

Thursday,  
9th October, 1884

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXIII

Jan.-Dec., 1884

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Council of the Governor General of India,

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

1884

VOL. XXIII



Published by the Authority of the Governor General

CALCUTTA :  
OFFICE OF THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA,  
1884



*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 Government House, Simla, on Thursday, the 9th October, 1884.

P R E S E N T :

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding*.

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

The Hon'ble J. Gibbs, C.S.I., C.I.E.

Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.

The Hon'ble C. P. Ilbert, C.I.E.

The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.

The Hon'ble T. C. Hope, C.S.I., C.I.E.

The Hon'ble Sir A. Colvin, K.C.M.G., C.I.E.

The Hon'ble D. G. Barkley.

The Hon'ble J. W. Quinton.

The Hon'ble H. J. Reynolds.

RANGOON WATER-WORKS BILL.

The Hon'ble MR. ILBERT moved that the Report of the Select Committee on the Bill to confer powers and impose duties on the Municipal Committee for the Town of Rangoon in respect to the construction and maintenance of Water-works and the supply of Water in that Town be taken into consideration. He said :—"The only important alteration made by the Select Committee in the Bill is the omission of the financial clauses. The Committee agree with the Chief Commissioner in thinking that the arrangements for the imposition of a water-rate and for the constitution and management of the water-supply fund can be more conveniently dealt with under the financial sections of the recently passed Municipal Act than under the separate sections which it was originally intended to insert in this Bill."

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that in section 2, clause (1), of the Bill the words "and includes the Cantonment of Rangoon and the Central

[ *Mr. Ilbert; Sir A. Colvin.* ]

[ 9TH OCTOBER,

Jail" be omitted. He said that he was informed that the Chief Commissioner considered that these words were not necessary.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

### INDIAN SALT ACT, 1882, AMENDMENT BILL.

The Hon'ble SIR A. COLVIN moved that the Bill to amend the Indian Salt Act, 1882, be taken into consideration.

The Motion was put and agreed to.

The Hon'ble SIR A. COLVIN also moved that the second section of the Bill and the second recital in the preamble be omitted. He said :—

“ The preamble as originally framed ran thus :—

‘ WHEREAS it is expedient to exclude the Province of Sindh from the operation of those portions of the Indian Salt Act, 1882, which do not extend by their own operation to the whole of British India; ’

and then it went on to say—

‘ Whereas it is also expedient to remove certain doubts which have been raised as to the meaning of the words ‘ importation of salt ’ in section 27 of the same Act, &c. ’

And the second section of the Bill was as follows :—

‘ For the word ‘ importation ’ in section 27 of the same Act, the word ‘ bringing ’ shall be substituted. ’

“ The object of these words in the preamble, and in the second section of the Bill, was, as explained in the Statement of Objects and Reasons, and by me at the introduction of this Bill, to remove a doubt as to the meaning of section 27 of the Act, raised by a ruling of the Chief Court in Sindh, which had held that the words ‘ importation of salt ’ in that section covered only the bringing in of salt as merchandise for the purpose of commerce and in merchantable quantities; but did not apply to small quantities brought for other purposes. Since the introduction of the Bill, however, it has been brought to the notice of the Government of India that the Chief Court in deciding the later case of the *Crown v. Imambux Haji* gave reasons for holding that it

1884.]

[ *Sir A. Colvin.* ]

would no longer be safe to act on the opinions expressed in the earlier decision ; and that importation of salt includes the bringing of salt into British India in the smallest quantities. In other words, the later ruling of the Chief Court in Sindh has annulled the former, and cleared up any doubt that may have existed, and which it was the object of this section (2) to remove, thereby making the section unnecessary."

The Motion was put and agreed to.

The Hon'ble SIR A. COLVIN also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

The Council adjourned to Thursday, the 23rd October, 1884.

SIMLA ;  
*The 15th October, 1884.* }

D. FITZPATRICK,  
*Secretary to the Government of India,  
 Legislative Department.*