AMENDING ACT, 1903

## **THE AMENDING ACT, 1903**

# ACT NO.1 OF 1903 [AS ON 1957]

{This Act has been declared to be in force in-

the Sonthal Parganas, by notification under s.3 (3) of the Sonthal Paraganas Settlement Regulation (3 of 1872), see Calcutta Gazette, 1904, Pt.I, p.227;

the Khondmals District, by the Khondmals Laws Regulation, 1936 (4 of 1936), s.3 and Sch.; and the Angul District, by the Angul Laws Regulation, 1936 (5 of 1936), s.3 and Sch. Repealed in part in West Bengal by West Bengal Act 7 of 1948.}

## An Act to facilitate the citation of certain enactments {Ins. by Act 10 of 1914, s.2 and Sch. I.} [and] to amend certain enactments {The words and to repeal certain other enactments rep. by s.3 and Sch. II, ibid.}.

[6<sup>th</sup> March, 1903.]

Contents

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WHEREAS it is expedient to facilitate the citation of the enactments specified in the first Schedule to this Act ;

AND WHEREAS it is also expedient that certain formal amendments should be made in the enactments specified in the second Schedule to this Act ;

{The third paragraph of the preamble rep.by s.3 and Sch.II, ibid.}

It is hereby enacted as follows:-

### **1.Short title**

.- This Act may be called the {The words "Repealing and" rep.by s.3 and Sch.II, ibid.} Amending Act, 1903.

#### 2. Citation of certain enactments

.- Each of the enactment's described in the first three columns of the first Schedule may, without prejudice to any other mode of citation, be cited for all purposes by the short title mentioned in that behalf in the fourth column thereof.

[Amendment of certain enactments.] Rep.by the Repealing Act, 1938 (1 of 1938), s.2 and Sch.

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[Repeal of certain enactments.] Rep.by the Repealing and Amending Act, 1914 (10 of 1914), s.3 and Sch.II.

5.

[Savings.] Rep.by s.3 and Sch.II, ibid.

# THE FIRST SCHEDULE

1 Year	2 No.	<i>(See</i> Section 2.) 3 Title or subject	Short title	4
1793	XIX	Part I.—Regulations of the Ben A Regulation for re-enacting, with modifications, the rules passed by the Governor-General in Council on the 1st December, 1790, for trying the validity of the titles of persons holding, or claiming a right to hold, lands exempted from the payment or revenue to Government, under grants not being of the description of those termed badshahi or royal; and for determining the amount of the annual assessment to be imposed on lands so held which may be adjudged or become liable to the payment of public revenue.	The Bengal Revenue-free Lands (Non-Badshahi Grants) Regulation, 1793. of	
1793	XXXVII	A Regulation for re-enacting, with modifications, the rules passed on the 23rd April, 1788, and subsequent dates, for trying the validity of the	The Bengal Revenue free Lands (Badshahi Grants) Regulation,	

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	titles of persons holding or claiming a right to hold 1793. Altamgha, jagir and other lands exempt from the payment of public revenue, under grants termed badshahi or royal; and for determining when certain grants of that description shall be considered to have expired; and for fixing the amount of the public revenue to be assessed upon the lands the grants for which may expire or be adjudged invalid.
1794 III	A Regulation for prescribing the process by which The Bengal Native Tahsildars are to demand payment of arrears; and for enabling the Collectors to recover from Native officers employed under them public money or papers which they may embezzle or retain.
1795 I	A Regulation for fixing in perpetuity the revenue assessed on the lands in the Province of Benares; for the more general restoration of the ancient zamindars. The Benares Permanent Settlement Regulation, 1795.
	XLIV, 1793, and sections 3 and 4, Regulation L, Regulation, 1812. 1795, and enacting other rules in lieu thereof.
1814 XXIX	A Regulation for the settlement of certain mahals The Bengal Ghatwali in the district of Birbhum, usually denominated the Lands Regulation, 1816. Ghatwali mahals.
1816 V	A Regulation for establishing the office of The Bengal Kanungos Kanungo in the district of Cuttack, the pargana of Regulation, 1816. Pataspur, and the several parganas dependent on it.
{The entry relating t	o the Sundarbans Regulation, 1816 (Ben. Reg. 9 of 1816) rep. by the Sundarbans Act, 1905 (Ben. 1 of 1905).}
1817 XII	A Regulation for securing the better administration The Bengal Patwaris of the office of Patwari in the Ceded and Regulation, 1816. Conquered Provinces, the Provinces of Behar and Benares, the district of Cuttack, the pargana of Pataspur and its dependencies.
1817 XX	A Regulation for reducing into one Regulation, with amendments and modifications, the several rules which have been passed for the guidance of daroghas and other subordinate officers of police. The Bengal Police Regulation, 1817.
1819 I	A Regulation for re-establishing Kanungos and The Bengal Kanungos reforming the office of Patwari throughout the Province of Bengal; and for explaining and modifying certain parts of Regulation XII, 1817.
1819 II	A Regulation for modifying the provisions contained in the existing Regulations regarding the resumption of the revenue of lands held free of assessment under illegal or invalid tenures and for defining the right of Government to the revenue of lands not included within the limits of estates for which a settlement has been made. The Bengal Land revenue Assessment (Resumed Lands) Regulation, 1819.

