



# Bombay Government Gazette.

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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. 2 of 1894.

*A Bill to amend the Aden Port Trust Act, 1888.*

WHEREAS it is expedient to amend the Aden Port Trust Act, 1888, in manner hereinafter appearing; It is enacted as follows :—

1. For section 14 of the Aden Port Trust Act, 1888, hereinafter referred to as the said Act the following section shall be substituted, viz. :—

“14. Every trustee shall be entitled to a fee of such amount not exceeding thirty rupees as shall from time to time be prescribed by Government, for each meeting of the Board at which a quorum is present and business is transacted, and which he attends from the beginning to the end thereof : provided that if more than one such meeting is held in any one week,

Fee payable to trustees.

no more than one fee shall be paid to any trustee for his attendance at all or any of such meetings during that one week.”

2. To section 25 of the said Act, the following sub-sections shall be added; viz. :—

“ (3) Notwithstanding anything contained in or done under this section, the crane on the Post Office pier entered as No. 23 in the said schedule shall, whenever and so long as the use thereof may be required by or on behalf of Government, be rendered by the Board available for such use, free of charge.”

“ (4) The property specified in Schedule C. shall, on and after such date as shall be notified in this behalf by the Governor in Council, vest in the Board.”

3. After section 25 of the said Act the following section shall be inserted; viz. :—

New section inserted after section 25.

following section shall be inserted; viz. :—

Bo. A. V. of 1888.

Bo. A. VI. of 886, section 16, para. 2.  
Bo. A. V. of 1888.

“25A. Nothing in this Act or in any other enactment of the Governor of Bombay in Council, shall be deemed to affect the proprietary right of Her Majesty to the bed of the sea facing lands on the shore, which are vested in Her Majesty, or the right of Her Majesty to reclaim any part of the bed of the sea; but the Board shall have, on and along the outer boundary wall or line and to seaward of any such reclamation of a part of the bed of the sea, the same rights, if any, as it would have under this Act or any such enactment as aforesaid, on or along the strand or foreshore or to seaward of the same, if no such reclamation had been made.”

4. To sub-section (1) of section 57 of the said Act there shall be added the following:—

“or in the Bank which is at the time appointed to conduct the business of Her Majesty's treasury there.”

5. For clause (c) of section 58 of the said Act the following clause shall be substituted; viz.:—

“(c) such sums as Government may from time to time require the Board to contribute on account of expenses in connection with the harbour-police and police employed in guarding the docks, warehouses, and other property of the Board and on account of medical services supplied in the port, in lieu of, or in addition to, any expenditure which Government may direct to be made from the funds or hospital port-dues, the control or application of which is, by sections 36 and 50 of the Indian Ports Act, 1889, vested in Government.” X of 1889.

6. To sub-section (3) of section 73 of the said Act the following words shall be added; viz.:—

“unless such damage or mischief is in no way attributable to the order, act or improper omission of such officer.”

7. (1) For entry No. 22 in Part I of the Schedule A. annexed to the said Act the entries Nos. 22 to 26, both inclusive, contained in Schedule No. I to this Act shall be, and shall be deemed always to have been, substituted.

(2) After Schedule B. annexed to the said Act there shall be added Schedule C. contained in Schedule No. II. annexed to this Act.

SCHEDULE No. I.  
(SEE SECTION 7 (1)).

Consecutive No.	Name of Property.	Heretofore in charge of :	Boundaries and general description.
22	Pilots and Lascars' Quarters.	Port Officer ...	Quarters in Pilots' Bay.
23	Crane on the Post Office Pier	Executive Engineer ...	On the Post Office Pier.
24	Registration of Trade House	Registration of Trade Department.	On the Isthmus Road.
25	Look-out Station ...	Port Officer ...	On Ras Tarshyne.
26	The right, title and interest of the Secretary of State for India in Council in the following properties on the foreshore of the inner harbour of Aden:— (1.) In the occupation of the Peninsular and Oriental Steam Navigation Company— (a) Ground near Ras Murbnt used as workyards, boat-shed, &c.	The Political Resident at Aden.	At Steamer Point, bounded on the north and west by the sea; on the east by the Port Department Workshop; and on the south by the public road.

SCHEDULE No. I—*continued.*

Consecutive No.	Name of Property.	Heretofore in charge of :	Boundaries and general description.
	(b) Coal ground adjoining what was formerly the Government Coal ground.	The Political Resident at Aden.	(1) Bounded on the north and east by the sea ; on the west partly by the sea and partly by Government ground ; and on the south by the public road. (2) On the north by the public road, and on the east, south and west by Government ground.
	(c) Coal ground formerly in the occupation of the European and Australian Mail Company.	Do. ...	(1) Bounded on the north, west and south by the sea ; and on the east by the public road. (2) On the west by the public road ; on the south and east by Government ground and on the north by the British India Steam Navigation Company's coal depôt.
	(2.) In the occupation of British India Steam Navigation Company—		
	(a) Coal depôt opposite Flint Island.	Do. ...	(1) Bounded on the north, west, and south by the sea ; and on the east by the public road. (2) Bounded on the west by the public road, and on the south, east, and north by Government ground.
	(3.) In the occupation of the Messageries Maritimes Company—		
	(a) Coal ground ...	Do. ...	(1) Bounded on the south by the public road ; and on the west, north and east by the sea. (2) On the north by the public road ; and on the west, south, and east by Government ground.
	(b) Boat-slip ...	Do. ...	Bounded on the east by Government ground ; on the west by the sea ; on the south by Cawasji Dinshaw and Brothers' boat-slip ; and on the north by the premises of Messrs. Luke, Thomas and Company's Mechanics' house.
	(4.) In the occupation of Messrs. Luke, Thomas and Company, Limited—		
	(a) Coal ground formerly in the occupation of Mr. Edulji Manekji.	Do. ...	(1) Bounded on the north, east and west by the sea ; and on the south by Government ground. (2) On all sides by Government ground.
	(b) Ground used for buildings for Mechanics.	Do. ...	Bounded on the east and south by Government ground ; on the west by the Messageries Maritimes Company's boat-slip ; and on the north by Mr. Cawasji Dinshaw's landing-place.
	(c) Coal depôt, Condensers and Ice Factory.	Do. ...	Bounded on the north and west by the sea ; on the south by Mr. Cawasji Dinshaw's landing-place ; and on the east by Government ground.

