COUNCIL OF THE 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 under the provisions of the Act of Parliament 24 and 25 Vic., cap. 67.

The Council met at Government House on Friday, the 2nd December 1864.

PRESENT:

His Excellency the Viceroy and Governor-General of India, *presiding.*
His Honour the Lieutenant-Governor of Bengal.
Major-General the Hon'ble Sir R. Napier, K.C.B.
The Hon'ble H. B. Harington.
The Hon'ble H. Sumner Maine.
The Hon'ble Sir C. E. Trevelyan, K.C.B.
The Hon'ble H. L. Anderson.
The Hon'ble Claud H. Brown.
The Hon'ble Máhárájá Vijayaráma Gajapati, Ráj Bahádur of Vizianagram.
The Hon'ble Rájá Sáhib Dyál Bahádur.
The Hon'ble W. Muir.
The Hon'ble R. N. Cust.
The Hon'ble Mahárájá Dhíraj Mahtab Chand Bahádur, Máhárájá of Burdwan.

CALCUTTA GREAT JAIL BILL.

His Honour the Lieutenant-Governor of Bengal, in moving for leave to introduce a Bill to remove the Great Jail of Calcutta from the control of the Sheriff and transfer it to that of the Government of Bengal, said that the Great Jail of Calcutta, including that portion of it which was known by the name of the House of Correction, was before the year 1862, under the exclusive control of the Sheriff. He was responsible to the High Court for the management of the Jail and the safe custody of the prisoners. His duties were defined by the Common Law of England and the provisions contained in the Charter of the late Supreme Court. But he was in no way responsible to the Government for the proper discharge of the duties of his office. After the separation of the House of Correction from the rest of the Great Jail, the Sheriff's authority was so far limited, with his own consent, that the House of Correction was placed under the Commissioner of Police, who was made responsible to the Government for the safe-custody of the prisoners confined therein, and for the management and discipline of it. But he had no legal power or status in the House of Correction except as a Justice of the Peace; and the whole legal power was vested in the Sheriff. The

control of the Government, such as it was, was simply exercised on sufferance. Government had no more legal authority than the Commissioner of Police. This state of things, as might be supposed, was found to be productive of great inconvenience, and matters were brought to a crisis when the House of Correction became a place of intermediate imprisonment for criminals sentenced to penal servitude. The House of Correction, which was intended only for the safecustody of offenders sent there by the Justices of Calcutta and the Police Magistrates, was wholly unfitted for the custody of the desperate offenders sentenced by the High Court to penal servitude. The consequence was, that an Act was passed by the Government of India in 1862, relieving the Sheriff of all responsibility as to that part of the Great Jail of Calcutta which is called the House of Correction, and placing the legal as well as the practical responsibility on the Commissioner of Police, or on such other officer as might be appointed by Government for the purpose. At the same time, an Act was passed by the Bengal Council, defining the duties of the Commissioner of Police or other officer, and providing also for the inspection of the House of Correction and the Great Jail by visiting Justices. The Justices had performed the duties required by the Act and had from time to time made reports to Government, in which they represented that the House of Correction was over-crowded and very ill-constructed. The result was that a Committee was appointed to enquire how these defects were to be remedied. A further large portion of the Great Jail, as distinguished from the House of Correction, was consequently separated off and made available for the confinement of prisoners sentenced to imprisonment in the House of Correction.

Shortly after this, a case occurred which excited considerable attention, in which a prisoner died through the ill-treatment of a native subordinate in the Jail. The Commissioner of Police exerted himself to ascertain the circumstances, and to give the Coroner facilities in prosecuting the inquest; but it became quite clear that it was impossible that the Jail could be managed by an Officer like the Commissioner of Police, not residing within the limits, and that the establishment necessary for the safecustody of so large a body of men needed the supervision of an officer on the spot. Another circumstances was that, although the visiting Justices had certainly discharged their duties in an exemplary manner, and had brought to notice several defects in the working of the institution, it was clear that some more systematic inspection was necessary, and that the House of Correction and Great Jail of Calcutta should be subjected to scientific and regualr inspection as in the case of Jails in the Mofussil, under the supervision of the Inspector-General of Jails. The first step to bring this about was of course to procure the passing of such a law as it was now His Honour's intention to propose, namely to relieve the Sheriff of all responsibility in the Jail, and place the officer in charge of the Jail under the authority of the Inspector-General, and, through him, of the Government of Bengal. His Honour had consulted the learned Chief Justice, Sir