A Regulation for declaring the principles according to which the settlement of the land 1822 VII The Bengal Land revenue in the Ceded and Conquered Provinces, including Cuttack, Pataspur and its dependencies, is to be hereafter made, and the powers and duties belonging to Collectors or other officers employed in making, revising or superintending settlements; for defining, settling and recording the rights and obligations of various classes and persons possessing an interest in the land, or in the rent or produce thereof; and for vesting the Revenue authorities with judicial cognizance in certain cases of suits and claims relating to land, the rent

revenue Settlement

Regulation, 1822.

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		and produce of land.	
1822	XI	A Regulation for declaring Government not to be liable for any errors or irregularities in the proceedings of the Courts of Justice; and for making further provision for the conduct of the Revenue-officers in certain cases.	The Bengal Government Indemnity Regulation, 1822.
1823	VI	A Regulation for authorizing the institution of summary suits to enforce the execution of certain written engagements for the cultivation and delivery of the indigo-plant, and for declaring certain principles in regard to the same.	The Bengal Indigo Contracts Regulation, 1923.
1825	IX	A Regulation for extending the operation of Regulation VII, 1822; for authorizing the Revenue-authorities to let in farm estates under temporary leases, on the default of the malguzars, or to hold the same khas for a term of years; for modifying and adding to the rules contained in Regulation II, 1819; and for making certain other amendments in the existing Regulations.	The Bengal Land revenue Settlement Regulation, 1825.
1825	XIII	A Regulation to maintain the settlement made for certain lands held exempt from the payment of revenue by Kanungos in the Province of Behar; and to provide for the future settlement of such lands, as well as of the lands composing other resumed lakhiraj tenures, with the present occupants when so directed by Government.	The Bengal Land revenue Settlement (Resumed Kanungos and Revenue-free lands) Regulation, 1825.
1825	XIV	A Regulation to declare the extent of the authority possessed by the Revenue-authorities, subordinate to the Governor General in Council, in the confirmation of lakhiraj tenures; to define the principles to be followed in determining on the force and validity of grants made by persons exercising authority in different quarters previously to the acquisition of the country by the British Government; and to provide for the due application of the general laws and regulations respecting lands held free of assessment to the territory ceded by Govind Rao to the British Government, and annexed to the Zila of Bundelkhand, under the provisions of Regulation II, 1818.	The Bengal Revenue free Lands Regulation, 1825.
1828	III	A Regulation for the appointment of Special Commissioners for the more speedy hearing and determination of appeals from the decisions of the Revenue-authorities in regard to lands or rents occupied or collected by individuals, without payment of the revenue demandable by Government under the general law of the country; and for otherwise more effectually securing the realization of the public dues.	The Bengal Land revenue, Assessment (Resumed Lands) Regulation, 1828.
1828	IV	A Regulation to declare and extend the powers to be exercised by Collectors when making or revising settlements under the provisions of Regulation VII, 1822.	The Bengal Land revenue Settlement Regulation, 1828.
1828	VII	A Regulation for amending the provisions of Regulation XV, 1795, and for defining the authority of the Raja of Benares in the Mahals therein referred to.	The Benares Family Domains Regulation, 1828.
1829	I	A Regulation for constituting Commissioners of Revenue and Circuit; for establishing a Sadar Board of Revenue; for modifying the constitution of the Provincial Courts; for transferring to the said Commissioners the functions now exercised by the Superintendents of Police and those of the mufassal special Commissioners acting under the provisions of Regulation I, 1821; and otherwise for providing for the better administration of Civil and Criminal Justice.	The Bengal Revenue Commissioners Regulation, 1829.
1830	V	A Regulation relating to the cultivation and delivery of Indigo-plan.	The Bengal Indigo Contracts Regulation, 1830.

