

Thursday,
14th March, 1885

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXIV

Jan.-Dec., 1885

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Council of the Governor General of India,

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

1885

VOL. XXIV



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 Viceregal Lodge, Simla, on Thursday, the 14th May, 1885.

P R E S E N T :

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

His Honour the Lieutenant-Governor of the Punjab, LL.D., K.C.S.I., C.I.E.

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

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

The Hon'ble O. 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 W. W. Hunter, LL.D., C.S.I., C.I.E.

LOCAL AUTHORITIES LOAN ACT, 1879, AMENDMENT BILL.

The Hon'ble MR. HOPE introduced the Bill to amend the Local Authorities Loan Act, 1879, and moved that it be referred to a Select Committee consisting of the Hon'ble Mr. Ilbert, Sir S. Bayley and the Mover.

The Motion was put and agreed to.

The Hon'ble MR. HOPE also moved that the Bill and Statement of Objects and Reasons be published in the local official Gazettes in English and in such other languages as the Local Governments think fit.

The Motion was put and agreed to.

LAHORE TRAMWAYS BILL, 1885.

The Hon'ble MR. ILBERT introduced the Bill to authorize the making, and to regulate the working, of Street Tramways in Lahore, and moved that it be referred to a Select Committee consisting of the Hon'ble Sir S. Bayley, Mr. Hope and the Mover.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill and Statement of Objects and Reasons be published in the *Punjab Government Gazette* in English and in such other languages as the Local Government thinks fit.

The Motion was put and agreed to.

TARIFF ACT, 1882, EXCISE ACT, 1881, AND BENGAL EXCISE ACT, 1878, AMENDMENT BILL.

The Hon'ble SIR A. COLVIN presented the Report of the Select Committee on the Bill to repeal part of section 6 of the Indian Tariff Act, 1882, and to amend the Excise Act, 1881, and the Bengal Excise Act, 1878.

MADRAS CIVIL COURTS ACT, 1873, AMENDMENT BILL.

The Hon'ble MR. ILBERT moved for leave to introduce a Bill to amend the Madras Civil Courts Act, 1873. He said :—

“The Government of Madras, on the recommendation of the High Court, has proposed that the Madras Civil Courts Act of 1873 should be so amended as to enable the Government to confer upon District Judges and District Munsifs the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts up to the value of five hundred rupees, and to remove the doubt whether more than one Munsif can be appointed to exercise jurisdiction in the same local area. The object of the proposed Bill is to give effect to these proposals.”

The Motion was put and agreed to.

CENTRAL PROVINCES GOVERNMENT WARDS BILL, 1885.

The Hon'ble MR. ILBERT moved for leave to introduce a Bill to make better provision for the Superintendence of Government Wards in the Central Provinces. He said :—

“At present the law upon this subject in the Central Provinces is in a very uncertain and unsatisfactory condition. The Judicial Commissioner has ruled that nothing calling itself a Court of Wards can be regarded as assuredly having legal existence in the Nágpur district. This ruling affects all the southern districts of the Provinces. Again, it has lately been discovered that there is no satisfactory ground for holding that the Bengal Regulations regarding the Court of Wards have been extended to the Nimár district; and even in

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[*Mr. Ilbert.*]

the northern districts, where these Bengal Regulations are in force, the law is not on a satisfactory basis. There are doubts as to the powers possessed by the Courts, and there are a good many points on which it would be well for the Chief Commissioner to be in a position to issue clear and definite instructions to the authorities who have to administer the jurisdiction. The Chief Commissioner has now at his command, in the lately formed Agricultural Department, machinery available for the supervision of estates belonging to Government wards, and, this being so, he has urged that legislation on this subject should not be longer delayed. His suggestion is that legislation should take the form of a chapter which formed part of the Central Provinces Land-revenue Bill when it was originally introduced, but which was afterwards omitted from that Bill because it was considered inexpedient to complicate the measure by adding provisions which were not clearly and closely connected with the main subject-matter of the Bill. We have adopted this suggestion, and the Bill which I am asking for leave to introduce is based upon that omitted chapter, which has been revised and modified after very careful comparison with the law in force on the same subject in the Punjab, the North-Western Provinces, Oudh and Bengal."

The Motion was put and agreed to.

The Council adjourned to Thursday, the 28th May, 1885.

D. FITZPATRICK,

Secretary to the Government of India,

Legislative Department.

SIMLA ;

The 15th May, 1885. }