Barnes Peacock, on the subject, and he agreed in thinking the measure desirable, on the understanding that the Sheriff be relieved of all responsibility for prisoners when made over to the Keeper of the prison. Accordingly, a proposal of that kind was made to the Government of India, but up to the present time there had been no opportunity of carrying it into effect. His Honour did not think that any objection was likely to be made to the Bill, which it was proposed to introduce. The only points on which doubts might arise were, first, as to the pecuniary responsibility of the Sheriff with regard to the civil prisoners; and, secondly, as to native prisoners who were confined in the jail, and who, so long as they remained within the local jurisdiction of the High Court, were entitled to the benefit of that law, but who, if removed therefrom would lose that benefit. As to the first, the Sheriff was now, in theory, responsible in personal damages to a creditor if his debtor escaped from the Great Jail. But His Honour could not find, from enquiries which he had made, that the Sheriff had ever in fact been made answerable in that way for such an escape. Such responsibility was a remnant of a long-past state of things; and there was no reason why it should be continued under present circumstances. If a civil prisoner was committed to jail, the Keeper was bound to exercise the same care as in the case of a Criminal. His Honour was not aware of any reason why his responsibility for one should be greater than for the other. Secondly, as to the *Habeas Corpus*—it only affected natives, or rather those who were not European British subjects. As to natives confined in the House of Correction under sentence of a Magistrate, His Honour's impression was that they were already liable to be removed from the House of Correction to any Jail in the Lieutenant-Governor's jurisdiction; and, as regarded the prisoners sentenced by the High Court, it was equally certain that they might be so removed by order of the Government of India; so that the only consequence of transferring the control of the jail from the Sheriff to the Government would be this, that whereas now the Government of India could order the removal of a native prisoner from the Great Jail to a Mofussil Jail, if the Bill which it was now proposed to introduce became law, these prisoners would be removed by the order of the Lieutenant-Governor of Bengal. Mr. Maine, in his speech the other day, mentioned that the Lieutenant-Governor of Bengal, rather than the Governor-General in Council, was the representative of the despotic principle in the Government. If so, it might be said that if the proposed change of law were carried out, the prisoners would be less scrupulously dealt with. His Honour hoped that much weight would not be attached to that objection.

The Hon'ble Sir Robert Napier had great pleasure in supporting the Bill proposed to be introduced, for two reasons: first, it was evident that the jail

would be much better managed under concentrated than divided control, and secondly, it would be the first step towards removing the jail from its present position and towards the construction of another Jail worthy of the Capital of India and better suited for its purpose than the present building.

The Motion was put and agreed to.

MARRIAGE ACT AMENDMENT BILL.

The Hon'ble Mr. Anderson, in moving for leave to introduce a Bill to amend Act XXV of 1864 (to provide for the solemnization of marriages in India of persons professing the Christian religion), said.—"This measure has, Sir, been rendered necessary by a variety of causes, which I will briefly explain to the Council. The recent Marriage Bill has, I am glad to say, been received as a boon by the Christian community in India, with the exception of one important section. It has especially been received with satisfaction by the Members of the Church of Scotland, and by all bodies of Protestant dissenters; and it has been accepted in a most liberal spirit by the Bishops and Clergy of the Church of England. The circumstances which render further legislation necessary are, with one exception, of no remarkable importance. The Government of the Straits has expressed a strong desire that the Straits' Settlement be included within the operation of the new law, and it has been thought desirable that advantage should be taken of the opportunity thus afforded to introduce such other alterations in the Act as subsequent experience has suggested. We have been provided with a more simple and comprehensive form of registration than that which is appended to Act XXV of 1864, and there are some other slight modifications in matters of detail which it will be good policy to adopt. But my object in asking at the present time for leave to introduce an amending Bill, is to avail myself of this early opportunity of assuring an important section of the community, the Roman Catholics, who have expressed great dissatisfaction with certain provisions of the Marriage Act, that this Council has a sincere desire to relieve them from any hardship which that Act may have inadvertently imposed upon them. I have had the pleasure of discussing some of the objections advanced against the Act with a gentleman for whom I have the greatest respect and esteem, Dr. Stevens, the Roman Catholic Bishop of Bombay, and I feel that there will be no difficulty in meeting his views. But the opposition to the Act which has been the most loudly and warmly expressed, has proceeded from the Bishops, Clergy, and congregations of the Madras Presidency, and especially of the southern portion of that Presidency. To these objections I shall now address myself. Their dissatisfaction is principally directed to Part II and Part V of the Bill. Now, first, with reference to Part II. They point out that certain forms, preliminary, attendant, and consequent, such as written notices, delays of fourteen days, and other similar precautions,

