

Monday, 26th March, 1923

# COUNCIL OF STATE DEBATES

(Official Report)

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*(24th January, 1923 to 27th March, 1923)*

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THIRD SESSION

OF THE

COUNCIL OF STATE, 1923.



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## COUNCIL OF STATE.

*Monday, the 26th March, 1923.*

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The Council assembled at Metcalfe House at Eleven of the Clock.  
The Honourable the President was in the Chair.

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The HONOURABLE LALA SUKHBIR SINHA (United Provinces Northern: Non-Muhammadian): Sir, before we take up the work to-day with your permission I would like to bring to your notice that to-day is a great Hindu festival . . . .

The HONOURABLE THE PRESIDENT: The Honourable Member must remember that any point of that kind should be raised after question time and not before.

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### QUESTIONS AND ANSWERS.

#### WATERMEN ON N.-W. RAILWAY.

201. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: (a) Is it a fact that watermen from all stations on the North Western Railway have been withdrawn and retrenched?

(b) If it is so, what arrangements have been made for the supply of drinking water to the travelling public on these stations?

The HONOURABLE MR. D. T. CHADWICK: (a) The reply is in the negative.

(b) Does not therefore arise.

#### RAILWAY FINE FUND.

202. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: (a) Will the Government be pleased to state what is the total amount to the credit of Fine Fund on each of the three State Railways (North Western Railway, Oudh and Rohilkhand Railway and Eastern Bengal Railway)?

(b) What amount in all has so far been spent by each of these Railways for (i) the benefit of Europeans and Anglo-Indians, and (ii) for Indians?

The HONOURABLE MR. D. T. CHADWICK: (a) The information asked for by the Honourable Member is given in Appendix 25 in Volume II of the Railway Administration Report for 1921-22.

(b) During the years 1920-21 and 1921-22 the amounts disbursed from Fine Funds for (i) the benefit of Europeans and Anglo-Indians and (ii) for Indians on the three State worked railways were as follows:

		1920-21.	1921-22.
		Rs.	Rs.
North-Western Railway	Europeans and Anglo-Indians	81,700	48,481
	Indians	9,563	9,247
Oudh and Rohilkhand Rly.	Europeans and Anglo-Indians	5,660	6,030
	Indians	2,250	2,040
Eastern Bengal Railway	Europeans and Anglo-Indians	7,088	8,968
	Indians	3,884	3,695

The Government have not collected information in regard to earlier years as it would involve an undue amount of time and labour.

#### COVERED SHEDS AT HARDWAR.

203. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: (a) Is it a fact that on the Hardwar Railway Station platform, which has daily a very large pilgrim traffic, there are no suitable covered sheds to protect the passengers from sun and rain?

(b) If so, what steps do the Oudh and Rohilkhand Railway authorities intend to take to remove this public grievance?

The HONOURABLE MR. D. T. CHADWICK: (a) and (b). There is a large area of covered accommodation provided for third class passengers on the city side of the station building. Passengers arriving or leaving by trains have the use of this accommodation at all times. In the circumstances Government do not propose to do anything further.

#### CONCESSION RATES TO SANITARIUMS AND PLACES OF PILGRIMAGE.

204. The HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Is it the intention of the Government to revive the week-end cheap return tickets from and to places of sanitariums and chief pilgrimages? If so, when?

The HONOURABLE MR. D. T. CHADWICK: The Honourable Member is referred to the answer given to Question No. 9 in the Council of State on the 24th January 1923. As promised therein Government have brought the matter to the notice of Agents.

#### REDUCTION OF MENIAL STAFF ON N.-W. RAILWAY.

205. The HONOURABLE LALA SUKHBIR SINHA: Is it a fact that a large number of sweepers and watermen has been reduced on stations on the North Western Railway and, if so, how many of them have been reduced and what arrangement has been made for their work?

The HONOURABLE MR. D. T. CHADWICK: The reply to the first part is in the negative.

As regards the second part, the number of watermen has been temporarily reduced during the winter months at certain stations where passenger train halts are very short and no inconvenience has been experienced. It is not intended to make such reduction as will, in any way,



reduce the supply of water or cause inconvenience to passengers during the summer months.

As regards sweepers, retrenchments have only been made where such staff were found in excess of actual requirements.

