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## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th August 1871, and was referred to a Select Committee with instructions to make their report thereon in six weeks:—

#### Bill No. 20 of 1871.

*A Bill for declaring the local extent of certain Acts passed by the Imperial Legislative Council.*

Whereas it is expedient to declare the local extent of certain Acts passed by the Governor General in Council, the Legislative Council of India, and the Council of the Governor General for making Laws and Regulations; It is enacted as follows:—

1. This Act may be called the "General Acts' Short title. Local Extent Act, 1871."

2. The unrepealed provisions of the Acts mentioned in the Schedule hereto annexed are declared to extend to the whole of British India, except such territories as may be removed from the operation of the ordinary laws by any enactment for the time being in force: Provided that nothing herein contained shall be deemed to bar the power of the Governor General in Council or the Local Government, under the law for the time being in force, to extend to any part of such territories any Act mentioned in the said Schedule.

3. Nothing in this Act shall be held to affect the local limits of the operation of any Act not mentioned in the said Schedule.

Extent of Acts enumerated in Schedule.

Saving of local jurisdiction of Acts not mentioned in Schedule.

#### SCHEDULE.

No. and Year.	Subject or Title.
Act IX. of 1836 ..	Power to Commanding Officer to administer oaths.
„ XXVI. „ „ ..	Governor General's Camp Police.
„ IV. „ 1837 ..	Power to acquire land.
„ XXV. „ 1838 ..	Wills executed before the 1st January 1866.
„ XXXI. „ „ ..	Fines inflicted by Supreme Courts.
„ XXII. „ 1839 ..	An Act for enabling persons charged with offences to make their defence more effectually.
„ XXIX. „ „ ..	An Act for the Amendment of the Law relating to Dower.
„ XXX. „ „ ..	An Act for the Amendment of the Law of Inheritance.
„ XXXII. „ „ ..	An Act concerning the Allowance of Interest in certain cases.
„ VI. „ 1840 ..	An Act for the Amendment of the Law concerning the negotiation of Bills of Exchange.
„ XIII. „ „ ..	An Act for the Amendment of the Law regarding Factors, by extending to the territories of the East India Company, in cases governed by English Law, the provisions of the Statute 4, Geo. IV., Chap. 83, as altered and amended by the Statute 6, Geo. IV., Chap. 94.
„ XXIII. „ „ ..	An Act for executing within the local limits of the jurisdiction of Her Majesty's Courts Legal Process issued by authorities in the Mofussil.
„ VIII. „ 1841 ..	An Act to enable Her Majesty's Supreme Courts within the Territories of the East India Company to give relief against adverse claims made upon persons having no interest in the subject of such claims.