will be, in practice, of the greatest possible inconvenience to their congregations and they urge that, from these provisions, the Church of England and the Church of Scotland are exempted. I would here state that the Select Committee was well aware that precautions substantially similar to those to which the Roman Catholic Clergy have objected, were actually in force in the Churches of England and Scotland, and it was thought advisable to leave the rules of these Churches intact. But the Select Committee did not know what precautions in relation to the solemnization of matrimony were in force in Roman Catholic congregations, or whether there was or was not an uniformity of practice amongst those congregations throughout India. And I would here remark that this portion of the Act, which was framed by the late Mr. Ritchie, was before the public for two years, but I do not recollect that there was any marked expression of dissatisfaction with the provisions now under discussion. Those provisions had simply in view certain civil objects, and in no way touched on the religious sanctions of the marriage ceremony. But as the opinion of the Roman Catholic community has been strongly expressed against those sections, and as it has, I admit, been fairly shown that they impose, not hardship, but inconvenience, on a portion of the community, I am personally most willing to endeavour to devise a remedy. I should also mention that the provisions of Part II are guarded and enforced by penalties enacted in Part VI, and it is regarded as grievances by the Roman Catholic Clergy that they should be subject to penalties from which the Clergy of English and Scotch Churches are exempt. The feeling here involved is, I believe, rather one of dignity than of practical hardship; but I am quite willing that the feeling should be respected I shall therefore propose, in the new Bill, to substitute for the words "Clergyman of the Church of England, according to the rules, rights, ceremonies, and customs of that Church," in the 7th section, the words "Clergyman who has received episcopal ordination according to the rules, rites, ceremonies, and custom the Church of which he is a Minister." The Clergy of the Church of Rome will be thus included within the exception, and relieved from the operation of the provisions of Part II, to which they object.

Next, with reference to Part V—The Clergy of the Church of Rome object first to the principle, and then to some of the details. Their objection to the principle may, I imagine, be thus stated:—The Church of Rome have held, since the Council of Trent, that the presence of a Priest is necessary to the vilidity of a marriage. If, then, the marriages under Part V are to be valid, they must be performed by Priests. The licenses under Part V must be received by Priests. But it is utterly opposed to the doctrine and practice of the Church of Rome that a Priest should, *quoad* his sacerdotal functions, receive any authority from the secular power. They also object to some of the details of Part V: they object to the restrictions on age, on consanguinity and affinity, and to other provisions. They state that, in Southern Madras, a man may be compelled by his social

status to marry his own niece. To all those statements, I have one simple and sufficient answer—that only those who are willing need be married under the provisions of Part V. Those who prefer the longer and more impressive ceremony, are not compelled to resort to the more simple form which this Part permits. Roman Catholics will therefore be married according to the forms prescribed by their Church, and should any question arise in a Court of law as to the validity of a marriage between a man and his niece, it will be for them to satisfy the Court that the union is in accordance with the rites, rules, ceremonies, and customs of the Church of Rome.

I should, however, state, I am so perfectly convinced of the utility of Part V, that I shall propose to extend its operation to all Native Christians who may wish to avail themselves of its provisions, and not to restrict it, as at present, to Native Converts.

An objection has also been advanced to Part III of the Marriage Act, which prescribes the hours within which all marriages shall be performed in India. Clergy of the Church of Rome have stated that this rule interferes with the solemnization of what may be called death-bed marriages, which are frequently of urgent necessity, as, without such marriages, the last sacrements of the Church cannot be administered. I shall propose, then, to give to the Bishop of the Church of Rome, the same power of permitting their Clergy to solemnize such marriages as is conferred by implication under the Act on the Bishops of the Church of England. But I feel it my duty to invite the attention of the Council to a passage in a letter of Bishop Fennelly, which I have read with considerable astonishment. In speaking of death-bed marriages, he says :—