#### PASSENGER ACCOMMODATION AT HARDWAR.

206. The HONOURABLE LALA SUKHBIR SINHA: Is Government aware that at the Hardwar Railway station there is only one room for first and second class Indian passengers and no waiting room for Indian ladies on the platform?

The HONOURABLE MR. D. T. CHADWICK: It has been ascertained from the Railway Administration that there are two upper class waiting rooms on the platform—one for Indians and one for Europeans. In addition to this there is a separate building behind the platform, which is easy of access from the platform by a flight of steps.

This building consists of 8 rooms each of 600 square feet for the use of Indian upper class passengers, the central room being a refreshment room for Hindus. These rooms have not been provided on the platform owing to the platform being on a high bank.

A waiting room for Indian ladies is under construction close to the rooms referred to above and equally easy of access to the platform.

The HONOURABLE LALA SUKHBIR SINHA (United Provinces Northern: Non-Muhammadan): Sir, with your permission, I should like to bring to your notice that to-day is a day of Hindu festival, Ram Naumi, and that no Council meeting should have been held to-day. I thought it my duty being General Secretary of the All-India Hindu Sabha, to bring it to your notice that Council meetings should not be held on days of public holidays and festivals.

The HONOURABLE THE PRESIDENT: I should like to ask the Honourable Member if to-day is a gazetted holiday.

The HONOURABLE LALA SUKHBIR SINHA: I should think it is.

The HONOURABLE THE PRESIDENT: That is not the information that has been given to me from the table. No one is more anxious than I am to avoid holding meetings on holidays which affect the religious feeling of any Members, but if the holiday is not a gazetted holiday, it is not open to me to postpone the meeting; and indeed the state of work is such that it would be most inconvenient to do so. I understand that in another place very important business is being transacted to-day.

#### THE MAHENDRA PARTAB SINGH ESTATES BILL.

The HONOURABLE MR. J. CRERAR (Home Secretary): Sir, I move:

"That the Bill to provide for the forfeiture of the estates and other property of Mahendra Partab Singh and for their grant to his son, subject to certain conditions, be taken into consideration."

Sir, the Bill which I have to ask the House to take into consideration is a measure of a very unusual character and, fortunately, the circumstances which render it necessary are equally exceptional. The land-owning classes in India have a history and tradition of their own, of

[Mr. J. Crerar.]

loyalty and public service. Having a large stake in the country, they have doubtless a proportionate interest in the stability of the State and in public security, but no fair judge will ascribe either solely or even largely to an interest of that kind the traditional sense of responsibility and public spirit of Indian land-owners or the eminent individual services rendered by so many gentlemen of that class. As there are several representatives in this House who can very well speak themselves and their order, it is unnecessary for me to make any amplier acknowledgment of this tradition of loyalty and duty. I refer to it to emphasise my regret that I have to bring to the notice of the House an instance,—a rare and solitary instance—of a lamentable breach in that tradition. That breach, Sir, is the more lamentable in view of the origin of the estate to which this Bill refers. The original grantee of that estate was a loyal and gallant gentleman who in the disturbances of 1857 rendered good service to the State. Govind Singh, the original grantee, was a political pensioner and also, I think, held a civil office under Government. In that crisis he rose above his responsibilities, raised and equipped a force and rendered very valuable services. It was in recognition of that loyal and valuable service that this estate was originally granted by the Crown, and the original grantee was invested with the title of Raja. Sir, what were the motives which induced the person whose name appears in this Bill and who succeeded to such a heritage, both moral and material, what were the motives which induced him to embark on a course which ultimately led him into acts of high treason against His Majesty the King Emperor, it is not for me to surmise. It is my painful duty to record the fact and to cite, in confirmation of my statement, some salient points, by no means exhaustive, drawn from information which we received regarding Mahendra Partab Singh's proceedings during and after the war. Mahendra Partab left India about December 1914 in order, he said, to make a world tour and to ascertain the true facts regarding the war. Early in 1915 he arrived in Geneva and there met certain prominent Indian revolutionaries who introduced him to the German Consul. He was invited to Berlin and there received and decorated by the German Emperor. About this time (early in 1915) we have reason to believe that an agreement was drawn up between the Berlin Indian Committee and the German Government signed by Von Bethmann Hollweg and Von Jagow on the one part and by Mahendra Partab and others on the other part. The agreement provided that in return for help given by the Berlin Committee to the German Government, the latter would assist the former both during and after war. Mahendra Partab then joined a German Mission to Kabul under Von Hentig, the object of which was to offer His Majesty the Amir a treaty with Germany and to instigate him to make war upon the Allies. Sir, that Mission failed, and about this time a scheme was drawn up for a Provisional Government of India with Mahendra Partab as President. A proclamation addressed to the people of India, purporting to be issued under the seal of this Provisional Government, was found in the Tochi and contained the following passage:—"Murder the English wherever you find them. Cut telegraph lines, destroy railway lines and railway bridges and help in all respects the liberating armies." Among German documents seized at Kerman in 1915 was a letter from Bethmann Hollweg to Partab dated the 17th April 1915 asking him to deliver letters to the Amir and several Indian Princes. I feel, Sir, that it is an occasion for regret in

