



Bombay Government Gazette.

Published by Authority.

THURSDAY, 17TH OCTOBER 1895.

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

PART IV.

ACTS PASSED BY THE GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October, 1895, and is hereby promulgated for general information:—

Act No. XV of 1895.

An Act to explain the Transfer of Property Act, 1882, so far as relates to grants from the Crown and to remove certain doubts as to the powers of the Crown in relation to such grants.

IV of 1882. WHEREAS doubts have arisen as to the extent and operation of the Transfer of Property Act, 1882, and as to the power of the Crown to impose limitations and restrictions upon grants and other transfers of land made by it or under its authority, and it is expedient to remove such doubts; It is hereby enacted as follows:

Title, extent and commencement.

1. (1) This Act may be called the Crown Grants Act, 1895.

(2) It extends to the whole of British India; and

(3) It shall come into force at once.

2. Nothing in the Transfer of Property Act, 1882, contained shall apply or be deemed ever to have applied to any grant or other transfer of land

Transfer of Property Act, 1882, not to apply to Crown grants. or of any interest therein heretofore made or hereafter to be made by or on behalf of Her Majesty the Queen-Empress, her heirs or successors, or by or on behalf of the Secretary of State for India in Council to, or in favour of, any person whomsoever; but every such grant and transfer shall be construed and take effect as if the said Act had not been passed.

3. All provisions, restrictions, conditions and limitations over contained in any such grant or transfer as aforesaid shall be valid and take effect according to their tenor.

ing to their tenor, any rule of law, statute or enactment of the Legislature to the contrary notwithstanding.

J. M. MACPHERSON,

Offg. Secretary to the Government of India.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 10th October 1895, and is hereby promulgated for general information:—

Act No. XVI of 1895.

An Act to repeal certain obsolete Enactments and to amend certain other Enactments.

WHEREAS it is expedient that certain enactments specified in the first schedule to this Act, which are spent, or have ceased to be in force otherwise than by express, specific repeal, or have by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed;

And whereas it is also expedient that certain formal amendments should be made in the enactments specified in the second schedule to this Act;

It is hereby enacted as follows:

Title, extent and commencement. 1. (1) This Act may be called the Repealing and Amending Act, 1895.

(2) It extends to the whole of the territories administered by the Governor of Bombay in Council; and

(3) It shall come into force at once.

2. (1) The enactments specified in the first schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Enactments in first and second schedules repealed and amended respectively.

(2) The enactments specified in the second schedule shall be modified to the extent and in the manner mentioned in the fourth column thereof.

3. The repeal by this Act of any enactment shall not affect any Statute, Act or Regulation in which such enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed by, recognized in or derived from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment provide or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

ENACTMENTS REPEALED.

A description or citation of a portion of an Act or Regulation includes the words, section or other part mentioned or referred to as forming the beginning or as forming the end of the portion comprised in such description or citation.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part I.—Acts of the Governor General in Council.

1860	...XLVHII	Police, Bombay Town	... In section 7, the words from and, if the offender to the end of the section. Section 27.
1876	... X	Bombay Revenue Jurisdiction Act, 1876.	Section 1, clause (c).
	... XX	Bhaunagar Act 1876.	Section 3.

