III. Every Bill of Lading in the hands of a consignee or endorsee for valuable consideration, representing goods to have been shipped on board a vessel, shall be conclusive evidence of such shipment as against the Master or other person signing the same, notwithstanding that such goods or some part thereof may not have been so shipped, unless such holder of the Bill of Lading shall have had actual notice at the time of receiving the same that the goods had not in fact been laden on board. Provided that the Master or other person so signing may exonerate himself in respect of such misrepresentation, by showing that it was caused without any defect on his part, and wholly by the fraud of the shipper, or of the holder, or some person under whom the holder claims.

Act No. X of 1856.

Repealed by Act XXIX, 1861.

Act No. XI. of 1856.

1. Penalty on Master in certain cases if a deserter be concealed on board his ship. Proviso. Charge may be in the alternative.
2. Jurisdiction.
3. Conviction to be quashed on merits only: form of conviction, &c.
5. Commanding Officer may issue warrants for apprehension of deserters.
6. Warrant to whom to be addressed, and by whom to be executed.
7. Persons apprehended how to be dealt with, &c.

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.

Whereas it is expedient to make better provision for apprehending and detaining European deserters from the Land Forces in the service of Her Majesty and of the East India Company in India, and for punishing persons
who aid and encourage such deserters: It is enacted as follows:—

I. If it shall appear that any Officer or soldier, being a deserter from the said Forces, has been concealed on board any merchant vessel, and that the master or person in charge of such vessel for the time being, though ignorant of the fact of such concealment, might have known of the same but for some neglect of his duty as such master or person, or for the want of proper discipline on board his vessel, such master or person shall be liable to a fine not exceeding five hundred Rupees. Provided always, that no conviction for such offence, as is hereinbefore described, shall be lawful, unless the same shall be stated in the charge which the party is called upon to answer; and in such charge it shall be lawful to state in the alternative that the party has either knowingly harboured or concealed a deserter on board his vessel, or has, by neglect of duty or by reason of the want of proper discipline on board the vessel, allowed such deserter to be so concealed.

II. Any person, whether a European British subject or not, who shall be guilty of an offence punishable under this Act, shall be punishable for the same by any Justice of the Peace for any of the Presidency Towns of Calcutta, Madras, and Bombay, or for any of the Settlements of Prince of Wales' Island, Singapore, and Malacca, Magistrate, Joint Magistrate, or person lawfully exercising the powers of a Magistrate in any port within the territories of the East India Company, within whose jurisdiction the offence may have been committed, or such person may have been apprehended or found, whether the offence shall have been committed within the local limits of the jurisdiction of such Officer or not; and any person hereby made punishable by a Justice of the Peace shall be punishable on summary conviction.

III. No conviction, order, or judgment of any Justice of the Peace shall be quashed for error of form, or procedure,
but only on the merits; and it shall not be necessary to state on the face of the conviction, order or judgment, the evidence on which it proceeds; but the depositions taken, or a copy of them, shall be returned with the conviction, order or judgment, in obedience to any writ of certiorari; and if no jurisdiction appears on the face of the conviction, order or judgment, but the depositions taken supply that defect, the conviction, order or judgment, shall be aided by what so appears in such depositions.

IV. Nothing in this Act contained shall prevent any Justice of the Peace, Magistrate, or other officer having authority in that behalf, from committing for trial any person who shall be charged with an offence punishable under Act No. XIV of 1849, or any other Act hereafter to be in force, notwithstanding that such offence may be also punishable under this Act, provided that no proceedings shall have been had against such person in respect of the same offence under this Act.

V. Whenever, on information given on oath or solemn affirmation, where by law a solemn affirmation may be used instead of an oath, to the Commanding Officer of any fort, garrison, station, regiment, or detachment, at any port or place within the territories of the East India Company, in which no person lawfully exercising magisterial powers can be found, which oath or affirmation the several persons above-named shall severally under this Act have power to administer; or whenever, on such information as aforesaid given to any Justice of the Peace, Magistrate, Joint Magistrate, or person lawfully exercising the powers of a Magistrate, having jurisdiction within such port or place, there shall appear reason to suspect that any European Officer or Soldier belonging to the said Force, who may have deserted or be absent without leave, is on board any ship, vessel or boat, or is concealed on shore at any such port or place within the territories of the East India Company, it shall be lawful for such Commanding Officer or Justice of the Peace, Magistrate, Joint Magistrate, or person
lawfully exercising the powers of a Magistrate as aforesaid, to issue a warrant authorizing the person or persons to whom such warrant may be addressed, to enter into and search, at any time of the day or night, any such ship, vessel or boat, or any house or place on shore, and to apprehend any such Officer or Soldier, and to detain him in custody in order to his being dealt with according to law.

VI. The warrant to be issued under the preceding Section may be addressed to any European Officer or Soldier of the said Forces, or to all constables, peace officers, and other persons who may be bound to execute the warrant of any Justice of the Peace, Magistrate, Joint Magistrate, or person lawfully exercising the powers of a Magistrate, and, acting in the execution of this Act; and all such persons shall be bound to execute, perform, and obey such warrant.

VII. Every person who shall be apprehended under any warrant under the 5th Section of this Act, shall be brought without delay before a Justice of the Peace, Magistrate, Joint Magistrate, or person lawfully exercising the powers of a Magistrate, in or near the place wherein such person shall have been arrested, who shall examine such person, and, if he shall be satisfied, either by the confession of such person or the testimony of one or more witness or witnesses or by his own knowledge, that such person is a deserter from the said Forces, shall cause him to be delivered, together with any depositions and papers relative to the case, to the Commanding Officer of the regiment, corps, or detachment to which he shall belong, if the same shall be in or near the place of such arrest, or if otherwise, then to the Commanding Officer of the nearest military station, in order that he may be dealt with according to law.

Act No. XII of 1856.

1. Regulations repealed.
2. Civil Court Ameens to be appointed.
3. Civil Court Ameens by whom to be appointed, and to what Courts to be attached.
4. **Declaration to be made by Civil Court Ameens.**

5. **Duties of Civil Court Ameens.**

8. **Expense of Civil Court Ameens how to be charged.**

9. **When employed to sell property, deduction to be made from proceeds. Expenses, if no sale takes place.**

10. **Civil Courts in the North-Western Provinces may employ Revenue Officers in certain cases.**

An Act to amend the law respecting the employment of Ameens by the Civil Courts in the Presidency of Fort William.

WHEREAS the law by which the Civil Courts are authorized to employ Ameens upon local investigations is defective and requires amendment; and whereas, in consequence of the extended jurisdiction which has been given to Moonsiffs and the change which has been made in the constitution of the office, it is no longer expedient that Moonsiffs should be employed in the attachment and sale of personal property, nor, except on rare and special occasions, in any of the duties enumerated in Sections L, LI, and LIII, Regulation XXIII, 1814; and it is necessary to make provision for the performance of those duties by other agency: It is enacted as follows:—

I. Section XVII Regulation IV, 1793, Section XVIII Regulation III, 1803, and Clauses 2 and 3 of Section LI, and Section LII, Regulation XXIII, 1814, are repealed.

II. In each district Officers to be designated Civil Court Ameens shall be appointed for the purposes of this Act, and shall be remunerated by fixed monthly salaries. The number of Ameens to be employed in each district, and the salaries to be allowed to them, shall be determined by the Local Government, with the sanction of the Governor General of India in Council.

III. The Civil Court Ameens shall be appointed by the Judge of the district with the sanction of the Court of Sudder Dewanny Adawlut, and the Judge shall from time to time attach them to the several Courts of the District
according as the state of business may require. Provided that an Ameen attached to any particular Court may, with the sanction of the Judge, be employed occasionally by any other Court.

IV. Before entering upon the duties of their office, the Civil Court Ameens shall subscribe a declaration in the following form:

I, A. B., appointed to the office of Civil Court Ameen, solemnly declare that, in the performance of the duties of my office, I will act according to the best of my abilities and judgment, without partiality, favor, or affection; and that I will not directly or indirectly receive for my own benefit, or knowingly permit any other person to receive on my behalf, any money, effects, or property on account of any duty which I may have to execute, except the authorized allowances of my office.

V. Subject to such general directions and restrictions as may from time to time be prescribed by the Sudder Court, the Civil Court Ameens may be employed in any of the following duties:

1. In investigating or adjusting accounts in any suit or other judicial proceeding.

2. In making local investigations when the Court may deem investigation on the spot to be requisite and proper for the purpose of elucidating the matters in dispute, or of ascertaining the amount of mesne profits or damages, in any suit or other judicial proceeding.

3. In delivering over possession of lands, houses, and other immoveable property, in execution of decrees or orders of Court.

4. In the sale of moveable property, and of houses, gardens, and other immoveable property of the kind described in Section III, Regulation VII, 1825.
5. In ascertaining the sufficiency of sureties and the means of persons suing in *forma pauperis*.

VI. Repealed by Act X, 1861.

VII. Repealed by Act X, 1861.

VIII. Whenever a Civil Court Ameen may be employed on any duty connected with a pending suit, or the execution of a decree, except the sale of property, the Court shall estimate the time which the duty may be expected to occupy, and shall charge for the expense of the Ameen such fixed rate per diem as may be determined by the Sudder Court. The amount shall be paid into Court by the party at whose instance or for whose benefit the Ameen is deputed, and shall be added to the costs of suit.

IX. When a Civil Court Ameen shall be employed to sell property, a deduction at the rate of one anna in the Rupee shall be made from the proceeds of the sale. If no sale takes place by reason of the claim being satisfied, or for any other cause, a charge shall be made for the expenses of the Ameen according to the time he may be employed. A deposit to meet this charge, calculated in the manner prescribed in the preceding Section, shall be made before the Ameen is deputed, and shall be returned to the depositor if the sale takes place. All sums paid for the employment of Ameens, and all sums deducted from the proceeds of sales, shall be credited to Government.

X. Nothing contained in this Act shall be held to prohibit the Civil Courts in the North-Western Provinces of the Presidency of Fort William from making use of the agency of the Revenue Officers in investigations and adjustments of accounts connected with land paying revenue to Government under such general directions as may from time to time be prescribed by the Sudder Court. Whenever a Tuhseeldar, or a Peshkar, shall be employed in any such investigation or adjustment under the orders of a Civil Court, he shall possess all the powers vested in Civil Court Ameens by Section VII of this Act, and the provisions of

Expense of Civil Court Ameens how to be charged.

When employed to sell property, deduction to be made from proceeds. Expenses, if no sale takes place.

Civil Courts in the N. W. P., may employ Revenue Officers in certain cases.
the said Section shall be applicable to the proceedings held by such Officer.

PRÉSIDENCY
TOWNS.

Act No. XIII of 1856.*

1. Acts, &c., repealed.
2. Interpretation.
3. Appointment and removal of Commissioner of Police.
4. Appointment of Deputies to the Commissioner of Police.
5. Commissioner of Police shall not ordinarily be a Magistrate.
6. Commissioner of Police to be a Justice of the Peace, but to act only in certain cases.
8. The Police Force to be under the control of the Commissioner. Rules for the Government of the Force to be made by the Commissioner and approved by the Government.
9. No Peace Officers in the Straits Settlement to be appointed by the Court of Judicature.
10. Appointment, &c., of the Police Force to rest with the Commissioner.
11. Power of Commissioner to fine members of the Police Force.
12. Additional penalties for members of the Police Force for neglect of duty, &c.
13. Members of Police Force to receive Certificates vesting them with the powers of a Constable.
14. Penalty for dismissed members of Police Force not delivering up clothing, accoutrements, &c.
15. Police Superannuation Fund.
16. Superannuation pensions to members of the Police Force.
17. Proviso.
18. Allowances to Officers disabled by wound, &c., in execution of duty.
19. Commissioner of Police may appoint special Constables when necessary.
20. Appointment of additional Constables on the application of private individuals. Proviso.
22. Police Officers to be in attendance at the Police Courts.
23. Service of criminal process by Police Officer.
24. Execution of warrants.

* Act XLVIII, 1860, is to be taken with and read as part of this Act.
26. Trial and punishment of offences.
27. Stealing or receiving stolen property not exceeding the value of fifty Rupees.
28. Embezzlement, &c.
29. Summary conviction of accessories.
30. Wrongful appropriation of property found. If the property exceed the value of 50 Rupees, the offender may be committed for trial and punished as if convicted of larceny.
31. In Bombay certain offenders may be committed for trial before the Court of Petty Sessions.
35. Fraudulent possessions of stolen property.
36. Disposal of stolen property in custody of Police.
37. Cases of assault, forcible entry or injury, not being felony.
41. Disturbing an assembly engaged in religious worship.
42. Trespassing with intent to disturb any person in the performance of, or to insult, any religious ceremony, &c.
44. Taking or enticing away women or female children under the age of 14 years. Magistrate may punish offender summarily, or commit for trial.
45. Magistrate may compel immediate restoration of such woman or child.
46. Apprehension and punishment of reputed thieves, &c.
47. Penalty for carrying arms without authority.
48. Penalty for taking spirits into Barracks or on board vessels of war.
49. Penalty for taking spirits, &c., into Jail.
53. Disorderly conduct in houses of public entertainment.
54. Penalty for harbouring and concealing deserters from merchant vessels.
56. Penalty for owing, or keeping or being employed in a gaming-house, &c.
57. Penalty for being found playing in a gaming-house.
58. Commissioner of Police or Magistrate may grant warrants to Police Officers to enter a gaming-house for the purpose of search and seizure.
60. On conviction for keeping a gaming-house instruments of gaming to be destroyed, &c.
61. Proof of playing for stakes unnecessary.
62. Witnesses indemnified.
63. Act not to apply to certain games.
64. Penalty for cheating at games.
65. Portion of fine may be paid to informer.
66. Gambling in the streets.
68. Pawn-brokers and money-changers to report stolen property under a penalty for neglect.

69. If stolen articles be altered or defaced by broker, after information of the theft, he shall be deemed a receiver of stolen goods.

70. Manufacture or possession of Gunpowder.

71. Licenses by Commissioner of Police for sale and deposit of Gunpowder, &c.

72. Licenses for conveying and removing Gunpowder.

73. Commissioner of Police may issue warrant to search for Gunpowder, &c.

74. Act not to apply to Government powder, &c.

77. The regulation of public processions, &c., and of carriages and persons at places of public resort.

80. Penalty for neglecting or delaying to report accident to a registered boat attended with loss of life.

83. Penalty for destroying, &c., lamp-post, &c.

84. Penalty for committing a nuisance in streets.

85. Beggars.

86. Police Officer may arrest without warrant on view of offence.

87. Police Officers may take into custody, without warrant, persons charged with aggravated assault recently committed.

88. Apprehension of offenders by private individuals.

89. Penalty for assaulting or forcibly resisting a person who apprehends under the preceding Section.

90. Persons taken into custody by a Police Officer without warrant may be detained in Station House, until brought before a Magistrate or bailed.

91. Power to take recognizances at the Station House upon certain charges.

92. Condition of recognizance.

93. On suspicion of goods being stolen or unlawfully obtained, Commissioner of Police or Magistrate may grant search-warrant.

93. Power to search houses for stolen property, without a warrant in certain cases.

94. Magistrate may proceed by summons, and if party does not appear, may issue warrant. In cases not of a criminal nature, Magistrate may proceed in the absence of the person summoned. Prosecution for such offences to be commenced within three months.

