



SUPPLEMENT
TO THE
BOMBAY GOVERNMENT GAZETTE.

Published by Authority.

FRIDAY, 20TH FEBRUARY 1863.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

THE following Extract from the Proceedings of the Council of the Governor of Bombay, assembled for the purpose of making Laws and Regulations under the Provisions of the Act of Parliament, 24 and 25 Victoria, Chapter 67, is published for the information of all whom it may concern :—

The Council met at Bombay, on Wednesday, the 18th February 1863.

PRESENT :—

The Honorable Mr. W. E. FRERE, Presiding,
The Honorable Mr. J. D. INVERARITY,
The Honorable The ADVOCATE GENERAL,
The Honorable Mr. H. L. ANDERSON,
The Honorable Mr. W. B. TRISTRAM,
The Honorable Mr. RUSTOMJEE JAMSETJEE JEJEEBHROY,
The Honorable Mr. JUGONNATH SUNKERSETT,
The Honorable Mr. PREMABHAI HEMABHAI,
The Honorable Mr. A. D. ROBERTSON,
The Honorable Mr. M. H. SCOTT.

The UNDER-SECRETARY read the following letters from the Secretary to the Government of India, and their accompaniments :—

From E. C. BAYLEY, Esquire,
Secretary to the Government of India.

To R. WEST, Esquire,
Officiating Under-Secretary to the Government of Bombay.

HOME DEPARTMENT (LEGISLATIVE.)

Dated Fort William, the 31st January 1863.

SIR,—With reference to your letter dated the 19th September last, I have the honour to forward for communication to His Excellency the Governor of Bombay, a Minute recorded by

the Viceroy and Governor General under the provisions of the 24 and 25 Victoria, Chapter 67, Section 40, signifying His Excellency's reasons for withholding assent from the Bill "to amend Act IX. of 1850, and to extend the provisions thereof, so far as the same relate to the Bombay Court of Small Causes," passed by the Council of the Governor of Bombay for making Laws and Regulations, on the 10th September last.

2. In transmitting this Minute, I am directed also to call the attention of the Government of Bombay to the fact that it may be doubtful whether it is competent to the Council of the Governor of Bombay to give to the Small Cause Court or to any other Court concurrent jurisdiction with the High Court in respect of matters arising within the local original jurisdiction of the High Court.

I have the honour to be, &c.

(Signed) E. C. BAYLEY,
Secretary to the Government of India.

Minute by the Right Honorable the Governor General, dated the 29th January 1863.

"To amend Act IX. of 1850, and to extend the provisions thereof, so far as the same relate to the Bombay Court of Small Causes."

I am unable to assent to this Law because the 15th and 16th Clauses affix certain salaries and certain pensions to the offices therein named.

(Signed) ELGIN AND KINCARDINE.

From E. C. BAYLEY, Esquire,

Secretary to the Government of India.

To R. WEST, Esquire,

Officiating Under-Secretary to the Government of Bombay.

HOME DEPARTMENT (LEGISLATIVE.)

Dated Fort William, the 31st January 1863.

SIR,—With reference to your letter dated the 12th instant, No. 7, I have the honour to forward, for communication to His Excellency the Governor of Bombay, a Minute recorded by the Viceroy and Governor General under the provisions of the 24 and 25 Victoria, Chapter 67, Section 40, signifying His Excellency's reasons for withholding assent from the Bill "to empower Judges of the High Court and other authorities at Bombay to direct Convicts to be imprisoned either in the House of Correction or the County Jail," passed by the Council of the Governor of Bombay for making Laws and Regulations, on the 7th instant.

2. In transmitting this Minute, I am directed to state, for the information of His Excellency the Governor of Bombay, that it is the intention of the Viceroy and Governor General to introduce at once into his own Council an Act to carry into effect the objects of the Act of the Bombay Council, which is disallowed for the reasons assigned in the Minute.

I have the honour to be, &c.,

(Signed) E. C. BAYLEY,
Secretary to the Government of India.

Minute by the Right Honorable the Governor General, dated the 29th January 1863.

I am unable to give my assent to this Law because it is an amendment of the Act of the Council of the Governor General, No. XVIII. of 1862, and because in my opinion it is not competent to the Council of the Governor of Bombay to amend an Act of the Council of the Governor General of India, passed subsequently to the date of the Act of Parliament Nos. 24 and 25 Victoria, Chapter 67, commonly called the Indian Councils Act.

(Signed) ELGIN AND KINCARDINE.

The PRESIDENT moved the adjournment of the consideration of the Reports of the Select Committees on—

- (1) A Bill for the regulation of the District Police.
- (2) A Bill for the regulation of the Village Police.
- (3) A Bill to enable Magistrates to depute to Subordinate Magistrates power to try certain offences punishable under the Indian Penal Code.
- (4) A Bill to entrust Landholders with the charge of the Police within their respective Lands.

Carried.

The Honorable Mr. ROBERTSON moved the first reading of the Bill to amend Act XV. of 1858 for the levy of Port-dues in the Port of Aden.

This was carried, and the Bill was referred to a Select Committee consisting of—

The Honorable Mr. TRISTRAM,
The Honorable Mr. SCOTT,
And the MOVER.

With instructions to report at the next meeting but one of the Council for legislative purposes.

The PRESIDENT then adjourned the Council to Wednesday next the 25th instant, at 2 p. m.

By order of His Excellency the Governor in Council,

R. WEST,

Officiating Under-Secretary to Government.