

Friday,
13th January, 1899

ABSTRACT OF THE PROCEEDINGS
OF THE
Council of the Governor General of India,
LAW AND REGULATIONS

Vol. XXXVIII

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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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Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., c. 67, and 55 & 56 Vict., c. 14).

The Council met at Government House, Calcutta, on Friday, the 13th January, 1899.

PRESENT :

His Excellency Baron Curzon of Kedleston, G.M.S.I., G.M.I.E., Viceroy and Governor General of India, *presiding*.

His Honour Sir John Woodburn, K.C.S.I., Lieutenant-Governor of Bengal.

His Excellency General Sir W. S. A. Lockhart, G.C.B., K.C.S.I., Commander-in-Chief in India.

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

The Hon'ble Mr. M. D. Chalmers, C.S.I.

The Hon'ble Major-General Sir E. H. H. Collen, K.C.I.E., C.B.

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

The Hon'ble Mr. C. M. Rivaz, C.S.I.

The Hon'ble Sir G. H. P. Evans, K.C.I.E.

The Hon'ble Mr. J. J. D. LaTouche, C.S.I.

The Hon'ble Rai Bahadur Pandit Suraj Kaul, C.I.E.

The Hon'ble Mr. Gangadhar Rao Madhav Chitnavis, C.I.E.

The Hon'ble Mr. Allan Arthur.

The Hon'ble Mr. P. M. Mehta, C.I.E.

The Hon'ble Nawab Mumtaz-ud-daula Muhammad Faiyaz Ali Khan.

The Hon'ble Mr. J. K. Spence, C.S.I.

The Hon'ble Mr. G. Toynbee.

The Hon'ble Mr. D. M. Smeaton, C.S.I.

The Hon'ble Mr. J. D. Rees, C.I.E.

NEW MEMBERS.

The Hon'ble MR. MEHTA, the Hon'ble NAWAB MUHAMMAD FAIYAZ ALI KHAN, the Hon'ble MR. SPENCE, the Hon'ble MR. TOYNBEE, the Hon'ble MR. SMEATON and the Hon'ble MR. REES took their seats as Additional Members of Council.

[The President; Sir James Westland.] [13TH JANUARY, 1899.]

In opening the proceedings of the Council His Excellency THE PRESIDENT said :—

“Your Honour and Gentlemen,—In taking my seat for the first time at this table, I should like to say, before we advance to the proceedings of the morning, what an honour I conceive it to be to preside over this distinguished and representative body, which is entrusted with the legislative work of the Government of India. I think I may claim a peculiar interest in the work of this Council for the reason that I happened to be the Minister, as Under-Secretary of State for India, who, in 1892, under the Secretaryship of State of Lord Cross, had to conduct through the House of Commons the Indian Councils Bill of that year. To that Bill we owe the enlarged constitution, and, as I believe, the extended usefulness, of this Council and of the kindred, though smaller, bodies in the other parts of India; and it is therefore with exceptional pleasure that I find myself presiding here over a body which I assisted to launch into the later stage of its existence, and in which I feel myself entitled, therefore, to entertain a more than official concern. I hope, Gentlemen, that our deliberations may be characterised by the dignity which has always attended the proceedings of this Council, and that they may redound to the advantage of this country and of its peoples. For my own part I doubt not that I shall receive at your hands, as my predecessors have always done, the help which your greatly superior experience in Indian matters must put you in a position to afford.”

ACCOUNTS FOR 1897-98.

The Hon'ble SIR JAMES WESTLAND said :—“ I have, with Your Excellency's permission, to intimate to Hon'ble Members of Council that the accounts for the year 1897-98 have been finally closed, and that they will be distributed in a few days by the Secretary to Hon'ble Members. As regards the issue of the accounts, I may mention that it turns out that in making the Financial Statement last March we over-estimated the revenue of the year by twelve lakhs and the expenditure by four lakhs. The consequence is that the deficit of the year, instead of being, as we then estimated, 528 lakhs, turns out to be 536 lakhs. As the figures which we deal with include about nine or ten thousand lakhs on each side of the account, I think it will be admitted that that is extremely close estimating. Hon'ble Members may also recall to mind that with the last Financial Statement I gave a summary in short form of the accounts for twenty years. That summary, together with its subsidiary accounts, is also now in the hands of the printer, and will, during the week, I trust, be distributed also to Hon'ble Members.”