96. How summons may be served.

97. Magistrate may issue warrant without summons when grounds for doing so are stated on oath.

98. Magistrate may enforce attendance of witnesses. And administer oath. Punishment of witness refusing to answer.
100. Perjury.
101. Power to Magistrates to adjourn the hearing of cases and commit defendant, or suffer him to go at large, or discharge him upon his own recognizance. In cases not of a criminal nature, Magistrate may proceed with the further hearing in the absence of parties. In all cases if prosecutor fails to appear, complaint may be dismissed.
102. Power to award costs on hearing of information or complaint.
103. Amends may be awarded for charges made on insufficient grounds.
104. Compromise.
105. Distress not unlawful for want of form, &c.
106. If Magistrate certifies the non-appearance of a person pursuant to his recognizance, the sum acknowledged may be recovered as a fine.
107. Recognizances for keeping the peace or for good behaviour.
108. Powers of Court of Petty Sessions at Bombay as to the issue of summonses and other process.
109. Form of judgment.
110. Conviction to be quashed on merits only. Form of conviction, &c.
111. Moveable property of persons dying intestate under two hundred Rupees in value may be taken charge of by Police, and delivered to party claiming to be entitled thereto.
112. Commissioner of Police may take security for due administration and distribution of such property. Saving of right of other person claiming.
113. Stray dogs to be killed at certain appointed periods.
114. Foreign Deserters.

An Act for regulating the Police of the Towns of Calcutta, Madras, and Bombay, and the several stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca.

Whereas it is expedient to consolidate and amend the laws relating to the Police, and the administration of justice in the Police Courts, of the Towns of Calcutta, Madras, and Bombay, and the several stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca; It is enacted as follows:

I. The several Acts, and Rules, Ordinances and Regulations, mentioned in the Schedule hereto annexed, are...
hereby repealed, except so far as they repeal the whole or any part of any other Act, or Rule, Ordinance and Regulation, and except as to any act or offence which shall have been done or committed, or to any money which shall have become due, or to any fine or penalty which shall have been incurred, or to any proceedings which shall have been commenced, before this Act shall come into operation; and Sections II and IV of Act XXII of 1837, and Sections XXII, XXXI, XXXII, XXXIII, XXXV, and XXXVII of Act XIX of 1852, shall be read as if the words “a Magistrate of Police” were substituted therein for the words “the Superintendent of Police or one of his Deputies.”

Interpretation

II. The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction, (that is to say)—

The expression “Local Government” shall mean the person or persons for the time being immediately administering the Executive Government of that portion of the territories in the possession and under the government of the East India Company, in which the Town or Station is situated.

The word “Magistrate” shall mean any Magistrate of Police acting for the place where the matter, requiring the cognizance of a Magistrate, arises.

The word “Town” shall include all places within the local limits of the jurisdiction of Her Majesty’s Supreme Courts of Judicature at Calcutta, Madras, and Bombay.

The word “Station” shall mean any one of the Stations of Prince of Wales’ Island, Singapore, and Malacca, and the dependencies thereof.

The word “property” shall include any chattel, money, or valuable security.

The term “Her Majesty’s Supreme Court of Judicature” shall include the Court of Judicature of the Settlement of Prince of Wales’ Island, Singapore, and Malacca, and every division of that Court.
Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number.

Words importing the masculine gender shall include females.

The word "person" shall include a corporation.
The word "month" shall mean calendar month.
The word "oath" shall include any affirmation or declaration lawfully substituted for an oath.
The word "cattle" shall, besides horned cattle, include horses, asses, mules, sheep, goats, and swine.

III. The administration of the Police in each of the said Towns and Stations shall be vested in an officer to be styled the Commissioner of Police for such Town or Station, who shall from time to time be appointed by the Local Government, and may be removed by the same authority, and who shall receive such salary as the Governor General of India in Council shall allow. All powers which by law are given to a Superintendent of Police in any such Town or Station shall be vested in the Commissioner of Police, except as is otherwise provided by Section I of this Act.

IV. The local Government, with the sanction of the Governor General in Council, may from time to time appoint one or more Deputies to the Commissioner of Police, who shall be competent to perform any of the duties assigned to that officer under his orders. The Deputy Commissioners may be removed at any time by order of the local Government.

V. The Commissioner of Police shall not ordinarily be a Magistrate of Police under this Act, but, with the sanction of the Governor General of India in Council, may be appointed to that office, when the local Government, for special reasons, may deem it expedient.

VI. The Commissioner of Police shall be appointed a Justice of the Peace, but, unless he is vested with the jurisdiction of a Magistrate of Police, he shall act as a Jus-
tice only so far as may be necessary for the preservation of the peace, the prevention of crimes, and the detection, apprehension, and detention of offenders in order to their being brought before a Magistrate of Police; and so far as may be necessary for the performance of the duties assigned to the Commissioner by this Act. The Deputies to the Commissioner of Police may be appointed Justices of the Peace, and if so appointed, shall act in that capacity, subject to the above restriction.

VII. For each of the said Towns and Stations there shall be a Police Force, which shall consist of such number of officers and men, and shall be otherwise constituted in such manner, as shall be from time to time ordered by the local Government, with the sanction of the Governor General of India in Council.

VIII. The Police Force shall be under the exclusive direction and control of the Commissioner of Police, who may from time to time, subject to the approbation of the local Government, frame such orders and regulations as he shall deem expedient, relative to the general government of the force, the places of residence, the classification, rank, distribution, and particular service of the several members thereof; their inspection; the description of arms, accoutrements, and other necessaries to be furnished to them; and all such other orders and regulations relative to the said Police Force as the said Commissioner shall, from time to time, deem expedient for preventing neglect or abuse, and for rendering such force efficient in the discharge of all its duties.

IX. In the Settlement of Prince of Wales' Island, Singaporè, and Malacca, no constable or subordinate Peace Officer, or other person appointed to perform duties of Police, shall be appointed by the Court of Judicature of the Settlement, or by any division of that Court, at their General and Quarter Sessions, or otherwise.

X. The appointment of the members of the Police Force shall rest with the Commissioner of Police, and he
may at any time suspend or dismiss any member of the force, whom he shall think remiss or negligent in the discharge of his duty, or otherwise unfit for the same.

XI. For any lesser breach of discipline, or other misconduct not requiring the suspension or dismissal of the offender, a member of the Police Force may be fined by the Commissioner in any sum not exceeding one-half of his monthly pay.

XII. For neglect or violation of duty in his office, and for any breach of the orders and regulations framed as aforesaid, every member of the Police, besides being suspended or dismissed from his employment at the discretion of the Commissioner, shall be liable, on conviction before a Magistrate, to a fine not exceeding one hundred Rupees (which may be deducted from any salary then due to such offender), or to imprisonment with or without hard labor for any time not exceeding three months.

XIII. Repealed by Act XLVIII. of 1860.

XIV. Every member of the Police Force shall receive on his enrolment a Certificate (A), under the signature of the Commissioner of Police, by virtue of which he shall be vested with the powers, functions, and privileges of a Constable. Such certificate shall cease to have effect whenever the person named in it is suspended or dismissed, or otherwise removed from employment in the force.

XV. Repealed by Act XLVIII. of 1860.

XVI. Every member of the Police Force, who shall be dismissed from, or shall cease to hold and exercise his office, and who shall not forthwith deliver up his Certificate, and all the clothing, accoutrements and appointments and other necessaries which may have been supplied to him for the execution of his duty, to the Commissioner, or to such person and at such time and place as shall be directed by the said Commissioner, shall be liable, on conviction before a Magistrate, to imprisonment, with or without hard labor, for any time not exceeding one month. And it shall be lawful for
the Commissioner, or for any Magistrate, to issue his warrant to search for and seize all the clothing, accoutrements, appointments, and other necessaries which shall not be so delivered over, wherever the same may be found.

XVII. There shall be deducted from the pay of every member of the Police Force, of a class not entitled to the benefit of the Uncovenanted Service Pension Rules, a sum after such rate as the Local Government shall direct, not being a greater rate than half an anna in the Rupee, which sum so deducted, and also the monies accruing from stoppages from members of the Police Force during absence from sickness or other cause, and fines imposed on members thereof for misconduct, and from fines imposed by Magistrates upon drunken persons, or for assaults upon Police Officers, and all monies arising from the sale of worn or cast-off clothing or other articles supplied for the use of the Police, shall from time to time be invested in such manner and in such securities as the local Government may in writing direct, and the interest and dividends thereof, or so much of the same as shall not be required for the purposes hereinafter mentioned, shall be likewise invested as aforesaid, and accumulate, so as to form a Fund, to be called "The Police Superannuation Fund," and shall be applied from time to time to payment of such superannuation or retiring allowances or gratuities as may be ordered by the local Government, at any time, to any of the aforesaid members of the Police Force as hereinafter provided.

XVIII. It shall be lawful for the local Government to order that any member of the Police Force as aforesaid, who is incapacitated from further employment by old age, protracted ill-health, loss of sight, or other bodily or mental infirmity, may be superannuated, and receive thereupon, out of the Police Superannuation Fund, a monthly pension, subject to the following conditions, and not exceeding the following proportions, that is to say—

First.—If the period during which the individual shall have been actually employed in the Police Force be more than
sixteen years, but less than twenty-four years, the amount of the pension shall not exceed one-third of the monthly salary or authorized official allowances of such individual, calculated on an average of five years previously to the date of the application for such pension.

Secondly.—If the period of actual service be twenty-four years or upwards, the amount of the pension shall not exceed one-half of the salary or authorized allowances of the individual, calculated in the manner above stated.

Provided that nothing in this Section shall be construed to entitle any member of the Police Force absolutely to any superannuation allowance, or to prevent him from being dismissed without superannuation allowance.

XIX. If any officer of the Police Force as aforesaid shall be disabled by any wound or injury received in the actual execution of the duty of his office, it shall be lawful to grant to him, out of the Police Superannuation Fund, any monthly allowance not more than the half of his pay.

XX. The Commissioner of Police may, of his own authority, appoint Special Constables to assist the Police Force on any temporary emergency.

XXI. The Commissioner of Police may also, if he shall think fit, on the application of any person showing the necessity of it, appoint any additional number of Constables to keep the peace at any place within his jurisdiction, at the charge of the person applying, but subject to the orders of the said Commissioner, and for such time as he shall think fit; and every such Constable shall receive a Certificate, by virtue of which he shall be vested with all the powers, privileges, and duties of the Constables belonging to the Police Force. Provided, that the person upon whose application such appointment shall have been made may, upon giving one month's notice in writing to the Commissioner of Police, require that the Constables so appointed at his expense shall be discontinued, and thereupon the said Commissioner shall discontinue such additional Constables; and all monies
received by the Commissioner for the payment of any such additional Constables shall be accounted for by him.

XXII. The local Government, with the sanction of the Governor General of India in Council, may constitute, within the Towns of Calcutta, Madras, and Bombay respectively, and within the said Settlement, so many Police Districts as to such Government shall seem fit, and define the extent thereof; and from time to time alter the number and extent of such Police Districts, and establish a Police Court in and for each of such districts, or in and for such other districts as the local Government may consider necessary. The local Government may, from time to time, appoint a sufficient number of fit persons as Magistrates of Police for the said Towns and Stations respectively, who may sit and act as such Magistrates in any of the said Police Courts. Every person so appointed, before he shall act as such Magistrate of Police, shall also be appointed a Justice of the Peace, and shall exercise all powers and jurisdictions which by virtue of any law may be exercised by two Justices of the Peace.

XXIII. The Commissioner of Police shall take care that a sufficient number of officers belonging to the Police Force shall be in attendance upon every Magistrate sitting at any Police Court, for the purpose of executing all such orders and process as may be directed or delivered to them.

XXIV. All summonses, subpoenas, and warrants, issued in any criminal proceeding by a Commissioner or Deputy Commissioner of Police, or by any Magistrate of Police, shall be served and executed within the said Towns and Stations by an officer of the Police Force, and by none other.

XXV. When any warrant shall be directed or delivered to any such officer, unless the authority issuing it shall order that it be executed without delay, such Police Officer shall deliver the same to the superior officer in charge of the Division to which he belongs, who shall appoint, by endorsement thereon, one or more Police Officers to execute the
same; and every Police Officer whose name shall be so endorsed thereon shall have the same powers, privileges, and protection, as if the same had been originally directed to him by name.

XXVI. Clause 1.—Whoever is charged with having committed any of the offences mentioned in this Act, within any of the said Towns or Stations, or within the limits of any of the ports of the said Towns or Stations, or of any navigable river or channel leading thereto, as such limits shall be defined under the provisions of Act No. XXII of 1855 (An Act for the Regulation of Ports and Port-dues), may be tried summarily by a Magistrate for such Town or Station, and, on conviction, on his own confession, or on the oath of one or more credible witnesses, may be sentenced by such Magistrate to the punishment hereinafter prescribed for the offence; or, if the offence is cognizable by Her Majesty's Supreme Court of Judicature, may, at the discretion of the Magistrate, be committed for trial before such Court.

Clause 2.—Provided that, whenever any male person is convicted before a Magistrate of any offence summarily punishable under this Act with imprisonment, the Magistrate may, if the person so convicted appears to him to be of such tender years as to require punishment rather in the way of school discipline than of ordinary criminal justice, sentence him to corporal punishment with a light rattan or cane not exceeding ten stripes on the bare buttocks, instead of imprisonment.

* XXVII. Whoever steals, or attempts to steal, any property, or fraudulently receives any stolen property, knowing the same to be stolen, the value of which property, in the opinion of the Magistrate, does not exceed fifty Rupees, shall be liable to imprisonment, with or without hard labor, for a term not exceeding six months, or, if a male, to corporal punishment not exceeding thirty stripes of a rattan.

* XXVIII. Whoever embezzles, fraudulently misapplies in breach of trust, or obtains, or attempts to obtain by false
pretences, any property, the value of which in the opinion of the Magistrate does not exceed fifty Rupees, shall be liable to imprisonment, with or without hard labor, for a term not exceeding six months.

* XXIX. Whoever instigates or aids the commission of the offences mentioned in the last two preceding Sections shall be liable to imprisonment, with or without hard labor, for any term not exceeding six months.

XXX. Whoever, finding any property not in the possession of any person, takes it into his own possession, and (with intent to defraud the owner) fraudulently disposes of it, shall, if the property does not in the opinion of the Magistrate exceed the value of fifty Rupees, be liable to imprisonment, with or without hard labor, for a term not exceeding six months; and if in the judgment of the Magistrate the property exceed the value of fifty Rupees, may be committed for trial to Her Majesty's Supreme Court of Judicature: and upon conviction in such Court, shall be liable to be punished in the same manner as if he had been convicted of simple larceny, whether the offence shall amount to larceny or not.

XXXI. Provided that, in the Town of Bombay, a Magistrate may commit for trial before the Court of Petty Sessions any person charged before him with any of the offences mentioned in Sections XXVII, XXVIII, XXIX, and XXX of this Act; and the said Court may, on conviction, sentence the offender to imprisonment, with or without hard labor, for a term not exceeding twelve months, and in cases falling under Section XXVII, if, a male, to corporal punishment not exceeding thirty stripes of a rattan.

XXXII—XXXIV.—Repealed by Act XLVIII, 1860.

XXXV. Clause 1.—Whoever has in his possession, or conveys in any manner, any thing which may be reasonably suspected of being stolen or fraudulently obtained, shall, if he fail to account satisfactorily how he came by the same, be
liable to a penalty not exceeding one hundred Rupees, or to imprisonment, with or without hard labor, for any term not exceeding three months.

