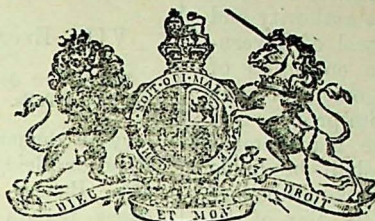


THE



Bombay Government Gazette.

Published by Authority.

SATURDAY, 26TH JULY 1873.

 Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Bill, together with the Statement of Objects and Reasons accompanying it, is published in accordance with Rule 15 of the Rules for the Conduct of Business at Meetings of the Council of His Excellency the Governor of Bombay for making Laws and Regulations:—

Bill No. 6 of 1873.

A Bill for enabling Government to levy Tolls on Public Roads and Bridges in the Presidency of Bombay.

WHEREAS Tolls have been levied in the
 Preamble. Presidency of Bombay
 in accordance with
 Act XV. of 1864 since the 30th day of July
 1864, but doubts have arisen whether the
 said Act has been formally extended to the
 said Presidency; And whereas it is expedient to remove the said doubts and to consolidate in one Act the provisions for the levy of Tolls upon Public Roads and Bridges in the said Presidency; it is enacted as follows:—

I. Acts VIII. of 1851 and XV. of 1864
 are hereby repealed
 so far as they affect
 the Presidency of
 Bombay.

Repeal of Acts VIII.
 of 1851 and XV. of
 1864.

II. Act XV. of 1864 shall be deemed
 to have been extended
 to the Presidency of
 Bombay as from the
 30th day of July 1864,
 and all Tolls levied
 within the Presidency of Bombay in accordance with the provisions of the said Act at any time since the said 30th day of July 1864, shall be deemed to have been duly and lawfully levied.

III. The Governor in Council may
 Rates of Tolls to be cause such Rates of
 levied. Tolls, not exceeding
 the rates mentioned in the Schedule annexed
 to this Act, to be levied upon any Road or
 Bridge which has been or shall hereafter be

made or repaired at the expense of the Government or from funds collected under the provisions of Bombay Act III. of 1869, or other funds levied under the authority and subject to the general control of Government, and may place the collection of such Tolls under the management of such persons as may appear to him proper; and all persons employed in the management and collection of such Tolls shall be liable to the same responsibilities as would belong to them if employed in the collection of the Land Revenue.

Clause 2. The word "persons" in this section shall include
 "Persons." Local Fund Committees established under Bombay Act III. of 1869.

IV. In case of non-payment of any such Toll on demand, the officers appointed to collect the same may seize any of the carriages or animals on which it is chargeable, or any part of their burden of sufficient value to defray the Toll; and if any Toll remains undischarged for 24 hours with the cost arising from such seizure, the case shall be brought before the officer appointed to superintend the collection of the said Toll, who may sell the property seized for discharge of the Toll, and all expenses occasioned by such non-payment, seizure and sale, and cause any balance that may remain to be returned on demand to the owner of the property: and the said officer on receipt of the property shall forthwith issue a notice, that at noon of the next day, exclusive of Sunday or any close holiday, he will sell the property by auction: Provided that if, at any time before the sale has actually begun, the person whose property has been seized shall tender the amount of all the expenses incurred and of double the Toll payable by him, the said officer shall forthwith release the property seized.

V. No Tolls shall be paid for the passage of Troops and Military Stores, &c., exempt from Military Stores and Equipages on their march, or of Police Officers on duty, or of any person or property in their custody: but no other exemption from payment of the Tolls levied under this Act shall be allowed.

VI. All Police Officers shall be bound to assist the Toll Collectors, when required, in the execution of

this Act, and for that purpose shall have the same power which they have in the exercise of their common Police duties.

VII. Every person, other than the persons appointed to collect the Tolls under this Act, who shall levy or demand any Toll on any Public Road or Bridge, or for passing through any Bazaar situated thereon, and also every person who shall unlawfully and extortionately demand or take any other or higher Toll than the lawful Toll, or under colour of this Act seize or sell any property, knowing such seizure or sale to be unlawful, or in any manner unlawfully extort money or any valuable thing from any person under colour of this Act, shall be liable, on conviction before a Magistrate, to imprisonment of either description for any term, not exceeding six calendar months, or to fine, not exceeding 200 Rs., any part of which fine may be awarded by the Magistrate to the person aggrieved, but this remedy shall not be deemed to bar or affect his right to have redress by suit in the Civil Court of the District.