"In all this there is nothing, even for a legacy-hunter, to find fault with. But if we make the case a little different, and suppose man to have no children, room will be found for insinuations of undue influence on the part of the Priest, although the Priest's duty is exactly the same in both cases, to prepare the man for death, and (in the possible event of his recovery) to guard him, as far as may be, from the dangerous occasion of relapse. If he dies intestate, his widow as before will be entitled to one-third of his property, and the remainder will go to his next of kin. If God spares him time enough to make a will, his relatives will most likely be thrown out. Placed on the verge of eternity he sees things in a different light as he loved his money during his life, he is determined to turn it to the best account at his death the widow and the orphan will have their shares. Possibly, a professorship may be founded in the University, and a large sum set aside for the improvement of the Kuam, or for the supply of fresh water to the town of Madras."

Now, in assenting to the legalization of death-bed marriages, I wish especially to guard myself against any recognition, however remote, of the views thus enunciated by a Bishop of the Church of Rome. There is a section in the Indian Civil Code, which was introduced at the last meeting by my hon'ble and

learned friend, Mr. Maine, which is directly opposed to the opinion expressed by Bishop Fennelly. That Section in effect provides, that if a testator have near relatives, no bequest to a charitable institution shall be valid, unless the Will shall have been executed twelve months before the death of the testator, and deposited within six months of its execution in some place provided by law for the safe custody of Wills of living persons. The Section is founded on the provisions of 9 George II, cap. 36, commonly, though not with exact propriety, called the Statute of Mortmain. It was, probably, so called, because it was in some degree analogous in spirit to the various Mortmain Statutes which have been passed since Magna Charta. The history of the term Mortmain is the history of a long struggle between the Legislature, even when it was Roman Catholic, and the Clergy. The ecclesiastical houses at first endeavoured to evade the law by instituting collusive actions against the donor; the donor, after a faint show of resistance, suffered judgment to go by default, and the plaintiffs entered on possession. This was defeated by a Statute which provided that, after the defendant's default, the title of the plaintiff should be submitted to a separate scrutiny. Then the Clergy endeavoured to introduce a distinction taken from the Roman law, between legal ownership and beneficial ownership, and arranged that the property should be conveyed to a layman and his heirs, who allowed the ecclesiastical house to receive the profits. This practice the Legislature in the reign of Richard II declared to be Mortmain. The Statutes of Henry VIII and Edward VI, relating to charitable and superstitious uses, were framed in the same spirit; but their provisions have been greatly modified by the wisdom and liberality of modern legislation. The animus of English laws has always been against Bishop Fennelly's views, and I therefore think it right plainly to state that I shall give my firm support to the principle contained in the 108th Section of the Indian Civil Code, and I trust that my honourable friend will never be induced to abandon it.

I trust, Sir, that the amending Bill which I now ask leave to introduce, will afford real and permanent relief to those who feel themselves aggrieved by some of the provisions of the Marriage Act."

The Motion was put and agreed to.

CEDED LANDS' BILL, AND JUDICIAL SUPERINTENDENT OF RAILWAYS' BILL.

The Hon'ble Mr. Maine asked permission to postpone the two motions which stood next in the list of business. A despatch had just been received from Her Majesty's Government, which might render one or both of those Bills unnecessary.

Leave was granted.

RURAL POLICE (N. W. PROVINCES) BILL.

The Hon'ble Mr. Muir, in moving for leave to introduce a Bill to provide for the maintenance of the Rural Police in the Territories under the Government of the Lieutenant-Governor of the North-Western Provinces, said he would briefly state the circumstances which had led to the preparation of the Bill and the nature of the proposed measure. Originally the Chaukídárs in the North-Western Provinces were remunerated by land—Jagirs granted at the time of the Settlement; but it was found that the care of the land occupied their time; that it was insufficient for their support, and that in seasons of drought, it failed altogether at a time when their attention to their duties was most needed.

It had therefore been the tendency of the Government ever since the last Settlement to provide for their remuneration in money and not in land. Such remuneration formed a charge upon the rental of the estates to which they were appointed. This principle it was not proposed to alter in the present Bill.

In the rules for the Settlement now in progress in the North-Western Provinces, prepared by Mr. Colvin, the rules for the remuneration of village Chaukídárs were as follows:—For every sixty houses a Chaukídár was appointed, whose pay was three rupees a month; under the adjustment of revenue made at the time of the Settlement, one-half of the expense fell on the Government and one-half on the Zamíndár.

