

ADDENDA ET CORRIGENDA.

THE FOLLOWING SECTION of the Act 53rd George III. cap. 155, being referred to in Section XI. and Clause Fourth, Section XVII. Regulation XII. 1827, is here added for the information and guidance of magistrates acting as justices of the peace.

53 Geo. III. Cap. 155.

See Acts XI.
& XXIV. 1836,
& IV. 1843.

CV. And whereas his Majesty's British subjects resident in the British territories in India, without the towns of Calcutta, Madras, and the town and island of Bombay, are now, by law, subject only to the jurisdiction of his Majesty's Courts at Calcutta, Madras, and Bombay respectively, and are exempted from the jurisdiction of the Courts established by the said United Company within the said territories, to which all other persons, whether natives or others, inhabitants in the said territories, without the limits of the towns aforesaid, are amenable: and whereas it is expedient to provide more effectual redress for the native inhabitants of the said territories, as well in the case of assault, forcible entry, or other injury accompanied with force, which may be committed by British subjects at a distance from the places where his Majesty's Courts are established, as in case of civil controversies with such British subjects; be it therefore enacted, that it shall and may be lawful for any native of India, resident in the East Indies, or parts aforesaid, and without the said towns, in case of any assault, forcible entry, or other injury accompanied with force, alleged to have been done against his person or property by a British subject, to complain of such assault, forcible entry, or other injury accompanied with force, not being felony, to the magistrate of the zillah or district where the alleged offender shall be resident, or in which such offence shall have been committed; and that such magistrate shall have power and authority, at the instance of the person so complaining, to take cognizance of such complaint, to hear parties, to examine witnesses, and having taken in writing the substance of the complaint, defence, and evidence, to acquit or convict the person accused; and in case of conviction, to inflict upon such person a suitable punishment, by fine not exceeding Rs. 500, to be levied, in case of non-payment, by warrant under the hand of the said magistrate, and upon any property of the party so convicted, which may be found within the said district; and if no such property shall be found within the said district, then it shall be lawful for the said magistrate, by warrant also under his hand, to commit such offender to some place of confinement within the said zillah or district, which in the judgment of the said magistrate shall be fit for receiving such offender; or if there shall be no fit place of confinement, then to the gaol of the presidency, to remain there for a period not exceeding two months, unless such fine shall be sooner paid; and it shall be lawful for the said magistrate to award the whole or any portion of such fine to the party aggrieved, by way of satisfaction for such injury: provided always, that in all cases of conviction of a British subject, under the provision hereinbefore contained, the magistrate before whom such conviction shall take place shall forthwith transmit copies of such conviction, and of all depositions and other proceedings relative thereto, to the Government to which the place wherein the offence was committed is or shall be subordinate: provided also, that all such fines shall be paid in the first instance to the magistrate before whom the party offending shall be convicted, and the amount thereof, after making such satisfaction to the party aggrieved, as aforesaid, if any, shall be transmitted by such magistrate to the clerk of the crown, or other officer to whom it belongs to receive fines in his Majesty's Court of Oyer and Terminer and Gaol Delivery for the province within which the offence shall have been committed; and such fines shall and may be disposed of in the same manner as other fines imposed by such Court of Oyer and Terminer and

Justices of peace in the provinces shall have jurisdiction in case of assault and trespass committed by British subjects on the natives of India.

Copy of conviction and proceedings to be sent to the Government.

Fines to be paid to the magistrate;

application thereof.

Convictions removable by *certiorari*, and subject to provisions of 33 Geo. 3, c. 52.

Gaol Delivery: provided also, that all such convictions shall and may be removable by writ of *certiorari* into the said Courts of Oyer and Terminer and Gaol Delivery respectively, in the same manner and upon the same terms and conditions, and shall be proceeded upon in the same manner in every respect as is directed in the said Act of the thirty-third year of his Majesty's reign, with regard to other convictions before justices of peace in the British settlements or territories in India: provided also, that nothing herein contained shall extend, or be construed to extend, to prevent such magistrate from committing or holding to bail any British subject charged with any such offence before him, in the same manner as such British subject might have been committed or holden to bail if this Act had not been passed, where the offence charged shall appear to such magistrate to be of so aggravated a nature as to be a fit subject for prosecution in any of his Majesty's Courts to which such British subject may be amenable.

PAGE.					
6, 1827,	II.	vi.	<i>insert in margin,</i>	" See Act XXXVII. 1850."	
9,	"	xvi.	" "	" See Reg. XVIII. 1830, & XXIX. 1845."	
11,	"	xxii.	" "	" See Act XVIII. 1850."	
—	"	xxv.	" "	" See Act XXXVII. 1850."	
15,	"	xxxvi.	" "	" See Act XII. 1849."	
50,	"	IV. lx. 4,	" "	" See Act XXXII. 1839."	
51,	"	lxii. 2,	" "	" See Acts V. 1843, & XXXI. 1845."	
55, line 3,	<i>insert</i>	LXXII.			
75, 1827,	V.	x.	<i>insert in margin,</i>	" See Act XXXII. 1839."	
115,	"	XII. vi.	" "	" See Act XI. 1843."	
116,	"	vii.	" "	" See Reg. III. 1833."	
—	"	viii. 4,	" "	" See Act XXXVII. 1850."	
117,	"	ix. 2,	" "	" See Act X. 1845."	
119,	"	xiii.	" "	" See Regs. II. & VIII. 1831."	
147,	"	XIII. xii. 2,	" "	" See Act XIII. 1835."	
184,	"	XIV. xxxviii.	" "	" See Act XI. 1848."	
185,	"	xlii. 3,	" "	" See Act III. 1846."	
193,	"	XVI. vii. 4,	" "	" See Act XXXVII. 1850."	
211,	"	XVII. xxxi. 3,	" "	" See Act III. 1839."	
246, line 4,	<i>for</i>	" Reg. VII. 1799,"	<i>read</i>	" Reg. VI. 1799."	
320, 1827,	XXV. i.	<i>insert in margin,</i>	" See Act XXXIV. 1850."		
386,	<i>for</i> Sec. " I. Third, Section VII.,"	<i>read</i>	" I. Clause Third, Section VII."		
463, 1838,	VI.	This Act has been repealed by Act XXXVII. 1850.			
—	<i>for</i>	" 1838, Act VII."	<i>read</i>	" 1838, Act VIII."	
568, line 9 from bottom,	<i>for</i>	" Clauses,"	<i>read</i>	" Chapters."	