THE FIRST SCHEDULE—continued.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
<i>Part I.—Acts of the Governor General in Council—continued.</i>			
1879	... XVII	Dekkhan Agriculturists' Relief Act, 1879.	In section 3, clause (a), the words and figures on or after the first day of November 1879. In clause (b) of the same section, the words and instituted on or after the same date, In section 5, the words and figures from and any such jurisdiction to the end of the section.
1881	... XXIII	Dekkhan Agriculturists' Relief Act, 1881.	Sections 6 and 8.
1882	... XXII	Dekkhan Agriculturists' Relief Act, 1882.	Sections 3, 7, 11 and 12. In section 14, the word and figures and 52.
1886	... XXIII	Dekkhan Agriculturists' Relief Act, 1886.	Section 4.
1889	... XIV	Indemnity to certain witnesses ...	The whole.
<i>Part II.—Acts of the Governor of Bombay in Council.</i>			
1863	... II	Exemptions from land-revenue ...	In section 11 clause First, the words of the same, Section 12.
..	... III	Sátara, &c.	In the title, the words from certain lands to taluka Kundápur. In the preamble, the words and figures from and whereas lands to it is expedient that the district so transferred should be brought under the Regulations and Acts of the Presidency of Bombay, Section 4, clause Second.
1865	... III	Wagers	Section 4.
1866	... I	Extending Bombay Act I of 1865 to Sind.	The whole.
..	... VIII	Sale of Poisons	In sections 3, 4 and 13, the word the where it occurs before the word Schedule.
..	... XII	Sind Courts	Sections 13 and 14.
1866	... XIV	Edulábád and Warangon ...	In section 3, the words and figures from as amended to Bombay.
1871	... II	Duties on non-agriculturists ...	So much as has not been repealed.
1872	... II	Repayment of loan to Bombay Corporation.	So much as has not been repealed.
1873	... VI	Bombay District Municipal Act ...	In the heading to Part VIII, the word Appeals, Section 21, clause (4).
1874	... III	Bombay Hereditary Offices Act ...	In section 77, the word Revenue, Section 14, clause (3), Section 15, clause (2).
1875	... III	Tolls on Roads and Bridges ...	Section 2. In section 3, the words from Until such rates to this Act.
1876	... III	Mámlatdárs' Courts Act, 1876 ...	In section 3, clause (1), the words and figures from or who to the end.
1877	... I	Bombay Vaccination Act, 1877 ...	In section 7, the word and at the end of the second paragraph, and the whole of the third paragraph.

THE FIRST SCHEDULE—continued.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
<i>Part II—Acts of the Governor of Bombay in Council—continued.</i>			
1878	...	V Bombay Abkari Act, 1878 ...	Section 2 and the schedule. In section 3, clause (9), <i>the word</i> Indian. Sections 64, 65 and 66.
1879	...	IV Karachi Vaccination Act, 1879 ...	In section 7, <i>the word</i> and at the end of the second paragraph, and the whole of the third paragraph.
..	...	V Bombay Land Revenue Code, 1879...	In section 1, the last two sentences. The fourth paragraph of section 4, and the third paragraph of section 7. In sections 8 and 11, <i>the words</i> of the district, and in section 10 <i>the words</i> of a district. In section 12, the last sentence. In section 14, the last sentence. In section 17, <i>the words</i> from and, pending to required to keep. In section 22, the last sentence. In section 132, the last sentence. Schedule A, so far as it relates to Bombay Act I of 1866.
..	...	VII Bombay Irrigation Act, 1879 ...	Section 33.
1880	...	III Repealing certain sections of Bombay Act VII of 1879.	The whole.
1882	...	I Repealing Bombay Act VII of 1878.	The whole.
..	...	VII Bombay Landing and Wharfage Fees Act, 1882.	In section 4, <i>the words</i> the Commissioner in Sind, the Political Resident at Aden and. Section 11.
1883	...	V Bombay Public Authorities' Seals Act, 1883.	In the preamble, <i>the words and figures</i> from to extend to so as, and <i>the words</i> other and besides Magistrates. In section 3, <i>the words</i> Courts and other.
1884	...	I Bombay Local Boards Act, 1884 ...	In section 44, clause (d), <i>the words and figures</i> or by order of the Governor in Council under section 42.
..	...	II Bombay District Municipal Act Amendment Act, 1884.	The second proviso to section 3.
1885	...	I Legalizing the payment by the Trustees of the Port of Bombay of certain arrears of interest due to the Government.	The whole.
..	...	IV Amendment of Bombay Acts I (Local Boards) and II (District Municipalities) of 1884.	Sections 2 and 4.
1886	...	III Bombay General Clauses Act, 1886.	Section 2, first paragraph. In section 3, clause (5), <i>the words</i> other than the Settlement of Prince of Wales' Island, Singapore and Malacca. So much of Schedule A as has not been repealed. So much of Schedule B as relates to Bombay Acts I of 1862, V of 1862, VI of 1862, I of 1863, III of 1863, V of 1863, VI of 1863, VII of 1866, VIII of 1866, XII of 1866, XIII of 1866, VI of 1867, II of 1868, III of 1869, II of 1871, I of 1872, VI of 1873, I of 1874, II of 1874, III of 1874, III of 1875, II of 1876, III of 1876, I of 1877, IV of 1879, V of 1879, VI of 1879, VII of 1879, I of 1880, I of 1883, II of 1883, I of 1884 and II of 1884.

