



Bombay Government Gazette

Published by Authority.

THURSDAY, 5TH MARCH 1896.

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 27th February 1896, and is hereby promulgated for general information:—

Act No. V of 1896.

An Act to amend the Foreign Jurisdiction and Extradition Act, 1879.

WHEREAS it is expedient to amend the Foreign Jurisdiction and Extradition Act, 1879; It is hereby enacted as follows:—

1. In section 3 of the said Act, for the words "officer in British India" the words "officer of the Government of India or of any Local Government," and for the words "the Governor in Council of the Presidency of Fort St. George or Bombay" the words "the Local Government," shall be substituted.

2. To section 11 of the said Act the following Addition to section 11, shall be added, namely:—

"The act of desertion from any body of Imperial Service Troops shall be deemed to be an offence in respect of which the Political Agent for the State to which such troops belong may issue a warrant under this section."

3. In section 12 of the said Act, after the words "and the accused person, when arrested, shall," the words "unless

released on bail in accordance with the provisions of the next following section," shall be inserted.

Insertion of new sections after section 12, Act XXI, 1879.

4. After section 12 of the said Act the following sections shall be inserted, namely:—

"12A. A Political Agent issuing a warrant for the arrest of any person under section 11 may in his discretion direct by endorsement thereon that, if such person executes a bond with sufficient sureties for his attendance before the officer mentioned in the warrant at a specified time, the Magistrate to whom the warrant is directed shall take such security and release such person from custody.

Power to Political Agent to direct security to be taken and procedure thereon.

"The endorsement shall state (a) the number of sureties (if any), (b) the amount in which they and the person for whose arrest the warrant is issued are to be respectively bound, and (c) the time and place at which he is to attend before the officer mentioned in the warrant.

"Whenever security is taken under this section, the Magistrate shall certify the fact to the Political Agent by whom the warrant was issued, and shall retain the bond.

"12B. If the person bound by any bond executed under the last foregoing section to appear before the officer mentioned therein does not so appear, the Magistrate may,

Arrest on breach of bond to appear.

on being satisfied as to his default, issue a warrant directing that he be re-arrested and delivered over to such officer.

"12C. In the case of every bond required to be executed or which may

Application of sections 513 and 514, Act X, 1882. have been executed in accordance with the foregoing provisions, the powers conferred by sections 513 and 514 of the Code of Criminal Procedure, 1882, on the Court which has required the execution of or has taken a bond may be exercised by the Magistrate."

5. At the end of section 13 of the said Act Addition to section 13, the following shall be Act XXI, 1879. added, namely:—

"or, in the case of a deserter, by a duly constituted Military Court."

Addition of new section after section 17, Act XXI, 1879.

"17A. Notwithstanding

Detention of persons arrested under section 54, clause seventhly, Act X, 1882.

the provisions of section 54, clause seventhly, of the said Code, may, under the orders of a Magistrate within the local limits of whose jurisdiction such arrest was made, be detained in the same manner and subject to the same restrictions as a person arrested on a warrant issued by such Magistrate under section 15 of this Act."

6. After section 17 of the said Act the following section shall be added, namely:—

1882, any person arrested without an order from a Magistrate and without a warrant, in pursuance of

S. HARVEY JAMES,

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 27th February 1896, and is hereby promulgated for general information :—

Act No. VI of 1896.

An Act to amend the Indian Penal Code.

WHEREAS it is expedient to amend the Indian Penal Code; It is hereby enacted as follows :—

1. (1) For the second paragraph of section 230 of the said Code the following shall be substituted, namely :—

“Queen’s coin is metal stamped and issued by

the authority of the Queen, or by the authority of the Government of India, or of the Government of any Presidency, or of any Government in the Queen’s dominions, in order to be used as money; and metal which has been so stamped and issued shall continue to be the Queen’s coin for the purposes of this Chapter, notwithstanding that it may have ceased to be used as money.”

(2) To the illustrations appended to the said section the following shall be added, namely :—

“(c) The ‘Farukhabad rupee,’ which was formerly used as money under the authority of the Government of India, is Queen’s coin, although it is no longer so used.”

S. HARVEY JAMES,
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 27th February 1896, and is hereby promulgated for general information:—

Act No. VII of 1896.

An Act 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 1882 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.

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