

Thursday, August 27, 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 & 25 Vic., Cap. 67.

The Council met at Simla on Thursday, the 27th 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 H. S. Maine.

The Hon'ble John Strachey.

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

The Hon'ble F. R. Cockerell.

EMIGRATION OF COOLIES' BILL.

The Hon'ble MR. STRACHEY introduced the Bill to amend the law relating to the emigration of Native labourers, and moved that it be referred to a Select Committee with instructions to report in three weeks. He said that the Bill had been prepared at the request of the Lieutenant Governor of Bengal, and that its object was to make four small amendments of the law which had been found desirable. He need not repeat his remarks when he had obtained leave to introduce the Bill. He would, however, supply one omission which he had then made. The Governor General in Council was empowered to prohibit in certain specified cases the emigration of coolies. To these cases, the Bill proposed to add that of a dangerous outbreak of infectious disease in the place to which emigration was permitted. The necessity for this addition had lately been shown—a deadly epidemic of fever having broken out at Mauritius, and the Madras Government having accordingly assumed the responsibility of stopping emigration to that colony. The course which that Government had taken in the matter was subsequently approved both by the Government of India and the Secretary of State. But its action was *ultra vires*, and the present Bill, if it became law, would expressly authorize the Local Governments to stop emigration in any such case of emergency.

The Motion was put and agreed to.

CARNATIC RECEIVER'S BILL.

The Hon'ble MR. MAINE applied to His Excellency the President to suspend the Rules for the Conduct of Business. The Bill was urgently required in Madras, and the suspension was necessary, as the Bill had not been in Hon'ble Members' hands for the period prescribed by the Rules.

The President declared the Rules suspended.

The Hon'ble MR. MAINE then introduced the Bill to appoint a Receiver of the property of the late Nawáb of the Carnatic, and moved that it be referred to a Select Committee with instructions to report in one week. He had already described the nature of the Bill, and explained the need of enacting it. The Bill was in substance a revival of some sections of an old Act, and if it had been in form a revival, he would have asked the Council to pass it at once. But in the sections 1 to 7 of Act XXX of 1858, the substance of which was incorporated in the present Bill, reference was made to the abolished Supreme Court at Madras as existing, to the distinction, obsolete in India, between law and equity, and to the institution of suits as mentioned in a part of that Act which was wholly obsolete and had been repealed. Under these circumstances, he proposed to take the usual course of referring the Bill to a Select Committee.

The Motion was put and agreed to.

EXTENSION OF REGULATIONS (MAUZA KHERIA) BILL.

The Hon'ble MR. STRACHEY introduced the Bill to bring the Mauza Kheria, in the District of Agra, under the operation of the general regulations, and moved that it be referred to a Select Committee with instructions to report in one week. He said that the object of the Bill, which had been prepared at the request of the Local Government, was simply to annex the Mauza Kheria to the Agra District, and to extend to the Mauza all Acts and Regulations now in force in that District. The proposed Act would take effect retrospectively from the 26th of July 1866, when the Mauza was transferred to the British Government.

The Motion was put and agreed to.

The following Select Committees were named :—

On the Bill to amend the law relating to the emigration of Native labourers—the Hon'ble Messrs. Maine, Cockerell, and the Mover.

On the Bill to appoint a Receiver of the property of the late Nawáb of Carnatic—the Hon'ble Mr. Cockerell and the Mover.

On the Bill to bring the Mauza Kheria, in the District of Agra, under the operation of the general regulations—the Hon'ble Mr. Maine and the Mover.

The Council adjourned till the 3rd September 1868.

WHITLEY STOKES,

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

SIMLA,
The 27th August 1868. }