

ACT No. XXXII OF 1858.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

*(Received the assent of the Governor General on the 24th August 1858.)*

*An Act for bringing the Fort of Tanjore and the adjacent territory under the Laws of the Presidency of Fort St. George.*

WHEREAS it is expedient to bring the Fort of Tanjore and the adjacent territory, which have lapsed to the East India Company in consequence of the death of the Rajah of Tanjore, under the general Laws of the Presidency of Fort St. George, and to make provision for the trial and determination of suits, appeals, and proceedings pending in any of the Courts established by the said Rajah ; It is enacted as follows :—

Preamble.

Fort of Tanjore and adjacent territory placed under the general Laws of the Madras Presidency.

Fort St. George.

No Court to try or determine any case respecting which a final decision has been pronounced by any of the Rajah's Courts before this Act comes into operation.

I. From and after the day when this Act shall come into operation, the Fort of Tanjore and adjacent territory shall be subject to the general Laws which are or shall be in force within the territories subject to the Presidency of

II. No Court shall try or determine any case, Civil or Criminal, with respect to which a final decision may have been pronounced before this Act shall come into operation by any of the Courts established by the said Rajah exercising jurisdiction within the said

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said Fort of Tanjore and adjacent territory at the time of the passing of this Act.

Decisions of such Courts in original Civil suits to be considered final, if no appeal is made within thirty days.

III. A decision passed by any such Court in an original Civil suit shall be considered as final, if no appeal have been or shall be made against it within thirty days after the decision was passed.

IV. All original suits and appeals and all proceedings which shall be pending in any of the Courts mentioned in Section II at the time when this Act shall come into operation, shall be transferred to the Courts and Officers to be established and appointed for the administration of Civil and Criminal justice within the said Fort and adjacent territory, according to their respective jurisdictions.

Pending suits, appeals, and proceedings to be transferred to Courts to be established by Government.

V. Appeals from decrees in original suits, and second appeals from decrees passed in appeal, not pending at the time when this Act shall come into operation, but presented to the Zillah Court within thirty days after the passing of the decision appealed against, shall be received by such Court, and disposed of in the same manner as pending appeals.

Appeals presented to the Zillah Court within thirty days after the decision appealed against, to be treated as pending appeals.

VI. The general Laws in force within the territories subject to the Presidency of Fort St. George shall be applied and administered by the said Courts and Officers in the trial and determination of such suits, appeals, and proceedings. Provided that, if in any Civil case it shall appear that the application of the said Laws would operate unjustly if applied to the trial and determination thereof, it shall be lawful for the said Courts to try and determine the same according to equity and good conscience. Provided also that no act committed within the said Fort and adjacent territory, before this Act comes into operation, shall be deemed an offence punishable under the provisions hereof, if at the time of the commission of such act the same was not contrary to the Laws then in force within the said Fort and adjacent territory.

Application of the general Laws to the trial of such suits, appeals, and proceedings.

VII. Decrees

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VII. Decrees passed by any of the Courts mentioned in Section II of this Act may be executed according to the Law in force for the execution of decrees within the territories subject to the Presidency of Fort St. George, or as near thereto as may be.

Execution of decrees passed by the Rajah's Courts.

VIII. This Act shall come into operation from such day as shall be fixed by the Governor of Fort St. George in Council, by notice to be published in the Government Gazette.

Commencement of Act.