

THE



# Bombay Government Gazette.

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## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 25th June 1884:—

#### Bill No. 6 of 1884.

*A Bill to amend the Indian Salt Act, 1882.*

WHEREAS it is expedient to exclude the Province of Sindh from the operation of those portions of the Indian Salt Act, 1882, which do not extend by their own operation to the whole of British India, and whereas it is also expedient to remove certain doubts which have been raised

as to the meaning of the words "importation of salt" in section 27 of the same Act; It is hereby enacted as follows:—

1. From such day as the Governor of Bombay in Council, by notification in the official Gazette, fixes in this behalf, the words "to the Province of Sindh" and the "Province," in paragraphs three and four respectively of section 1 of the Indian Salt Act, 1882, shall be repealed.

2. For the word "importation" in section 27 of the same Act, the word "bringing" shall be substituted.

#### STATEMENT OF OBJECTS AND REASONS.

1. THE object of this Bill is to make two amendments in the Indian Salt Act, 1882.
2. It has been found that certain provisions of the Indian Salt Act, 1882, are not suitable to the circumstances of the Province of Sindh, to which they at present extend, and it is proposed to replace them by an enactment to be passed by the local legislature providing for the requirements of the whole Presidency of Bombay inclusive of Sindh. It is doubtful, however, whether this course can be adopted until the words in section 1 of the Act which bring the Province of Sindh within the operation of those provisions have been repealed. The words are accordingly repealed by section 1 of the Bill, and, in order that the repeal may be made to operate from the date on which the proposed new Act of the local legislature comes into force, it is left to the Governor of Bombay in Council to fix the date from which the section shall have effect.
3. The object of the amendment made by section 2 of the Bill is to remove a doubt as to the meaning of section 27 of the Act, raised by a ruling of the Judicial Commissioner in Sindh, who has held that the words "importation of salt" in that section cover only the bringing in of salt as merchandize for the purposes of commerce and in merchantable quantities. The Bill substitutes for the word "importation" the word "bringing."

*The 19th June 1884.*

(Signed) A. COLVIN.

D. FITZPATRICK,  
Secretary to the Government of India.

[Published with the "Bombay Government Gazette" on the 10th July 1884.]

## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 18th June 1884 :—

#### Bill No. 5 of 1884.

*A Bill for the validation of certain licenses to solemnize Marriages granted to Ministers of Religion under Act XXV of 1864.*

WHEREAS by section 4 of Act XXV of 1864 (to provide further for the solemnization of Marriages in India of persons professing the Christian Religion) it was enacted that, from and after the first day of July, 1864, certain Governments therein named should have authority to grant licenses to ministers of religion to solemnize marriages within the territories subject to such Governments respectively;

And whereas, in exercise of the authority so conferred, the Governments therein named granted licenses to certain ministers of religion to solemnize marriages;

And whereas Act XXV of 1864 was repealed by Act V of 1865 (to provide for the solemnization of Marriages in India of persons professing the Christian Religion);

And whereas by section 9 of the latter Act it was enacted that, from and after the commencement of that Act, all marriages which should be solemnized in India otherwise than in accordance with the provisions of the fifth and sixth sections of that Act should be null and void;

And whereas by section 6 of the same Act it was enacted that marriages might be solemnized in India by (among other persons) any minister of religion who, under the provisions of that Act, had obtained a license to solemnize marriages;

And whereas Act V of 1865 was repealed by

1872. the Indian Christian Marriage Act, 1872;

And whereas by section 4 of the latter Act it is enacted that every marriage between persons, one or both of whom is a Christian or Christians,

shall be solemnized in accordance with the provisions of the next following section; and that any such marriage solemnized otherwise than in accordance with such provisions shall be null and void;

And whereas by the next following section of the same Act it is enacted that marriages may be solemnized in India by (among other persons) any minister of religion licensed under the same Act to solemnize marriages;

And whereas neither in Act V of 1865 nor in the Indian Christian Marriage Act, 1872, was XV of 1872. there or is there any provision either saving licenses granted under Act XXV of 1864 or permitting a marriage to be solemnized by a minister of religion who had obtained a license to solemnize marriages under Act XXV of 1864 only;

And whereas certain marriages have been solemnized both while Act V of 1865 was in force and since the passing of the Indian Christian Marriage Act, 1872, by ministers of religion who had obtained licenses to solemnize marriages under Act XXV of 1864, but had never obtained licenses to solemnize marriages under Act V of 1865 or the Indian Christian Marriage Act, 1872, XV of 1872. as the case may be, and doubts have therefore arisen as to the validity of such marriages;

And whereas it is expedient to remove such doubts and to declare the continued validity of licenses to solemnize marriages granted to ministers of religion under Act XXV of 1864;

It is hereby enacted as follows:—

1. A license to solemnize marriages granted to a minister of religion under Act XXV of 1864 shall be deemed, if in force on the date on which Act V of 1865 came into force, to have been, while that Act was in force, a license granted under that Act, and, if in force on the date on which the Indian Christian Marriage Act, 1872, came into force, to have been since that Act came into force, and to be, a license granted under that Act. XV of 1872.