## SCHEDULE No. I—concluded.

Consecutive No.	Name of Property.	Heretofore in charge of :	Boundaries and general description.
(5.)	In the occupation of Messrs. Hajibhoj Lalji—Coal ground.	The Political Resident at Aden.	(1) Bounded on the north and east and west by the sea ; and on the south by Government ground. (2) On all sides by Government ground.
(6.)	In the occupation of Messrs. Cawasji Dinshaw and Brothers—Boat-slip at Hedjuff.	Do. ...	Bounded on the east by the Messageries Company's boat-slip ; on the south by Government ground ; and on the west and north by the sea.
(7.)	In the occupation of Mr. Cawasji Dinshaw—Ground used for the landing and shipping of goods.	Do. ...	Bounded on the south by Messrs. Luke, Thomas and Company's Mechanics' house on the sea : on the north by Messrs. Luke, Thomas and Company's coal depôt ; and on the east by Government ground.
(8.)	In the occupation of the Aden Coal Company, Limited—Coal ground.	The Political Resident at Aden.	Bounded on the south by Government ground ; on the west by Messrs. Luke, Thomas and Company's coal depôt ; on the north by the sea ; and on the east by the premises of the Aden Water Company.
(9.)	In the occupation of the Aden Water Company, Limited—Ground used for Condensers.	Do. ...	Bounded on the west by the premises of the Aden Coal Company ; on the south and east by Government ground ; and on the north by the sea.
(10.)	Storage Salt Wharf.	Do. ...	Bounded on the west by the premises of the Aden Water Company at the Hedjuff ; on the north by the sea ; on the east and south by Government ground.

## SCHEDULE No. II.

(See Section 7 (2)).

## "SCHEDULE C.

(See Section 25 (4)).

That portion of the roadway known as the Marshág Road which, commencing in Holkat Bay at a point 1,945 feet in a direct line south by west from the centre of the arch on the east side of the south Pass Gate or Draw-bridge, extends thence to a total length of 5,100 feet to the Marshág Light-house."

## STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to effect the following amendments, which it is desirable to make, for the reasons hereinafter stated, in the Aden Port Trust Act, 1888:—

- (1) It is found to be desirable to assimilate the provision in that Act as to payment of fees to Trustees to the corresponding provision in the Karáchi Port Trust Act (Bombay Act VI of 1886, section 16, paragraph 2). Section 1 of the Bill proposes therefore to amend Section 14 of the Aden Act in this sense.
- (2) Schedule A of the Aden Port Trust Act, 1888, has proved to be not quite complete. It is, therefore, proposed to add to it now, with retrospective effect, certain properties which, by mistake, were previously omitted from it. But whilst allowing the transfer to the Trustees of the crane on Post Office pier (which is one of the properties now for the first time to be entered in the schedule), Government wish to retain to themselves the right of using that machine, whenever necessary; in section 2 of the Bill it is proposed to add to Section 25 of the Act a sub-section (3) to give effect to this wish. It is also proposed in section 2 of the Bill to vest prospectively in the Board the Marshág Road which it is the interest and desire of the Board to maintain.
- (3) It is expedient to place beyond doubt the right of Government to reclaim on the foreshore, in front of lands belonging to it, without prejudice to any rights to levy landing-fees, &c., which the Act vests in the Trustees. This it is proposed to do by section 3 of the Bill.
- (4) It is deemed expedient as proposed in section 4 of the Bill to enable the Trustees to keep their moneys in the Bank which conducts the business of Her Majesty's Treasury.
- (5) The purpose of section 5 of the Bill is to authorize Government to require the Trustees to pay such contribution towards the actual cost of harbour-police and police employed in guarding the property of the Board, and towards the actual cost of medical services in the port, as may from time to time appear reasonable.
- (6) Section 6 provides for a slight amendment of the Act, which is necessary to enable the Board to recover compensation for any damage or mischief done to its property by any vessel with a pilot on board, when such damage or mischief is not attributable to any fault of the pilot.
- (7) Section 7 is intended to introduce the additions to the schedules descriptive of the properties referred to in paragraph 2 above, as intended to be transferred to the Board.

(Signed) A. C. TREVOR.

21st December 1894.

*By order of His Excellency the Right Honourable the Governor,*

C. H. A. HILL,

Secretary to the Council of the Governor of Bombay  
for making Laws and Regulations.

*Bombay Castle, 22nd December 1894.*

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