some respects that the letters addressed to the Indian Princes did not reach their destination and that the contemptuous negative they would undoubtedly have elicited was never communicated. In a letter from Mahendra Partab, dated the 21st February, 1916, to the Governor General of Russian Turkistan, Tashkend, he says:

"The Mighty Kaiser and the holy Sultan patronised our cause and encouraged me by granting me audiences, conferring honours and helping me officially in different ways".

In a letter, dated the 19th May, 1916, from Mahendra Partab to the German Chancellor the following passage occurs:

"Now my only request is that please send at least twenty thousand troops for purely Indian work and the Chief Commander should have clear instructions to co-operate with me and help me and not to oppose me . . . . I think that if the war is sufficiently long and if you really desire to crush your bitterest enemy—the English—there can be no better step than to send a sufficiently large force to India and Afghanistan. In the meantime, however, everything will be done by me in the holy cause".

In 1917 Mahendra Partab seems to have made abortive attempts to return to Europe. He actually arrived in Berlin on the 23rd March 1918, as was announced in the German wireless of the 28th March. In Petrograd on the 12th March he took part in the anniversary celebration of the Russian revolution. He again had an audience with the Kaiser on the 6th May, 1918, and then went to Constantinople where he was received by the Sultan on the 2nd June, 1918. He then appears to have left on a second mission to Afghanistan, to have got as far as the Afghan frontier during June 1918 and then to have returned *via* Bokhara to Switzerland, where he arrived about October 1918. His treasonable activities continued and leaflets over his signature were intercepted in India during last year. In the course of a leaflet addressed to the Indian people, he says:

"It shall be extremely foolish to sit at 'charka' like women when manly (and I should also add) womanly duties require you to grasp the holy sword. I request you to rise as soon as another opportunity presents itself. You have already lost one opportunity (during the war) and if you lose one again you shall suffer bitterly for it".

Mahendra Partab himself in an article published in the Indian press on the 16th January, 1923, admitted much of his activities during the war, which I have outlined above.

It is unnecessary for me to comment upon this record except to observe that it is the more to be deplored in view of the honourable circumstances in which this estate had its origin. In spite of the character of this record, however, I venture to point out that the primary object of this Bill is not penal. It is to protect against the consequences of the treason of Mahendra Partab Singh the interests of the innocent parties involved, notably his minor children and the tenants and the dependents of his estates. In consequence of information received, Government, in July 1916, in pursuance of the powers conferred by Regulation III of 1818, attached his estates. It is doubtful, however, if the powers of management contemplated by the Regulation are adequate for the efficient and economic administration of the estates. These powers appear to contemplate the collection of rents, the payment of land revenue and the cost of management and the accumulation of net profits. The result is that no investments can be made; a large sum is lying idle, and necessary improvements involving capital expenditure cannot be undertaken. The estate has considerable possibilities and as time progresses the need for improvement increases. There is, for instance, scope for

[Mr. J. Crerar.]

the provision of irrigation facilities, with great resultant benefit to the estate. It is eminently desirable that action should be taken without delay to effect improvements in the estates in the interests of the minor and the tenants. The estate cannot be administered under the Court of Wards Act in the present circumstances. The disqualification of the present proprietor is not among the disqualifications specified in section 8 of the United Provinces Court of Wards Act. It is clearly impossible to release the estate so long as there is a risk of its revenues being applied to purposes hostile to His Majesty the King-Emperor and to the peace and security of India. The simplest and most effective course, therefore, is to provide for the transfer of the title of the present proprietor to Government and then from Government to the minor. The estate can then be administered in the normal way as a Court of Wards estate with the greatest benefit to all concerned. That, Sir, is an explanation of the necessity of this Bill. The solution proposed is, I think the House will admit, a liberal—and I might almost say a generous—one, and as such I commend it to the best consideration of the House.