The Bengal Land

Regulation VII of 1822 and Regulation IV if 1828; to provide for the more speedy and satisfactory decision of judicial questions cognizable by officers of revenue employed in making settlements under the above Regulations; for enforcing the production of the village-accounts; for the more extensive employment of Native agency in the Revenue Department; and to declare the intent of section 5, Regulation VII of 1822, touching claims to malikana. revenue (Settlement and Deputy Collectors) Regulation, 1833.

#### Part II.—Acts of the Governor General in Council

1836	Х	Indigo Contracts	. The Bengal Indigo Contracts Act, 1836.
1836	XXI	Districts	. The Bengal Districts Act, 1836.
1841	XII	An Act for amending the Bengal Code in regard to sales of land for arrears of revenue.	The Bengal Land revenue Sales Act, 1841.
1847	IX	An Act regarding the assessment of lands gained from the sea or from rivers by alluvion or dereliction within the Provinces of Bengal, Behar and Orissa.	The Bengal Alluvion and Diluvion Act, 1847.
1848	XX	An Act for better enforcing the attendance of proprietors and farmers of land before Collectors of land-revenue in the Lower Provinces of the Bengal Presidency.	The Bengal Landholders' Attendance Act, 1848.
1850	XXIII	An Act for securing the Land-revenue of Calcutta.	The Calcutta Land
	Act has been re <sub>l</sub> 1 of 1886.}	p. in Bengal by Ben. Act 2 of 1913, in the States of Bihar	revenue Act, 1850. and Orissa by B. and O. Act 1 of 1913 and in Assam by
1850	XLIV	An Act for consolidating the Board of Customs, Salt T and Opium and the Sadar Board of Revenue in the Lower Provinces of Bengal.	The Bengal Board of Revenue Act, 1850.
1855	XXXII	An Act relating to Embankments.	The Bengal
			Embankment Act, 1855.
1855	XXXVII	An Act to remove from the operation of the General Laws and Regulations certain districts inhabited by Sonthals and others, and to place the same under the superintendence of an officer to b specially appointed for that purpose.	
1856	XVIII	An Act relating to the administration of the public revenues in the Town of Calcutta.	The Calcutta Land revenue Act, 1856.
1856	XX	An Act to make better provision for the appointment and maintenance of Police Chaukidars in Cities, Towns, Stations, Suburbs and Bazars in the Presidency of Fort William in West Bengal.	The Bengal Chaukidari Act, 1856.
{This	Act has been re	p. by Ben. Act 1 of 1914.}	
1856	XXII	An Act for establishing a toll on boats and timber passing through the Karatoya river in the district of Bogra.	The Karatoya Tolls Act, 1856.
1857	Х	An Act to amend Act XXXVII of 1855.	The Sonthal Parganas Act, 1857.
1857	XIII	An Act to consolidate and amend the law relating to the cultivation of the poppy and the manufactu of opium in the Presidency of fort William in Bengal.	The Opium Act, 1857. Ire
1857	XXI	An Act to make better provision for the order and good government of the station of Howrah.	The Howrah Offences Act, 1857.
1858	XXXI	An Act to make further provision for the settlement of land gained by alluvion in the Presidency of Fort William in Bengal.	The Bengal Alluvial Land Settlement Act, 1858.
1859	V	An Act to empower the holders of ghatwali lands in the district of Birbhum to grant leases extending beyond the period of their own possession.	The Bengal Ghatwali Lands Act, 1859.
