

ACT No. V OF 1864.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 18th February 1864.)

*An Act to give validity to the extension of the Code of Civil Procedure to the Province of Scinde from the first day of January 1862.*

WHEREAS the Province of Scinde is a part of the territories subordinate to the Government of Bombay, but not subject to the General Regulations of Bengal, Madras, and Bombay: and whereas the Code of Civil Procedure, subject to certain restrictions, limitations, and provisos, was on and from the first day of January 1862 extended by the Governor in Council of Bombay to the said Province, without the previous sanction of the Governor-General of India in Council as required by Section XXXIX of Act XXIII of 1861 (*to amend Act VIII of 1859*): and whereas the Governor-General of India in Council on the twenty-eighth day of November 1863 gave his sanction to the extension of the Code of Civil Procedure, subject to the said restrictions, limitations, and provisos, to the said Province: and whereas doubts are entertained as to the validity of orders and decisions passed and proceedings held by the Courts in Scinde under the said Code of Civil Procedure before the grant of the sanction of the Governor-General of India in Council as aforesaid: It is enacted as follows:—

I. The sanction given by the Governor-General of India in Council on the twenty-eighth day of November 1863 to the extension of the Code of Civil Procedure to the Province of Scinde, shall have the same effect as if it had been given before the first day of January 1862: and no order or decision passed and no proceeding held by any Court in the said Province on or after the said first day of January 1862 and before the said twenty-eighth day of November 1863, shall be deemed to be invalid merely by reason of such order or decision having been passed or of such proceeding having been held under the said Code of Civil Procedure as extended to the said Province by the Governor in Council of Bombay as aforesaid without the sanction of the Governor-General of India in Council.

Sanction given by Governor-General to the extension of the Code of Civil Procedure to Scinde, to have effect as if given before first January 1862.