No. and Year.	Subject or Title.	No. and Year.	Subject or Title.
Act X. of 1841....	An Act for prescribing the Rules to be observed, in order that ships or vessels belonging to ports within the Territories under the Government of the East India Company, or belonging to Native Princes or States, or their subjects, may become entitled to the privileges of British ships under a proclamation of the Governor General of India in Council, made in pursuance of the Statute 3rd & 4th Vic., Chap. 56.	Act XX. of 1847..	An Act for the encouragement of learning in the Territories subject to the Government of the East India Company, by defining and providing for the enforcement of the right called Copyright therein.
" XI. ,, ,, ....	An Act for consolidating and amending the Regulations concerning Military Courts of Requests for Native Officers and Soldiers in the Service of the East India Company.	" XXI. ,, 1848..	An Act for avoiding Wagers.
" XVIII. ,, ,, ....	An Act for consolidating and amending the enactments concerning the exportation of Military Stores.	" I. ,, 1849..	An Act to provide more effectually for the punishment of offences committed in Foreign States.
" XIX. ,, ,, ....	An Act for the protection of moveable and immoveable property against wrongful possession in cases of successions.	" V. ,, 1850..	An Act for freedom of the Coast- ing Trade of India.
" XXIV. ,, ,, ....	An Act for the greater uniformity of the Law administered by Her Majesty's Supreme Courts with that administered in England, in regard to the undisposed residue of the Effects of Testators, Illusory Appointments, the transfer of Estates by persons under disabilities pursuant to the direction of Courts, and the better management of the property of such persons, and other like matters.	" XI. ,, ,, ..	An Act to amend Act X., 1841.
" XXVI. ,, ,, ....	An Act for extending in cases governed by English Law certain provisions of the Statutes 3rd and 4th William IV., Chap. 42, entitled "An Act for the further Amendment of the Law and the better Advancement of Justice."	" XII. ,, ,, ..	For avoiding loss by the default of Public Accountants.
" IX. ,, 1842....	An Act for extending the Statute Ch. XXI., 4th and 5th of Queen Victoria, in certain cases to the Territories of the East India Company.	" XVIII. ,, ,, ..	An Act for the protection of Judicial Officers.
" XII. ,, ,, ....	An Act for the better regulation of Military Bazaars, and defining the liabilities of camp followers.	" XIX. ,, ,, ..	Concerning the binding of Apprentices.
" V. ,, 1843....	An Act for declaring and amending the Law regarding the condition of Slavery within the Territories of the East India Company.	" XXI. ,, ,, ..	An Act for extending the principle of Section IX. Regulation VII. 1832, of the Bengal Code, throughout the Territories subject to the Government of the East India Company.
" XX. ,, 1844....	An Act to amend the Law relating to Advances <i>bona fide</i> made to Agents intrusted with Goods, by extending to the Territories of the East India Company, in cases governed by English Law, the Provisions of the Statute 5 and 6 Victoria, c. 39, as altered by this Act.	" XXVI. ,, ,, ..	An Act to enable improvements to be made in Towns.
		" XXXIV. ,, ,, ..	An Act for the better Custody of State Prisoners.
		" XXXVII. ,, ,, ..	For regulating Inquiries into the behaviour of Public Servants.
		" XXX. ,, 1832..	An Act for the Naturalization of Aliens.
		" XXXIII. ,, ,, ..	An Act to facilitate the enforcement of Judgments in places beyond the Jurisdiction of the Courts pronouncing the same.
		" II. ,, 1853..	An Act to remove doubts as to the liability of all subjects of Her Majesty to the same jurisdictions as Natives in respect of public and police duties and public charges incident to the holders of land or their local Agents or Managers.
		" VII. ,, 1854 ..	An Act for the apprehension within the territories under the Government of the East India Company, of persons charged with the commission of heinous offences beyond the limits of the said territories, and for delivering them up to Justice, and to provide for the execution of warrants in places out of the Jurisdiction of the authorities issuing them.
		" XVIII. ,, ,, ..	An Act relating to Railways in India.
		" XXXI. ,, ,, ...	An Act to abolish real actions and also fines and common recoveries, and to simplify the modes of conveying land in cases to which the English Law is applicable.



No. and Year.	Subject or Title.	No. and Year.	Subject or Title.
Act XI. of 1855 ..	An Act relating to mesne profits and to improvements made by holders under defective titles in cases to which the English Law is applicable.	Act XXXVI. of 1858 ..	An Act relating to Lunatic Asylums.
" XII. " " ..	An Act to enable Executors, Administrators or Representatives to sue and be sued for certain wrongs.	" III. ,, 1859 ..	An Act for conferring Civil Jurisdiction in certain cases upon Cantonment Joint Magistrates, and for constituting those Officers' Registers of Deeds.
" XIII. " " ..	An Act to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong.	" VIII. " " ..	An Act for simplifying the Procedure of the Courts of Civil Judicature not established by Royal Charter.
" XVIII. " " ..	An Act to remove doubts relating to the power to grant Pardons and Reprieves and Remissions of Punishments in India.	" XIV. " " ..	An Act to provide for the Limitation of Suits.
" XXII. " " ..	An Act for the Regulation of Ports and Port-dues.	" XV. " " ..	An Act for granting exclusive privileges to Inventors.
" XXIII. " " ..	An Act to amend the Law relating to the administration of the Estates of deceased persons charged with money by way of Mortgage.	" XVIII. " " ..	An Act to amend the law relating to offences declared to be punishable on conviction before a Magistrate.
" XXIV. " " ..	An Act to substitute penal servitude for the punishment of Transportation in respect of European and American Convicts, and to amend the Law relating to the removal of such Convicts.	" XXI. ,, 1860 ..	An Act for the Registration of Literary, Scientific and Charitable Societies.
" XXVI. " " ..	An Act to facilitate the payment of small deposits in Government Savings' Banks to the representatives of deceased depositors.	" XXVII. " " ..	An Act for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons.
" XXVIII. " " ..	An Act for the repeal of the Usury Laws.	" XXXIV. " " ..	An Act to indemnify Officers of Government and other persons in respect of fines and contributions levied, and acts done by them during the late disturbances.
" XXXIV. " " ..	An Act to explain and amend Act No. XXXIII. of 1852.	" IX. ,, 1861 ..	An Act to amend the Law relating to Minors.
" IX. ,, 1856 ..	An Act to amend the Law relating to Bills of Lading.	" XXIII. " " ..	An Act to amend Act VIII. of 1859 (for simplifying the Procedure of the Courts of Civil Judicature not established by Royal Charter).
" XI. " " ..	An Act for the better prevention of desertion by European Soldiers from the Land Forces of Her Majesty and of the East India Company in India.	" XXV. " " ..	An Act for simplifying the Procedure of the Courts of Criminal Judicature not established by Royal Charter.
" XV. " " ..	An Act to remove all legal obstacles to the marriage of Hindoo Widows.	" III. ,, 1862 ..	An Act to amend the law relating to the use of a Government Seal.
" XI. ,, 1857 ..	An Act for the prevention, trial and punishment of offences against the State:	" VI. ,, 1863 ..	An Act to consolidate and amend the laws relating to the administration of the Department of Sea Customs in India.
" XXV. " " ..	An Act to render Officers and Soldiers in the Native Army liable to forfeiture of property for mutiny, and to provide for the adjudication and recovery of forfeitures of property in certain cases.	" IX. " " ..	An Act to amend the Code of Civil Procedure.
" III. ,, 1858 ..	An Act to amend the Law relating to the arrest and detention of State Prisoners.	" XVI. " " ..	An Act to make special provision for the levy of the Excise Duty payable on Spirits used exclusively in Arts and Manufactures or in Chemistry.
" XXXV. " " ..	An Act to make better provision for the care of the Estates of Lunatics not subject to the jurisdiction of the Supreme Courts of Judicature.	" XX. " " ..	An Act to enable the Government to divest itself of the management of Religious Endowments.
		" XXIII. " " ..	An Act to provide for the adjudication of claims to waste-lands.