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1859 Х An Act to amend the law relating to the recovery The Bengal Rent Act, of rent in the Presidency of Fort William in 1859. Bengal. 1859 XI An Act to improve the law relating to sales of land The Bengal Land revenue Sales Act, 1859. for arrears of revenue in the Lower Provinces under the Bengal Presidency. 1859 XII An Act to make better provision for the trial of The Calcutta Pilots Act, Pilots at the Presidency of Fort William in Bengal 1859. for breach of duty. 1867 XIX An Act to make further provision for the The Darjeeling (High administration of justice in the district of Court's Jurisdiction) Darjeeling. Act, 1867. 1867 XXIII An Act for the suppression of murderous outrages The Punjab Murderous in certain districts of the Punjab. Outrages Act, 1867. 1871 XXII An Act to authorize the extension of the The Bengal Chaukidari Chaukidari Act to places where there is no (Amendment) Act, Jamadar of Police. 1871. {The entry relating to the Criminal Tribes (Amendment) Act, 1876 (7 of 1876) rep. by Act 12 of 1927, s. 2 and Sch.} 1877 ĪΧ An Act to revive and amend Act No. XXIII of 1867. The Punjab Murderous Outrages (Amendment) Act, 1877. {The entry relating to the Punjab Laws (Amendment) Act, 1878 (12 of 1878) rep. by the Punjab Pre-emption Act, 1905 (Pun. 2 of 1905).} 1881 VII An Act to amend Bengal Act No. IX of 1880 (the The Bengal Cess Cess Act, 1880). (Amendment No. 1) Act, 1881. 1883 The Calcutta Pilots VI An Act to give power to arrest persons whose evidence is needed under Act XII of 1859. (Amendment) Act 1883. 1884 V An Act to amend the Chota Nagpur Encumbered The Chota Nagpur Estates Act, 1876. Encumbered Estates (Amendment) Act, 1884. 1886 VIII An Act to amend sections 12 and 13 of the Bengal The Bengal Tenancy Tenancy Act, 1885. (Amendment) Act, 1886. 1895 XIX An Act to amend the Punjab Courts Act, 1884. The Punjab Courts (Amendment) Act, 1895. 1896 XVII An Act to amend the Punjab Land-revenue Act, The Puniab Land 1887. Revenue(Amendment) Act, 1896. {Act 18 of 1896 rep. by the Punjab Municipal Act, 1911 (Pun. 3 of 1911).} An Act to amend the Punjab Municipal Act, 1891. 1896 XVIII The Punjab Municipal (Amendment) Act, 1896. Part III. —Bengal Acts. 1862 III An Act to amend Act XI of 1859 (to improve the The Bengal Land law relating to sales of land for Arrears of revenue Sales Revenue in the Lower Provinces under the Bengal (Amendment) Act, Presidency). 1862. 1862 VI An Act to amend Act X of 1859 (to amend the law The Bengal Rent Act, relating to the recovery of rent in the Presidency of 1862. Fort William in Bengal). 1862 VII An Act to repeal section 30 of Regulation II, 1819 The Bengal Land (for modifying the provisions contained in the revenue Resumption existing Regulations regarding the Resumption of Act, 1862. the revenue of lands held free of assessment under illegal or invalid tenures, and for defining the right of Government to the revenue of lands not included within the limits of estates for which a settlement has been made).

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{The entry relating to the Bengal Zamindari Dak Act, 1862 (Ben. Act 8 of 1862) rep. by Act 10 of 1914, s. 3 and Sch. II.}

