

Thursday, August 6, 1868

**COUNCIL OF THE GOVERNOR GENERAL
OF INDIA**

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Abstract of the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 24 and 25 Vic., Cap. 67.

The Council met at Simla on Thursday, the 6th August 1868.

PRESENT :

His Excellency the Viceroy and Governor General of India, *presiding*.

His Excellency the Commander-in-Chief, G.C.S.I., K.C.B.

The Hon'ble G. N. Taylor.

The Hon'ble Major General Sir H. M. Durand, C.B., K.C.S.I.

The Hon'ble H. S. Maine.

The Hon'ble John Strachey.

The Hon'ble Sir Richard Temple, K.C.S.I.

The Hon'ble F. R. Cockerell.

COORG COURTS' BILL.

The Hon'ble MR. TAYLOR introduced the Bill to define the jurisdiction of the Courts in Coorg, and moved that it be referred to a Select Committee with instructions to report in one month. He said that it was unnecessary to take up the time of the Council with describing the Bill, as the Statement of Objects and Reasons which had for the last fortnight been in Hon'ble Members' hands, was in fact a running commentary on its provisions.

The Motion was put and agreed to.

INDIAN DIVORCE BILL.

The Hon'ble MR. MAINE asked leave to postpone the presentation of the Report of the Select Committee on the Bill for conferring upon the High Courts of Judicature in India the jurisdiction and powers vested in the Court for Divorce and Matrimonial causes in England.

Leave was granted.

JUSTICES OF THE PEACE BILL.

The Hon'ble MR. MAINE introduced the Bill for the appointment of Justices of the Peace. He said that his object in doing so was merely that it

might appear in the *Gazette*, and be sent to the High Courts and the Chief Court of the Panjab. He would not now ask the Council to refer it to a Select Committee.

The Hon'ble MR. COCKERELL observed that the Bill proposed to repeal certain sections of Statutes of George III and the whole of 2 & 3 William IV, c. 117, and expressed a doubt as to whether the Governor General in Council had power to repeal those enactments.

The Hon'ble MR. MAINE said that the power in question was expressly given to the Governor General in Council by the Indian Councils' Act, 24 & 25 Vic., c. 67, s. 22.

EMIGRATION OF COOLIES' BILL.

The Hon'ble MR. STRACHEY moved for leave to introduce a Bill to amend the law relating to the emigration of Native Labourers. He said that the Bill, which had been prepared at the desire of the Lieutenant Governor of Bengal, was intended to make four small amendments in the law relating to the emigration of coolies, which had been found desirable since Act No. XIII of 1864 came into operation.

The probable length of the voyage from Madras to Mauritius between the months of November and March, is fixed at five weeks by section eight of that Act. This time had been found too short, and the Bill proposed to extend it to six weeks.

Section 47 of the Act required that the space to be provided for each adult emigrant shall be ten superficial feet on deck. The Bill proposed to increase this space to twelve superficial feet.

Section 64 of the Act empowered the Governor General in Council to prohibit, under certain specified circumstances, the emigration of coolies. With a view to greater promptitude of action in cases of emergency, the Bill proposed to extend this power to Local Governments, but provided that any notification by a Local Government prohibiting emigration, might be cancelled by the Governor General in Council.

Lastly, the Bill authorized the Governor General in Council to increase, within certain limits, the fees payable under Act XIII of 1864, for licensing depôts, recruiters, and emigrants.

The Motion was put and agreed to.

The following Select Committee was named :—

On the Bill to define the jurisdiction of the Courts in Coorg,—the Hon'ble Messrs. Maine, Cockerell, and the Mover.

The Council adjourned till the 13th August 1868.

WHITLEY STOKES,

*Asst. Secy. to the Govt. of India,
Home Department (Legislative).*

SIMLA,
The 6th August 1868. }