



SUPPLEMENT
TO THE
BOMBAY GOVERNMENT GAZETTE.

Published by Authority.

THURSDAY, 19TH MARCH 1863.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Report of the Select Committee of the Council of the Governor of Bombay for the purpose of making Laws and Regulations together with the Bill as altered by them is published for general information :—

Report of the Select Committee appointed to consider and report on a “ Bill to enlarge the Jurisdiction of the Court of Small Causes of Kurrachee and to facilitate the transaction of business therein.”

The Select Committee beg to report that the Bill in its present form appears to meet the objections raised against the original Bill, while it provides not less effectually for all necessary objects. With the exception therefore of their verbal alterations in Section I. for the purpose of making its meaning more clear and precise, they have not thought it necessary to make any changes, and they recommend the Bill in its amended form for adoption.

(Signed) J. D. INVERARITY.

(Signed) A. J. LEWIS.

(Signed) A. D. ROBERTSON.

Bombay, 18th March 1863.

PROCEEDINGS—83

A Bill to enlarge the Jurisdiction of the Court of Small Causes of Kurrachee, and to facilitate the transaction of business therein.

WHEREAS a Court of Small Causes has been constituted at Kurrachee, in the Province of Sind, under the provisions of Act XLII. of 1860. And whereas it is expedient to enlarge the jurisdiction thereof, and to facilitate the transaction of business therein. It is enacted as follows:—

Preamble.

I. After the passing of this Act, the Court of Small Causes of Kurrachee, in the Province of Sind, in addition to the jurisdiction which it now exercises under Act XLII. of 1860, shall have cognizance of all suits of the nature specified in Section 3 of the said Act, if at the time of the institution of any such suit, the defendant shall be carrying on any business or work for gain by his manager, agent, or servant within the local limits of the jurisdiction of the said Court, and if the cause of action shall have arisen out of or accrued in respect of dealings or transactions with such defendant through such manager, agent, or servant or his predecessor or predecessors in such management, agency or service; provided that service of any summons to a defendant made on his manager, agent, or servant shall not be deemed good service, unless such service shall have been specially ordered by the said Court on the application of the plaintiff.

II. It shall be competent to the said Court to receive as evidence and to act

upon any affidavits or written statements made on solemn affirmation which may be adduced by any party to any suit instituted in the said Court in support of or resistance to any interlocutory motion or application before it.

III. The affidavits or written statements aforesaid may be sworn or affirmed before such Officer or person as the said Court may from time to time appoint for that purpose, and the Officer or person so appointed is hereby empowered to administer all such oaths and affirmations.

IV. There may be appointed by the Deputy Clerks may be Court, subject to the approval of Government, one or more Deputies to the Clerk of the said Court as occasion may require, and such Deputy Clerks may perform all or any of the duties of the Clerk of the Court as the Court may direct.

V. This Act shall be taken and read as a part of Act XLII. of 1860.

VI. It shall be lawful for the Governor in Council of Bombay, by notification published in the Bombay Government Gazette, to extend all or any of the provisions of this Act to any Court of Small Causes now constituted or which may hereafter be constituted under Act XLII. of 1860.

By order of the Honorable the Governor in Council,

R. WEST,

Officiating Under-Secretary to Government.