

Friday, March 16, 1866

**COUNCIL OF THE GOVERNOR GENERAL
OF INDIA**

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P. L.

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 on Friday, the 16th March 1866.

P R E S E N T :

His Excellency the Viceroy and Governor General of India, *presiding*.

His Honour the Lieutenant-Governor of Bengal.

His Excellency the Commander-in-Chief.

The Hon'ble H. Sumner Maine.

The Hon'ble W. Grey.

The Hon'ble G. Noble Taylor.

The Hon'ble Colonel H. M. Durand, C.B.

The Hon'ble Rájá Sáhib Dyál Bahádur.

The Hon'ble W. Muir.

The Hon'ble D. Cowie.

OUDH LIMITATION BILL.

The Hon'ble MR. MUIR presented the Report of the Select Committee on the Bill to exempt certain suits in Oudh from the operation of the Rules of Limitation in force in that Province. He said that one or two slight alterations had been made in the Bill, a revised copy of which would be sent round. He would therefore postpone until next Friday his Motion that the Bill be passed.

INDIAN MARRIAGE ACT EXTENSION (HYDERABAD) BILL.

The Hon'ble MR. MAINE, in moving for leave to introduce a Bill to extend the Indian Marriage Act, 1865, to the Hyderabad Assigned Districts, said that it was necessary perhaps to explain shortly to the Council in what sense it was intended to extend that Act to the Hyderabad Districts. Those Districts were not part of the Territories for which the Council had full power to legislate. They were administered by the Governor General in Council in the name of the Nizam, and the legislative was mixed and combined with executive power. There were obvious reasons, however, why a Native State should not legislate even nominally for Christians in the matter of marriages, and therefore, by virtue of an Act of Parliament passed last Session, it was proposed to extend to Christian British subjects resident within the Assigned Districts the provisions of the Indian Marriage Act.

As regarded Native Christians who were subjects of the Nizam, the Governor General in Council, as representing the Nizam, had already provided by issuing an executive order applying Part V of the Act.

There was a third class which, if it existed at all, was not sufficiently extensive to require special provisions. He referred to Christians resident in the Assigned Districts, who were neither subjects of Her Majesty nor of the Nizam; as regarded those persons, MR. MAINE thought it would be better to leave their marriages to be dealt with according to the law of their domicile of origin.

The Bill was only a few lines long. It simply provided that "from and after the passing of this Act, the Indian Marriage Act, 1865, shall, so far only as regards Christian British subjects of Her Majesty, extend to the Hyderabad Assigned Districts."

The Motion was put and agreed to.

JUDGES' COMMISSIONS BILL.

The Hon'ble MR. MAINE also presented the Report of the Select Committee on the Bill to relieve the Governor General of India in Council from the duty of signing the Commissions mentioned in Sections 22 and 44 of the High Courts' Criminal Procedure Amendment Act, 1865.

PARTNERSHIP LAW AMENDMENT BILL.

The Hon'ble MR. MAINE also presented the Report of the Select Committee on the Bill to amend the Law of Partnership in India.

POST OFFICE BILL.

The Hon'ble MR. GREY presented the Report of the Select Committee on the Bill for the management of the Post Office, for the regulation of the duties of postage, and for the punishment of offences against the Post Office.

PUBLIC MUSEUM (CALCUTTA) BILL.

The Hon'ble MR. MAINE presented the Report of the Select Committee on the Bill to provide for the establishment of a Public Museum at Calcutta.

The Council adjourned till the 23rd March.

CALCUTTA; }
The 16th March 1866. }

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