The HONOURABLE LALA SUKHBIR SINHA (United Provinces Northern: Non-Muhammadan): Sir, I rise to give my unqualified support to this Bill. Government is fully justified in forfeiting all the property of Mahendra Partab Singh who has become an enemy of His Majesty the King-Emperor and who is himself now absconding from justice. When he was here before he went out on a tour, he took me to Brindaban and showed me a school of industries which he opened there, and which, I was very glad to see, was doing useful work. It is a matter of much regret that when he went out from here he was quite changed and he became an enemy of the King. Government is fully justified to forfeit all his property and it is very benevolent on the part of the Government to give that property to his son who is now quite helpless. But I would like to point out that if Mahendra Partab Singh had endowed any property for the maintenance of that industrial school at Brindaban, that should be kept up, and if no such property is endowed, some conditions should be laid down for his son to maintain that school, because that school will be very useful to the country. With these few remarks, I give my full support to this measure.

The HONOURABLE LIEUTENANT RAO BAHADUR CHAUDHRI LAL CHAND (Punjab: Nominated Non-official): Sir, belonging as I do to the same community as Mahendra Partab Singh, I think, with your permission, I may make a few observations.

I need hardly say, Sir, that ever since Mahendra Partab Singh left India and was reported to have associated himself with the enemies of the British Government, there was a feeling of disapprobation of his conduct in the community. Big gatherings were held and one of them was under the presidency of His Highness the Maharaja of Dholpur. At those meetings the members present talked about his conduct and I can assure the Government that at all those meetings I felt that all members of the community disapproved of the conduct of Raja Mahendra Partab Singh. So much was the community against this misbehaviour that while Raja Mahendra Partab Singh was communicating with the enemy to undermine the British Government his brother was acting as Honorary Recruiting Officer to raise recruits for the Indian Army. I simply want

to point out that the community has never approved of his conduct, and that the community welcomes the present Bill, inasmuch as it safeguards the interests of the minor son. The son should not suffer for the sins of the father, and I think this will establish feelings of good-will and loyalty towards the British Government among not only the Jat community, but among other sections of the people. The present Bill is intended to protect the innocent sons. With these few words, I congratulate Government on this wise and statesmanlike measure and welcome the Bill.

The HONOURABLE KHAN BAHADUR NAWAB MOHAMED MUZAMMIL-ULLAH KHAN (United Provinces: Nominated Non-Official): Sir, I knew Mahendra Partab Singh from his boyhood, before he was the adopted son of the late Raja Har Narayan Singh. I knew him, his brothers and his father, and I was a great friend of his late lamented father. His estate is in Aligarh district. He was a ward under an English gentleman's tutorship, and he was educated, not as a boarder, but as a day scholar in my own College, the late Aligarh College. Since his boyhood it was seen that he had got curious ideas about everything in the world, and when he became the proprietor to an estate and when he married the daughter of one of the Maharajas of the Punjab, the Maharaja of Jhind, he took himself like a Ruling Chief, and whenever he met his elders like my humble self, who was a friend of his father, he considered himself as if he were 20 years older than myself; and we always thought that there was something wrong with his mind. He started many schemes, which all nearly failed, one of which has been referred to by the Honourable Lala Sukhbir Singh, that is, an industrial school, by the name of Maha Vidyalaya in Brindaban. But his methods were so curious that he never stuck to one thing for a few days. He started from India saying he would go to America and study the Arts and then come back with full knowledge about his school. He went and he fell into the hands of the Germans. He thought he had an opportunity which few men could get; he thought the Germans would win the war and would conquer India, and here was an opportunity for him to be made a Ruling Chief. This was the whole scheme of the boy who is a man now. But he acted very badly. My Honourable friend will see that the letters written by him are not such as a sane man would write. He is still issuing leaflets, some of which reached me the other-day, saying the zemindars of India are great fools, and they must open their eyes now and should not be under the British Government's yoke any longer and so on. So it is a peculiar case of a peculiar man. It can never be a stigma on the loyal zemindars of India, and especially the loyal Jat subjects. They must never take it sore to their hearts that one of our community has been caught in this way.

