASSOODEW,  
Oriental Translator to Government.