Clause 2. If any person, charged with having or conveying any thing stolen or fraudulently obtained, shall declare that he received the same from some other person, or that he was employed as a carrier, agent, or servant, to convey the same for some other person, the Magistrate may cause every such other person, and also, if necessary, every former or pretended purchaser or other person through whose possession the same shall have passed (provided that such other person shall be alleged to have had possession of the same within the jurisdiction of such Magistrate), to be brought before him and examined, and shall examine witnesses upon oath touching the same; and if it appear to such Magistrate, that any person so brought before him had possession of such thing, and had reasonable cause to believe the same to have been stolen or unlawfully obtained, such person shall be liable to a penalty not exceeding one hundred Rupees, or to imprisonment, with or without hard labor, for any term not exceeding three months.

XXXVI. If any property, charged to be stolen or fraudulently obtained, shall be in the custody of any Police Officer by virtue of any warrant of Magistrate, or in prosecution of any charge of felony or misdemeanor in regard to the obtaining thereof, and the person charged with stealing or so obtaining possession thereof shall not be found, or shall have been summarily dealt with or discharged, or shall have been tried and acquitted, or if such person shall have been tried and found guilty but the property so in custody shall not have been included in the indictment upon which he shall have been found guilty, it shall be lawful for any Magistrate to make an order for the delivery of such property to the party who shall appear to be the rightful owner; or, in case the owner cannot be ascertained, then to make such order with respect to the property as to the Magistrate shall seem meet. Provided always, that no such order shall be any bar
to the right of any person to sue the party to whom the property shall be delivered, and to recover such property from him by action at law, so that the action be commenced within two months next after such order shall have been made.

XXXVII. Whoever commits any assault, forcible entry, or other injury accompanied with force, not being felony, against the person or property of any person whatsoever, shall be liable to a fine not exceeding one hundred Rupees, or to imprisonment, with or without hard labor, for any term not exceeding four months. And if the penalty adjudged be a fine, the Magistrate may award the whole or any part thereof to the party aggrieved by way of satisfaction for such injury.

XXXVIII—XL. Repealed by Act XLVIII, 1860.

XLI. Whoever, without lawful excuse, intentionally causes disturbance to any assembly or procession lawfully engaged in the performance of religious ceremonies, shall be liable to a fine not exceeding five hundred Rupees, or to imprisonment, with or without hard labor, for a term not exceeding six months, or to both.

XLII. Whoever wilfully trespasses on the premises of any person, or on any place used or set apart for the performance of any religious ceremony, with intent to disturb any person in the performance of any religious rite or ceremony, or to offend the religious feelings of any person, shall be liable to a fine not exceeding one hundred Rupees.

XLIII. Repealed by Act XLVIII, 1860.

XLIV. Whoever unlawfully takes away, or detains against her will, any woman or female child; or unlawfully takes, or enticing away, or detains, any female child under the age of fourteen years, out of the possession, custody, or protection, and against the will of the husband, parent, guardian, or other person who has the lawful charge or government of such child, for the purpose of living in adultery or concubinage with such woman or child, or for the purpose of pros-
titution, or of deflouring her, or disposing of her in marriage, shall be guilty of a misdemeanor, and shall, on summary conviction before a Magistrate, be liable to imprisonment, with or without hard labor, for any term not exceeding six months, or to fine not exceeding five hundred Rupees or to both; or at the discretion of the Magistrate, may be committed for trial before Her Majesty’s Supreme Court of Judicature.

XLV. Upon complaint made to a Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any of the purposes aforesaid, such Magistrate may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian, or such other person as aforesaid, as the case may be, and may compel compliance with such order, using force if necessary.

XLVI. Any person found between sun-set and sun-rise, armed with any dangerous or offensive instrument whatsoever, with intent to commit any felonious act; any reputed thief found between sun-set and sun-rise, on board any vessel or boat, or lying or loitering in any bazaar, street, road, yard, thoroughfare, or other place, who shall not give a satisfactory account of himself; any person found between sun-set and sun-rise, having his face covered or otherwise disguised, with intent to commit any felony; any person found between sun-set and sun-rise, in any dwelling-house or other building whatsoever, without being able satisfactorily to account for his presence therein; and any person having in his possession, without lawful excuse (the proof of which excuse shall be on such person), any implement of house-breaking, may be taken into custody by any Police Officer without a warrant, and shall be liable to imprisonment, with or without hard labor, for a term not exceeding three months.

XLVII. Whoever, not being a soldier or sailor in the Army or Navy of the Queen or the East India Company, or
a Police Officer, goes armed with any sword, spear, gun, or other offensive weapon, in any street, thoroughfare, or public place, unless by leave of the Commissioner of Police, shall be liable to be disarmed by any Police Officer; and the weapon so seized shall be forfeited to the Government, unless redeemed by payment of a fine, at the discretion of the Commissioner, not exceeding ten Rupees.

XLVIII. Whoever, not being amenable to the Articles of War, takes, or attempts to take, into Fort William at Calcutta, or Fort St. George, or into the Barracks or Buildings occupied by the troops composing the Garrison of Bombay, or into any Military Barracks, guard rooms, or encampments, within any of the said Towns, or Stations, or on board or alongside of any Vessel of War belonging to Her Majesty or the East India Company in the ports of the said Towns or Stations, any spirits or spirituous or fermented liquors, or intoxicating drugs or preparations, without the license in writing of the Commanding Officer (unless such articles belong to some person above the rank of Non-Commissioned Officer), shall be liable to a fine not exceeding one hundred Rupees, or imprisonment for any term not exceeding two months, with or without hard labor; and such liquors, drugs, or preparations, and the vessels containing the same, shall be forfeited.

XLIX. Whoever takes, or attempts to take, without due permission, or throws, or attempts to throw, into any Jail or House of Correction or into any public hospital, any spirits or spirituous or fermented liquors or intoxicating drugs or preparations, shall be liable to a fine not exceeding fifty Rupees, or to imprisonment, with or without hard labor, for any term not exceeding two months.

L.—LII.—Repealed by Act XLVIII, 1860.

LIII. Whoever being the keeper of any such house or place of public resort and entertainment, in the said Towns, or of any house or shop within the said Settlement of Prince of Wales’ Island, Singapore, and Malacca, licensed under
Act XIV. of 1851, knowingly permits drunkenness or other disorderly behaviour in such house or place, or knowingly suffers any gaming whatsoever therein, or knowingly permits prostitutes, or persons of notoriously bad character, to meet or remain therein, or wilfully harbours or conceals any soldier, seaman, or apprentice, knowing, or having reason to believe, such soldier, seaman, or apprentice, to be a deserter, shall be liable to a fine not exceeding one hundred Rupees, and shall also be liable to forfeit his licence.

LIV. Whoever, in any place within any of the said Towns or Stations, wilfully harbours or conceals any seaman or apprentice belonging to a merchant vessel, knowing, or having reason to believe, such seaman or apprentice to be a deserter, shall be liable to a fine not exceeding one hundred Rupees.

LV.—Repealed by Act XLVIII, 1860.

LVI. Whoever, being the owner or occupier, or having the use of any house, room, or place, opens, keeps, or uses the same for the purpose of gaming being carried on therein, and whoever, being the owner or occupier of any house or room, knowingly and wilfully permits the same to be opened, kept or used by any other person for the purpose aforesaid; and whoever has the care or management of, or in any manner assists in conducting, the business of any house, room, or place opened, kept, or used for the purpose aforesaid; and whoever advances or furnishes money for the purpose of gaming with persons frequenting such house, room, or place —shall be liable to a fine not exceeding five hundred Rupees, or to imprisonment, with or without hard labor, for any term not exceeding three months.

LVII. Whoever is found in any such house, room, or place, playing or gaming with cards, dice, counters, money, or other instruments of gaming, or is found there present for the purpose of gaming, whether playing for any money, wager, stake, or otherwise, shall be liable to a fine not exceeding two hundred Rupees, or to imprisonment, with or
without hard labor, for any term not exceeding one month; and any person found in any common gaming-house during any gaming or playing therein, shall be presumed, until the contrary be proved, to have been there for the purpose of gaming.

LVIII. If the Commissioner of Police, upon information on oath, and after such enquiry as he may think necessary, has reason to believe that any house, room, or place is used as a common gaming-house, he may, by his warrant, give authority to any Inspector or superior officer of Police to enter, with such assistance as may be found necessary, by night or by day, and by force if necessary, any such house, room, or other place, and to take into custody all persons whom he finds therein, whether or not then actually gaming, and to seize all instruments of gaming, and all monies, and securities for money, and articles of value reasonably suspected to have been used or intended to be used for the purpose of gaming, which are found therein, and to search all parts of the house, room, or place which he shall have so entered, when he has reason to believe that any instruments of gaming are concealed therein, and also the persons of those whom he so takes into custody, and to seize and take possession of all instruments of gaming found upon such search.

LIX.—Repealed by Act XLVIII, 1860.

LX. On conviction of any person for keeping any such common gaming-house, or being present therein for the purpose of gaming, all the instruments of gaming found therein shall be destroyed by order of the Magistrate, who may also order all or any of the securities for money and other articles seized, not being instruments of gaming, to be sold and converted into money, and the proceeds thereof, with all monies seized therein, to be forfeited, or, in his discretion may order any part thereof to be returned to the persons appearing to have been severally thereunto entitled.
LXI. It shall not be necessary, in order to convict any person of keeping a common gaming-house, or of being concerned in the management of any common gaming-house, to prove that any person found playing at any game was playing for any money, wager, or stake.

LXII. Any person who shall have been concerned in gaming contrary to this Act, and who shall be examined as a witness before a Magistrate on the trial of any person for a breach of any of the provisions of this Act relating to gaming, and who, upon such examination, shall make true and faithful discovery, to the best of his knowledge, of all things as to which he shall be so examined, and who shall thereupon receive from the said Magistrate a certificate in writing to that effect, shall be freed from all prosecutions under this Act for any thing done before that time in respect of such gaming.

LXIII. Nothing in the foregoing provisions of this Act contained shall be held to apply to any game of mere skill played at licensed Hotels, Taverns, or Eating-houses, or places of public resort.

LXIV. Whoever, by any fraud or unlawful device, or ill-practice in playing at or with cards, dice, or other game, or in bearing a part in the stakes, wagers, or adventures, or in betting on the sides or hands of them that do play, or in wagering on the event of any game, sport, pastime, or exercise, wins from any other person, for himself or any other or others, any sum of money or valuable thing, shall be deemed guilty of obtaining such money or valuable thing from such other person by a false pretence, with intent to cheat or defraud such person of the same, and being convicted thereof, shall be liable to punishment accordingly.

LXV. The Magistrate may direct any portion, not exceeding one-fourth, of any fine which shall be levied under Sections LVI and LVII of this Act, or any part of the monies or proceeds of articles seized and ordered to be forfeited under Section LX to be paid to an informer.
LXVI. A Police Officer may apprehend without warrant any person found gaming with cards, dice, counters, money, or other instruments of gaming in any public street, place, or thoroughfare, or publicly fighting cocks, or present as a spectator of such cock-fighting; any such person shall be liable to a fine not exceeding twenty Rupees or to imprisonment, with or without hard labor, for any term not exceeding one month, and such instruments of gaming and money shall be forfeited.

LXVII.—Repealed by Act XLVIII, 1860.

LXVIII. If any property, regarding which written or printed information shall be given by any Police Officer to any pawn-broker or dealer in second-hand property or money-changer as having been stolen, embezzled, or fraudulently obtained, shall then be or thereafter come into the possession of or be offered in pawn or for sale or change to such pawnbroker, dealer, or money-changer, he shall, without unnecessary delay, give information to the Commissioner of Police or at the Police Office, that certain property answering the description of the said property was offered to him, or is in his possession, and shall also state the name and address given by the party by whom the same was offered, or from whom the same was offered, or from whom the same was received, under a penalty not exceeding fifty Rupees for each and every such neglect or offence; provided always, that in the case of wearing apparel or other articles which it may be difficult for such pawn-broker or dealer to trace out and identify, no fine shall be exigible in respect of not reporting such articles, unless it shall appear to the Magistrate that such articles had been knowingly concealed by such pawn-broker or dealer.

LXIX. If any pawn-broker or dealer in second-hand goods or worker in gold or silver, after receiving information of the theft or the embezzling or the fraudulent disposal of any metals, goods, or articles of whatsoever description, melts, alters, defaces, or puts away the same, or causes the same to be melted, altered, defaced, or put
away, without having previously received the permission of the Commissioner of Police, and it shall be found that such metals, goods, or articles were stolen, embezzled, or fraudulently disposed of by the person from whom such pawn-broker, dealer, or worker received the same, or by any other person, then and in such case it shall be held that such pawn-broker, dealer, or worker knew that such metals, goods, or articles were stolen, embezzled, or fraudulently disposed of, and such pawn-broker, dealer, or worker shall be proceeded against according to law as a Receiver of stolen goods, or as being a party to the fraud, and punished accordingly; and no other evidence of his guilt shall be necessary than evidence of such melting, altering, defacing, or putting away, after receiving information as aforesaid.

LXX. Whoever manufactures Gunpowder, or, without a license from the Commissioner of Police, has in his possession, in any house, shop, warehouse, or other building, at any one time, a greater quantity of Gunpowder than ten pounds, shall be liable to a fine not exceeding five hundred Rupees, and also to forfeit such Gunpowder so manufactured or possessed, together with the vessel or receptacle in which it may be contained.

LXXI. The Commissioner of Police may grant to any person a license for the sale or keeping in deposit of any quantity of Gunpowder not exceeding fifty pounds, on such conditions, and for such term, not exceeding one year, as shall be specified in the license; and any person who shall be guilty of a breach of any of the conditions, shall, on conviction before a Magistrate, be liable to a fine not exceeding two hundred Rupees, and to forfeit all Gunpowder so kept in deposit contrary thereto, and the vessels containing it, and also, in the discretion of the Magistrate, or of the Commissioner, to forfeit his license.

LXXII. The Commissioner of Police may grant to any person a license for the transit and carrying of Gunpowder from one place to another, in such manner and in such quan-
tity as he may deem advisable; and any person, not being duly licensed in that behalf, who carries or conveys a greater quantity of Gunpowder than one pound from one place to another, shall be liable to a fine not exceeding fifty Rupees.

LXXIII. The Commissioner of Police, on credible information laid before him on oath, may issue his warrant authorizing a Police Officer to search in the day-time any house, shop, magazine, or other building or place in which he has reasonable ground to suspect that any Gunpowder is manufactured, sold, or kept, or any boat, carriage, cart, or other vehicle in which any Gunpowder may be suspected to be carried, or any person suspected of carrying the same contrary to the provisions of this Act; and all Gunpowder found on such search shall, together with the vessels or receptacles in which it may be stored, be immediately seized and kept, pending the judgment of a Magistrate.

LXXIV. None of the four last preceding Sections shall extend to any Government magazine, or store, or building for the making or deposit of Gunpowder under the authority or for the use of the Government, or to any Gunpowder belonging to Her Majesty or the East India Company.

LXXXV—LXXXVI,—Repealed by Act XLVIII, 1860.

LXXVII. The Commissioner of Police, from time to time as occasion may require, may, subject to the orders of the Local Government, make rules for the conduct of all assemblies and processions in the public roads, streets, or thoroughfares, prescribing the routes by which, and the times at which, such processions may pass; and for keeping order in the public roads, streets, thoroughfares, ghauts, and landing-places, and all other places of public resort, and preventing obstructions thereof on the occasion of such assemblies and processions; and in the neighbourhood of places of worship during the time of public worship; and in any case when the roads, streets, or thoroughfares, ghauts or landing places may be thronged, or may be liable to be obstructed; and may give licenses for the use of music in the streets on
the occasion of native festivals and ceremonies; and every
person opposing or not obeying the orders so issued by the Com-
missioner of Police, or violating the conditions of such license,
shall be liable to a fine not exceeding one hundred Rupees.

LXXVIII.—Repealed by Act XLVIII, 1860.

