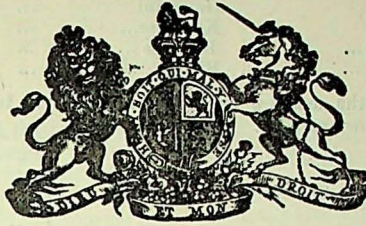


THE



Bombay Government Gazette.

Published by Authority.

THURSDAY, 20TH FEBRUARY 1896.

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 Report of the Select Committee on the Bill to amend the Indian Ports Act, 1889, was represented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 13th February 1896:—

WE, the undersigned, Members of the Select Committee to which the Bill to amend the Indian Ports Act, 1889, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report with the Bill as amended by us annexed thereto.

From Chief Commissioner, Burma, No. 483—3-P-3, dated 19th April, 1895 [Paper No. 1].
 From High Court, Calcutta, No. 864, dated 26th April, 1895 [Paper No. 2].
 From Government, Madras, No. 116, dated 22nd April, 1895, and enclosure [Papers No. 3].
 From Chief Commissioner, Burma, No. 16—3-P-3, dated 3rd June, 1895, and enclosure [Papers No. 4].
 From Government, Bombay, No. 4048, dated 30th May, 1895, and enclosures [Papers No. 5].
 From Government, Bengal, No. 788 Mainie, dated 11th April, 1895, and enclosures [Papers No. 6].

2. We have made it clear that only single, not double, curtains can be required by rule, and that the only portions of the deck to be affected by the provisions with respect to awnings, curtains and sheathing are those occupied by or situated immediately above the quarters of officers and crew.

3. The publication ordered by the Council has been made as follows:—

In English.

<i>Gazette.</i>	<i>Date.</i>
Gazette of India...	23rd February 1895.
Fort Saint George Gazette ...	12th March 1895.
Bombay Government Gazette ...	28th February 1895.
Calcutta Gazette ...	27th February 1895.
Burma Gazette ...	9th March 1895.
Sind Official Gazette ...	14th March 1895.

In the Vernaculars.

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Madras ...	Telugu ...	19th March 1895.
	Hindustani ...	19th March 1895.
	Kanarese ...	19th March 1895.
	Malayalam ...	19th March 1895.
	Tamil ...	26th March 1895.

Bombay ...	...	...	Marathi ...	...	21st March 1895.
			Gujarathi	...	21st March 1895.
			Kanareso...	...	21st March 1895.
Burma ...	...	...	Burmese ...	...	23rd March 1895.
Sindh ...	...	...	Sindhi ...	...	21st March 1895.

4. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

(Signed) J. WESTLAND.
 (") ALEX. EDW. MILLER.
 (") A. S. LETHBRIDGE.
 (") G. P. GLENDINNING.
 (") P. PLAYFAIR.

The 12th February 1896.

No. II.

A Bill to amend the Indian Ports Act, 1889.

WHEREAS it is expedient to amend the Indian Ports Act, 1889; It is hereby enacted as follows:—

1. (1) In section 6, clause (o), of the said Act, the word "and" shall be omitted, and after clause (p) of the same section the following shall be added, namely:—

"and

(q) for securing the protection from heat of the officers and crew of vessels in any such port by requiring the owner or master of any such vessel—

(r) to provide *curtains and double awnings for screening from the sun's rays such portions of the deck as are occupied by, or are situated immediately above, the quarters of the officers and crew;*

(ii) to erect windsails so far as the existing port-holes or apertures in the deck admit of their being used for ventilating the quarters of the officers and crew;

(iii) when the deck is made of iron and not wood-sheathed, to cover with wooden planks or other suitable non-conducting material such portions of the deck as are situated immediately above the quarters of the officers and crew;

(iv) when the quarters used by the crew and the galley are separated by an iron bulkhead only, to furnish a temporary screen of some suitable non-conducting material between such quarters and the galley."

S. HARVEY JAMES,
 Secretary to the Government of India.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 13th February 1896:—

Bill No. 9 of 1896.

A Bill to amend the Indian Railways Act, 1890.