I may say one word here, and that is that the bringing in of a Bill like this in the Council will give a very clear example of the ways and doings of the British Government. Sir, had it been my Government, had it been a Bolshevick Government, had it been a Swaraj Government, nobody would have let this sort of man off so easily. They would never think as to what would happen to his family, whether they would be breadless or waterless; whether they would be poor. They would have confiscated the estate throughout. But the way in which this Bill is put forward shows what sort of Government is in India now-a-days. I need not make any more remarks because my feelings are very high and

[Khan Bahadur Nawab Mohafned Muzammil-Ullah Khan.]

my language is very poor. I will only give my hearty support to the Bill and will thank the Government for the very kind and lenient act of mercy which they have shown to the minors; and I will submit to Government that Government will not give up all responsibilities because of the passing of this Bill, but the local authorities may look after the welfare of the children and never allow those children to be spoiled, and always see that they take the advice of their uncle, that is the Raja Bahadur of Mursan who is such a loyal subject of Government as any one can be. With these few remarks I finish my speech.

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN (West Punjab: Muhammadan): Sir, as a landholder, I welcome this Bill. We have got some stake in the land, and if our own landholders go and play the fool like this, they are very dangerous to the country. I said all that the mover has said to-day during the troubles in the Punjab we wanted to establish that it was Mahendra Partab Singh's friends and he himself who were connected with the troubles. Unfortunately, as all the papers in Peshawar were not brought forward before the Hunter Committee this was not established; but in reality he was at the bottom of the whole trouble that occurred in the Punjab, he as well as other Bolsheviks outside India. I think, Sir, it is really very kind of the Government to allow his son to have the property. For my friend to say that the school established by him should be financed, wherever there is poison one ought to avoid it, and personally I think wherever he has got any hold here or there, through that some day he might spread more poison. As to his property, if it was any other Government, as my friend has very nicely said, his sons would have got nothing. It is really very good of the Government to allow his son to have the property, but I hope there will be some Court of Wards, or somebody to see that he does not play the fool any more.

The motion was adopted.

The HONOURABLE THE PRESIDENT: I do not think I need put this Bill to the Council clause by clause. Unless any Honourable Member desires that I should do so, I shall not adopt that course.

(Honourable Members: "No.")

The HONOURABLE MR. J. CRERAR (Home Secretary): Sir, I move that the Bill be passed.

In view of the general approval which the Bill has received in this House little remains for me to say. I should only like to acknowledge on behalf of Government two things; firstly, the sentiments expressed by my Honourable friend Lieutenant Chaudhri Lal Chand indicating the universal reprobation which the conduct of the person with whom this Bill is concerned has excited in the order to which he belonged. The other acknowledgment which I desire to make is the commendation which has been paid by every Honourable Member who has spoken on the Bill to the liberality and the generosity of Government in dealing in this manner with the estate.

My Honourable friend Lala Sukhbir Sinha has asked a question regarding the school established by Mahendra Partab Singh. I cannot give him a definite reply on that point, because, as I indicated in my

speech at the opening of these proceedings, the intention is that the estate should be taken into management under the Court of Wards Act of the United Provinces. Whether it would be possible for the Local Government under the provisions of that Act to continue the support of this school is a matter on which at this stage I cannot give the Honourable Member any definite assurance. But I have no doubt the matter will be carefully considered by the Government of the United Provinces in due course.

Sir, I move that the Bill be passed.

The HONOURABLE THE PRESIDENT: The question is:

"That the Bill to provide for the forfeiture of the estates and other property of Mahendra Partab Singh and for their grant to his son, subject to certain conditions, be passed".

The motion was adopted.

### THE LEGAL PRACTITIONERS (WOMEN) BILL.

The HONOURABLE MR. J. CRERAR (Home Secretary): Sir, I have the honour to move:

"That the Bill for the removal of doubts regarding the right of women to be enrolled and practise as legal practitioners, as passed by the Legislative Assembly, be taken into consideration."

