

ACT No. XIX OF 1871.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 12th
May 1871).*

An Act to provide for the appointment of Sessions Judges in Bengal and the North-Western Provinces.

WHEREAS it is expedient to provide for the Preamble.
appointment of Sessions Judges in the territories respectively under the Governments of the Lieutenant-Governors of the Lower and North-Western Provinces of the Presidency of Fort William in Bengal; It is hereby enacted as follows:—

1. This Act may be called “The Bengal Sessions Short title.
Courts Act, 1871:”

It extends to the territories for the time being sub- Extent and
commence-
ment of Act.
ject to the said Lieutenant-Governors, respectively, and shall come into force on the passing thereof.

2. The Local Governments may appoint Sessions Local Go-
vernments
may appoint
Sessions
Judges and
Additional
Sessions
Judges.
Judges and Additional Sessions Judges, and may invest any persons with all or any of the powers of Sessions Judges under this Act, and shall define, and may from time to time vary, in each case, the local limits within which such Sessions Judges, Additional Sessions Judges, or persons so invested shall exercise jurisdiction.

3. All persons who have been heretofore appointed Present
Sessions
Judges and
Additional
Sessions
Judges to be
deemed
appointed
under this
Act.
Sessions Judges or Additional Sessions Judges, or who, under the authority of the Local Government, have exercised the powers of Sessions Judges in the said territories, shall be deemed to have been appointed or empowered under, and in conformity to, the provisions of this Act.

4. The

Existing local jurisdiction preserved.

4. The local limits of the jurisdiction of the said persons shall be the same as those within which they now exercise jurisdiction, and they shall continue to hold their Courts at the place or places in which they are now held, unless and until the Local Government shall otherwise direct.

Powers of Sessions Judges and Additional Sessions Judges so appointed.

5. The Sessions Judges, Additional Sessions Judges and other persons appointed or invested as aforesaid shall be Courts of Session, and shall exercise any powers other than those of a Court of Session which are at present exercised by Sessions Judges in the said territories respectively.

Local Government to appoint places for the trial of cases.

6. Every officer appointed or invested as aforesaid shall hold his Court at such place or places as the Local Government directs either generally or in any particular instance: and the Local Government may specify the place or places at which offences committed within any particular portion of the local jurisdiction of any such officer and triable by a Court of Session shall be tried: and may from time to time empower and direct any such officer to try any such offences which have been committed beyond the local limits of such officer's ordinary jurisdiction.

Indemnity-clause.

7. No judgment heretofore given, order passed, or proceeding had before any person who at any time has been appointed a Sessions Judge or Additional Sessions Judge or who has been empowered to act as such in Bengal or the North-Western Provinces, shall be deemed to be or to have been invalid, and no suit shall lie in any Court in respect of any such judgment, order or proceeding, merely on the ground that such Sessions Judge or Additional Sessions Judge or person empowered to act as such was not appointed or empowered in conformity to law.