#### STATEMENT OF OBJECTS AND REASONS.

By section 4 of Act XXV of 1864 (to provide further for the solemnization of Marriages in India of persons professing the Christian Religion) it was enacted that, from and after the first day of July 1864, the Governor General of India in Council, the Governors of Madras and Bombay in Council, and the Lieutenant-Governors of Bengal, the North-Western Provinces and the Panjáb should have authority to grant licenses to ministers of religion to solemnize marriages within the territories subject to such Governor General, Governors and Lieutenant-Governors respectively. In exercise of the authority con-

ferred by this section, the Governments therein named licensed certain ministers of religion to solemnize marriages within the territories subject to them respectively. Act XXV of 1864 was repealed by Act V of 1865 (to provide for the solemnization of Marriages in India of persons professing the Christian Religion). The ninth section of this Act declared that, from and after the commencement of that Act, all marriages which should be solemnized in India otherwise than in accordance with the provisions of the fifth and sixth sections of the Act should be null and void; and the sixth section of the Act, which specified the persons by whom marriages might be solemnized in India, only permitted a minister of religion who, under the provisions of that Act, had obtained a license to solemnize marriages. Act V of 1865 was in turn repealed by the Indian Christian Marriage Act, 1872. The fourth section of this Act declares that every marriage between persons, one or both of whom is a Christian or Christians, shall be solemnized in accordance with the provisions of the next following section; and that any such marriage solemnized otherwise than in accordance with such provisions shall be void; and the following section of the Act, which specifies the persons by whom marriages may be solemnized in India, only permits a minister of religion licensed under the Act to solemnize marriages. There was no provision in Act V of 1865, and there is none in the Indian Christian Marriage Act, 1872, either saving licenses granted under Act XXV of 1864 or permitting ministers of religion licensed under that Act only to solemnize marriages.

2. It has been brought to the notice of the Government that marriages have been solemnized in India, both since the commencement of Act V of 1865 and since the passing of the Indian Christian Marriage Act, 1872, by ministers of religion who were not licensed under either of these Acts but under the Act of 1864. As it seems to the Government that the effect of section 9 of the Act of 1865 and of section 4 of the present Act is to make such marriages of doubtful validity, and as it is desirable to remove such doubts, the present Bill has been prepared. It simply declares that a license to solemnize marriages granted to a minister of religion under Act XXV of 1864 shall be deemed, if in force on the date on which Act V of 1865 came into force, to have been, while that Act was in force, a license granted under that Act, and, if in force on the date on which Act XV of 1872 came into force, to have been since that Act came into force, and to be, a license granted under that Act.

*The 6th June 1884.*

(Signed) C. P. ILBERT.

D. FITZPATRICK,  
Secretary to the Government of India.

## LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 25th June 1884 :—

### Bill No. 6 of 1864.

XII of 1882.

*A Bill to amend the Indian Salt Act, 1882.*

WHEREAS it is expedient to exclude the Province of Sindh from the operation of those portions of the Indian Salt Act, 1882, which do not extend by their own operation to the whole of British India, and whereas it is also expedient to remove certain doubts which have been raised

as to the meaning of the words "importation of salt" in section 27 of the same Act; It is hereby enacted as follows:—

1. From such day as the Governor of Bombay in Council, by notification in the official Gazette, fixes in this behalf, the words "to the Province of Sindh" and the word "Province," in paragraphs three and four respectively of section 1 of the Indian Salt Act, 1882, shall be repealed.
2. For the word "importation" in section 27 of the same Act, the word "bringing" shall be substituted.

### STATEMENT OF OBJECTS AND REASONS.

1. THE object of this Bill is to make two amendments in the Indian Salt Act, 1882.
2. It has been found that certain provisions of the Indian Salt Act, 1882, are not suitable to the circumstances of the Province of Sindh, to which they at present extend, and it is proposed to replace them by an enactment to be passed by the local legislature providing for the requirements of the whole Presidency of Bombay inclusive of Sindh. It is doubtful, however, whether this course can be adopted until the words in section 1 of the Act which bring the Province of Sindh within the operation of those provisions have been repealed. Those words are accordingly repealed by section 1 of the Bill, and, in order that the repeal may be made to operate from the date on which the proposed new Act of the local legislature comes into force, it is left to the Governor of Bombay in Council to fix the date from which the section shall have effect.
3. The object of the amendment made by section 2 of the Bill is to remove a doubt as to the meaning of section 27 of the Act, raised by a ruling of the Judicial Commissioner in Sindh, who has held that the words "importation of salt" in that section cover only the bringing in of salt as merchandize for the purposes of commerce and in merchantable quantities. The Bill substitutes for the word "importation" the word "bringing."

*The 19th June 1884.*

(Signed) A. COLVIN.

D. FITZPATRICK,  
Secretary to the Government of India.

[Published with the "Bombay Government Gazette" on the 17th July 1884.]

## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

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#### Bill No. 6 of 1864.

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*The 19th June 1884.*

(Signed) A. COLVIN.

D. FITZPATRICK,  
Secretary to the Government of India.