THE FIRST SCHEDULE—continued.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
<i>Part II.—Acts of the Governor of Bombay in Council—continued.</i>			
1886	...	V Hereditary Offices (amending Bombay Act III of 1874).	Section 4.
1887	...	IV Bombay Prevention of Gambling Act, 1887.	Section 2 and the schedule.
1888	...	I Amendment of Bombay Acts I (Local Boards) and II (District Municipalities) of 1884.	Section 2.
"	...	III City of Bombay Municipal Act, 1888.	In section 5, <i>the words and figures</i> On and after the first day of April, 1889. Section 6, subsection (1). In section 19, sub-section (1), <i>the words and figures</i> On or before the first day of October, 1888, and; <i>also the word</i> thereafter. Section 22, sub-section (2). In section 34, in sub-section (1), <i>the words</i> not being one of the first general elections held in accordance with this Act, and, in sub-section (2), <i>the words</i> of a first general election held in accordance with this Act, or. In section 35, the whole of sub-section (1) and the first word of sub-section (2). In section 39, in sub-section (2), the first sentence and <i>the words</i> then or thereafter; and in sub-section (3), the first sentence and <i>the word</i> thereafter. In section 79, sub-section (1), <i>the words</i> as soon as may be after this Act comes into force, and afterwards. The whole of Schedule R except section 7 thereof.
"	...	IV City of Bombay Municipal Act Amendment Act, 1888.	Section 7.
"	...	V Aden Port Trust Act, 1888...	Section 9. In section 19, <i>the words from</i> Until a schedule to directed under this Act. In section 25, sub-section (1), <i>the words and figure</i> upon and after the date notified by the Governor in Council under section 9. In sections 37 and 39, <i>the words</i> after the date on which this Act comes into force. In section 40, sub-section (3), <i>the figures</i> 1881. Section 40, sub-section (4). Section 81.
"	...	VI Gujarát Talukdars' Act, 1888	Section 3.
1890	...	II Bombay Salt Act, 1890	In section 1, sub-section (2), <i>the words from</i> but to in this behalf. Section 9.
"	...	IV Bombay District Police Act, 1890	In section 2, first paragraph, the last fifteen words. Section 82.
1891	...	I Amendment of the Bombay General Clauses Act, 1886.	Section 1.
"	...	II Bombay Boiler Inspection Act, 1891	In section 28, clause (c), <i>the words</i> to the inspector.
1892	...	I Bombay District Vaccination Act, 1892.	Section 33, sub-section (2).

THE FIRST SCHEDULE—concluded.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
<i>Part III.—Regulations of the Bombay Code.</i>			
1827	...	II Pleaders	In section 50, clause Third, <i>the words and figures</i> from under the rules to Regulation. In section 51, clause Second, <i>the words</i> rules contained in the <i>and the words and figures</i> according to section 56 of this Regulation. In section 56, <i>the words and figures</i> from under the rules to Regulation.
1834	...	I Abolition of office of Deputy Agent for Sardars in Dekkhan.	So much as has not been repealed.
<i>Part IV.—Regulations made under 33 Vict., c. 3.</i>			
1887	...	XI Aden Pilgrims and Paupers Regulation, 1887.	Section 2, clause (1).
1892	...	III Sind Frontier Regulation, 1892.	Section 2, sub-section (1).

THE SECOND SCHEDULE.

