



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

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Legislative Council of India.

9th April 1859.

The following Bill was read a second time in the Legislative Council of India on the 9th April 1859, and was referred to a Select Committee, who are to report thereon after the 13th of July next:—

A Bill to Amend Act XIII. of 1856 (for Regulating the Police of the Towns of Calcutta, Madras, and Bombay, and the several Stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca.)

Whereas it is expedient to amend certain provisions of Act XIII. of 1856; It is enacted as follows:—

Preamble.

I. Sections XIII., L., LIX., LXXXVI., LXXVIII., and Clause 13 of Section LXXXI. of Act XIII. of

1856 (for Regulating the Police of the Towns of Calcutta, Madras, and Bombay, and the several Stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca) are repealed, and the following Sections are substituted in lieu thereof.

II. Whoever, being a member of the Police Force, or being employed in any Police Office, asks for or takes any bribe or unauthorised reward, shall be dismissed by order of the Commissioner, and upon conviction before a Magistrate shall be liable to fine not exceeding Five Hundred Rupees, or to imprisonment, with or without hard labour, for any term not exceeding Six Months.

III. Whoever, in the Towns of Calcutta and Madras, or in any Station of the Settlement of Prince of Wales' Island, Singapore, and Malacca, has or keeps any hotel, tavern, punch-house, ale-house, arrack or toddy-shop, or place for smoking chandoo or other preparation

CALCUTTA, MADRAS, AND THE STRAITS SETTLEMENT.
Penalty for keeping taverns and places of public entertainment without a license from the Commissioner of Police.

of opium; or any eating-house, coffee-house, boarding-house, lodging-house, or other place of public resort

and entertainment, wherein provisions, liquors, or refreshments of any kind are sold or consumed (whether the same be kept or retailed therein or procured elsewhere), without a license from the Commissioner of

BOMBAY. Police; and whoever, in the Town of Bombay has or keeps any such hotel, tavern, in any place without a house, shop, or place, or license, who sells by retail in any

place any spirituous or fermented liquors without such license, shall be liable to a fine not exceeding Fifty Rupees for every day that such unlicensed house or place is kept open, or that such unlicensed sale by retail is continued.

IV. When any cards, dice, gaming-table or cloth, board, or other instruments of gaming, which are found

in any house, room, or place, of which information has been given on oath to the Commissioner of Police that it is suspected of being used as a common gaming-house, or about the person of any of those who are found therein, it shall be evidence, until the contrary is made to appear, that such house, room, or place is used as a common gaming-house, and that the persons found therein were there present for the purpose of gaming, although no play was actually seen by the Police Officer, or any of his Assistants.

V. Any Inspector or superior Officer of Police may enter any shop or premises for the purpose of inspecting the weights and measures and instruments for weighing kept or used therein, and may seize any weight, measure, or instrument for weighing, which he may have reason to believe is false.

VI. No boat shall ply for passengers in the Port of Calcutta, or in any of the Ports of the said Settlement, unless duly registered at the Police Office. The following particulars shall be entered in the Register:—

First.—Number of the boat.

Second.—Name and residence of the owner, and of the manjee.

Third.—Number of the crew.

Fourth.—Number of persons the boat is permitted to carry.

The registration shall be in force for one year; and every change of the owner or manjee within that time shall be therein noted. A fee of One Rupee shall be paid on registration.

The owner or manjee of every such registered boat shall cause to be painted on a conspicuous part of it, in the English and Vernacular languages, the registered number thereof, the number of the crew, and the number of passengers permitted to be carried.

The owner or manjee of a boat plying for passengers without being duly registered, or carrying more passengers, or with a less crew, than is stated in the register, or not having the prescribed particulars painted on it, shall be liable to a fine not exceeding Fifty Rupees.

VII. Whoever sets fire to or burns any straw or other matter, or lights any bon-fire, or wantonly discharges any fire-arm, or air-gun, or lets off or throws any fire-work, or sends up any fire-balloon, in or near any public street, road, or thoroughfare, except at such times and places as shall be from time to time allowed by the Commissioner of Police, shall be liable to a fine not exceeding Twenty Rupees.

VIII. This Act shall be read with and taken as part of the said Act XIII. of 1856.

W. MORGAN,
Clerk of the Council.

Legislative Council of India.

16th April 1859.

The following Bill was read a second time in the Legislative Council of India on the 16th April 1859, and was referred to a Select Committee, who are to report thereon after the 20th of July next:—

A Bill for Regulating the Establishment of Markets.

Whereas the establishment of new markets in the neighbourhood of places where markets have been previously established leads to disputes between the owners of the lands on which such new and previously established markets are held, and such disputes not unfrequently occasion breaches of the peace and serious inconvenience to the frequenters of such markets; It is enacted as follows:—

I. After the passing of this Act, no person shall establish a new market without permission, in writing, from the Magistrate of the District. If any person shall attempt to establish a new market without such license, he shall, on conviction by the Magistrate, be subject to a fine not exceeding Two Hundred Rupees.

II. When any person desires to establish a new market, he shall make application in writing to the Magistrate. The application shall specify the name of the place at which it is proposed to establish such new

market, the days on which it is to be held, the name of the place where the nearest existing market is held, and the days on which it is held, the distance, in English miles, between the two places, and the reasons of the applicant for desiring to establish the new market.

III. On receipt of the application the Magistrate shall issue a proclamation stating the desire of the applicant to establish a market

at the place named by him, and the days on which it is proposed to be held, and calling upon any person who may have any objection to the establishment of the market to state his objection in writing within six weeks from the date of the proclamation. The proclamation shall be affixed in a conspicuous place in the village or town in or near to which it is proposed that the new market shall be held; and a copy of the same shall be affixed at the Police Station within the jurisdiction of which the village or town is situate, and in the Court of the Magistrate. If it shall appear that any existing market is held within a distance of four miles from the place where it is proposed that the new market shall be established, the Magistrate shall cause a notice to the effect of the proclamation to be served upon the owner of the land where such existing market is held. The proclamation and notice (if any) shall be issued and served at the expense of the applicant.

IV. If, within the time specified in the proclamation and notice (if any), no objection is preferred to the establishment of the proposed market, the Magistrate shall pass an order permitting it to be established. If within the time specified any objection is preferred, the Magistrate shall inquire into the objection, and pass such order as may appear proper in the circumstances of the case.

V. If within six months from the passing of this Act, any objection shall be preferred to the Magistrate in respect of any market which has been newly established within a period of two years before the passing of this Act, the Magistrate shall inquire into the objection; and if it shall appear that such new market has been established within a distance of four miles from any previously existing market, and that the establishment of the new market has been the cause of disturbances or other inconvenience to the people of the neighbourhood, the Magistrate may, if he think necessary, change the days upon which such new market is held, or, at his discretion, order that it be discontinued.

VI. Every order passed by a Magistrate under this Act shall be open to appeal to the Commissioner of Police, and the order of the Commissioner, subject to the control of the local Government, shall be final.

VII. Every person who shall contravene any order duly passed under this Act, shall be liable to a fine not exceeding Two Hundred Rupees.

VIII. All the provisions of this Act relative to the establishment of new markets shall be applicable also to the establishment of new fairs.

W. MORGAN,
Clerk of the Council.