VIII. A table of the Tolls authorized to be taken at any Toll gate or station shall be put up at Gate or Station. be put up in a conspicuous place near such gate or station, legibly written or printed in English words and figures, and also in those of the vernacular language of the District, to which shall be annexed written or printed in like manner a statement of the penalties for refusing to pay the Tolls and for taking any unlawful Toll.

IX. Any person entrusted with the management of the collection of Tolls under this Act, may in his discretion compound for any period, not exceeding one year, with any person for a certain sum to be paid by such person for himself or for any vehicle or animal kept by him, in lieu of the rates of Tolls specified in the Schedule to this Act.

X. The Tolls levied under this Act shall be deemed public revenue, but the net proceeds thereof shall be applied wholly to the construction, repair, and maintenance of Roads and Bridges within the Presidency of Bombay.

SCHEDULE.

							Rs.	a.	p.
On every four-wheeled carriage	..	..	..	..	..	..	2	0	0
On every two-wheeled carriage	..	..	..	..	..	..	1	0	0
On every ekka	..	..	..	..	..	..	0	4	0
On every hackery on springs	..	..	..	..	..	..	0	2	0
On every cart and hackery not on springs drawn by 8 bullocks, buffaloes, horses, ponies, asses or mules, if laden	..	..	..	..	..	..	1	8	0
Ditto if not laden	..	..	..	..	..	..	0	8	0
On every cart and hackery drawn by 6 bullocks, buffaloes, horses, ponies, asses or mules, if laden	..	..	..	..	..	..	0	12	0
Ditto if not laden	..	..	..	..	..	..	0	6	0
On every cart and hackery drawn by 4 bullocks, buffaloes, horses, ponies, asses or mules, if laden	..	..	..	..	..	..	0	8	0
Ditto if not laden	..	..	..	..	..	..	0	4	0
On every cart and hackery drawn by 2 bullocks, buffaloes, horses, ponies, asses or mules, if laden	..	..	..	..	..	..	0	4	0
Ditto if not laden	..	..	..	..	..	..	0	2	0
Buffaloes, or bullocks, per head, if laden	..	..	..	..	..	..	0	1	0
Ditto ditto if not laden	..	..	..	..	..	..	0	0	6
On every elephant	..	..	..	..	..	..	1	8	0
On every camel, if laden	..	..	..	..	..	..	0	8	0
Ditto if not laden	..	..	..	..	..	..	0	4	0
On every horse, if laden or ridden	..	..	..	..	..	..	0	1	6
Ditto unladen or led	..	..	..	..	..	..	0	0	9
On every pony or mule, if laden or ridden	..	..	..	..	..	..	0	0	9
Ditto unladen or led	..	..	..	..	..	..	0	0	6
On every ass, if laden or ridden	..	..	..	..	..	..	0	0	6
Ditto unladen or led	..	..	..	..	..	..	0	0	3
On every sheep, or goat, or pig	..	..	..	..	..	..	0	0	1
On every palankeen, dooly, palna, or tonjon, with 8 bearers	..	..	..	..	..	..	1	0	0
Ditto ditto ditto with 6 bearers	..	..	..	..	..	..	0	12	0
Ditto ditto ditto with 4 bearers	..	..	..	..	..	..	0	8	0
Ditto ditto ditto with 2 bearers	..	..	..	..	..	..	0	4	0
On every foot passenger	..	..	..	..	..	..	0	0	3

N.B.—Animals drawing any vehicle for which Toll can be demanded are not to be also charged with Toll.

STATEMENT OF OBJECTS AND REASONS.

The objects for which this Bill is introduced appear with sufficient clearness from the preamble. Tolls have been levied in the Bombay Presidency under the provisions of Act No. XV. of 1864, but as this Act was not formally extended to this Presidency, it is now necessary to legalize the levy of these tolls. The opportunity has, at the same time, been taken to consolidate the law generally relating to the levy of tolls on public roads and bridges in this Presidency.

(Signed) M. K. KENNEDY.

By order of His Excellency the Governor in Council,

JOHN NUGENT,

Acting Under-Secretary to Government.

Poona, 25th July 1873.