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{ <i>This</i> 1863	Act has been rep. II	by the Bengal Smoke Nuisances Act, 1905 (Ben. Act 3 of An Act to abate and prevent nuisances arising from the smoke of furnaces in the Town and Suburbs of Calcutta.	f 1905).} The Calcutta and Howrah Smoke Nuisances Act, 1863.
1864	IV	An Act to amend Act XXI of 1836	The Bengal Districts Act, 1864.
1865	IV	An Act for the prohibition of the practice of inoculation in the Town and Suburbs of Calcutta and in towns to which Act III of 1864, passed by the Lieutenant-Governor of Bengal in Council, has been or shall hereafter be extended.	The Bengal Prevention of Inoculation Act, 1865.
{ <i>This</i> 1865	Act has been rep. VII	by the Bengal Municipal Act, 1932 (Ben. Act 15 of 1932) An Act to make provision for the better regulation T and supervision of Public slaughter-houses in the Suburbs of Calcutta, and for the adoption of proper Conservancy arrangements connected therewith.	).} he Bengal Municipal (Slaughter-houses and Meat-markets) Act, 1865.
1865	VIII	An Act to amend the law for the sale of such under-tenures as by the title-deeds or established usage of the country are transferable by sale or otherwise for the recovery of arrears of rent due in respect thereof.	The Bengal Rent Recovery (Under tenures) Act, 1865.
1866	Π	An Act to provide for the better regulation of the Police within the suburbs of the town of Calcutta.	The Calcutta Suburban Council (Witnesses) Act, 1866.
1866	III	An Act to provide for the attendance and examination of witnesses before the Council of the Lieutenant-Governor of Bengal for making Laws and Regulations.	The Bengal Legislative Council (Witnesses) Act, 1866.
1866	VII	An Act to make better provision for the acquisition of land for embankments, and other matters relating thereto.	The Bengal Embankment Act, 1866.
1867	Π	An Act to provide for the punishment of public gambling and the keeping of common gambling houses in the territories subject to the Lieutenant Governor of Bengal.	The Bengal Public Gambling Act, 1867.
1867	III	An Act to amend the law relating to ships lying in ports in the Provinces under the control of the Lieutenant-Governor of Bengal.	The Bengal Ports Act, 1867.
1867	IV	An Act to explain and amend Act VI of 1862, passed by the Lieutenant-Governor of Bengal in Council, and to give validity to certain judgments.	The Bengal Rent (Appeals) Act, 1867.
1868	III	An Act to amend the law respecting appeals in cases under Regulation VII of 1822.	The Bengal Land revenue Settlement Act, 1868.
1868	IV	An Act to amend the provisions of Act IX of 1847 (an Act regarding the assessment of lands gained from the sea or from rivers by alluvion or dereliction within the Provinces of Bengal, Behar and Orissa).	The Bengal Alluvion (Amendment) Act, 1868.
1868	VII	An Act to make further provision for the recovery of arrears of land-revenue and public demands recoverable as arrears of land-revenue.	The Bengal Land revenue Sales Act, 1868.
1869	Ι	An Act for the Prevention of Cruelty to Animals.	The Bengal Cruelty to Animals Act, 1869.
1869	III	An Act to enable Police-officers to arrest without warrant persons guilty of cruelty to animals.	The Bengal Cruelty to Animals (Arrest) Act, 1869.
1869	VII	An Act to amend the constitution of the Police force in Bengal.	The Bengal Police Act, 1869.
1871	Ι	An Act to amend the Village Chaukidari Act, 1870.	The Bengal Village Chaukidari Act, 1871.
1871	Π	An Act to amend the procedure for the recovery of arrears of land-revenue in respect of tenures not being estates.	The Bengal Land revenue Sales (Amendment) Act,
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			1871.
1873	Ι	An Act to amend the Salt Act, 1864.	The Bengal Salt Act, 1873.
1873	Π	An Act for registering Births and Deaths.	The Bengal Births and Deaths Registration Act, 1873.
1876	I	An Act to provide for the voluntary Registration of Muhammadan Marriages and Divorces.	The Bengal Muhammadan Marriages and Divorces Registration Act, 1876.
1876	II	An Act to amend Act XI of 1849, Act XXI of 1856 and Bengal Act IV of 1866.	The Calcutta Police (Amendment) Act, 1876.
1878	V	An Act to amend Bengal Act VII of 1876.	The Bengal Land Registration (Amendment) Act, 1878.
1879	Π	An Act to amend and extend the Puri Lodging house Act, 1871.	The Puri Lodging House (Extension) Act, 1879.
		to the Bengal Steam-boilers and Prime-movers Act, 1879 (E . 25 and Sch.}	Ben. Act 3 of 1879) rep. by the Indian Boilers Act,
1879	VIII	An Act to define and limit the powers of Settlement Officers.	The Bengal Rent Settlement Act, 1879.
1880	III	An Act to amend the Howrah Bridge Act, 1871.	The Howrah Bridge Act, 1880.
1881	п	As Act to amend the Cess Act, 1880.	The Bengal Cess (Amendment No. 2) Act, 1881.
1881	III	An Act to amend the Court of Wards Act, 1879.	The Bengal Court of Wards (Amendment) Act, 1881.
		has been rep., in Western Bengal, by the Bengal Excise Act and Assam Excise Act, 1910 (Eastern Bengal and Assam Act An Act to amend the Bengal Excise Act, 1878.	
1883	V	An Act for the Registration and Control of Porters and Dandeewalas in the Darjeeling and Kurseong Municipalities.	The Darjeeling and Kurseong Municipal (Porters) Act, 1883.
1884	Ι	An Act further to amend Bengal Act IV of 1871.	The Puri Lodging-house (Extension) Act, 1884.
1884	Π	An Act to amend the Calcutta Tramways Act, 1880.	The Calcutta Tramways (Amendment) Act, 1884.
1886	I	An Act to further amend the Village Chaukidari Act, 1870.	The Bengal Village Chaukidari (Amendment) Act, 1886.
1886	п	An Act to amend Bengal Act II of 1866, and the Calcutta Police Act, 1866.	The Calcutta and Suburban Police (Amendment) Act, 1886.
{ <i>This Act</i> 1886	t has been III	rep. by the Bengal Municipal act, 1932 (Ben. Act 15 of 1932 An Act to amend Bengal Act III of 1884.	').} The Bengal Municipal (Amendment) Act, 1886.
1887	Π	An Act to amend Bengal Act V of 1880.	The Bengal Vaccination (Amendment) Act, 1887.
1889	IV	An Act to provide for the appointment of a Muhammadan Burial Board in Calcutta, and to make better provision for the interment of persons other than Christians or Muhammadans.	The Calcutta Burial Boards Act, 1889.