IX of 1890. WHEREAS it is expedient to amend the Indian Railways Act, 1890; It is hereby enacted as follows:—

1. In section 7, sub-section (1), clause (a), of the said Act, after the word "roads," in the second place in which it occurs, the words "lines of railway" shall be added.

2. In section 10, sub-section (2), of the said Act, for the latter part of the sub-section after the words "so far as may be" the following shall be substituted, namely:—

"with the provisions of sections 11 to 15, both inclusive, sections 18 to 34, both inclusive, and sections 53 and 54 of the Land Acquisition Act,

1894, and the provisions of sections 51 and 52 of that Act shall apply to the award of compensation."

3. In section 59, sub-section (3), of the said Act, for "sub-section (1)," sub-section (3), Act IX, 1890. "sub-section (2)" shall be substituted.

4. In section 73, sub-section (1), of the said Act, before the word "camels" the word "mules," and before the word "sheep" the word "donkeys," shall be added.

5. Section 81 of the said Act is repealed.

6. In section 114 of the said Act, for the words "the return half" the words "any half," and for the words "the return journey" the words "the journey," shall be substituted.

7. In section 136, sub-section (1), of the said Act, after the word "Court" the words "or of any local authority or person having by law power to attach or distrain property or otherwise to cause property to be taken in execution" shall be added.

STATEMENT OF OBJECTS AND REASONS.

On a representation made by certain river steamer companies it has been decided, in communication with Her Majesty's Secretary of State for India, to propose the repeal of section 81 of the Indian Railways Act (IX of 1890) with a view to removing the inequality existing between such companies and railway administrations carrying passengers or goods on inland waters by vessels which are not "railways" within the meaning of section 3. The main object of this Bill is, by clause 5 thereof, to give effect to this decision; but the opportunity has been taken to make certain other amendments in the Act of an unimportant character.

2. As the word "roads" is not defined and might be held not to cover "lines of railway," it is deemed advisable to refer specifically to the latter in clause (a), sub-section (1), section 7 of the Act. The first clause in the Bill purports to make the necessary addition.

3. The slight amendments proposed in sections 10 and 59 of the Act seem to require no explanation.

4. Section 114 of the Act penalizes the fraudulent sale, or attempted sale, of the return half of a return ticket; but cases have been brought to notice in which similar fraud has been practised in respect of the first half of such a ticket, and clause 6 of the Bill aims at removing the defect.

5. Although section 136, sub-section (1), of the Act prevents the seizure, without the previous sanction of the Governor General in Council, of certain railway property in execution of any decree or order of a Court, it does not prohibit distraint by municipal and such other bodies in exercise of the powers conferred upon them by various special laws. By the last clause of the Bill it is proposed to extend the provision referred to so as to cover such cases also.

The 8th February 1896.

(Signed) ALEX. EDW. MILLER.

S. HARVEY JAMES,
Secretary to the Government of India.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 13th February 1896 :—

Bill No. 10 of 1896.

A Bill to amend the Presidency Small Cause Courts Act, 1882.

WHEREAS it is expedient to amend the Presidency Small Cause Courts Act, 1882 ; It is hereby enacted XV of 1896 as follows :—

Amendment of section 71, Act XV,
1882.

1. In section 71 of the said Act the words and numerals "section 38 or" are repealed.

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to make a purely formal amendment in section 71 of the Presidency Small Cause Courts Act, 1882. Under Section 35 of the Act as it stood prior to the last amendment applications might be made for retrial of small causes under certain conditions, and these applications were, by section 71, made subject to the payment of fees as on plaints. By the Presidency Small Cause Courts Act, 1895, the said section 38 was repealed, and a new section, referring to a totally different proceeding, was inserted in the Act. It has been suggested that the reference to section 38 in section 71, if left standing, might be interpreted to apply to the new section 38 : as this would be contrary alike to the reason of the case and the intention of the Legislature, it is now proposed to get rid of the supposed ambiguity.

The 8th February 1896.

(Signed) ALEX. EDW. MILLER.

S. HARVEY JAMES,
Secretary to the Government of India.