This system was faulty in two respects. First, it pressed unequally on the Zamíndárs. The number of watchmen was regulated by the number of houses on each estate at the time of the Settlement. Where the estate was small and the number of the houses large, the loss to the Zamíndárs who had to defray the salary of several watchmen was considerable. Where the estate was large, and the houses few, the charge fell lightly. And where there were no houses, or a number not sufficient for the charge of a Chaukídár, the estate was subject to no demand at all, though such property might be very materially benefited by the Village Police of the neighbouring estate. In short the incidence of the assessment was neither uniform nor fair. The next point was that there was no provision for contracting or enlarging the number of Chaukídárs to meet variations in the population and the growth or decline of villages. The appointment of Chaukídárs, once made, continued unaltered during the term of the Settlement. In the case of temporary Settlements, that could be remedied at the next revision, but wherever the permanent Settlement was introduced, such a re-adjustment would not be possible.

It was proposed to meet these defects by drawing upon two sources of income. First, a uniform Municipal Cess at two rupees twelve annas per cent. on the land revenue. The authority of the Council was not required for this payment, inas-

much as the obligation to make it formed part of the settlement arrangement, and as such was binding. Legislative authority, however, was required to enforce a corresponding demand in Muafi and Názjáná villages, the proprietors of which were bound to make the same provision for the Village Police as the proprietors of assessed estates. The second source was a sum not exceeding in each case one rupee, which it was proposed the proprietors should be authorized to levy on the occupant of every house upon their several estates. Objections had been raised to the chaukidari tax on houses; and no doubt the history of that tax was unfavourable to its continuance. But those objections would not apply to the present Bill. Hitherto the tax had been assessed and collected by Government officials, but if this Bill became law, it would be assessed and collected by the zamindars themselves in the same manner as other village rents and dues. Dues of that nature were already exacted by the proprietors in various parts of the country, and there was nothing in the practice distasteful to the people. The action of the Collector would be restricted to giving relief in cases of illegal demand, or, as Mr. Harington had suggested, of inability to pay. The provisions of the Rent Law would be made generally applicable to these assessments, which would be entered like other rents and dues on the village records. The Collector or the officer making the settlement would be authorized, under the Bill, to assess the proprietor in the aggregate amount of the house assessment for his estate, less ten per cent. to cover the cost of collection. This would be paid annually to Government as revenue, and be realizable as such. The assessment would be subject to revision from time to time, so as to meet the local changes in population, and the number of chaukidars would, as occasion required, be increased or diminished. The income arising from the Municipal Cess and the Police assessments would be thrown into a fund, available, in the first instance, for the payment of the Village Police. The residue, if any, might be devoted to sanitary and general municipal purposes. The Board of Revenue in sending up the Bill propose that it might further be devoted to purposes of general improvement connected with rural administration, such as local agricultural exhibitions.

The Act would take effect only in the Districts or parts of Districts to which the Local Government might extend it. Mr. Cust had suggested that the Bill, if good for the North-Western Provinces, would be good for the Punjab also. A section had accordingly been inserted, which would enable its extension by the Local Government to the Punjab. The Government of India was also empowered to extend the provisions of the Act to any province under its immediate administration.

The Motion was put and agreed to.

COMMON CARRIERS' BILL.

