

*Friday,
22nd March, 1889*

ABSTRACT OF THE PROCEEDINGS
OF THE
Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXVIII

Jan.-Dec., 1889

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OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA,
ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS,

1889

VOLUME XXVIII



Published by Authority of the Governor General.



CALCUTTA:
PRINTED BY THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA,
1890.

*Abstract of the Proceedings of the Council of the Governor General of India,
assembled for the purpose of making Laws and Regulations under the pro-
visions of the Act of Parliament 24 & 25 Vict., cap. 67.*

The Council met at Government House on Friday, the 22nd March, 1889.

PRESENT:

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

His Honour the Lieutenant-Governor of Bengal, K.C.S.I., C.I.E.

The Hon'ble Lieutenant-General G. T. Chesney, C.B., C.S.I., C.I.E., R.E.

The Hon'ble A. R. Scoble, Q.C., C.S.I.

The Hon'ble Sir C. A. Elliott, K.C.S.I.

The Hon'ble P. P. Hutchins, C.S.I.

The Hon'ble Sir D. M. Barbour, K.C.S.I.

The Hon'ble R. Steel.

The Hon'ble F. M. Halliday.

The Hon'ble Sir Pasupati Ananda Gajapati Razu, K.C.I.E., Maharájá of
Vizianagram.

The Hon'ble Syud Ameer Hossein, C.I.E.

The Hon'ble Rájá Durga Charn Laha, C.I.E.

The Hon'ble Maung On, C.I.E., A.T.M.

The Hon'ble Muhammad Ali Khan.

The Hon'ble J. W. Quinton, C.S.I.

PORTS BILL.

The Hon'ble SIR DAVID BARBOUR presented the Report of the Select Committee on the Bill to consolidate and amend the law relating to Ports and Port-charges.

SEA CUSTOMS AND TARIFF ACTS AMENDMENT BILL.

The Hon'ble SIR DAVID BARBOUR also moved that the Report of the Select Committee on the Bill to amend the Sea Customs Act, 1878, and the Indian Tariff Act, 1882, be taken into consideration. He said:—

“The Bill is a very short one, and, as it has met with general approval, the alterations which the Select Committee recommend are few and unimportant.

86 AMENDMENT OF SEA CUSTOMS AND TARIFF ACTS; LOWER
BURMA COURTS.

[*Sir David Barbour*; *Rájá Durga Charn Laha*; *Mr. Scoble*.] [22ND MARCH,

"The proposed amendment of section 110 of the Sea Customs Act, 1878, has been struck out, because it was found that the object with which the amendment was proposed is sufficiently provided for in the existing law.

"The question whether the Indian Tariff Act, 1882, should be amended so as to provide for cases in which a duty was imposed, remitted or altered after a contract for sale was made and before the contract was fulfilled is one that could best be decided according as the weight of commercial opinion was for or against the proposal. Commercial opinion, though not absolutely unanimous, is strongly in favour of the proposed amendment. The provision has therefore been retained in the Bill.

"At the suggestion of the Government of Bombay advantage has been taken of the opportunity to expressly exempt Perim from the operation of the Indian Tariff Act. This makes no change in the existing practice."

The Hon'ble RÁJÁ DURGA CHARN LAHA said:—"The Bill, though a short one, is important. I only wish it had been passed before the raising of the salt-duty last year, which would have saved the country from a loss of several lakhs of rupees. Considering the importance and the urgency of the measure, a Bill of this kind, I submit, might have been passed at one sitting of the Council. Had this been done, the risk of the outside public having an opportunity of taking advantage of the intention of the Government in this matter would have been reduced to a minimum. Then, as regards section 4, it is undoubtedly an equitable addition to the Bill. At any rate it can do no harm to people who might be unwilling to conform to it. They would simply have to contract out of the Bill and would have full liberty to do so."

The Motion was put and agreed to.

The Hon'ble SIR DAVID BARBOUR also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

LOWER BURMA COURTS BILL.

The Hon'ble MR. SCOBLE presented the further Report of the Select Committee on the Bill to consolidate and amend the law relating to Courts in Lower Burma. He said:—"In deference to the opinion of the local authorities, the Chamber of Commerce, the Trades Association, the Rangoon Bar and

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[*Mr. Scoble.*]

the Recorder, the Select Committee, with the concurrence of the Chief Commissioner of Burma, have so far amended the Bill as to provide that there shall be an appeal from the decision of the Recorder in all cases in which the value is less than Rs. 10,000. The Committee have thought it better to reserve the right to appeal direct to the Privy Council in cases in which the value is more than Rs. 10,000."

The Council adjourned to Wednesday, the 27th March, 1889.

S. HARVEY JAMES,

Secretary to the Govt. of India,

Legislative Department.

FORT WILLIAM; }
The 25th March, 1889. }