LXXIX. The Commissioner may refuse to register any
boat, or may cancel the registration thereof whenever it may
appear to him to be in an unsafe state.

LXXX. Whenever any accident shall occur to a regis-
tered boat, attended with loss of the life of any one of the
crew or passengers, the manjee, or, if the manjee be not
forthcoming, the owner of the boat, shall report the circum-
stances at the Police Office; and if the manjee or the owner,
as the case may be, without lawful excuse, neglect or delay
to make such report, he shall be liable to a fine not exceed-
ing fifty Rupees.

LXXXI.—Repealed by Act XLVIII, 1860.

LXXXII.—Repealed as above.

LXXXIII. Whoever destroys, injures, or disturbs any
lamp-post, lamp-bracket, or lamp, or extinguishes any light
therein, or abstracts or takes away any oil or other matter
or thing therefrom, shall be liable to a fine not exceeding
twenty Rupees, or, in default thereof, to imprisonment, with
or without hard labor, for a term not exceeding fourteen
days; and if the lamp-post or bracket or lamp belong to the
Municipal Commissioners, the fine, if realized, shall be paid
to the Municipal Fund.

LXXXIV. Whoever wilfully and indecently exposes his
person, or commits a nuisance, by easing himself in or by the
side of or near to any public street or thoroughfare or place,
shall be liable to a fine not exceeding ten Rupees, or, in
default thereof, to imprisonment, with or without hard labor,
for fourteen days.

LXXXV. Whoever, in any public road, street, tho-
roughfare, or place, begs or applies for alms, or exposes or
exhibits any sores, wounds, bodily ailment or deformity, with
the object of exciting charity, or of obtaining alms; or whoever seeks for, or obtains alms, by means of any false statement or pretences, shall be liable to imprisonment, with or without hard labor, for any term not exceeding one month.

LXXXVI. Any Police Officer may arrest, without a warrant, any person committing, in his view, any offence against this Act.

LXXXVII. Any Police Officer may take into custody, without warrant, any person who is charged with committing an aggravated assault, in every case in which he shall have good reason to believe that such assault has been committed, although not in his view, and that by reason of the recent commission of the offence, a warrant could not have been obtained for the apprehension of the offender.

LXXXVIII. Whoever commits an offence on or with respect to the person or property of another, or, in committing an offence under this Act injures or damages the person or property of another, may, if his name and address be unknown, be apprehended by the person injured, or by any person who may be using the property to which the injury may be done, or by the servant of either of such persons, or by any person authorized by or acting in aid of him, and may be detained until he give his name and address and satisfy such person that the name and address so given are correct, or until he can be delivered into the custody of a Police Officer.

LXXXIX. If any person lawfully apprehended under the last preceding Section shall assault or forcibly resist the person by whom he shall be so apprehended, or any person acting in his aid, he shall be liable to a fine not exceeding 200 Rupees.

XC. Every person taken into custody without a warrant by a Police Officer shall be taken to the Station House, in order that such person may be detained until he can be brought before a Magistrate, or until he shall enter into recognizances, with or without sureties, for his appearance before a Magistrate.
XCI. Whenever any person is brought to a Station House charged with any offence against this Act, other than a felony; or whenever a person charged with a felony is in the custody of any Police Officer without a warrant—it shall be lawful for the officer in charge of such Station House, or any superior officer of Police, if he shall deem it prudent, and, in the case of felony if he shall deem it probable that the person is falsely accused, to enlarge such person on his own recognizance, with or without sureties, conditioned as hereinafter mentioned.

XCII. Every recognizance so taken shall be without fee or reward, and shall be conditioned for the appearance of the person thereby bound before a Magistrate at his next sitting, and the time and place of appearance, and the sum thereby acknowledged (not exceeding one thousand Rupees) shall be specified in the said recognizance, or in the condition thereof; and the officer taking the recognizance shall enter into a book, to be kept for the purpose, the name, residence, and occupation of the party, and his surety or sureties, (if any), entering into such recognizance, together with the condition thereof, and the sum thereby acknowledged, and shall return every such recognizance to the Magistrate present at the time and place when and where the party is bound to appear.

XCIII. If information shall be given on oath to the Commissioner of Police, or to a Magistrate, that there is reasonable cause for suspecting that any thing stolen or unlawfully obtained is concealed or lodged in any dwelling-house, building, or other place, or any ship or vessel, the Commissioner or the Magistrate, by special warrant under his hand directed to any Police Officer, may cause such dwelling-house, building, or other place, or ship or vessel, to be entered and searched at any time of the day, or by night if power for that purpose be given by such warrant; and the said Commissioner or Magistrate, if it shall appear to him necessary, may empower such Police Officer, with such assistance as may be found necessary, (such officer having previously

Power to take recognizances at Station House upon certain charges.

Condition of recognizance.

On suspicion of goods being stolen or unlawfully obtained, Commissioner or Magistrate may grant search-warrant.
made known his authority), to use force for the effecting of such entry, whether by breaking open doors or otherwise; and if, upon search thereupon made, such thing shall be found, then to convey the same before a Magistrate, or to guard the same on the spot until the offenders are taken before a Magistrate, or otherwise dispose thereof in some place of safety; and moreover to take into custody, and carry before the said Magistrate, every person found in such house or place, or ship or vessel, who shall appear to have been privy to the deposit of any such thing, knowing or having reasonable cause to suspect the same to have been stolen, or otherwise unlawfully obtained.

XCIV. If information shall be given to any Officer of Police not below the rank of Inspector, that there is reasonable cause for suspecting that any stolen property is concealed or lodged in any dwelling-house or other place, and he shall have good grounds for believing, that, by reason of the delay in obtaining a search-warrant, the property is likely to be removed, the said officer, in virtue of his office, may search for specific articles alleged to have been stolen in the houses and places specified; provided always, that a list of the articles stolen or missing be delivered or taken down in writing, with a declaration stating that the robbery has been committed, and that the informant has good ground to believe that the property is deposited in such house or place; and provided further, that the person who lost the goods or his representative accompany the officer in the search.

XCV. Upon any information or complaint, which need not be upon oath, laid or made before a Magistrate of Police, of any matter which such Magistrate is by law authorized to hear and determine summarily, he may summon the person charged to appear at a time and place to be mentioned in the summons; and if such person shall not appear according to the tenor of the summons, the Magistrate, upon proof of the service of the summons, may proceed, in all cases which are not of a criminal nature, if no sufficient cause shall be shown for the non-appearance of the person charged, to hear and
determine the case in his absence; or, in such cases and in all criminal cases, may, if he think fit, upon oath being made before him substantiating the matter of such information or complaint to his satisfaction, issue his warrant for apprehending and bringing the person charged before him or some other Magistrates in order that the said information or complaint may be heard and determined. Provided always, that the prosecution for any offence not of a criminal nature, punishable upon summary conviction by virtue of this Act, shall be commenced within three months after the commission of the offence, and not otherwise.

XCVI. Every such summons shall be served by delivering the original or a copy thereof to the person charged, or by leaving the same at his usual place of abode with some adult male member or servant of his family.

XCVII. A Magistrate may, without issuing any summons, forthwith issue his warrant for the apprehension of any person charged with any offence cognizable before him, whenever good grounds for so doing shall be stated on oath before him.

XCVIII. A Magistrate may summon any person within his jurisdiction to appear before him, at a time and place appointed, as a witness in any matter cognizable by the Magistrate, and to bring with him any document or thing that may be required relating to any offence with which any person is charged before him; and may administer to such person an oath to testify the truth in such matter. If any person so summoned shall, without reasonable excuse, refuse or neglect to appear at the time and place appointed for that purpose, the Magistrate may (after proof upon oath of the summons having been served upon such person either personally or by leaving the same at his usual place of abode with some adult male member or servant of his family) issue a warrant to bring such person before him to testify as aforesaid. If, on the appearance of the person summoned, either in obedience to the summons or by virtue of a warrant,
he shall refuse to be examined upon oath, or to answer all such questions as shall be put to him, or to produce any such document or thing, without offering a good excuse for such refusal, he shall be liable to a fine not exceeding fifty Rupees, or the Magistrate may commit such person to prison, there to remain for any time not exceeding one month, unless he shall sooner submit himself to be sworn or examined, or to produce the document or thing required.

XCIX.—Repealed by Act XLVIII, 1860.

C. Whoever commits perjury in any judicial proceeding before a Magistrate, may be committed by such Magistrate for trial before Her Majesty’s Supreme Court of Judicature.

CI. The Magistrate may, from time to time, adjourn the hearing of any information or complaint to a certain time and place to be then appointed and stated in the presence and hearing of the party or parties, or their respective counsel, attorneys, or agents then present, and in the meantime the said Magistrate may suffer the defendant to go at large, or may discharge him upon his entering into a recognizance, with or without surety or sureties, conditioned for his appearance at the time and place to which such hearing or further hearing shall be adjourned; and, in default of such recognizance, or if the offence with which such person is charged is not a bailable offence, may detain him in custody; and if, at the time or place to which such hearing or further hearing shall be so adjourned, either or both of the parties shall not appear personally, or by his or their counsel, attorneys or agents respectively, before the said Magistrate, or such other Magistrate as shall then be there, it shall be lawful for the Magistrate then there present to proceed, in cases which are not of a criminal nature, to such hearing or further hearing, as if such party or parties were present; and in all cases where the prosecutor or complainant shall not so appear, the said Magistrate may dismiss such information or complaint, with or without costs, as to such Magistrate shall seem fit.
CII. It shall be lawful for any Magistrate, who shall hear and determine any information or complaint, to award such costs as to him shall seem meet, to be paid to or by either of the parties to the said charge or complaint; and such costs shall be recoverable in the manner hereinafter provided for levying fines.

CIII. In every case in which any person shall be given in charge to a Police Officer, or in which any information or complaint of any offence shall be laid or made before any Magistrate, and shall not be further prosecuted, or in which, if further prosecuted, it shall appear to the Magistrate by whom the case shall be heard that there was no sufficient ground for making the charge, the Magistrate shall have power to award such amends, not exceeding fifty Rupees, to be paid by the informer or complainant to the party informed or complained against, for his loss of time and expenses in the matter, as to the Magistrate shall seem meet. Such amends shall be recoverable in the manner hereinafter provided for levying fines.

CIV. It shall be lawful for any person to compromise any of the offences specified in this Act, not being felonies, after complaint thereof has been made; provided that the offence is of such a nature as the injured party might have sued and recovered damages for in an action at law.

CV.—Repealed by Act XLVIII, 1860.

CVI. No distress levied by virtue of this Act shall be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceeding relating thereto, nor shall such party be deemed a trespasser ab initio on account of any irregularity afterwards committed by him; but all persons aggrieved by such irregularity may recover full satisfaction for the special damage in any Court of competent jurisdiction.

CVII. If any person, upon entering into such recognizance as is by this Act authorized to be taken, do not afterwards appear pursuant to such recognizance, the Magistrate...
before whom he ought to have appeared shall certify the fact of such non-appearance on the back of the recognizance, and thereupon the sum thereby acknowledged shall be recoverable in the manner provided by this Act for levying fines.

CVIII. **Clause 1.**—Every Magistrate of Police shall have the same authority to require persons to enter into recognizances to keep the peace or to be of good behaviour as may lawfully be exercised by a Justice of the Peace.

Clause 2.—If any person who has entered into a recognizance in any amount not exceeding Rupees 200, to keep the peace or to be of good behaviour, before any Magistrate of Police or any Justice of the Peace, by any act forfeits such recognizance, the Magistrate or other authority before whom he may be convicted of any act by which such recognizance is forfeited, shall, when applied to, certify any such conviction on the back of such recognizance, and thereupon the sum thereby acknowledged to be due by such person shall be recoverable in the manner provided by this Act for levying fines.

Clause 3.—Whenever it shall be shown to the satisfaction of a Magistrate of Police, either by the production of such certificate of conviction as is mentioned in the preceding Clause or otherwise, that any such recognizance is forfeited, the Magistrate, if he think that proceedings should be had against the sureties, shall give notice to them to pay the sums which by their recognizances they have respectively acknowledged to owe, or to show cause on a day to be named in such notice, why the said sums should not be paid; and if no sufficient cause shall be shown, the said sums shall be recoverable in the manner provided by this Act for levying fines.

CIX. All powers and authorities conferred on a Magistrate of Police by this Act, relating to the issue of summonses and other process, to enforce the attendance of prosecutors, defendants, and witnesses, and to the issue of warrants of distress and commitment, shall be exercised by the Court of Petty Sessions at Bombay, and all summonses...
to parties to appear before that Court may issue under the signature of any Magistrate or of the Clerk of the Court.

CX. Any Magistrate, in cases adjudged summarily under the provisions of Sections XXVII, XXVIII, XXIX, and XXX of this Act, shall cause the judgment to be drawn in the form (B) hereinafter provided, or to the like effect.

CXI. No conviction, order, or judgment of any Magistrate, or in Bombay of the Court of Petty Sessions, shall be quashed for error of form or procedure, but only on the merits; and it shall not be necessary to state on the face of the conviction, order; or judgment, the evidence on which it proceeds; but the depositions taken, or a copy of them, shall be returned with the conviction, order, or judgment, in obedience to any writ of certiorari; and if no jurisdiction appears on the face of the conviction, order, or judgment, but the depositions taken supply that defect, the conviction, order, or judgment shall be aided by what so appears in such depositions.

CXII.—Repealed by Act XLVIII, 1860.

CXIII. Whenever any person dies intestate within any of the said Towns or Stations leaving moveable property therein under two hundred Rupees in value, which property is, in the absence of any person entitled thereto, taken charge of by the Police for the purpose of safe custody, it shall be lawful for the Commissioner of Police to order the said property to be delivered, without letters of administration taken out, to any person claiming to be entitled to the whole or any part thereof; provided he shall be satisfied of the title of the claimant, and of the value of the property, by the oath or affirmation of the claimant, or by such other evidence as he may require.

CXIV. The Commissioner of Police may, at his discretion, before making any order under the preceding Section, take such security as he may think proper for the due administration and distribution of such property. And nothing hereinbefore contained shall affect the right of any person to recover the whole or any part of the same from the person to whom it may have been delivered pursuant to such order.
CXV.—Repealed by Act XLVIII, 1860.

CXVI. It shall be lawful for the Commissioner of Police, by order in writing to be affixed at the principal Police Stations, and also to be published in some public newspaper, to appoint from time to time certain periods within which any dogs found straying in the streets or beyond the enclosures of the houses of the owners of such dogs, may be destroyed.

CXVII. Any Magistrate, upon an application being made to him by the Consul of any Foreign power to which the Foreign Deserters’ Act (1852) has by an order of Her Majesty in Council been, or shall hereafter be, declared to be applicable, and upon complaint on oath of the desertion of any seaman, not being a slave, from any ship of such Foreign power, may, until a revocation of such order in Council shall have been publicly notified, issue his warrant for the apprehension of any such Deserter, and, upon due proof of the desertion, may order him to be conveyed on board the vessel to which he belongs, or, at the instance of the Consul, to be detained in custody till the vessel is ready to sail, on deposit being first made of such sum as the Magistrate shall deem necessary for the subsistence of the Deserter during such detention; provided that the detention of such Deserter shall not be continued beyond twelve weeks.

CXVIII. This Act shall commence and take effect from and after the 1st of November 1856.

SCHEDULE.

LAWS REPEALED.

So much of Section CLIX of the Statute 38 George III, Chapter 52, as relates to the sale of Arrack or other spirituous liquors, and to the punishment of unlicensed traders in spirits or spirituous liquors, as is now in force in any of the Towns or Factories therein mentioned.