I recollect, Sir, on a former meeting of this House an Honourable gentleman—I think it was my Honourable friend Lala Sukhbir Sinha—condoled with me on the circumstance that I was compelled to advocate a measure in this House with which my personal convictions were at variance. My Honourable friend's condolence on that occasion was superfluous, and I think if he repeated it now I should be compelled to say it was equally superfluous. I do not think I need say much in commendation of this Bill to the House. The object of it is plainly stated in the statement of objects and reasons. I have no doubt it will have the almost unanimous, if not the unanimous, support of this House. If there are any doubters it may be that the object of the Bill to remove certain doubts may not in itself be completely successful. I trust, however, that it will. But if there are any doubting Members it might perhaps be not without value to them to be made aware that an application made by a lady to be admitted as a legal practitioner was rejected by the High Court of Judicature at Patna. That lady has now successfully applied to His Majesty's Privy Council for special leave to appeal. That, Sir, may be regarded either as an auspicious or as an ominous fact . . . .

The HONOURABLE THE PRESIDENT: Does the Honourable Member think he is justified in referring to a matter which is under judicial deliberation?

The HONOURABLE MR. J. CRERAR: If that is out of order I will not make any further comment on the matter.

This Bill originated in the other place in pursuance of a private Bill introduced there by an Honourable gentleman. Government undertook on a motion to refer that Bill to a Select Committee to introduce

[Mr. J. Crerar.]

a measure of their own more precisely framed to secure the purposes contemplated. That Bill has been passed in the Legislative Assembly and I now move that it be taken into consideration in this House.

The motion was adopted.

Clauses 1 and 2 were added to the Bill.

Clause 3 was added to the Bill.

The Preamble was added to the Bill.

The HONOURABLE MR. J. CRERAR: Sir, I move:

"That the Bill, as passed by the Legislative Assembly, be passed."

The motion was adopted.

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### THE INDIAN MERCHANT SHIPPING BILL.

The HONOURABLE MR. D. T. CHADWICK (Commerce Secretary): Sir, I move:

"That the amendments made by the Legislative Assembly in the Bill to consolidate certain enactments relating to Merchant Shipping, be taken into consideration."

I have to ask the House to-day to complete the work which they initiated in this Council about a year ago. Those of them who were then Members of this House will recollect that you, Sir, brought before this House the consolidation of the Indian Merchant Shipping Bill. It is a long Bill and it very rightly evoked tributes from every portion of the Council. It is the result of long labour, Sir, for which we are all most indebted to you and your Committee, namely, the Statute Law Revision Committee. It consolidates 21 Acts on Indian Shipping which have extended over from 75 to 100 years. Without such preliminary consolidation it had proved quite impossible to amend these Acts and bring them into a form suitable to modern conditions. Well, Sir, that work, well started in this Council a year ago, has gone to the Legislative Assembly and has now come back with very few modifications, as we might naturally expect in any work undertaken by you, Sir. They have only made three amendments and I would briefly refer to them because I trust that in course of time the Council will to-day concur in all those changes. The first is in clause 4 in which for the words "used for the public purposes" the words "employed otherwise than for profit in the public service" have been substituted. That is a definition of the classes of ships and steamers to which the Act does not apply. In the various Acts on which this Act is based the kinds of steamers exempted are described somewhat differently; they were usually obviously meant to be ships of war or royal craft. But sometimes they are described merely as ships belonging to a foreign Prince or foreign States or again ships so owned but used in the public service of that State, etc. As it was perfectly clear that in one Act these ships must be defined in one way and that by the original intention of the old Acts only certain foreign ships were to be exempt, we again took your advice, Sir, in view of modern changes, how best to word



