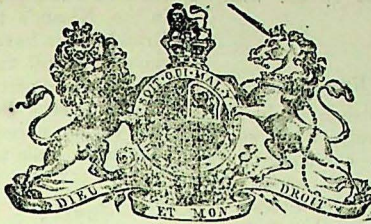


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Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART VI.

BILLS OF THE GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 24th July 1879, and was referred to a Select Committee:—

Bill No. 14 of 1879.

A Bill to amend the Foreign Jurisdiction and Extradition Act, 1872.

WHEREAS it is expedient to empower Magistrates to arrest persons found in British India and suspected of having committed offences out of British India for which they are liable to be delivered up under the Foreign Jurisdiction and Extradition Act, 1872; It is hereby enacted as follows:—

1. This Act may be called "The Foreign Jurisdiction and Extradition Act, 1879"; and it shall come into force at once.

2. After section fourteen of the Foreign Jurisdiction and Extradition Act, 1872, the following sections shall be inserted (that is to say):—

"14A. Whenever any person accused or suspected of having committed an offence out of British India is within the local limits of the jurisdiction of a Magistrate in British India, and it appears to such Magistrate that the Political Agent for any State

could, under the provisions of section eleven, issue a warrant for the arrest of such person, or that the persons for the time being administering the executive government of any part of the dominions of Her Majesty or the territory of any Foreign Prince or State could demand his surrender, such Magistrate may, if he thinks fit, issue a warrant for the arrest of such person, on such information or complaint and such evidence as would, in his opinion, justify the issue of such a warrant if the offence had been committed within the local limits of his jurisdiction.

"14B. Any Magistrate issuing a warrant under section 14A shall at once report his proceedings to the Local Government, and the Local Government may, if it thinks fit, order the warrant to be cancelled and the accused person, if arrested, to be released.

"Every person arrested on a warrant issued by a Magistrate under section 14A shall be discharged, on the expiry of such reasonable period not exceeding two months as, with reference to the circumstances of the case, the Magistrate may fix, unless within such period the Magistrate receives a warrant under section eleven from the Political Agent of any State for the delivery of such person or an order with reference to him under section fourteen from the Governor General in Council or Local Government, or such person is in accordance with law delivered up to some Foreign Prince or State.

"14C. The provisions of the Code of Criminal Procedure in respect of bail shall apply in the case of any person arrested under section 14A in

the same manner as if such person were accused of committing in British India the offence with which he is charged."

STATEMENT OF OBJECTS AND REASONS.

THE eighth section of the English Extradition Act of 1870 empowers a Magistrate, when any person is charged with having committed an offence abroad, to issue a warrant of arrest in anticipation of a request being made for extradition by the State within whose limits the offence has been committed. Sections 19 and 20 of Act VII of 1854, contained similar provisions; but they were omitted in Act XI of 1872, the present Extradition Act, which consolidated and amended

the existing law on the subject. Certain recent cases in which persons have committed offences in the Nizam's territory and taken refuge in British India have shown that some such provisions are still required to prevent failures of justice. The present Bill, which has been prepared to meet this want, practically re-enacts, with certain unimportant modifications, what was the law in India up to the year, 1872.

(Signed) WHITLEY STOKES.

SIMLA;
The 23rd June, 1879. }

D. FITZPATRICK,

Secy. to the Govt. of India,
Legislative Department.