Act No. XXII of 1840, entitled “An Act for the punishment of Vagrants within the towns of Calcutta and Madras
and the islands of Bombay and Colaba extorting alms by offensive and disgusting exhibitions and practices.”

Calcutta.

Act No. XXI of 1839, entitled “An Act for the trial of prisoners charged with the commission of certain petty offences in the Town of Calcutta and on the River Hooghly.”

Act No. III of 1842, entitled “An Act for extending the provisions of Act XXI of 1839, to certain petty thefts, not being cases of simple larceny.”

Section XII of Act No. XI of 1849, entitled “An Act for securing the Abkarce Revenue of Calcutta.”

Act No. XIII of 1852, entitled “An Act for consolidating and amending the regulations of the Calcutta Police.”

Madras.

A Rule, Ordinance, and Regulation called “A Regulation for establishing an efficient system of Police.”

A Rule, Ordinance, and Regulation called “A Regulation for apprehending and punishing idle and disorderly persons.”

A Rule, Ordinance, and Regulation called “A Regulation for the prevention and punishment of dishonest practices, of the misconduct of servants, and of affrays and other misdemeanors.”

A Rule, Ordinance, and Regulation called “A Regulation for granting Licenses to Vendors of Spirituous and other Intoxicating Liquors.”

A Rule, Ordinance, and Regulation called “A Regulation for registering and controlling Gold and Silver-smiths, Shroffs, Hawkers, China bazar-men, Shop-keepers, Second-hand Dealers, Shipping Dubashes, Head Cooly-men, Head Bundy-men, Head Carpenters, Smiths, Bricklayers, Tailors, and all Headmen or Maistrees in every other trade or occupation.”

A Rule, Ordinance, and Regulation called “A Regulation for Markets.”

A Rule, Ordinance, and Regulation called “A Regulation for rating the wages of Coolies, Artificers, and Workmen of every description.”
A Rule, Ordinance, and Regulation called "A Regulation for punishing the offences of Boatmen."

A Rule, Ordinance, and Regulation called "A Regulation for preventing accidents from the negligence of the persons in charge of Horses, Carriages, Carts, or other conveyances."

Act No. VIII. of 1849, entitled "An Act for assimilating the penal jurisdiction of Police Magistrates at Madras to that of Justices of the Peace at Calcutta,"

Sections III. and V. of Act XXII. of 1837.

Section XII. of Act No. XIX. of 1852, entitled "An Act for securing the Abkarce Revenue of Madras."

Bombay.

Rule, Ordinance, and Regulation II. 1812, called "A Rule, Ordinance, and Regulation for vesting a control in the sale of Arrack or other spirituous liquors beyond the limits of the town of Bombay, and on the island generally, in His Majesty's Justices of the Peace."

Rule, Ordinance, and Regulation I. 1813, called "A Rule, Ordinance, and Regulation for compelling those who are able to support their infant relations, and for subjecting the numerous aliens who pass over to the Island of Bombay from the Marhatta territories, to certain restrictions."

Rule, Ordinance, and Regulation II. 1813, called "A Rule, Ordinance, and Regulation to diminish the number of Pariah Dogs, having no owners, on the Island of Bombay, and to authorize the erection of public pounds for animals straying or trespassing on the public streets or roads of the Island, or on the grounds of the inhabitants thereof."

Rule, Ordinance, and Regulation I. 1814, called "A Rule, Ordinance, and Regulation for vesting any two of His Majesty's Justices of the Peace with power to decide on all disputes arising between Masters and Mistresses and any of their household servants, Hamauls or Palanqueen-bearers, and for empowering either of the Magistrates of Police to decide summarily on acts of miscarriage and ill-behaviour requiring moderate though immediate correction.

Rule, Ordinance, and Regulation I. 1815, called "A Rule, Ordinance, and Regulation for vesting in His Majesty's Jus-
tices of the Peace a general control over the sale of Toddy and all other fermented or intoxicating liquors throughout the Island of Bombay."

Rule, Ordinance and Regulation I. 1818, called "A Rule, Ordinance, and Regulation to repeal Rule, Ordinance, and Regulation II. 1815, and to make more effectual provisions for widening the wheels of Carts, Hackeries, and other native conveyances."

So much of Rule, Ordinance, and Regulation I. 1820, called "A Rule, Ordinance, and Regulation for establishing an effective control over the Shipping resorting to the port of Bombay, for preventing the desertion of the crew of ships, the European soldiers of the Garrison offering themselves as seamen, and for the better security of the harbour and dockyard of Bombay," as is now in force.

So much of Rule, Ordinance, and Regulation I. 1821, called "A Rule, Ordinance, and Regulation for modifying the provisions of Rule, Ordinance, and Regulation I. of 1820, relating to Ballast for Ships," as is now in force.

So much of Rule, Ordinance, and Regulation II. 1827, called "A Rule, Ordinance, and Regulation for better defining and extending the powers and jurisdiction of the Court of Petty Sessions, and of Magistrates of the Police; and for amending and consolidating into one Rule, Ordinance, and Regulation, sundry provisions relating to such powers and jurisdiction," as is now in force.

Rule, Ordinance, and Regulation I. 1834, called "A Rule, Ordinance, and Regulation for repealing Titles 1st, 2nd, and 3rd of Rule, Ordinance, and Regulation II of 1827," except Articles I, II, V, VI, VII, and VIII of Title II (relating to the constitution of the Court of Petty Sessions,) so far as they are now in force.

So much of Act No. VIII of 1836, as relates to any law hereby repealed.

Act No. XVIII of 1840, entitled "An Act to regulate the granting and withholding licenses for the sale of Liquors within the Islands of Bombay and Colaba."
Act No. III of 1841, entitled "An Act for the trial of prisoners charged with the commission of certain offences within the Islands of Bombay and Colaba, and the Harbour of Bombay."

Act No. IX of 1851, entitled "An Act for the prevention of Gambling in Bombay."

*Settlement of Prince of Wales' Island, Singapore, and Malacca.*

Act No. III of 1847, entitled "An Act to provide for the appointment of Constables and Peace Officers at the Settlement in the Straits."

Act No. XIV of 1850, entitled "An Act for assimilating the penal jurisdiction of Police Magistrates at the Straits' Settlements to that of Justices of the Peace at Calcutta."

Act No. XL of 1850, entitled "An Act for licensing Pawn-brokers in the Settlements of Prince of Wales' Island, Singapore, and Malacca," except Sections II and III.

Act No. XXXIV of 1852, entitled "An Act for the prevention of Gambling in the Settlement of Prince of Wales' Island, Singapore, and Malacca."

Section VIII of Act XIV of 1851, entitled "An Act for consolidating the laws for collecting a Revenue of Excise on spirituous liquors and intoxicating drugs in the Settlement of Prince of Wales' Island, Singapore, and Malacca."

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**SCHEDULES OF FORMS.**

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**FORM A.**

A. B. has been appointed a Superintendent, Inspector Jemadar, Darogah, or Peon, *as the case may be* in the ( ) Police Force, and is vested with the powers, functions and privileges of a Constable.

**FORM B.**

Be it remembered that, on the day of , in the year of our Lord before me (}
(Signed)

Act No. XIV of 1856.

1. An Act, repealed.
2. Interpretation.
3. Commissioners to appoint officers.
4. Property vested in Commissioners.
5. Streets and roads vested in the Commissioners.
6. Power to make and improve streets and roads.
7. Power to take land adjoining new streets for building purposes. Compensation for damage to adjoining land.
8. Power to agree for purchase of land for improving streets.
10. Cleansing streets.
11. Dust boxes in streets.
12. Depositing dirt on streets, &c.
13. Allowing sewerage to flow on streets.
15. Places of deposit for filth.
16. All rubbish, &c., collected to be the property of the Commissioners.
17. Watering streets.
18. Lighting streets.
19. Penalty for future obstructions in streets or roads. Power to remove them, and to allow temporary obstructions.
20. Taking up pavements.
22. Erection of new huts to be under the control.
23. Power of Commissioners as to existing huts.
25. Certain streets to be deemed public and repaired by the Commissioners. Proviso.

26. Houses may be set forward for improving line of streets.

27. Houses projecting beyond line of street, when taken down to be set back. Proviso.


29. Numbers on houses.

30. Doors not to open outwards.

31. Doors opening outwards to be altered.

32. Troughs and pipes to be fixed to houses.

33. Future projections from houses to be removed. Proviso.

San-shades, &c.


35. Commissioners may allow certain projections from houses.

36. Roofs and external walls of houses not to be made of combustible materials.

37. Houses in a ruinous and dangerous state.

38. Sale of materials of ruinous houses.

39. Power to shut up and secure deserted houses.

40. Penalty on occupier of a house not removing filth.

41. Filthy houses, &c.

42. Power to trim hedges and trees bordering roads.

43. Keeping swine, &c., in or near any street.

44. Sewers, drains, &c., vested in the Commissioners.

45. Commissioners to make public sewers.

46. Commissioners to repair and alter and discontinue sewers.

47. Cleansing and emptying sewers.

48. Bed of stream receiving sewerage to be cleared.

49. Penalty for making unauthorized drains into sewers.

50. Building over sewers, &c., not to be erected without consent of Commissioners.

51. Commissioners empowered to make drains from houses in or near street and not properly drained.

52. Level of houses hereafter built in or near streets.

53. Houses hereafter built in or near streets to have drains constructed under the orders of the Commissioners.

54. Notice of new buildings to be given to Commissioners.

55. Commissioners to signify disapproval within fourteen days.

56. Houses built without notice, or contrary to provisions of this Act, may be altered by Commissioners.

57. If Commissioners fail to give directions within fourteen days, parties may proceed without.

58. Sewers in streets to be covered with traps, &c.
59. Power of Commissioners to erect or affix to buildings pipes for ventilation of sewers.
60. Throwing rubbish into sewers.
61. Common necessaries.
62. Licensing of public necessaries.
63. Neglecting to close private privy.
64. Branch-drains, privies, &c., to be under control of Commissioners and to be kept in good order by owners. If owners neglect, Commissioners may cause the same to be done and charge the owners with the expense.
65. Penalty for persons making or altering drains, &c., contrary to the orders of the Commissioners.
67. Notice to owners and occupiers of buildings and lands.
68. Commissioners, in default of owner or occupier, may execute works and recover expenses.
69. Power to levy charges on occupier, who may deduct the same from his rent.
70. Occupier not to be liable for more than the amount of rent due.
71. Occupier, in default of owner, may execute works and deduct expenses from his rent.
72. Proceedings in case of tenants opposing the execution of this Act.
73. Tanks, &c., vested in the Commissioners.
74. Construction and maintenance of works for supply of water.
75. Provision for supply of water in cases of fire.
76. Foulage water by—Bathing. Washing. Throwing rubbish, &c. Allowing drains, &c., to flow.
77. Water fouled by offensive trades.
78. Injuring water-works or diverting or wasting water.
79. Commissioners may set apart bathing places, &c.
80. Bye-laws to regulate the use of water and of bathing places.
81. Power to fill up unwholesome tanks on private premises.
82. Power to drain off and cleanse stagnant pools in open places.
83. Commissioners in executing works to provide roads, &c., where existing ones injured.
84. Commissioners breaking up street to restore the same with all convenient speed.
85. Situation of gas and water-pipes to be altered at the expense of the Commissioners.
86. If owner, &c., neglect to make alterations, the Commissioners may cause the same to be done.
87. Boards to be up during repairs.
88. Bars to be erected across streets during repairs, and lights placed at night.
89. Penalty for not lighting deposits of building materials or excavations.
90. Dangerous places near streets to be repaired or enclosed.
91. Slaughter-houses within certain limits to be registered.
92. Commissioners may order existing Slaughter-houses to be discontinued. Proviso.
93. No Slaughter-houses to be newly set up without license.
94. Commissioners to provide places for Slaughter-houses.
95. Markets, Slaughter-houses, &c. to be properly drained.
96. Commissioners may make bye-laws for the inspection of Slaughter-houses.
97. Keeping unwholesome food in market, or in shops.
98. Sale of unwholesome food or drink.
99. Power to Commissioners to enter and inspect Slaughter-houses, shops, &c., and to seize unwholesome articles exposed for sale.
100. Suspension or revocation of license, &c.
101. Penalty for using Slaughter-houses during suspension or revocation of license.
102. Offensive and dangerous trades existing within certain limits to be registered.
103. Penalty for establishing such trades without license.
104. Commissioners to make rules for licensing, registering, &c. such business places.
105. Burial and Burning grounds to be registered.
106. No vault or burial or burning place henceforth to be constructed without leave of Commissioners.
108. Commissioners may, in certain cases, permit interment in churches, &c.
109. Commissioners may provide burial or burning grounds.
110. And make bye-laws for regulation thereof.
111. Registry of deaths.
112. Power to enter upon lands for the purposes of this Act.
113. Power to Commissioners to enter on lands adjacent to works.
114. Penalty for obstructing Commissioners in their duty.
115. Powers to be exercised by the Commissioners when constructing drains and aqueducts without the local limits of the jurisdiction of Supreme Courts.
116. Commissioners empowered to make bye-laws.
117. Bye-laws to be confirmed.
118. Notice of confirmation.
119. Publication of bye-laws.
120. Bye-laws to be judicially noticed.
122. Publication of penalties.
123. Power to Commissioners to make contracts.
124. Commissioners may direct prosecutions.
125. Act not to effect nuisances at common law. Proviso.
126. No writ or process to be issued against Commissioners or
their officers until after one month's notice of cause of action, &c.
127. Power to make compensation out of funds.
128. Mode of ascertaining compensation for land, &c.
129. Power to sell lands.
130. Power to sell old roads.
131. Fees for licenses.
132. Damages and expenses how to be determined.
133. Method of proceeding before Magistrates in questions of da-
mages, &c. Proviso.
134. Recovery of damages by distress.
135. Commissioners may sue in competent Court instead or on
failure of distress.
136. Distress not unlawful for want of form.
137. Recovery of fines and penalties.
138. How fines and penalties are to be applied.
139. No person liable to fine or penalty, unless complaint made
within three months after offence committed.
140. Damage to the Commissioners' property to be made good, in
addition to penalty.
141. Police Officers to report offence to Commissioners and to
arrest unknown offenders.
142. Commencement of Act.

An Act for the Conservancy and Improvement of the Towns of
Calcutta, Madras, and Bombay, and the several Stations of the
Settlement of Prince of Wales' Island, Singapore, and Malacca.

WHEREAS it is expedient to make better provision for
the conservancy and improvement of the Towns of Calcutta,
Madras, and Bombay, and the several Stations of the Settle-
ment of Prince of Wales' Island, Singapore, and Malacca,
and to invest the Municipal Commissioners for each of the
said Towns and Stations with the powers hereinafter men-
tioned; It is enacted as follows:—

I. The several Acts, and Rules, Ordinances and Re-
gulations, mentioned in the Schedule hereto annexed, are
hereby repealed, except so far as they repeal the whole or any part of any other Act, or Rule Ordinance and Regulation, and except as to any act or offence which shall have been done or committed, or to any money which shall have become due, or to any fine or penalty which shall have been incurred, or to any proceedings which shall have been commenced, before this Act shall come into operation.

Interpretation.

II. The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction, (that is to say)—

The expression "Local Government" shall mean the person or persons for the time being immediately administering the Executive Government of that portion of the territories in the possession and under the government of the East India Company in which the Town or Station is situated.

The expressions "The Municipal Commissioners" and "The Commissioners" shall mean the persons, however designated, for the time being constituted by law to administer the funds applicable to the purposes of conservancy and improvement in the Town or Station for which they are so constituted.

The word "Town" shall include all places within the local limits of the jurisdiction of Her Majesty's Supreme Courts of Judicature at Calcutta, Madras, and Bombay.

