

*Friday,  
24th October, 1902*

**ABSTRACT OF THE PROCEEDINGS**

**OF THE**

**Council of the Governor General of India,**

**LAWS AND REGULATIONS**

**Vol. XLI**

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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

1902

VOLUME XLI



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*Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., c. 67, and 55 & 56 Vict., c. 14).*

The Council met at the Viceregal Lodge, Simla, on Friday, the 24th October, 1902.

PRESENT:

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

His Honour Sir C. M. Rivaz, K.C.S.I., Lieutenant-Governor of the Punjab.

His Excellency General Sir Arthur Power Palmer, G.C.I.E., K.C.B., Commander-in-Chief in India.

The Hon'ble Mr. T. Raleigh, C.S.I.

The Hon'ble Sir E. FG. Law, K.C.M.G.

The Hon'ble Major-General Sir E. R. Elles, K.C.B.

The Hon'ble Mr. A. T. Arundel, C.S.I.

The Hon'ble Mr. Denzil Ibbetson, C.S.I.

The Hon'ble Mr. L. P. Pugh.

The Hon'ble Mr. C. L. Tupper, C.S.I.

The Hon'ble Mr. R. F. Rampini.

CODE OF CIVIL PROCEDURE.

The Hon'ble MR. RALEIGH moved that the Bill to consolidate and amend the Law relating to the Procedure of the Courts of Civil Judicature be referred to a Select Committee consisting of the Hon'ble Mr. Ibbetson, the Hon'ble Rai Bahadur P. Ananda Charlu, the Hon'ble Mr. Pugh, the Hon'ble Rai Bahadur B. K. Bose, the Hon'ble Mr. Whitworth, the Hon'ble Mr. Rampini, the Hon'ble Mr. Power, the Hon'ble Rai Sri Ram Bahadur and the mover.

The motion was put and agreed to.

INDIAN EMIGRATION BILL.

The Hon'ble MR. IBBETSON moved that the Report of the Select Committee on the Bill further to amend the Indian Emigration Act, 1883, be taken into consideration. He said that he had already explained the nature and objects of the proposed legislation and that he had no further remarks to make.

The motion was put and agreed to.

The Hon'ble MR. IBBETSON moved that the Bill, as amended, be passed.

The motion was put and agreed to.

[Mr. Ibbetson ; Sir Edward Law.] [24TH OCTOBER, 1902.]

### CENTRAL PROVINCES VILLAGE-SANITATION BILL.

The Hon'ble MR. IBBETSON moved that the Report of the Select Committee on the Bill to make further provision for Sanitation in Villages in the Central Provinces be taken into consideration. He said that he had nothing to add to what he had said when introducing the Bill and in presenting the Report of the Select Committee.

The motion was put and agreed to.

The Hon'ble MR. IBBETSON moved that the Bill, as amended, be passed.

The motion was put and agreed to.

### INDIAN PORTS (AMENDMENT) BILL.

The Hon'ble SIR EDWARD LAW moved for leave to introduce a Bill further to amend the Indian Ports Act, 1889. He said :—“ The present Bill aims at correcting three defects of a formal character which have been brought to notice in the working of the Indian Ports Act, 1889.

(1) The exemption allowed by the proviso to section 47 might, in spite of the generality of the term 'vessel,' be regarded as not including vessels 'in ballast,' which are dealt with separately in section 46. As there is no reason for excluding vessels in ballast from the exemption, it is considered safer to re-enact the proviso as part of an independent section.

(2) The first entry in the fourth column of Part I of the First Schedule, opposite the port of Calcutta, requires revision in order to bring it into accordance with actual practice under which port-dues are levied on coasting-vessels entering that port only once in sixty days. The existing exception of 'dhonies and country vessels' is not adapted to modern conditions. The new entry proposed by the Bill will substitute a more liberal provision on the lines of the corresponding entry against Chittagong under which both mail-steamers and coasting-vessels will only have to pay port-dues once in sixty days.

(3) The necessity for the addition of a proviso to *Explanation I* to Part II of the same Schedule, under which it is possible for a vessel to be classified as 'foreign' and also as 'coasting' during one and the same voyage, was suggested by an opinion of the Advocate General of Madras, in pursuance of which

[24TH OCTOBER, 1902.] [Sir Edward Law.]

it is sought to render it clear that such a vessel is liable to the levy of port-dues on either scale, whichever is the higher, but not on both scales cumulatively."

The motion was put and agreed to.

The Hon'ble SIR EDWARD LAW introduced the Bill.

The Hon'ble SIR EDWARD LAW moved that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the Fort St. George Gazette, the Bombay Government Gazette, the Calcutta Gazette and the Burma Gazette in English and in such other languages as the Local Maritime Governments think fit.

The motion was put and agreed to.

The Council adjourned *sine die*.

SIMLA ;  
The 25th October, 1902. }

J. M. MACPHERSON,  
*Secretary to the Government of India,*  
*Legislative Department.*