

Wednesday, May 25, 1881

COUNCIL OF 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.

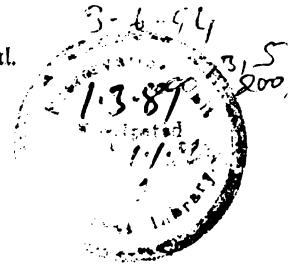
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1882.

*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 Wednesday, the 25th May,
1881.

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 Honour the Lieutenant-Governor of the Panjáb, K.C.S.I.

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

The Hon'ble Whitley Stokes, C.S.I., C.I.E.

The Hon'ble Rivers Thompson, C.S.I., C.I.E.

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

Major the Hon'ble E. Baring, R.A., C.S.I., C.I.E.

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

The Hon'ble C. Grant, C.S.I.

BÁNKI LAWS BILL.

The Hon'ble MR. STOKES moved for leave to introduce a Bill to amend the law in force in the Mahál of Bánki. He said that it had been determined by Government to bring the Government estate of Bánki, which at present formed portion of a scheduled district under the Scheduled Districts Act, 1874, under the regular system of administration, and, for this purpose, to annex it, from the commencement of the next financial year, to the Khurda subdivision of the Regulation district of Púrí. Owing, however, to Bánki having hitherto formed portion of a scheduled district, there were certain differences between the law prevailing in it and the law in force in the Púrí district, which differences it was desirable to remove. The present Bill, which had been drawn on the lines of the Raipur and Khattrá Laws Act, 1879, had accordingly been prepared. It assimilated the law in Bánki to that in the district of Púrí from the date on which Bánki was annexed to that district, and declared that from that date Bánki should cease to be a portion of a scheduled district.

The Motion was put and agreed to.

P O R T U G U E S E C O N V E N T I O N B I L L.

Major the Hon'ble E. BARING moved for leave to introduce a Bill to give effect to the Convention between the Governors General of British India and

Portuguese India regarding their respective systems of moneys, weights and measures. He said that the Council were, no doubt, aware that on the 26th of December, 1878, a Treaty of Commerce and Extradition was executed between Great Britain and Portugal, and ratified on the 6th of August, 1879, in which it was provided that the High Contracting Parties should use their best endeavours to establish between their respective systems of moneys, weights and measures the harmony desirable for the development of commercial relations between their respective dominions. It was also provided that any detailed measures which were necessary should be provided for in a separate Convention which should be executed within two years from the date of the Treaty. The Treaty itself came into force on the 15th January, 1880, and the Convention was signed on the 12th of April, 1880. It was now necessary to pass a short Act to give legal effect to the provisions of the Convention. The Bill which he now asked for leave to introduce was a very short one. It provided, in the first section, that it was to extend to the whole of British India, and that it should come into force at once; in the second section, that the provisions of the Convention, so far as they were binding upon the Government of British India, should be deemed to have the force of law; and, in the third section, that the provisions of Act No. XXIII of 1870 (The Indian Coinage Act) should be applied to all coin made and bullion brought for coinage to the Mint under the Convention.

The Motion was put and agreed to.

Major the Hon'ble E. BARING then introduced the Bill.

Major the Hon'ble E. BARING also applied to His Excellency the President to suspend the Rules for the conduct of business. He said that there had been a very unfortunate delay in dealing with this question which obliged him now to make this request, and with a view, on the suspension of the Rules, to move that the Bill be taken into consideration. The course which he now proposed to adopt was no doubt unusual, and in some respects objectionable; but such a course was generally held to be justified when the matter before the Council was one of urgency, and also when it dealt with a measure which, practically, might be said to be out of the limits of ordinary discussion. He thought, though he very much regretted to have to ask that the Rules should be suspended, that the proposed measure came within the category to which he alluded. It was urgent because we were under the obligation to make those Portuguese coins legal tender in British India; and we had received a communication from the Governor General of Goa complaining that the Railway employés and others in the Bombay Presidency refused to receive the Portuguese currency; it was therefore very desirable to put a stop to such an inconvenient state of things. As regards the

formal character of the measure, it was only necessary for him to say that it merely gave effect to the Convention which was signed more than a year ago. He thought that there could hardly be two opinions as to the advisability of passing the Bill without further delay.

His Excellency THE PRESIDENT quite agreed with his hon'ble friend Major Baring that the suspension of the Rules was an unusual, and to some extent an objectionable, course, and that it was a matter in regard to which we should be very careful. Those Rules gave security to the public that the business in the Legislative Council would be properly considered, and that the public itself would have an opportunity of knowing what the Council was about, and of making its views known to them. - For the reasons alleged, however, it appeared to HIS EXCELLENCY that the suspension of the Rules in the present case was perfectly justifiable; indeed, that we were bound in regard to what we owed to the Portuguese Government in India to pass this Bill as speedily as possible. HIS EXCELLENCY therefore declared the Rules suspended.

Major the Hon'ble E. BARING moved that the Bill be taken into consideration.

The Motion was put and agreed to.

Major the Hon'ble E. BARING also moved that the Bill be passed.

The Motion was put and agreed to.

The Council adjourned to Wednesday, the 1st June, 1881.

R. J. CROSTHWAITE,

SIMLA ;	}	<i>Officiating Secretary to the Government of India, Legislative Department.</i>
<i>The 25th May, 1881.</i>		