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*GOVERNMENT BUILDINGS ; AMENDMENT OF COURT-
FEES ACT (1870) ; AMENDMENT OF PRESIDENCY
SMALL CAUSE COURTS ACT (1882).*

[*Mr. Rivaz ; Mr. Chalmers.*] [13TH JANUARY, 1899.]

GOVERNMENT BUILDINGS BILL.

The Hon'ble MR. RIVAZ moved that the Bill to provide for the exemption from the operation of Municipal laws of certain buildings and lands which are the property, or in the occupation, of Government and situate within the limits of a municipality, be referred to a Select Committee consisting of the Hon'ble Mr. Chalmers, the Hon'ble Rai Bahadur Ananda Charlu, the Hon'ble Mr. LaTouche, the Hon'ble Nawab Faiyaz Ali Khan and the mover. He said :—“ This Bill was introduced in the Council and circulated in the usual way for opinions. Those opinions have been received and the Bill is now ready for consideration by a Select Committee.”

The motion was put and agreed to.

COURT-FEES ACT (1870) AMENDMENT BILL.

The Hon'ble MR. RIVAZ moved that the Hon'ble Mr. Mehta, the Hon'ble Mr. Smeaton, the Hon'ble Mr. Rees and himself be added to the Select Committee on the Bill to further amend the Court-fees Act, 1870. He said :—“ The Select Committee, which was appointed last year to consider the Bill to further amend the Court-fees Act of 1870, was unable to deal with it during the past Calcutta session owing to more urgent and important work. Meanwhile four Members of that Committee have ceased to be Members of Your Excellency's Council, and it is necessary, therefore, to fill up the vacancies. My own name is included as I have since succeeded to the charge of the Bill.”

The motion was put and agreed to.

**PRESIDENCY SMALL CAUSE COURTS ACT (1882) AMENDMENT
BILL.**

The Hon'ble MR. CHALMERS moved that the Bill to further amend the Presidency Small Cause Courts Act, 1882, be referred to a Select Committee consisting of the Hon'ble Mr. Rivaz, the Hon'ble Mr. Allan Arthur, the Hon'ble Mr. Mehta, the Hon'ble Mr. Rees and the mover. He said :—“ This is a Bill which was introduced last year and which we had not time to refer to a Select Committee. It has been before the Council, and I need not say at present anything further on the subject of it.”

The motion was put and agreed to.

4 AMENDMENT OF STEAM-VESSELS ACT (1884); AMENDMENT OF INDIAN MARINE ACT (1887).

[*Sir James Westland*; *Major-General Sir Edwin Collen.*] [13TH JANUARY, 1899.]

INLAND STEAM-VESSELS ACT (1884) AMENDMENT BILL.

The Hon'ble SIR JAMES WESTLAND moved that the Bill to further amend the Inland Steam-vessels Act, 1884, be referred to a Select Committee consisting of the Hon'ble Mr. Chalmers, the Hon'ble Mr. Allan Arthur, the Hon'ble Mr. Smeaton and the mover. He said :—" This is a Bill which was introduced for the purpose of giving the Government powers to regulate the traffic of inland steam-vessels in some small particulars in which the present law does not give them sufficient power. It has for the most part been agreed to, and I think I may describe it as a non-contentious measure. I ought, however, to mention that it is the intention of the Government to move in Select Committee the addition of a new section to the Bill which will have the effect of declaring that certificates which are issued by one Local Government to engineers and officers of steamers shall have effect throughout India, that is to say, that a declaration of competency on the part of one Local Government shall be effective throughout India."

The motion was put and agreed to.

INDIAN MARINE ACT (1887) AMENDMENT BILL.

The Hon'ble MAJOR-GENERAL SIR EDWIN COLLEN moved that the Bill to amend the Indian Marine Act, 1887, be taken into consideration. He said :—" When I introduced this Bill on the 23rd of September last, I explained that the alterations proposed were merely to give effect to certain administrative and other changes which had occurred since the passing of the Marine Act of 1887. The Bill has been circulated to Local Governments and Administrations and other authorities, and no objection has been taken to its provisions."

The motion was put and agreed to.

The Hon'ble MAJOR-GENERAL SIR EDWIN COLLEN moved that the Bill be passed.

The motion was put and agreed to.

The Council adjourned to Friday, the 20th January, 1899.

CALCUTTA ; }
The 13th January, 1899. }
H. W. C. CARNDUFF,
Offg. Secretary to the Govt. of India,
Legislative Department.