this clause in this consolidating Bill. The words which the Legislative Assembly have adopted and are now before us to-day are those which you advised us, as Chairman of the Statute Law Revision Committee, to use. The second amendment relates to certain number of grades of officers in the Navy who were qualified by the examinations they had passed to hold certificates for navigating ordinary passenger and mercantile steamers. In the consolidating Bill we adopted the same terms of rank as appeared in the Acts which are being consolidated. We now understand that many of those terms have gone out of use. Thus there is no rank now known as Navigating Lieutenant or Navigating Sub-Lieutenant; these are joined and merged together in one cadre and are known as a Lieutenant in His Majesty's Navy or in the Royal Indian Marine and so on. That is purely a verbal alteration bringing words into consonance with the designations of the present time. The third amendment made by the Legislative Assembly is the substitution in clause 93 of the word 'irrevocable' for the word 'revocable.' At first sight that might seem a matter of substance as introducing a negative. But as a matter of fact it is very largely a printing or typing error. In the old Act of 1859 the word undoubtedly is 'irrevocable,' in the English Act the word is 'irrevocable,' yet in some copies of this consolidation Bill which were printed and circulated the word appeared as 'revocable.' The correct word is undoubtedly 'irrevocable.' As the two words are contrary in sense, it was thought advisable not to treat this as an error of the printer's devil but to get the definite vote of the two Houses on the point that the correct word was 'irrevocable,' which undoubtedly appears in the Act of 1859. This is the third amendment, Sir, made by the Legislative Assembly. I would conclude by once more thanking the Statute Law Revision Committee generally and you, Sir, in particular for giving us such a valuable Bill. The amendments also are very valuable and I hope the Council will concur in them. Therefore, Sir, I beg to move that the amendments made by the Legislative Assembly in the Bill to consolidate certain enactments relating to Merchant Shipping, be taken into consideration.

The HONOURABLE THE PRESIDENT: As no other Honourable Member desires to speak on this Bill, I should like to detain the Council for one moment to say that it is to me a very considerable pleasure that this large measure of consolidation has come back to us and will, I hope, soon become law. I am sure it will be a matter of gratification to the Members of the Statute Law Revision Committee over which I presided that this should be the case; my only regret is that I can't see a single one of them in Council to-day. However, it is the first fruit of our labours, and it is a very considerable measure of clarification of the law. Only those who were concerned with its preparation know how very defective in many ways it is on account of certain circumstances into which I need not enter. But even after making that allowance, it is a valuable reform. It is also the culmination of much work done in the Legislative Department many years ago by men who have long since passed away and who did not receive at the time any recognition of their labours.

The question is:

"That the amendments made by the Legislative Assembly in the Bill to consolidate certain enactments relating to Merchant Shipping, be taken into consideration."

The motion was adopted.

The HONOURABLE THE PRESIDENT: The question is that this House do concur in Amendment No. 1\* made by the Legislative Assembly.

The motion was adopted.

The HONOURABLE THE PRESIDENT: The question is that this House do concur in Amendment No. 2† made by the Legislative Assembly.

The motion was adopted.

The HONOURABLE THE PRESIDENT: The question is that this House do concur in Amendment No. 3‡ made by the Legislative Assembly.

The motion was adopted.

The HONOURABLE THE PRESIDENT: That concludes the business on the paper for the day.

#### STATEMENT OF BUSINESS.

The HONOURABLE THE PRESIDENT: I regret to say that I am not in a position to inform Honourable Members of the exact course to be followed in regard to the further sittings of this Council. As Honourable Members are aware, there is a matter now probably under debate in another place, and until a decision in that place is reached, it will be impossible for me to adjourn this Council *sine die*. I further have it from His Excellency the Governor General that, should certain circumstances arise, he may possibly desire to address the Members of the Indian Legislature to-morrow. It is therefore impossible for me to-day to adjourn this Council *sine die*. In order that His Excellency might address the Council, it is desirable that it should be in session and I cannot adjourn it *sine die*, for it is possible that there may be business which may require our attention here to-morrow. At present I adjourn the Council till to-morrow, and I think a convenient time for us to meet would be half past Twelve. I take it that any address will probably be concluded by half past Twelve, after which we will return here and then probably adjourn the Council. Perhaps the Honourable the Leader of the House will say if that course is convenient.

The HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): I think, Sir, that the course suggested by you is the most convenient course to adopt. I do not think I need add anything to what you have said.

The Council then adjourned till Half Past Twelve of the Clock on Tuesday, the 27th March, 1923.

\*1. In clause 4 for the words "used for the public purposes", the following was substituted, namely:

"employed otherwise than for profit in the public service".

†2. In sub-clause (1) of clause 17, for the words "Lieutenant, Sub-Lieutenant, Navigating Lieutenant or Navigating Sub-Lieutenant in His Majesty's Navy or of Lieutenant in the Royal Indian Marine", the words "Lieutenant in His Majesty's Navy or in the Royal Indian Marine", were substituted.

‡3. In clause 93 for the word "revocable" the word "irrevocable" was substituted.