ENACTMENTS AMENDED.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
<i>Part I.—Acts of the Governor of Bombay in Council.</i>			
1863	...	II Exemptions from land-revenue ...	In section 5, clause <i>First</i> , first proviso, <i>for or after nazāra read on.</i> In section 11, clause <i>Third</i> , <i>for</i> collectorate <i>read</i> district.
"	...	V Bombay Gas Company	In section 7, <i>for the words and figures</i> under Act XIV of 1856 <i>read in</i> Municipalities under the law for the time being in force.
"	...	VI Public Conveyances (Bombay Town, Suburbs and Harbour).	In section 18, <i>for</i> laws <i>read</i> law.
"	...	VII Exemptions from land-revenue ...	In section 18, clause <i>Second</i> , and section 19, clause <i>Fifth</i> , <i>for the Stamp Act read</i> the Court-fees Act, 1870.
1867	...	VI Sanitary Regulation, Bombay City...	In section 4, <i>for</i> the appended schedule <i>read</i> Schedule A. In section 8, <i>between the words may and require insert</i> by an order in writing in the form given in Schedule B.
1869	...	III Bombay Local Funds Act, 1869 ...	In section 7, <i>after</i> defined in <i>insert</i> the. In section 7, clause 1, <i>after</i> laid down in <i>insert</i> the. In section 8, <i>after</i> occupants of land under <i>insert</i> the.
1873	...	VI Bombay District Municipal Act ...	In section 53, clause 1, <i>for</i> quarry <i>read</i> quay.
1874	...	III Bombay Hereditary Offices Act ...	In the definition of "officiator" in section 4, <i>after</i> provisions <i>insert</i> of this Act. In section 10, <i>after</i> the date <i>insert</i> of this Act. In section 73, clause 2, <i>after</i> provisions <i>insert</i> of this Act.
1876	...	II Bombay City Land-revenue Act, 1876.	In section 6, <i>for</i> in India <i>read</i> of India.
1877	...	I Bombay Vaccination Act, 1877 ...	In section 3, <i>after</i> purposes <i>insert</i> of this Act. In section 28, <i>for</i> in the manner prescribed by Act XIII of 1856 (<i>for</i> regulating the Police of the towns of Calcutta, Madras and Bombay) and Act XLVIII of 1860 (<i>to</i> amend Act XIII of 1856) or any other Act for the time being in force regulating the Police of the City of Bombay, <i>read</i> in the manner provided by the law for the time being in force for the recovery of fines imposed by Criminal Courts. In Schedule D, <i>for</i> ten rupees <i>read</i> fifty rupees.

THE SECOND SCHEDULE—continued.

1	2	3	4
Year.	No.	Subject or title.	Amendment.

Part I.—Acts of the Governor of Bombay in Council—continued.

1879	...	IV	Karachi Vaccination Act, 1879	...	In section 20, for to where the word occurs before fine read with. In Schedule D, for ten rupees read fifty rupees.
"	...	V	Bombay Land-revenue Code, 1879		In Section 61, for an incomplete portion read a portion. In section 99, clause (b), for their, the first time that word occurs, read the. In the second paragraph of section 104, before revised insert original or. In section 211, for the word and where it precedes the words Assistant Superintendent of Survey read an.
1882	...	IV	Bombay Town Police (amending Act XLVIII of 1860).		In section 1, for the words and figures sections are substituted for sections 17 and 18 of Act XLVIII of 1860, which are, read section is substituted for section 18 of Act XLVIII of 1860, which is.
"	...	VII	Landing and Wharfage Fees	...	In section 2, for the words It shall extend—(a) to the Ports of Karachi and Aden; (b) to any other ports read It shall extend to any ports.
1883	...	I	Bombay Highway Act, 1883	...	In section 5, for municipalities read municipality.
1884	...	II	Bombay District Municipal Act Amendment Act, 1884		In section 4, clause (3), before coming and before and the like insert of this Act.
1886	...	III	Bombay General Clauses Act, 1886.		In column 4 of Schedule B, opposite Act VII of 1867, section 44, after of Police insert (where the words first occur).
1888	...	III	City of Bombay Municipal Act, 1888.		In section 35, sub-section (2), for appointment read appointments. In section 471, for 418 read 428.
1888	...	V	Aden Port Trust Act, 1888	...	In section 19, in clause (c) of the proviso, for the words day aforesaid read 31st March 1889, and for the words and figure date notified by the Governor in Council under section 9 read 1st April 1889. In section 20, in clause (b) of the proviso, for the words and figure date notified by the Governor in Council under section 9 read 1st April 1889.

Part II.—Regulations of the Bombay Code.

1827	...	II	Pleaders	...	In section 51, for dismissal read dismissal.
1830	...	VII	Southern Marátha Country...	...	In the preamble, for the words and figures Regulations XXIX and XXX read Regulation XXIX. In section 2, for the words and figures Regulations XXIX of 1827 and XXX of 1827 read Regulation XXIX of 1827, and for the words the following sections read section 5.

J. M. MACPHERSON,
Officiating Secretary to the Government of India.

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