The word "Station" shall mean any one of the Stations of Prince of Wales' Island, Singapore, and Malacca, and the dependencies thereof.

The word "Street" shall mean any road, street, square, court, alley, or passage, whether a thoroughfare or not, over which the public have a right of way, and also the roadway over any public bridge or causeway, within such parts of the said Towns and Stations as shall be from time specially defined by the Commissioners with the sanction of the Local Government; and the expression "in or near any street" shall designate any place within such defined parts of the said Towns and Stations.
which the public have a right of way, and also the roadway over any public bridge or causeway, within such parts of the said Towns and Stations as shall be from time to time specially defined by the Commissioners with the sanction of the Local Government; and the expression "in or near any street" shall designate any place within such defined parts of the said Towns and Stations.

The word "Road" shall mean any road, or thoroughfare, over which the public have a right of way, or any roadway over any public bridge or causeway, not being within the parts so specially defined.

The word "Land" shall include messuages, buildings, tenements, and hereditaments of any tenure.

Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number.

Words importing the masculine gender shall include females.

The word "person" shall include a corporation.

The word "month" shall mean calendar month.

The word "oath" shall include any affirmation or declaration lawfully substituted for an oath.

The word "Magistrate" shall mean any Magistrate of Police acting for the Town or Station where the matter requiring the cognizance of a Magistrate arises.

The word "Owner" shall mean the person for the time being receiving the rent of the land or premises in connexion with which the words is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such land or premises were let to a tenant. Provided that, no person receiving the rent of land or premises as agent for another person, shall be liable to do any thing by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act, if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.
III. The Municipal Commissioners may from time to
time appoint all such officers as they shall think neces-
sary and proper to assist in the execution of this Act;
and may from time to time remove any of such officers and
appoint others in their place; and may, out of the funds
applicable to the purposes of this Act, with the sanction of
the Local Government, pay such salaries to the said officers
respectively as the Commissioners shall think reasonable.
Provided that no person shall be appointed to, or removed from
any office, the monthly salary of which exceeds two hundred
Rupees, without the sanction of the Local Government.

IV. All property, moveable and immoveable, purchased
or otherwise acquired before the passing of this Act by the
Commissioners or other persons, however designated, heretofore
lawfully administering the funds applicable to the Conserv-
vancy and Improvement of the said Towns and Stations
respectively, and now vested in them or in any persons in
trust for them for any such purposes, shall, after the passing
of this Act, be vested in the Municipal Commissioners for
the said Towns and Stations respectively as trustees for the
purposes of this Act.

V. All public streets and roads (not being the property
of the East India Company and kept under the control of the
Local Government), existing at the time of the passing of this
Act, or which shall afterwards be made, and the pavements,
stones, and other materials thereof, and also all erections,
materials, implements, and other things provided for such
streets and roads, shall be vested in and belong to the Commiss-
ioners.

VI. The Commissioners, with the consent of the Local
Government, may lay out and make new streets and roads,
and may build and construct bridges and tunnels; and may
turn, divert, discontinue, or stop up any public street or road;
and may widen, open, enlarge, or otherwise improve any such
street or road; making due compensation to the owners and
occupiers of any land, houses, or buildings which may be
required for any such purposes.
VII. In laying out new streets, in addition to the land required for the carriage-ways and foot-ways thereof, the Commissioners, with the consent of the Local Government, may purchase also the land necessary for the houses and buildings to form the said street, and may sell and dispose of the same with such stipulations and conditions as to the class and description of houses or buildings to be erected thereon as they shall think fit. Provided that, if any land be taken under the provisions of this Act, compensation shall be made to the owners for any damage which may be done thereby to any adjoining land or buildings of such owner.

VIII. The Commissioners may agree with the owners of any land for the absolute purchase thereof for the purpose of laying out and making new streets and roads, or of widening, enlarging, or otherwise improving any of the public streets or roads.

IX. The Commissioners shall, so far as the funds at their disposal will admit, from time to time cause the public streets and roads to be maintained and repaired; and from time to time may cause the same to be paved, metalled, flagged, channelled, sewer'd, or otherwise improved, and the surface thereof to be raised, lowered, or altered, as they may think fit; and may also make and keep in repair any footways for the use of passengers in any such street or road, and also from time to time place on the sides of such footways or otherwise such fences and posts as may be needed for the protection of foot passengers.

X. The Commissioners shall cause the streets, including the footways thereof, from time to time to be properly swept and cleansed; and the dust, dirt, ashes, rubbish, and filth of every sort found thereon, to be collected and removed.

XI. The Commissioners may cause any number of moveable or fixed dust-boxes or other convenient receptacles, wherein dust, dirt, ashes, and rubbish may be temporarily deposited, until removed and carried away, to be provided
and placed in proper and convenient situations, and may require the occupiers of houses in streets to cause all such matter as aforesaid to be deposited daily, or otherwise periodically, in the said receptacles; and every person who, after such receptacles have been provided, and after such requisition as above mentioned, shall deposit, or cause or permit to be deposited, any such matter in any street, except in such receptacles, shall be liable to a penalty not exceeding ten Rupees.

XII. Whoever deposits, or permits his servants to deposit, any dust, dirt, dung, ashes, garden, kitchen, or stable refuse, or filth of any kind, or any animal matter, or any broken glass or earthen-ware or other rubbish, in any street, or on any public quay, jetty, ghaut, landing-place, or on any part of a river-bank, or of the sea-shore, whether above or below high-water mark, except in such places and in such manner, and at such hours as shall be fixed by the Commissioners, shall be liable to a penalty not exceeding ten Rupees.

XIII. Whoever causes or allows the water of any sink or sewer, or any other offensive liquid matter belonging to him or being on his land, to run, drain, or be thrown or put upon any street, or causes or allows any offensive matter from any sewer or privy to run, drain, or be thrown into a surface drain in any street, shall be liable to a penalty not exceeding ten Rupees.

XIV. The Commissioners from time to time may fix the hours within which only it shall be lawful to remove any night-soil or other such offensive matter; and when the Commissioners have fixed such hours and given public notice thereof, whoever removes or causes to be removed along any street any such offensive matter at any time, except within the hours so fixed, and also whoever, at any time, whether such hours have been fixed by the Commissioners or not, uses for any such purpose any cart, carriage, or other receptacle or vessel not having a covering proper
for preventing the escape of the contents thereof or of the
stench therefrom, or who slops or spills any such offensive
matter in the removal thereof, or who does not carefully
sweep and clean every place in which any such offensive
matter has been slopped or spilled, or who places or sets
down in any public place any vessel containing such offens-
ive matter, or who drives or takes or causes to be driven or
taken any cart, carriage, receptacle, or vessel used for any
such purpose as aforesaid, through any street or by any
route other than such as shall from time to time be appoint-
ed for that purpose by the Commissioners by public notice,
shall be liable to a penalty not exceeding twenty Rupees.

XV. The Commissioners from time to time shall
provide places convenient for the deposit of the night-soil,
dung, and other filth, and the dust, dirt, ashes and rubbish,
collected and removed under the authority of this Act;
and for keeping all cattle, carts, implements, and other
things required for the above or any of the purposes of
this Act, and for any of such purposes, the Commissioners
may purchase or take on lease any land or buildings by them
considered necessary, or may cause any new building to be
made upon any land to be purchased or hired by them.

XVI. All dirt, dust, ashes, rubbish, sewerage, soil, dung,
and filth, collected from the streets, houses, privies, sewers, and
cesspools, shall be the property of the Commissioners, who
shall have power to sell or dispose of the same as they may
think proper, and the money arising from the sale thereof
shall be applied to the purposes of this Act.

XVII. The Commissioners, so far as the funds at their
disposal will admit, and so far as they may deem requisite for
the public convenience, shall cause the public streets and
roads to be watered; and for that purpose may provide such
works and engines as they may think necessary.

XVIII. The Commissioners, so far as the funds at their
disposal will admit, shall provide lamps, lamp-posts, and such
other means as they may deem necessary, for lighting such
of the public streets and roads as they shall consider to require lighting; and shall cause the said lamps to be kept in fit order, and shall employ a sufficient number of persons to cleanse, prepare, and light the same; and shall also from time to time increase or otherwise alter the number and situation of the said lamps, as to them shall appear necessary.

XIX. Whoever builds any wall, or erects or sets up any fence, rail, post, or other obstruction or encroachment, in any public street or road, or in or over any open drain, sewer, or aqueduct along the side of any such street or road after the passing of this Act, shall be liable to a penalty not exceeding one hundred Rupees; and the Commissioners shall have power to remove any such obstruction or encroachment; and the expense of such removal shall be paid by the person erecting the same, and shall be recoverable as hereinafter provided. Nothing herein contained shall prevent the Commissioners, with the concurrence of the Commissioner of Police, from allowing any temporary erections in any public street or road on occasions of festivals and ceremonies.

XX. Whoever displaces, takes up, or makes any alteration in the pavement, flags, or other materials, or in the fences or posts of any public street, without the consent in writing of the Commissioners, or without other lawful authority, shall be liable to a penalty not exceeding fifty Rupees.

XXI. Every person who intends to make or lay out any new street, shall give notice in writing thereof to the Commissioners, showing the intended level and width of such street; and the level and width of every such street shall be fixed or approved by the Commissioners; and whoever lays out, makes, or builds upon any such street, otherwise than in accordance with the level and width so fixed or approved, shall be liable to a penalty not exceeding five hundred Rupees; and the Commissioners may, if they think fit, cause any such street, laid out or made at a level or width otherwise than in accordance with the level or width so fixed or approved as aforesaid, to be altered; or may cause any building erected in
any such street otherwise than in accordance with such level and width, to be altered, or if necessary removed, and the expenses thereby incurred shall be paid to them by the offender and be recoverable as hereinafter provided. If no such level or width be fixed, and no approval or disapproval of the level or width proposed be signified by the Commissioners within one month, the intended street may be laid out and made upon the level and of the width specified in the notice.

XXII. It shall not be lawful for any person to erect in or near any street any hut, or any range or block of huts, on any plot or parcel of ground not previously built upon, or on which no huts are standing, without previous notice to the Commissioners; and the Commissioners may require such hut or huts to be built so that they may stand in regular lines with a free passage or way in front of each hut, of such width as the Commissioners may think proper for salutary ventilation, and to facilitate scavenging, and at such a level as will admit of sufficient drainage. And if any such hut or huts be built without giving such notice to the Commissioners, or otherwise than as required by the Commissioners, the Commissioners may give notice to the builder or builders thereof to take down and remove the same within one month, and if such hut or huts be not taken down or removed according to such notice, the Commissioners may cause the same to be taken down and removed, and the expense incurred in doing so shall be paid by the said builder or builders, and shall be recoverable as hereinafter provided.

XXIII. Whenever the Commissioners, by report of competent persons, are satisfied that any existing block of huts, in or near any street, is, by reason of the manner in which the huts are huddled together, or of the want of drainage and the impracticability of scavenging, attended with risk of disease to the inhabitants or the neighbourhood, they may, with the consent of the Local Government, cause a notice to be affixed to some conspicuous part of such block of huts
requiring the owners or occupiers thereof, within such reasonable time as may be fixed by the Commissioners for that purpose, to execute such operations as the Commissioners may deem necessary for the avoidance of such risk. And in case such owners or occupiers shall refuse or neglect to execute such operations within the time aforesaid, the Commissioners may cause the said huts to be taken down, or such operations to be performed in respect of such huts, as the Commissioners may deem necessary to prevent such risk. If such huts be pulled down, the Commissioners shall cause the materials of each hut to be sold separately, if such sale can be effected; and the proceeds shall be paid to the owner of the hut, or if the owner be unknown, or the title disputed, shall be held in deposit by the Commissioners until the person interested therein shall obtain the order of a competent Court for the payment of the same. The Courts of Small Causes for Calcutta, Madras, and Bombay, shall respectively be deemed competent Courts for that purpose.

* XXIV. If any street (not being a public street), or any part thereof, be not levelled, paved, metalled, flagged, channelled, and sewered to the satisfaction of the Commissioners, they may, by notice in writing to the respective owners or occupiers of the premises fronting, adjoining, or abutting upon, such parts thereof as may need to be levelled, paved, metalled flagged, channelled, and sewered, required them to level, metal, pave, flag, channel, and sewer the same within a time to be specified in such notice; and upon non-compliance, the Commissioners may, if they think fit, execute the works mentioned or referred to therein; and the expenses incurred by them in so doing shall be paid by the owners in default according to the frontage of their respective premises, and in such proportion as shall be settled by the Commissioners, or in case of dispute, as shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses; and such expense shall be recoverable as hereinafter provided. Provided always, that, after such street shall have been so levelled, paved, metalled, flagged, channelled, and sewered,
on the requisition of the Commissioners, or by the Commissioners as aforesaid, at the expense of the owners, such owners shall have a right to require that the street shall be declared a public street, to be from time to time repaired by the Commissioners out of the funds at their disposal for the purposes of this Act.

XXV. If any street (not being a public street) be levelled, paved, metalled, flagged, channelled, and sewered to the satisfaction of the Commissioners, they may, if they think fit, by notice in writing put up in any part of such street, declare the same to be a public street, and thereupon the same shall become a public street, and be from time to time repaired by them out of the funds at their disposal. Provided that no street shall become a public street as last aforesaid, if, within one month after such notice in writing, the owner of such street, or any one of the owners, shall, by notice in writing to the Commissioners, object thereto.

XXVI. The Commissioners may, upon such terms as they think fit, allow any house or building to be set forward for improving the line of any public street in which such house or building is situated.

XXVII. When any house or building, any part of which projects beyond the regular line of a public street, or beyond the front of the house or building on either side thereof, has been taken down in order to be re-built or altered, the Commissioners may require the same to be set back to or towards the line of the street or the line of the adjoining houses or buildings. Provided always, that the Commissioners shall make full compensation to the owner of any such house or building for any damage he may thereby sustain; and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

XXVIII. The Commissioners may, from time to time, cause to be put up or painted on a conspicuous part of such
house, building, wall, or place at or near each end, corner, or entrance of every street, the name by which such street is to be known; and whoever destroys, pulls down, or defaces any such name, or puts up any name different from that put up by order of the Commissioners, shall be liable to a penalty not exceeding twenty Rupees.

XXIX. The Commissioners may from time to time fix a number in a conspicuous place on the outer side of any house, or building, or at the entrance of the enclosure thereof fronting the street; and whoever destroys, pulls down, or defaces any such number, shall be liable to a penalty not exceeding twenty Rupees.

XXX. All doors, gates, bars, and ground-floor windows put up after the passing of this Act, which open upon any public street, shall be hung or placed so as not to open outwards, except when the same are hung or placed in such manner as, in the judgment of the Commissioners, to cause no obstruction in any such street; and if (except as aforesaid) any such door, gate, bar, or window be hung or placed so as to open outwards on any such street, the owner of the premises to which the same is attached shall, within eight days after notice from the Commissioners to that effect, cause the same to be altered so as not to open outwards, and in case he neglects so to do, the Commissioners may make such alteration, and the expense thereof shall be paid by such owners, and shall be recoverable as hereinafter provided.

XXXI. If any door, gate, bar, or ground-floor window put up before the passing of this Act is hung or placed so as to open outwards upon any public street, the Commissioners may alter the same, so that no part thereof, when open, shall project over any such street so as to cause an obstruction.

XXXII. The owner of every house or building in any public street shall, within eight days after notice from the Commissioners to that effect, put up and keep in good condition proper troughs and pipes for catching and carrying
the water from the roof and other part of such house or building, and for discharging the same in such manner that it shall not fall upon the persons passing along the street; and in default of compliance with such notice within the period aforesaid, such owner shall be liable to a penalty not exceeding ten Rupees for every day that he shall so make default.

