

Wednesday, October 2, 1867

**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 under the provisions of the Act of Parliament, 24 & 25 Vic., cap. 67.

The Council met at Simla on Wednesday, the 2nd October, 1867.

PRESENT :

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

His Excellency the Commander-in-Chief, G.C.S.I., K.C.B.

The Hon'ble G. Noble Taylor.

The Right Hon'ble W. N. Massey.

The Hon'ble Major-General Sir H. M. Durand, C.B., K.C.S.I.

The Hon'ble Sir George Yule, C.B., K.C.S.I.

The Hon'ble John Strachey.

FINANCIAL AND JUDICIAL COMMISSIONERS' (OUDH) BILL.

The Hon'ble MR. STRACHEY presented the Report of the Select Committee on the Bill to enable appeals to be transferred from the Court of the Financial Commissioner of Oudh to the Court of the Judicial Commissioner of that Province, and for other purposes.

The Hon'ble MR. STRACHEY having applied to His Excellency the President to suspend the Rules for the Conduct of Business,

The PRESIDENT declared the Rules suspended.

The Hon'ble MR. STRACHEY then moved that the Report be taken into consideration. He had already explained that the Bill had three objects,—first, to relieve the Financial Commissioner of Oudh from much of the appellate business before him, which might well be disposed of by the Judicial Commissioner; secondly, to create a kind of Chief Court, composed of the two Commissioners, for the disposal of civil and revenue cases of peculiar difficulty; and, thirdly, to enable the Judicial Commissioner to obtain the assistance of the Financial Commissioner in deciding points arising in important criminal cases. Provision was made for a reference to the High Court of the North Western Provinces, in case of difference of opinion. Only two substantial changes had been made by the Committee to which the Bill had

been referred. It had added to the cases in which the Judicial Commissioner might request the Financial Commissioner to sit with him, those which would come before the former as a Court of Revision under Chapter XXIX of the Code of Criminal Procedure; and in the proviso to Section 9, it had omitted the words "or of imprisonment." The reference to the High Court in criminal cases would then be obligatory only when the difference of opinion between the Commissioners involved the confirmation, commutation, or reversal of a sentence of death or of transportation.

The Bill had been generally approved by the authorities to whom it had been submitted, and would, he felt assured, give greater confidence in the administration of justice in Oudh.

The Motion was put and agreed to.

The Hon'ble MR. STRACHEY then moved that the Bill be passed.

The Motion was put and agreed to.

OUDH RENT BILL.

✓ The Hon'ble MR. STRACHEY presented the Report of the Select Committee on the Bill to consolidate and amend the law relating to the recovery of rent in Oudh, and said that, as some important alterations had been made in the Bill, it was desirable that it should be re-published in the *Gazette* along with the Report now presented.

✓ The Council then adjourned.

WHITLEY STOKES,

Assistant Secretary to the Government of India,

Home Department (Legislative).

SIMLA;

The 2nd October, 1867.

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