

Friday, November 11, 1870

ABSTRACT OF THE PROCEEDINGS

COUNCIL OF THE GOVERNOR GENERAL OF INDIA

LAWS AND REGULATIONS.

VOL 9

Jan to Dec

1870

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 11th November 1870.

P R E S E N T :

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

His Honour the Lieutenant Governor of Bengal.

The Hon'ble John Strachey.

The Hon'ble Sir Richard Temple, K. C. S. I.

The Hon'ble B. H. Ellis.

Major-General the Hon'ble H. W. Norman, C. B.

The Hon'ble D. Cowie.

The Hon'ble Francis Steuart Chapman.

The Hon'ble J. R. Bullen Smith.

The Hon'ble F. R. Cockerell.

P R I S O N E R S ' B I L L .

The Hon'ble MR. COCKERELL moved that the Bill to consolidate the law relating to Prisoners committed by a Court be referred to a Select Committee with instructions to report in a month. He said that the nature and object of the legislation of which this Bill formed a part, had been so frequently dwelt upon by his hon'ble and learned friend who had especial charge of the Legislative Department (Mr. Stephen) that it was unnecessary for him to advert to them here. The great advantage to be derived from a complete consolidation of the statutes must be universally acknowledged; and the substitution of one Act for seven could hardly be ranked amongst the measures obnoxious to the charge of over-legislation.

The adoption of such amendments of the existing law as were shewn to be required was of course an important element in the work of consolidation.

As regards the present Bill, the proposed alterations were confined to improvements in wording and arrangement.

The seven Parts of the Bill contained the substance of seven out of the nine enactments cited in the schedule; the provisions of the other two were enacted for a temporary purpose and were now obsolete.

CATTLE TRESPASS BILL.

The enactments so consolidated, embraced so much of the entire law (except the recently passed Prisons' Act) relating to prisoners as could not be affected by the action of the local Legislatures.

The Motion was put and agreed to.

CATTLE TRESPASS BILL.

The Hon'ble MR. COCKERELL also moved that the Bill to consolidate the law relating to Cattle Trespass be referred to a Select Committee with instructions to report in a month. He said that this also was a consolidation measure, incorporating with the original Cattle Trespass Act (III of 1857), the substance of the subsequent amending enactments.

When introducing the Bill, he (MR. COCKERELL) explained the grounds of the then proposed alterations. Since the Bill had been drawn, it had been brought to notice that the restriction contained in section 13, in regard to the appropriation of surplus funds accruing from fines and other receipts, worked inconveniently, and that it was desirable to extend the area of the objects on which such funds might be expended.

It had also been suggested that the provisions of section 15 should be enlarged so as to strengthen the hands of the officers employed in the conservation of forests, in the prevention of injury caused by the trespass of cattle.

The Motion was put and agreed to.

BENGAL REGULATIONS REPEAL BILL.

The Hon'ble MR. COCKERELL then moved that the Hon'ble Messrs. Strachey and Chapman be added to the Select Committee on the Bill to repeal certain obsolete Regulations of the Bengal Code.

The Motion was put and agreed to.

The following Select Committees were named :— .

On the Bill to consolidate the law relating to Prisoners committed by a Court—The Hon'ble Messrs. Stephen and Chapman and the mover.

On the Bill to consolidate the law relating to Cattle Trespass —The Hon'ble Messrs. Stephen and Chapman and the mover.

The Council adjourned to Friday, the 18th November 1870.

CALCUTTA,
The 11th November 1870. }

WHITLEY STOKES,
Secy. to the Govt. of India.