XXXIII. The Commissioners may give notice in writing to the owner or occupier of any house or building to remove or alter any projection, encroachment, or obstruction, which, after the passing of this Act, shall be erected or placed against or in front of such house or building, if the same overhangs, or juts into or in any way projects or encroaches upon, or is an obstruction to the safe and convenient passage along any public street, or obstructs or projects or encroaches into or upon any uncovered aqueduct, drain, or sewer in such street; and such owner or occupier shall, within fourteen days after the service of such notice upon him, remove such projection, encroachment or obstruction, or alter the same in such manner as shall have been directed by the Commissioners; and in default thereof, shall be liable to a penalty not exceeding two hundred Rupees; and the Commissioners in such case may remove such projection, encroachment, or obstruction; and the expense of such removal shall be paid by the owner or occupier so making default, and shall be recoverable as hereinafter provided. Provided that, when the expense shall have been paid by the occupier, except in the case in which such projections, encroachments, or obstructions were made or put up by him, such occupier shall be entitled to deduct the expense of removing or altering the same from the rent payable by him to the owner of the house or building. Provided always, that the roofs or eaves of houses or buildings, sun-shades, weather frames, and the like, at a height not less than twelve feet above the surface of any street, may be projected to the extent of three feet over the same.

XXXIV. The Commissioners may cause any such projection, encroachment or obstruction, erected or placed
against or in front of any house or building in any public street, before the passing of this Act, to be removed or altered as they think fit; provided that they give notice of such intended removal or alteration to the occupier of the house or building against or in front of which such projection, encroachment, or obstruction shall be, thirty days before such alteration or removal is begun; and if such projection, encroachment, or obstruction shall have been lawfully made, they shall make reasonable compensation to every person who suffers damage by such removal or alteration; and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

XXXV. The Commissioners may give permission in writing to the owners or occupiers of houses or buildings in public streets, the width of which is not less than twenty-five feet, to put up verandahs, balconies, sun-shades, weather-frames, and the like, to project from any upper-story thereof over the street, to an extent not exceeding four feet from the foundation, and, for special reasons, to allow such projections to be extended to five feet.

XXXVI. The external roofs and walls of huts or other buildings erected or renewed in or near any street after the passing of this Act shall not be made of grass, leaves, mats, or other such inflammable materials; and it shall not be lawful for the owner of any hut or other building in or near any street now having an external roof or wall made of any such material, and which is contiguous to or adjoining to any other building, to suffer such roof or wall to remain for a longer time than two years after the passing of this Act, unless with the consent in writing of the Commissioners; and whoever makes any external roof or wall of such materials, or suffers any roof or wall made of such materials to continue contrary to the provisions herein contained, and who shall not remove or alter the same within one month after notice given to him for that purpose by the Commis-
sioners, shall be liable to a penalty not exceeding ten Rupees for every day that such roof or wall shall continue.

XXXVII. If in any street, any house, building, or wall, or any thing affixed thereon, be deemed by the Commissioners to be in a ruinous state or likely to fall, or in any way dangerous to the inhabitants of such house or building, or to the neighbouring houses or buildings, or the occupiers thereof, or to passengers, they shall immediately, if it appears to them to be necessary, cause a proper board or fence to be put up for protection of passengers; and shall cause notice in writing to be given to the owner, if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door or other conspicuous part of the said premises, or otherwise to be given to the occupier thereof, (if any) requiring such owner or occupier forthwith to take down, secure, or repair such house, building, wall, or thing affixed thereon, as the case shall require; and if such owner or occupier do not begin to repair, take down, or secure the same within three days after such notice, and complete such work with due diligence, the Commissioners shall cause all or so much of such house, building, wall, or thing as they shall think necessary, to be taken down, repaired, or otherwise secured; and all the expenses incurred by the Commissioners shall be paid by the owner of the premises, and shall be recoverable from him as hereinafter provided.

XXXVIII. If any such house, building, or wall, or any part of the same, be pulled down by virtue of the powers aforesaid, the Commissioners may sell the materials thereof or of so much of the same as shall be taken down, and apply the proceeds of such sale in payment of the expenses incurred, and shall restore any overplus arising from such sale to the owner of such house, building, or wall on demand. The Commissioners, although they sell such materials for the purposes aforesaid, shall have the same remedies for compelling the payment of so much of the said expenses as may remain due after the application of the proceeds of such
sale, as by this Act are given to them for compelling the payment of the whole of the said expenses.

XXXIX. If any building or land, by reason of abandonment or of disputed ownership or other cause, shall remain untenanted and thereby become a resort of idle and disorderly persons, or be complained of by any two or more of the neighbours as a nuisance, the Commissioners, after due inquiry, may cause notice in writing to be given to the owner, or to the person claiming to be the owner, if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door of the building or some conspicuous part of the premises, requiring the persons concerned therein, whoever they may be, to secure or enclose the same; and if such notice shall not be complied with within eight days, the Commissioners shall cause the necessary work to be executed, and all expenses thereby incurred shall be paid by the owner of the premises and shall be recoverable as hereinafter provided.

XL. Whoever, being the occupier of a house in or near any street, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil, filth, or any noxious or offensive matter, in or upon the roof of such house, or in any out-house, yard, or ground attached to and occupied with such house, or suffers such receptacle to be in a filthy or noxious state, or neglects to employ proper means to remove the filth therefrom and to cleanse and purify the same, shall be liable to a penalty not exceeding fifty Rupees.

XLI. Whoever, being the owner or occupier of any house, building, or land, in or near any street, whether tenantable or otherwise, suffers the same to be in a filthy and unwholesome state, or overgrown with rank and noisome vegetation, shall be liable to a penalty not exceeding fifty Rupees, and to a penalty not exceeding five Rupees for every day after conviction for such offence during which the offence is continued.
XLII. The Commissioners may give notice to the owner or occupier of any land to trim or prune the hedges thereof bordering any public road or street, so that they may not exceed the height of seven feet from the level of the road; and to cut and trim all trees overhanging any public road or street so as to obstruct the passage or to cause damage thereto; and in the event of such notice not being complied with within eight days from the date thereof, the Commissioners may cause the said hedges and trees to be cut and trimmed in the manner required; and the expense incurred by the Commissioners in respect thereof shall be paid to them by the owners and shall be recoverable as hereinafter provided.

XLIII. Whoever keeps any pig-stye to the front of any street, not being shut out therefrom by a sufficient wall or fence, or shall keep any swine in or near any street, so as to be a nuisance to the neighbourhood; or who shall, without the permission of the Commissioners, keep more than twenty sheep or goats, or ten horned cattle, in or near any street, shall be liable to a penalty not exceeding fifty Rupees.

XLIV. All public sewers and drains, and all sewers, drains, tunnels, and culverts in, alongside, and under the streets and roads existing at the time of the passing of this Act, or afterwards made, and whether made at the cost of the Commissioners or otherwise, and all works, materials, and things appertaining thereto, shall be vested in and belong to the Commissioners.

XLV. The Commissioners, so far as the funds at their disposal will admit, shall from time to time cause to be made such main and other sewers as they may judge necessary for the effectual draining of the Town or Station under their authority; and, if needful, they may carry such sewers through, across, or under any street, or any place laid out as or intended for a street, or any cellar or vault which may be under any of the streets, and (after reasonable notice in writing in
that behalf) into, through, or under any inclosed or other lands whatsoever, doing as little damage as may be, and making full compensation for any damage done; and if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner heretofore provided for the settlement of disputes respecting damages and expenses.

XLVI. The Commissioners shall maintain, and from time to time repair, and as they see fit enlarge, alter, arch over, or otherwise improve all or any of the sewers and drains vested in them by this Act; and may discontinue, close up, or destroy such of them as they may deem useless or unnecessary. Provided always, that the discontinuance, closing up, or destruction of any sewer or drain shall be so done as not to create a nuisance; and if, by reason thereof, or of any such alteration as hereinbefore mentioned, any person is deprived of the lawful use of any sewer or drain, the Commissioners shall, with due diligence, provide some other sewer or drain as effectual for his use as the one of which he is so deprived.

XLVII. The Commissioners, so far as the funds at their disposal will admit, shall cause the sewers and drains belonging to them to be so constructed, maintained, and kept, as not to be a nuisance or injurious to health, and to be properly cleared, cleansed, and emptied; and for the purpose of flushing, cleansing, and emptying the same, they may construct and place, either above or under-ground, such reservoirs, sluices, engines, and other works as may be necessary; and they may also with the consent of the Local Government cause all or any of such sewers and drains to communicate with and be emptied into the sea or any public river (as the case may admit) or other fit place; or they may cause the refuse from such sewers and drains to be conveyed by a proper channel to the most convenient site for its deposit, and may sell the same for any agricultural or other purposes as may be deemed most expedient, but so that the same shall not become a nuisance.
XLVIII. When the contents of any sewer or drain or any other flow or filth or refuse are discharged into any river or stream, in the bed or channel of which the quantity of water at any season of the year is so much diminished by natural or artificial causes as to be insufficient to keep such channel clean or clear, the Commissioners shall, with the consent of the Local Government, so far as the funds at their disposal will admit, make such alteration in the bed of such river or stream as may prevent such sewer and drain-water from spreading over the surface of such bed, or from accumulating and stagnating in parts thereof to the injury of health or the annoyance of the surrounding population.

XLI. Whoever, without the written consent of the Commissioners first obtained, makes or causes to be made any drain into any of the sewers or drains vested in them by this Act, shall be liable to a penalty not exceeding one hundred Rupees; and the Commissioners may cause such branch-drain to be demolished, altered, re-made, or otherwise dealt with as they think fit; and all the expense incurred thereby shall be paid by the person making such branch-drain, and shall be recoverable as hereinafter provided.

L. No building shall be newly erected over any sewer or drain vested in the Commissioners by this Act, without their written consent; and if any building be so erected, the Commissioners may cause the same to be pulled down, or otherwise dealt with as they may think fit; and the expenses thereby incurred shall be paid by the person offending and be recoverable as hereinafter provided.

LI. If any house or building, in or near any street, be at any time not drained to the satisfaction of the Commissioners by a sufficient drain or pipe communicating with some sewer, or with the sea, or some public river or other place at which the Commissioners are empowered to empty their sewers, and if there be such means of drainage within one hundred feet of any part of such house or building, the Commissioners may construct or lay from such house or building a covered drain or pipe of such materials of such size, at such
level, and with such fall as they think necessary for the
draining of such house or building; and the expenses in-
curred by the Commissioners in respect thereof, if not forthwith
paid by the owner, shall be recoverable as hereinafter direct-
ed. Provided that the cost of executing such work shall not,
without the consent of the owner, exceed the amount of three
months' rent of the house or building. *

LII. No house or building shall be hereafter built in
or near any street upon a lower level than will allow of the
drainage of such house or building being led into some public
sewer either then existing or projected by the Commissioners,
or into the sea, or some public river or other place into which
the Commissioners are empowered to empty their sewers.

LIII. If any house or building, newly erected or re-built
in or near any street after the passing of this Act, have such
means of drainage, as in the last preceding Section mentioned,
eexisting within one hundred feet thereof, the owner shall make
a drain leading thereunto from the site of such house or building,
of such materials, of such size, at such level, and with such
fall as the Commissioners may direct; and if he neglect to do so
within a reasonable time, the Commissioners may cause the
same to be done, and the expenses thereby incurred shall be
paid by the owner, and shall be recoverable as hereinafter
provided.*

LIV. Before beginning, in or near any street, to build or
re-build any house, the person intending to build or re-build
such house shall give to the Commissioners notice thereof in
writing, and shall accompany such notice with a plan showing
the levels at which the foundation and lowest floor
of such house are proposed to be laid by reference to some
level ascertained under the direction of the Commissioners.

LV. Within fourteen days after receiving such notice,
the Commissioners may signify their disapproval of the pro-
posed levels and fix other levels in lieu thereof.

LVI. If such building be begun or made without sending
such notice and plan, or at any levels different from those
XLVIII. When the contents of any sewer or drain or any other flow or filth or refuse are discharged into any river or stream, in the bed or channel of which the quantity of water at any season of the year is so much diminished by natural or artificial causes as to be insufficient to keep such channel clean or clear, the Commissioners shall, with the consent of the Local Government, so far as the funds at their disposal will admit, make such alteration in the bed of such river or stream as may prevent such sewer and drain-water from spreading over the surface of such bed, or from accumulating and stagnating in parts thereof to the injury of health or the annoyance of the surrounding population.

XLIX. Whoever, without the written consent of the Commissioners first obtained, makes or causes to be made any drain into any of the sewers or drains vested in them by this Act, shall be liable to a penalty not exceeding one hundred Rupees; and the Commissioners may cause such branch-drain to be demolished, altered, re-made, or otherwise dealt with as they think fit; and all the expense incurred thereby shall be paid by the person making such branch-drain, and shall be recoverable as hereinafter provided.

L. No building shall be newly erected over any sewer or drain vested in the Commissioners by this Act, without their written consent: and if any building be so erected, the Commissioners may cause the same to be pulled down, or otherwise dealt with as they may think fit; and the expenses thereby incurred shall be paid by the person offending and be recoverable as hereinafter provided.

LI. If any house or building, in or near any street, be at any time not drained to the satisfaction of the Commissioners by a sufficient drain or pipe communicating with some sewer, or with the sea, or some public river or other place at which the Commissioners are empowered to empty their sewers, and if there be such means of drainage within one hundred feet of any part of such house or building the Commissioners may construct or lay from such house or building a covered drain or pipe of such materials, of such size, at such
level; and with such fall as they think necessary for the
draining of such house or building; and the expenses in-
crease if, or not forthwith paid by the owner, shall be recoverable as hereinafter directed. Provided that the cost of executing such work shall not, without the consent of the owner, exceed the amount of three months' rent of the house or building.

LI. No house or building shall be hereafter built in or near any street upon a lower level than will allow of the drainage of such house or building being led into some public sewer either then existing or projected by the Commissioners, or into the sea, or some public river or other place into which the Commissioners are empowered to empty their sewers.

LII. If any house or building, newly erected or re-built in or near any street after the passing of this Act, have such means of drainage, as in the last preceding Section mentioned, existing within one hundred feet thereof, the owner shall make a drain leading thereunto from the site of such house or building, of such materials, of such size, at such level, and with such fall as the Commissioners may direct; and if he neglect to do so within a reasonable time, the Commissioners may cause the same to be done, and the expenses thereby incurred shall be paid by the owner and shall be recoverable as hereinafter provided.

LIV. Before beginning, in or near any street, to build or re-build any house, the person intending to build or re-build such house shall give to the Commissioners notice thereof in writing, and shall accompany such notice with a plan showing the levels at which the foundation and lowest floor of such house are proposed to be laid by reference to some level ascertained under the direction of the Commissioners.

LV. Within fourteen days after receiving such notice, the Commissioners may signify their disapproval of the proposed levels and fix other levels in lieu thereof.

LVI. If such building be begun or made without sending such notice and plan, or at any levels different from those
or taken against any such owner or not, require the payment of all or any part of the expenses payable by the owner for the time being from the person who then or at any time thereafter occupies the building or land under such owner, and, in default of payment thereof by such occupier on demand, the same may be levied by distress of the goods and chattels of such occupier; and every such occupier shall be entitled to deduct from the rent payable by him to his landlord so much as is so paid by or recovered from him in respect of any such expenses.

