

*Wednesday,
11th July, 1888*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXVII

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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

VOLUME XXVII



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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 Vict., Cap. 67.

The Council met at Viceregal Lodge, Simla, on Wednesday, the 11th July, 1888.

P R E S E N T :

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

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

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

The Hon'ble Lieutenant-General G. T. Chesney, C.B., C.S.I., C.I.E., R.E.

The Hon'ble A. R. Scoble, Q.C.

The Hon'ble Sir C. U. Aitchison, K.C.S.I., C.I.E., LL.D., D.O.L.

The Hon'ble Sir C. A. Elliott, K.C.S.I.

The Hon'ble J. Westland, C.S.I.

The Hon'ble G. R. Elsmie.

NEW MEMBER.

The Hon'ble MR. ELSMIE took his seat as an Additional Member.

METAL TOKENS BILL.

The Hon'ble MR. WESTLAND moved that the Bill to prohibit the making or issue by private persons of pieces of metal for use as money and the making of coins in resemblance or similitude of coins of Foreign States be referred to a Select Committee consisting of the Hon'ble Mr. Scoble, the Hon'ble Sir Charles Aitchison, the Hon'ble Mr. Elsmie and the Mover.

The Motion was put and agreed to.

MEASURES OF LENGTH BILL.

The Hon'ble MR. SCOBLE moved that the Bill to declare the imperial standard yard for the United Kingdom to be the legal standard measure of length in British India be referred to a Select Committee consisting of the Hon'ble Sir Charles Aitchison, the Hon'ble Mr. Westland, the Hon'ble Mr. Elsmie and the Mover.

The Motion was put and agreed to.

[*Mr. Elsmie.*]

[11TH JULY, 1888.]

TOLLS VALIDATION BILL.

The Hon'ble MR. ELSMIE moved for leave to introduce a Bill to remove doubts as to the legality of the levy of certain Tolls. He said :—

“ The advisability of passing a brief measure for this purpose was suggested by the Government Advocate of the Punjab, whose attention was drawn in the course of his duties to the question whether Acts VIII of 1851 and XV of 1864 were in force in that province. The decision of that question turns upon certain considerations of a technical nature, and both lawyers and judges might well differ as to the view which should be taken. In an appellate case decided by the Chief Court of the Punjab in 1883, judgment was given on the assumption that Act VIII of 1851 was in force. Later, however, in a case in another Court the question was subjected to more detailed examination, and the Government Advocate came to the conclusion that, whatever the correct view might be, the matter was one which involved a certain degree of doubt which it would be well to remove in respect to all future collections of tolls. The opinion of the Government Advocate has after full consideration been accepted both by the Local Government and by the Government of India, and a Bill has been prepared the object of which is to validate the past and future levy of tolls in the Punjab under Acts VIII of 1851 and XV of 1864. The opportunity has also been taken to confer in express terms on the Lieutenant-Governor of the Punjab and the Chief Commissioners of Burma, the Central Provinces and Coorg, and on the Local Government of any other province in which the Acts may for the time being be in force, the authority which is conferred on the Governor of Fort St. George in Council and the Lieutenant-Governors of Bengal and the North-Western Provinces by section 2 of the Act of 1851, and to declare the word ‘ Presidency ’ in section 8 of the Act to mean the territories under the administration of a Local Government.”

The Motion was put and agreed to.

The Hon'ble MR. ELSMIE also introduced the Bill.

The Hon'ble MR. ELSMIE also moved that the Bill and Statement of Objects and Reasons be published in the Gazette of India in English, and 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.

The Council adjourned to Wednesday, the 25th July, 1888.

S. HARVEY JAMES,

Secretary to the Government of India,

Legislative Department.

SIMLA; }
The 13th July, 1888. }