

Wednesday,
29th July, 1885

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXIV

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Council of the Governor General of India,

ASSEMBLED FOR THE PURPOSE OF MAKING

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1885

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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 the Viceregal Lodge, Simla, on Wednesday, the 29th July, 1885.

P R E S E N T :

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

His Honour the Lieutenant-Governor of the Punjab, LL.D., K.C.S.I., C.I.E.

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

Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.

The Hon'ble C. P. Ilbert, C.I.E.

The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.

The Hon'ble T. C. Hope, C.S.I., C.I.E.

The Hon'ble Sir A. Colvin, K.C.M.G., C.I.E.

The Hon'ble W. W. Hunter, C.S.I., C.I.E., LL.D.

CENTRAL PROVINCES CIVIL COURTS BILL, 1885.

The Hon'ble MR. ILBERT introduced the Bill to amend the Law relating to Civil Courts in the Central Provinces, and moved that it be referred to a Select Committee consisting of the Hon'ble Sir S. C. Bayley, the Hon'ble Mr. Hunter and the Mover, with instructions to report within two months.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill and Statement of Objects and Reasons be published in the *Central Provinces Gazette* in English and in such other languages as the Local Administration thinks fit.

The Motion was put and agreed to.

BURMA COURTS BILL, 1885.

The Hon'ble MR. ILBERT also moved that the Report of the Select Committee on the Bill to amend the Burma Courts Act, 1875, and section 360 of the Code of Civil Procedure, be taken into consideration. He explained that the Report was a very short one, and merely stated that the Bill as introduced had been approved by the local authorities and consequently did not call for any modification.

The Motion was put and agreed to.

[*Mr. Ilbert; Mr. Hope.*] [29TH JULY, 1885.]

The Hon'ble MR. ILBERT also moved that the Bill be passed.

The Motion was put and agreed to.

NORTHERN INDIA FERRIES ACT, 1878, AMENDMENT BILL.

The Hon'ble MR. HOPE moved for leave to introduce a Bill to amend the Northern India Ferries Act, 1878. He said :—

“The object of this Bill is to remedy a defect which may almost be described as one of drafting and nothing more, and which experience has brought to light. In section 3 of the present Ferries Act XVII of 1878, the word ‘ferry’ is defined as including a bridge-of-boats and other things; but by some accident section 13 provides that ‘no person shall, except with the sanction of the officer charged with the superintendence of a public ferry, keep a ferry-boat for the purpose of plying for hire to or from any point within a distance of two miles from the limits of such public ferry’; and section 26 imposes a penalty for contravening section 13. The result of this is that, although the definition of ‘ferry’ is perfectly correct, the penalty clause is only applied to a person who plies a ferry-boat without a license, and it has been found that individuals are sufficiently ingenious to make a bridge-of-boats within the limits of a public ferry, and that they cannot be touched in any way. This defect it is now proposed to remedy; the proposed amendment is undoubtedly in accordance with the intention of the original Act.

“I may here mention a small matter which we intend to take this opportunity of providing for; that is, we propose to take power for leases being given by or with the sanction of the local authorities, otherwise than by public auction and for long terms. This is necessary in order to meet the case of ferries leased to Railway Companies on special agreements for long terms.”

The Motion was put and agreed to.

The Council adjourned to Wednesday, the 5th August, 1885.

SIMLA;
The 31st July, 1885. }

D. FITZPATRICK,
Secretary to the Government of India,
Legislative Department.