No. and Year.	Subject or Title.	No. and Year.	Subject or Title.
Act III. of 1864.	An Act to give the Government certain powers with respect to Foreigners.	Act XV. of 1866.	An Act to amend the Law of Partnership in India.
" VI. " "	An Act to authorize the punishment of whipping in certain cases.	" XXI. " "	An Act to legalize, under certain circumstances, the dissolution of marriages of Native Converts to Christianity.
" XVII. " "	An Act to constitute an Office of Official Trustee.	" XXVIII. " "	An Act to give to Trustees, Mortgagees and others, in cases to which English Law is applicable, certain powers now commonly inserted in Settlements, Mortgages and Wills, and to amend the Law of property and relieve Trustees.
" III. ,, 1865.	An Act relating to the rights and liabilities of Common Carriers.	" VIII. ,, 1867.	An Act to amend the Law relating to Horse-racing in India.
" XI. " "	An Act to consolidate and amend the Law relating to Courts of Small Causes beyond the local limits of the Ordinary Original Civil Jurisdiction of the High Courts of Judicature.	" X. " "	An Act to empower Courts of Small Causes in the Mofussil to refer for decision questions arising previous to the hearing of suits, or in the execution of decrees or orders.
" XV. " "	An Act to define and amend the Law relating to Marriage and Divorce among the Parsees.	" X. ,, 1868.	An Act to amend the Consolidated Customs' Act.
" XXI. " "	An Act to define and amend the Law relating to Intestate Succession among the Parsees.	" VIII. ,, 1869.	An Act further to amend the Code of Criminal Procedure.
" V. ,, 1866.	An Act to provide a summary procedure on Bills of Exchange, and to amend in certain respects the Commercial Law of British India.	" I. ,, 1870.	An Act to provide rules relating to Quarantine.
" X. " "	An Act for the incorporation, regulation and winding-up of Trading Companies and other Associations.		

## STATEMENT OF OBJECTS AND REASONS.

Certain Acts of general application passed by the chief Indian Legislature have been treated as in force in territories acquired by the British Government subsequently to their enactment, although never formally extended to such territories. Other enactments, by the same authority and of a similar character, contain in themselves no express definition of their intended local extent.

The object of this Bill is to remove all doubt as to the legal operation of enactments coming within either of these classes, throughout the whole of British India.

(Signed) F. R. COCKERELL.

*Simla, the 22nd August 1871.*

H. S. CUNNINGHAM,

*Officiating Secretary to the Council of the Governor General  
for making Laws and Regulations.*