

ACT No. IV. OF 1894.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 23rd  
February, 1894.)

An Act to repeal certain obsolete Enactments and to amend certain other Enactments.

WHEREAS it is expedient that certain enactments specified in the first schedule to this Act which are spent, or have ceased to be in force otherwise than by express specific repeal, or have by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed ;

And whereas it is also expedient that certain formal amendments should be made in the enactments specified in the second schedule to this Act ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Repealing and Amending Act, 1894.

Title, extent and commencement.

(2) It extends to the whole of the territories administered by the Governor of Bombay in Council ; and

(3) It shall come into force at once.

2. (1) The enactments specified in the first schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Enactments in schedule repealed and amended respectively

(2) The enactments specified in the second schedule shall be modified to the extent and in the manner mentioned in the fourth column thereof.

3. The repeal by this Act of any enactment shall not affect any Statute, Act or Regulation in which such enactment has been applied, incorporated or referred to ;

Savings.

and

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment provide or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

#### THE FIRST SCHEDULE.

##### ENACTMENTS REPEALED.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

##### *Part I.—Regulations of the Bombay Code.*

1827	V	Acknowledgment of debts; interest; mortgages.	Appendix B.
„	XII	Police . . . .	Appendix E.
„	XIII	Criminal Courts . .	Appendices A, B, D, E, F, G, H, I, J, K, L, M and N.
„	XX	Customs and Duties .	So much as has not been repealed.

THE FIRST SCHEDULE—*contd.*

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

*Part I.—Regulations of the Bombay Code—concl'd.*

1827	XXI	Duty on Opium and Spirits.	So much as has not been repealed.
"	XXIX	Dekkhan and Khan-desh.	In section 2, clause first, <i>the words and figures</i> with the exception of Regulation XVIII and of any enactments relating to stamps.
1834	I	Deruty Agent for Sardars in Dekkhan.	In the title, <i>the words and figures</i> and for rescinding Regulation V of 1828 which defines the duties and jurisdiction of that office.  In the preamble, <i>the words</i> to have effect from the date of promulgation.

*Part II.—Rules, Ordinances and Regulations relating to the Town and Island of Bombay.*

1825	II	Repealing in part Rule, Ordinance and Regulation I of 1812.	The whole.
1827	I	Repealing in part Rule, Ordinance and Regulation I of 1814.	The whole.
1828	I	Preventing goods from being left on quays.	The whole.
1834	I	Repealing in part Rule, Ordinance and Regulation II of 1827.	So much as has not been repealed.

*Part III.*

THE FIRST SCHEDULE—*concl'd.*

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

*Part III.—Acts of the Governor General in Council.*

1836	VII	Authority of certain Regulations.	So much as has not been repealed.
1852	XI	Titles to rent-free estates.	In the preamble, <i>the words and figures</i> and incapable of being justly disposed of under the rules for the determination of titles and the rules of procedure contained in Chapters IX and X of Regulation XVII of 1827 of the Bombay Code and their supplements.  So much of section 1 as has not been repealed.  In section 2, <i>the words</i> the said.
1874	XV	Laws Local Extent Act, 1874.	Section 8, clause (i).
1875	VI	Loan to Sir Jamsetjee Jeejeebhoy.	The whole.
1876	X	Bombay Revenue Jurisdiction Act, 1876.	In the preamble, <i>the words and figures</i> and to provide for the recovery by the Local Government of advances made for purposes other than those specified in section three of the Land Improvement Act, 1871.
1877	XIV	Broach and Kaira Incumbered Estates Act, 1877.	In section 39, <i>the word</i> And <i>where it first occurs,</i> and <i>the word</i> further.  In section 41, clause (b), <i>the words</i> the said.
1878	I	Opium Act, 1878	The third paragraph of section 2.
1884	XI	Sindh Incumbered Estates Act, 1884.	Section 8. Section 9.

*Part I.*

## THE SECOND SCHEDULE.

## ENACTMENTS AMENDED.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
<i>Part I.—Regulation of the Bombay Code.</i>			
1830	XIII	Jurisdiction of Jagirdars, etc.	In section 3, clause third, <i>after</i> open to <i>insert</i> appeal to.
<i>Part II.—Act of the Governor General in Council.</i>			
1839	XX	Levy of haqqs, etc.	In section 3, <i>for</i> shall be punishable as for an undue exaction under Regulation XVII of 1827, section XVI, of the Bombay Code, notwithstanding the offender be not a Revenue Officer of Government <i>read</i> shall, whether he is or is not a Revenue Officer of Government, be punishable with imprisonment for a term which may extend to seven years, and shall also be liable to fine not exceeding ten times the amount of the sum so levied.