{This Act has been rep. by the Calcutta and Suburban Police (Superannuation Fund) Act, 1905 (Ben. Act 6 of 1905).}

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1890	I	An Act to consolidate the Calcutta and the Suburba Police Superannuation Funds.	n The Calcutta and Subur- Ban Police (Superannua Tion Fund) Act, 1890.
1890	Π	An Act to amend the Bengal Vaccination Act, 1880.	The Bengal Vaccination (Amendment) Act, 1890.
1892	Ι	An Act to further amend the Village Chaukidari Act, 1870.	The Bengal Village Chaukidari (Amendment) Act, 1892.
1894	П	An Act to amend the Calcutta Port Act, 1890.	The Calcutta Port (Amendment) Act, 1894.
{ <i>This Act</i> 1894	has been rep. IV	by the Bengal Municipal Act, 1932 (Ben. Act 15 of 193 An Act to amend the Bengal Municipal Act, 1884.	32).} The Bengal Municipal (Amendment) Act, 1894.
1895	Π	An Act to further amend the Suburban Police Act, 1866, and the Calcutta Police Act, 1866.	The Calcutta and Suburban Police (Amendment) Act, 1895.
1895	IV	An Act to further amend the Calcutta Port Act, 1890.	The Calcutta Port (Amendment No. 1) Act, 1895.
1895	VI	An Act to further amend the Calcutta Port Act, 1890.	The Calcutta Port (Amendment No. 2) Act, 1895.
{ <i>This Act</i> 1896	<i>has been rep.</i> II	by the Bengal Municipal Act, 1932 (Ben. Act 15 of 193 An Act to further amend the Bengal Municipal Act, 1884.	
		in Bengal by the Bengal Public Demands Recovery Act Recovery Act, 1914 (B and O. Act 4 of 1914).}	r, 1913 (Ben. Act 3 of 1913) and in B. and O. by the B.
1897	I	An Act to amend the Public Demands Recovery Act, 1895.	The Bengal Public Demands Recovery (Amendment) Act, 1897.
1899	II	An Act to repeal the Civil Courts Amins Act, 1856, in Bengal.	The Bengal Civil Court Amins Act, 1899.

THE SECOND SCHEDULE. – [Amendments.] Rep. by the Repealing Act, 1938 (1 of 1938), s. 2 and Sch.

THE THIRD SCHEDULE.—[Repeals.] Rep. by the Repealing and Amending Act, 1914 (10 of 1914), s. 3 and Sch. II.