The Hon'ble Mr. Maine introduced the Bill relating to the rights and liabilities of Common Carriers, and moved that it be referred to a Select Committee, with instructions to report in four weeks. He said that, though this was a short Bill, he believed it would be of great value in the Mofussil. To explain the measure he might remind the Council that the general law of most European countries, that is, the *primâ facie* law as unmodified by special agreement, imposed extraordinary liabilities on common carriers, being persons who made it their business to convey goods from place to place by land or by river. They were made absolutely, or nearly absolutely, responsible for the safecustody and safe delivery of the goods committed to them, and no excuse for the non-performance of their contract was admissible. Whether this severe law obtained in India was matter of uncertainty—an uncertainty which surrounded so many questions of Indian Mofussil law. The better opinion seemed to be that, even in India, obligations of unusual and exceptional stringency were imposed upon carriers. But it was unnecessary to discuss the point, as the Indian Law-Commissioners were understood to be addressing themselves to the Chapter of the Civil Code on contract, and will have to take up incidentally the liabilities of carriers. Mr. Maine had hitherto been speaking of the primary and general law, of the obligations incurred by carriers by the bare fact of their contracting to convey and deliver goods. Those obligations might, however, be modified indefinitely by special agreement. The practical result, therefore, was, as in so many cases of one-sided and inequitable law, exactly the reverse of that intended by the designers of the primary rules —always supposing it could be spoken of as deliberately intended, for it was in truth of such antiquity that it was almost idle to speak of it in connection with fixed design. It was found that common carriers habitually resorted to a number of expedients for delivering themselves from their extraordinary liabilities. Either they put up in their place of business a board or table, stating the conditions on which they would receive goods, and, if it could be shown that these conditions came to the notice of the customer, they were binding on him ; or perhaps they placed in his hands a written or printed paper containing similar conditions, and the receipt of such a paper, followed by delivery to the carrier, would almost in every case constitute a special agreement. Practically, therefore, what the Legislature had to deal with was, not only the extraordinary severity of the general law to carriers, but also the extreme leniency and one-sidedness of the terms which carriers secured to themselves by special contract—terms which were often submitted to by the customer without his being aware of what he was doing. The Bill was intended to correct these mutual obligations. It was in accordance with English legislation on the subject, following the principle, though not the language

of the English Statutes. The English rules were understood to have generally commended themselves to the approbation of the mercantile classes. If the goods for conveyance consisted of any of the articles enumerated in the Schedule—that is, were unusually valuable or unusually perishable—such as gold, jewels, paintings, engravings, or title-deeds—the customer, when committing them to the carrier, must give a special description of their character and value, otherwise the carrier would be relieved from liability. On the other hand, the carrier was allowed to charge an additional rate as insurance against the augmented risk, in conformity with a scale of charges to be publicly exposed in his place of business. If, however, the goods were of an ordinary kind, neither unusually valuable, nor unusually destructible, the carrier would not be allowed to acquit himself of his obligations merely by putting up a table or board. His only mode of mitigating his general responsibility would be by special contract, which Mr. Maine was inclined to think —though that was not in the present Bill—ought to be a document signed by the customer or his agent.

The remainder of the Bill was framed to place railways constructed under Act XXII of 1863, or tramroads as they were sometimes called, on the same footing as regarded liability for the carriage of goods as railways constructed under the general Indian Railway Act. In his Statement of Objects and Reasons he had attempted to explain what was the real purport of the provisions of the Act on this subject. The argument was somewhat technical, and he would not repeat it now. The rule adopted was a simple one. Railway Companies were liable for the negligence or misconduct of themselves or their servants or agents and, of course, for fraud; but were not otherwise answerable for loss. The explanation of that rule was as follows: a Railway Company, both in India in England, was so powerful a body; it had such a virtual monopoly of the carriage of goods along the line of country which it occupied, that, if it were left to itself, it would probably contract itself out of all its liabilities. It would constrain its customers to accept such special terms that it would be liable under no circumstances and for nothing. The Indian Railway Act accepted this advantage of Railway Companies up to a certain point; but it stopped there, and obsolutely forbad Railway Companies to relieve themselves in any manner from liabilities incurred through negligence or positive misconduct. The rule was a simple one—much simpler than that adopted by the English Parliament, which, indeed, had fallen into several legislative miscarriages in its dealing with this subject. Mr. Maine was further informed by gentlemen conversant with the practical working of the law, that the rule in India was found convenient and easy of application. And, indeed, even if the inconvenience were greater, the Council would probably be of opinion that Railways formed under the new Act should not stand under different obligations from those which attached to railways governed by the older Indian enact-

ment. Mr. Maine had to add that he had received some valuable suggestions from a learned Judge of the High Court, Mr. Justice Levinge, who had had much experience of the working of the law of carriers during his practice at home. These suggestions, which referred chiefly to matters of detail, Mr. Maine would submit to the Select Committee.

The Motion was put and agreed to.

The following Select Committee was named :—

On the Bill relating to the rights and liabilities of Common Carriers.—The Hon'ble Messrs. Harington, Maine, Brown, Bullen, and Cust.

The Council then adjourned.

WHITLEY STOKES,
Offg. Asst. Secy. to the Govt. of India,
Home Dept. (Legislative).

CALCUTTA,
The 2nd December 1864.

S. G. P. I.—77 L. D.—4-8-11—60