

Wednesday, July 21, 1858

**LEGISLATIVE COUNCIL  
OF  
INDIA**

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PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL OF INDIA,

January to December 1858.

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1858.

on the Bill "for the relief of persons who, in consequence of the recent disturbances, may have been prevented from instituting or prosecuting suits or appeals in the Courts of the North-Western Provinces within the period allowed by law;" and that the Committee be instructed to consider the Bill in the amended form in which it had been recommended by the Select Committee to be passed.

Agreed to.

The Bill passed through Committee without amendment.

The Council having resumed its sitting, the Bill was reported.

#### ADJOURNMENT.

MR. GRANT moved that the Council adjourn till Wednesday next, the 21st instant, at 10 O'Clock, to enable him to introduce a Bill to extend Act IV of 1858 (for providing for the exercise of certain powers by the Governor General during his absence from the Council of India.)

Agreed to.

Wednesday, July 21, 1858.

#### PRESENT :

The Hon'ble the Chief Justice, *Vice-President*, in the Chair.

Hon. J. P. Grant,	E. Currie, Esq.
Hon. Major Gen. Sir J. Outram,	Hon. Sir A. W. Buller,
Hon. H. Bicketts,	H. B. Harrington, Esq.
Hon. B. Peacock,	and
P. W. LeGeyt, Esq.	H. Forbes, Esq.

#### ABSENCE OF GOVERNOR GENERAL.

THE VICE PRESIDENT read the following Message from the President in Council to the Legislative Council:—

#### "MESSAGE No. 148.

"The President in Council informs the Legislative Council that the Governor General has represented that it is expedient that he should be enabled to prolong his absence from the Presidency for a further period of six months.

"By order of the Honorable the President in Council.

"CECIL BEADON,

"*Secy. to the Govt. of India.*

"FORT WILLIAM, }  
"July 17th, 1858." }

MR. GRANT said, in pursuance of the notice which he had given at the last Meeting of the Council, he now moved the first reading of a Bill to continue in force for a further period of six months Act IV of 1858, for providing for the exercise of certain powers by the Governor-General during his absence from the Council of India. When these Acts were first introduced into the system of Indian Government, the practice was not to limit their duration to a fixed time, but to make them cease on the return of the Governor General to the Presidency, whenever that should be. But in the administration of Lord Dalhousie, it was thought by that Nobleman right that, as such Acts provided for an abnormal state of affairs, and were in their nature temporary, they should bear that appearance on the face of them; and accordingly, they had since been passed only for a certain fixed period, it being always in the power of the Legislative Council to prolong them if the circumstances in which they originated continued to be the same. When Act IV of 1858 was passed, the same course was followed; and though the operation of the Law was limited to the short time of six months, he thought he might say that this was done rather on the possibility that events might so fall out that the country might be restored to its usual state of tranquillity in the course of that time, than in the expectation that this would be the case. That this had not been the case was manifest. Progress, and great progress had been made; but every Honorable Member was aware that the work had not yet been completed. He did not, of course, speak of the work of reorganization and reconstruction. That most arduous duty, which the Government had still before it, required deliberation and consultation. He did not speak in consequence of that work not having been yet done; but he spoke of the prompt daily action rendered necessary by the occurrence of daily events in the North-Western Provinces. One point which alone required the continued presence of Supreme Authority in the Upper Provinces, Honorable Members must be well aware of. In the Province of Oude, much remained to be done. It must be manifest to every body that for Military operations to be renewed

in Oude, the commencement of the dry season was all that was awaited. These operations, he hoped, would, in one sense, be very different from those which occurred last year. He hoped that we had seen the last of our great and bloody struggles in the field. But a great Military demonstration was very obviously necessary in Oude—a demonstration which would have probably as much a political as a military character. For that, and for many other reasons, it was quite as requisite still that the Head of the Supreme Government should be on the spot, vested with the powers of the Governor General in Council which Act IV of 1858 had given him temporarily, as it was when that Act was passed; and it was necessary therefore for the Council, unless it wished to go backwards, to extend the operation of the Act.

With these observations, he moved the first reading of the Bill. It was very short, as also was the Statement of Objects and Reasons which he had annexed to it; and he suggested that both might be read in full by the Clerk at the table.

The Statement of Objects and Reasons and the Bill were read by the Clerk.

MR. GRANT moved that the Standing Orders be suspended, in order that he might carry the Bill through its remaining stages forthwith.

SIR JAMES OUTRAM seconded the Motion, which was then carried.

MR. GRANT moved that the Bill be now read a second time.

The Motion was carried, and the Bill read a second time.

MR. GRANT moved that the Council resolve itself into a Committee on the Bill.

Agreed to.

The Bill passed through Committee without amendment, and was reported.

MR. GRANT moved that the Bill be now read a third time and passed.

The Motion was carried, and the Bill read a third time.

MR. RICKETTS was requested to take the Bill to the President in Council, in order that it may be transmitted to the Governor General for his assent.

The Council adjourned.

*Mr. Grant*

Saturday, July 24, 1858.

PRESENT :

The Hon'ble the Chief Justice, Vice-President,  
in the Chair.

Hon. Major Genl. Sir Jas. Outram,	E. Currie, Esq., Hon. Sir A. W. Buller,
Hon. H. Ricketts,	H. B. Harington, Esq.,
Hon. B. Peacock,	and
P. W. LeGeyt, Esq.,	H. Forbes, Esq.

PROCEEDINGS IN LUNACY IN THE  
SUPREME COURTS.

MR. CURRIE presented the Report of the Select Committee on the Bill "to regulate proceedings in Lunacy in Her Majesty's Courts of Judicature."

INSOLVENT DEBTORS (MOFUSSIL).

MR. LEGEYT presented the Report of the Select Committee on the subject of a Law for the relief of Insolvent Debtors in the Mofussil.

MADRAS MARINE POLICE.

MR. FORBES moved that the Bill "for the maintenance of a Police Force for the Port of Madras" be read a third time and passed.

The Motion was carried, and the Bill read a third time.

INSTITUTION OF SUITS AND APPEALS  
(NORTH-WESTERN PROVINCES).

MR. HARINGTON moved that the Bill "for the relief of persons who, in consequence of the recent disturbances, may have been prevented from instituting or prosecuting suits or appeals in the Courts of the North-Western Provinces within the period allowed by Law" be read a third time and passed.

The Motion was carried, and the Bill read a third time.

ESTATE OF THE LATE NABOB OF THE  
CARNATIC.

MR. PEACOCK moved that the Council resolve itself into a Committee on the Bill "to provide for the administration of the estate and for the payment of the debts of the late Nabob of the Carnatic;" and that the Committee be instructed to consider the