LXX. No occupier of any building or land shall be liable to pay more money, in respect of any expenses charged by this Act on the owner thereof, than the amount of rent due from him for the premises in respect of which such expenses are payable at the time of the demand made upon him, or which, at any time after such demand has accrued and become payable by him, unless he neglect or refuse, upon application made to him for that purpose by the Commissioners, truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable; but the burden of proof that the sum demanded of any such occupier is greater than the rent which was due by him at the time of such demand or which has since accrued, shall lie upon such occupier; provided further, that nothing herein contained shall be taken to affect any special contract made between any such owner or occupier respecting the payment of the expenses of any such works as aforesaid.

LXXI. Whenever default is made by the owner of any building or land in the execution of any work required to be executed by him, the occupier of such building or land may, with the approval of the Commissioners, cause such work to be executed, and the expense thereof shall be paid to him by the owner, and the amount may be deducted out of the rent from time to time becoming due from him to such owner.

LXXII. If the occupier of any building or land prevent the owner thereof from carrying into effect, in respect
of such building or land, any of the provisions of this Act
after notice of his intention so to do has been given by the
owner to such occupier, any Magistrate, upon proof thereof,
may make an order in writing requiring such occupier to
permit the owner to execute all such works with respect to
such building or land as may be necessary for carrying into
effect the provisions of this Act; and if, after the expiration
of eight days from the date of the order, such occupier con-
tinue to refuse to permit such owner to execute such works,
such occupier shall, for every day during which he so con-
tinues to refuse, be liable to a penalty not exceeding fifty
Rupes; and every such owner, during the continuance of
such refusal, shall be discharged from any penalties to which
he might otherwise have become liable by reason of his
default in executing such works.

LXXIII. All public tanks, reservoirs, cisterns, wells,
aqueducts, conduits, tunnels, pipes, pumps and other water-
works existing at the time of the passing of this Act or after-
wards made, and whether made at the cost of the Commis-
ioners or otherwise; and all bridges, buildings, engines,
works, materials, and things connected therewith or apper-
taining thereto; and also any adjacent land (not being private
property) appertaining to any public tank, shall be vested in
and belong to the Commissioners.

LXXIV. The Commissioners shall cause all existing
public tanks, reservoirs, cisterns, wells, aqueducts, conduits,
tunnels, pipes, pumps, and other water-works used for the
supply of water to the inhabitants or for the other purposes
mentioned in this Act, to be continued, maintained, and
supplied with water; or they shall substitute other such
works and shall cause them to be maintained and supplied
with water; and the Commissioners, from time to time,
with the consent of the Local Government, may construct
aqueducts for bringing water into the Town or Station
under their authority, and may provide any number of new
tanks, reservoirs, cisterns, wells, and other such water-works
for the purposes aforesaid.
the Commissioners in respect thereof shall be paid by the
owner, and shall be recoverable as hereinafter provided.

LXV. If any such drain, privy, or cess-pool is con-
structed, after the passing of this Act, contrary to the di-
rections and regulations of the Commissioners, or contrary to
the provisions of this Act; or, if any person, without the
consent of the Commissioners, constructs, re-builds, or un-
stups, any drain, privy, or cess-pool which has been ordered
d by them to be demolished or stopped up, or not to be made,
every person so doing shall be liable to a penalty not exceed-
ing fifty Rupees; and the Commissioners may cause such
amendment or alteration to be made in any such drain,
privy, or cess-pool as they think fit; and the expense there-
of shall be paid by the person by whom such drain, privy;
or cess-pool was improperly constructed, re-built, or un-
stopped, and shall be recoverable from him as hereinafter
provided.

LXVI. The Commissioners, or any officer appointed
by them for the purpose, may inspect any such drain, privy,
or cess-pool, and for that purpose, at all reasonable times in
the daytime, after twenty-four hours' notice in writing to
the occupier of the premises to which such drain, privy, or
cess-pool is attached, may enter upon any lands and build-
ings with such assistants and workmen as are necessary, and
cause the ground to be opened where they or he may think
fit, doing as little damage as may be; and if, upon such in-
spection, it appears that the drain, privy, or cess-pool is not
in good order and condition, or that it has been constructed
after the passing of this Act contrary to the provisions there-
of, the expenses of such inspection shall be paid by the per-
son to whom such drain, privy, or cess-pool may belong; but
if the drain, privy, or cess-pool be found to be in proper
order and condition and not to have been constructed in
violation of the provisions of this Act, the Commissioners
or officer as aforesaid shall cause the ground to be closed
and made good as soon as may be; and the expenses of open-
ing, closing, and making good such drain, privy, or cess-pool
shall, in that case, be defrayed by the Commissioners. Provided always, that nothing hereinbefore contained shall authorize an entry into the zenanas or private apartments appropriated to the females of Hindoo and Mussulman families for the purpose of such inspection, except by the agency of women.

LXVII. Where any notice is required by this Act to be given to the owner or occupier of any building or land, such notice, addressed to the owner or occupier, as the case may require, may be served on the occupier of such building or land, or left with some adult male member or servant of his family, or, if the notice cannot be so served, or if there be no occupier, may be put up on some conspicuous part of such building or land, and it shall not be necessary in any such notice to name the occupier or the owner. Provided always, that, when the owner and his residence are known to the Commissioners, it shall be their duty, if such owner be residing within the Town or Station under their authority, to cause every notice required to be given to the owner of any building or land, to be served on such owner or left with some adult male member or servant of his family; and, if the owner be not resident within the Town or Station, they shall send every such notice by the Post addressed to his residence.

LXVIII. Whenever under the provisions of this Act any work is required to be executed by the owner or occupier of any building or land, and default is made in the execution of such works, the Commissioners, whether any penalty is or not provided for such default, may cause such work to be executed; and the expense thereby incurred shall be paid to them by the person by whom such work ought to have been executed, and shall be recoverable as hereinafter provided.

LXIX. If the defaulter be the owner of the building or land, the Commissioners may, by way of additional remedy, whether any action or proceeding has been brought
LXXV. The Commissioners shall, so far as the funds at their disposal will admit, cause all necessary works, machinery, and assistance for securing an efficient supply of water in cases of fire, to be provided and maintained.

LXXVI. Whoever, except as permitted by the Commissioners under Section LXXIX, bathes in any stream, tank, reservoir, well, cistern, conduit, or aqueduct belonging to the Commissioners; or washes or causes to be washed therein, any horse, dog, or other animal, or any wool, cloth, or wearing apparel, or any utensils for cooking or other purposes, or leather, or the skin of any animals, or other foul or offensive thing; or throws, puts, or casts, or causes to enter therein, any animal or any gravel, stone, dust, or rubbish, or any dung, filth, or other noisome or offensive matter or thing; or causes or suffers to run, drain, or be brought thereinto, the water of any sink, sewer, drain, engine, or boiler, or any other unwholesome or offensive liquid matter or thing belonging to him, or flowing from any house or building or from any ground occupied by him; or does any thing whatsoever whereby any such water shall be in any degree fouled or corrupted—shall be liable to a penalty not exceeding fifty Rupees.

LXXVII. Whoever, being the proprietor of any gas-works, or being engaged or employed in the manufacture or supply of gas, or being the occupier or proprietor of any place where an offensive trade or manufacture is carried on, wilfully does any act connected with the said business, whereby the water in any stream, tank, reservoir, well, cistern, conduit, aqueduct, or other water-works belonging to the Commissioners, is fouled or corrupted, shall be liable to a penalty not exceeding one thousand Rupees, and to a further penalty, not exceeding five hundred Rupees, for every day while the offence is continued after twenty-four hours' notice in writing from the Commissioners in this behalf; and the Commissioners may, after twenty-four hours' notice in writing, lay open and examine any pipes, conduits, and works belonging to such person; and if, upon such examination, it appears that the water has been fouled or corrupted by any thing proceed-
ing from or contained in the pipes, conduits, or works examined, the expenses of such examination shall be paid by the person to whom such pipes, conduits, or works belong, or under whose management or control they may be, and be recoverable from him as hereinafter provided; but if it appear that the water has not been so fouled or corrupted, then such expenses, and all reasonable damages occasioned by the examination, shall be paid by the Commissioners.

LXXVIII. Whoever wilfully or carelessly injures any water-works belonging to the Commissioners, or unlawfully draws off, diverts, or takes water from any such water-works, or from any waters or streams belonging to the Commissioners by which such water-works are supplied, shall be liable to a penalty not exceeding one hundred Rupees.

LXXIX. The Commissioners may, at their discretion, set apart any public ghaut or place, or any part of the Seashore, or of the strand of any river (not being private property,) for the purpose of being used as a bathing place; and may also provide or set apart a sufficient number of convenient tanks or runs of water for the inhabitants to bathe in; and may also set apart tanks or reservoirs or runs of water for washing animals or clothes, or for any other purpose connected with the health, cleanliness, and comfort of the inhabitants.

LXXX. The Commissioners may, in the manner hereinafter provided, make bye-laws—

For regulating all or any matters and things whatsoever connected with the water to be supplied by them and the use of such water for any of the purposes mentioned in this Act—

And for regulating the time and place of bathing for persons of each sex in the places provided or appointed by them for the purpose of bathing, in such manner as shall appear to the Commissioners necessary, making due allowance for the habits and customs of the country.

LXXXI. When any private tank or low marshy ground, or any waste or stagnant water, being within any pri-
vate enclosure, appears to the Commissioners to be injurious to health, or to be offensive to the neighbourhood, it shall be lawful for the Commissioners to require, by notice in writing, the owner of the said premises to cleanse or fill up such tank or marshy ground, or to drain off or remove such stagnant water; and if he shall refuse or neglect to comply with such requisition during eight days from the service thereof, the Commissioners, their officers, and workmen, may enter into the said premises and do all necessary acts for all or any of the purposes aforesaid as they shall think fit; and the expense incurred thereby shall be paid by the owner of such premises, and shall be recoverable as hereinafter provided.

LXXXII. The Commissioners are hereby empowered, from time to time as they shall see fit, to drain off into any sewers, and cleanse and fill up or otherwise abate, any stagnant pool, ditch, tank, pond, or other receptacle of water (the same not being within any private enclosure) which shall appear to them to be useless or unnecessary or likely to prove injurious to the health of the inhabitants, whether the same be the private property of any person or otherwise; and the Commissioners, their officers, and workmen, may do all necessary act for effecting any of the purposes aforesaid.

LXXXIII. The Commissioners, in executing any works directed or authorized by this Act to be made, shall provide and make, at their own expense, a sufficient number of convenient ways, water-courses, drains, and channels in the place of such as may be interrupted, injured, or rendered useless by reason of the execution of such works; and in case of any difference arising between the Commissioners and the persons affected thereby, such difference shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

LXXXIV. When the pavement or surface of any street or when any sewer or drain, shall be opened or broken up by the Commissioners, their officers, or servants, they shall, with all convenient speed, complete the work on account of which
the same shall have been broken up, and fill in the ground
and make good the pavement and surface, and the sewer or
drain, so opened or broken up, and carry away the rubbish
occasioned thereby; and shall, in the meantime, cause the
place where such pavement or surface shall be so opened or
broken up, to be fenced and guarded, and sufficiently lighted
during the night.

LXXXV. If the Commissioners deem it necessary for
the purposes of this Act, to raise, sink, or otherwise alter the
situation of any water-pipe or gas-pipe, or other water-works
or gas-works laid in any of the streets, they may from time to
time, by notice in writing, require the person to whom any such
pipes or works belong or under whose control they may be,
to cause forthwith, or as soon as conveniently may be, any
such pipes or works to be raised, sunk, or otherwise altered
in position in such manner as the Commissioners direct;
provided that such alteration be not such as permanently to
injure such works, or to prevent the water or gas from flow-
ing as freely and conveniently as before; and the expenses
attending such raising, sinking, or altering, and full com-
pen-sation for the damage done thereby, shall be paid by the
Commissioners, as well as to the persons to whom such pipes or
works belong as to all other persons. And if any dispute
shall arise touching the amount or apportionment of such
compensation, the same shall be settled in the manner here-
infter provided for the settlement of disputes respecting
damages and expenses.

LXXXVI. If the person to whom any such pipes or
works belong, or under whose control they may be, do not
proceed forthwith, or as soon as conveniently may be after the
receipt of such notice, to cause the same to be raised,
sunk, or altered, in such manner as the Commissioners
require, the Commissioners may themselves cause such pipes
or works to be raised, sunk, or altered as they think fit;
provided that such works be not permanently injured thereby,
or the water or gas prevented from flowing as freely and
conveniently as before.
LXXXVII. Every person intending to build or take down any building or to alter or repair the outward part of any building, where any street or footway will be obstructed or rendered inconvenient by means of such work, shall, before beginning the same, and having first obtained a license in writing from the Commissioners so to do, cause sufficient boards or fences to be put up, in order to separate the building where such works are being carried on from the street or footway, and shall continue such board or fence standing and in good condition, to the satisfaction of the Commissioners, during such time as the public safety or convenience requires, and shall cause the same to be sufficiently lighted during the night; and every such person who begins to build, or take down, or alter, or repair, any building contrary to the provisions of this Section, or who, without license, erects or sets up any boards, scaffolding, or fence whatsoever, or who, being licensed, fails to put up such fence or board, or to continue the same standing and in good condition as aforesaid during the time aforesaid, or who does not, while the said board or fence is standing, keep the same sufficiently lighted during the night, or who does not remove the same, when directed by the Commissioners, within a reasonable time afterwards, shall be liable to a penalty not exceeding fifty Rupees, and a further penalty, not exceeding fifty Rupees, for every day while the offence is continued after twenty-four hours' notice from the Commissioners.

LXXXVIII. The Commissioners shall, during the construction or repair of any of the streets, sewers, or drains vested in them, take proper precaution for guarding against accident, by shoring up and protecting the adjoining houses, and shall cause such bars, chains, or posts to be fixed across or in any of the streets or roads to prevent the passage of carriages, carts, or other vehicles, cattle or horses, while such works are carried on, as to them shall seem proper; and the Commissioners shall cause any sewer or drain or other works in streets, during the construction or repair thereof by them, to be sufficiently lighted and guarded during the night; and
whoever takes down, alters, or removes any of the said bars, chains, or posts, or extinguishes any light, without the authority or consent of the Commissioners, shall be liable to a penalty not exceeding fifty Rupees.

LXXXIX. No persons shall deposit any building materials, or make a hole in any street, without the permission of the Commissioners; and when such permission is granted to any person, he shall, at his own expense, cause such materials or such hole to be sufficiently fenced and enclosed until the materials are removed, or the hole is filled up or otherwise made secure; and shall cause the same to be sufficiently lighted during the night; and whoever deposits materials or makes a hole without such permission, or fails to fence or enclose and light such materials or hole, or does not remove such materials or fill up such hole when the permission has been withdrawn, shall be liable to a penalty not exceeding fifty Rupees, and a further penalty not exceeding fifty Rupees for every day while the offence is continued, after twenty-four hours' notice from the Commissioners.

XC. If any building, tank, well, or hole, or other place, be, for want of sufficient repair, protection, or enclosure, dangerous to passengers, the Commissioners shall cause the same to be repaired, protected, or enclosed so as to prevent danger thereto from; and the expenses of such repair, protection, or enclosure shall be paid to the Commissioners by the owner of the property so repaired, protected, or enclosed, and shall be recoverable as hereinafter provided.

XCI. Within the parts of any of the said Towns and Stations which shall be specially prescribed by the Local Government for the purpose, every place used as a slaughterhouse shall, within three months after the passing of this Act, be registered by the owner or occupier at the office of the Commissioners in a book to be kept by them for that purpose, and whoever, after the expiration of that time and after eight days' notice from the Commissioners, uses or permits to be used within the limits so prescribed, any slaughte-