

icable to in-
t.
any person
five seers of
in the tract
salt, unless
ngs or com-
tity exceeds
by Regula-
the illegal

ACT No. IV. OF 1851.

*Passed by the Hon'ble the President of the Council of India
in Council on the 25th April 1851, with the assent of
the Most Noble the Governor General of India.*

*An Act for the appointment of uncovenanted Deputy Magistrates, and for
defining the duties of Deputy and Assistant Magistrates in Bombay.*

Whereas the administration of justice will be improved by extend-
ing the provisions of Act No. 1843, to the Presidency of Bombay, and
by more exactly defining the powers of Assistant Magistrates, It is
enacted as follows :

I. So much of Act XIV. 1835, as empowers the Governor of Bom-
bay in Council to confer on any Assistant Magistrate, by a special order,
any of the powers of a Magistrate, is repealed.

II. The Governor of Bombay in Council may appoint to any Zillah
or District one or more uncovenanted Deputy Magistrates, with the
powers hereinafter specified.

III. Every person appointed to the office of Deputy Magistrate
under this Act shall, before entering upon the execution of the duties of
his

ACT No. IV. OF 1851.

his office, make and subscribe before one of the Courts of Record established in the said Presidency, (or in the Zillah to which he is appointed) a declaration to the same effect as the oath required by law to be taken by Magistrates, which declaration shall be deemed to be made under Act XXI. 1837.

IV. A Deputy Magistrate appointed under this Act, or an Assistant Magistrate, may be employed as a judicial officer, or as an officer of Police, or both, at the discretion of the Governor of Bombay in Council. As a judicial officer he shall exercise the powers of a covenanted Assistant, under Section III. Regulation XII. 1827, Regulation IV. 1830, Regulation VIII. 1831, of the Bombay Code, and Act XXV. 1839, or the full powers of a Magistrate, when specially authorized by the Governor of Bombay in Council; and, in such cases, he shall be subject to such authority in regard to appeals from his decisions and judicial orders as is provided under the above mentioned Regulations for the decisions and orders of a covenanted Assistant or of a Magistrate respectively. As an officer of Police, he shall be in all respects subordinate to the Magistrate under whom he is placed; he shall exercise such executive powers only as the Governor of Bombay in Council, or the Magistrate, with the sanction of the Governor of Bombay in Council, commits to him, and shall obey all lawful orders so issued, and perform all duties so assigned to him by the said Magistrate, who shall be at all times competent, subject to such orders as he receives, from time to time, from the Governor of Bombay in Council, to extend, limit or resume the executive powers committed to such Assistant or Deputy.

V. Nothing in this Act contained shall be held to disqualify any uncovenanted Officer in the Revenue and Judicial Departments from holding, at the same time with any other office, the office of Deputy Magistrate.

VI. A

ACT No. IV. OF 1851.

VI. A Deputy Magistrate appointed under this Act shall not be dismissed from office for misconduct, without the sanction of the Governor of Bombay in Council. Whenever there is reason to believe, that a Deputy Magistrate is disqualified, by neglect, incapacity, corruption or other misbehaviour, for continuance in office, a report shall be made by the Magistrate for the consideration and orders of the Governor of Bombay in Council, who shall be competent to suspend such Deputy Magistrate, and order a further enquiry into his behaviour, or order his immediate dismissal, as appears just and proper.

of Record
which he is ap-
ed by law to
d to be made

or an Assis-
an officer of
in Council.

anted Assis-
n IV. 1830,
IV. 1839, or

the Gover-
subject to
icial orders

e decisions
spectively.
ate to the

executive
Magistrate,
commits to

l duties so
es compe-
from the

he execu-

alify any
nts from
Deputy

VI. A