

Saturday, 12th August, 1854

PROCEEDINGS

OF THE

**LEGISLATIVE COUNCIL
OF INDIA**

Vol. I

(1854 - 1855)

The Council, on the motion of Mr. ELIOTT, resolved itself into a Committee on the Bill "relating to Railways in India."

Several amendments were agreed to, in the course of which the President adverted to the practice of making the marginal note of a Section the subject of a motion and thus giving it the sanction of the Legislature. The practice, he suggested, though the Standing Orders seemed to recognize it, was not convenient and should be altered.

The Bill, as settled, was certified by the CHAIRMAN, whereupon the Council resumed its sitting.

The CHAIRMAN reported to the Council the amendments made in the above two Bills in Committee.

The Council adjourned.

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Saturday, August 12, 1854.

PRESENT :

The Most Noble the Governor General, *President.*

Hon. Sir Lawrence Peel,	A. J. M. Mills, Esq.,
Hon. J. A. Dorin,	D. Elliott, Esq.,
Hon. Major General Low,	A. Malet, Esq.,
Hon. J. P. Grant,	and
Hon. Sir James Colville,	C. Allen, Esq.

THE CLERK presented a Petition from Chotaloll Ruhees Sahoo, for himself and others, offering observations and suggestions on certain provisions of the Bill "for the more easy recovery of small debts and demands in the Territories subject to the Government of the East India Company."

MR. MILLS moved to print the above Petition, and the Report of the Special Commissioners who prepared the Bill, together with such extracts of correspondence or documents as may be necessary for the right understanding of the Bill; and to send copies thereof, with a copy of the Bill, to each Member of the Council.

Agreed to.

SIR JAMES COLVILLE gave notice that he would, on Saturday next, in case of the absence of Sir Lawrence Peel, move the second reading of the Bill "for the further improvement of the Law as administered in Her Majesty's Supreme Courts; for the transfer and abridgment of the Ecclesiastical Jurisdiction of the said Courts; and for giving additional powers in certain cases to Justices of the Peace, with regard to offences committed out of their jurisdiction."

Also of the Bill "to extend the operation of, and regulate the mode of executing Writs of Execution in Her Majesty's Supreme Courts of Judicature."

MR. MILLS gave notice that he would, on the same day, move the first reading of a Bill "for the better supervision of Embankments."

MR. ALLEN gave notice that he would, on the same day, move the second reading of the Bill "for the construction and management of Electric Telegraphs in India."

SIR LAWRENCE PEEL presented the Report of the Select Committee on the Bill "relating to Deserters from the Indian Navy."

The subsequent Orders of the Day up to the Order for "second readings" having been called on—MR. MALET proposed to move for permission to withdraw the Bill "relating to Deserters from the Indian Navy," stating that the proposed motion was in conformity with the recommendation of the Select Committee as contained in their Report.

THE PRESIDENT explained that the motion could not regularly be made at this stage of the business, but that a notice thereof for a future Meeting might be received.

MR. MALET accordingly gave notice that he would, on Saturday next, move for permission to withdraw the Bill.

MR. ELIOTT moved the second reading of the Bill "for the amendment of procedure in cases of regular appeal to the Sudder Court in the Presidency of Fort St. George."

Motion carried, and Bill read a second time accordingly.

MR. ELIOTT moved the second reading of the Bill "to amend the Law of Evidence in the Civil Courts of the East India Company in the Madras Presidency."

Motion carried, and Bill read a second time accordingly.

The Order of the Day for the passing of the Bill "for the management of the Post Office, for the regulation of the duties of postage, and for the punishment of offences against the Post Office" having been called on—MR. ELIOTT moved that the Bill be re-committed to a Committee of the whole Council, for the purpose of considering proposed amendments therein.

Agreed to.

The Council accordingly resolved itself into a Committee.

The Bill, as settled, was certified by the CHAIRMAN who, when the Council resumed

its sitting, reported the amendments made therein in Committee.

MR. ELIOTT moved suspension of Standing Order No. LXXXIII, to enable him to move the passing of the above Bill.

Agreed to.

Moved by the same that the Bill do now pass.

Agreed to.

THE PRESIDENT certified accordingly at the foot of the Bill.

MR. ELIOTT then moved that the Act be carried to the Most Noble the Governor General for his assent.

Agreed to.

Moved by the same that Mr. Allen do carry the Act.

Agreed to.

The Order of the Day for the passing of the Bill "relating to Railways in India" having been read—MR. ELIOTT moved that the Bill be re-committed to a Committee of the whole Council, for the purpose of considering proposed amendments therein.

Agreed to.

The Council accordingly resolved itself into a Committee.

The Bill, as settled, was certified by the CHAIRMAN, who, when the Council resumed its sitting, reported the amendments made therein in Committee.

MR. ELIOTT moved suspension of Standing Order No. LXXXIII, to enable him to move the passing of the above Bill.

Agreed to.

Moved by the same that the Bill do now pass.

Agreed to.

THE PRESIDENT certified accordingly at the foot of the Bill.

MR. ELIOTT moved that the Act be carried to the Most Noble the Governor General for his assent.

Agreed to.

Moved by the same that Mr. Allen do carry the Act.

Agreed to.

On the motion of MR. DORIN, the Council adjourned for ten minutes.

The Council afterwards met pursuant to adjournment.

The following Messages from the Most Noble the Governor General were brought by Mr. Allen and read:—

MESSAGE No. 6.

The Governor General informs the Legislative Council that he has given his assent

to the Act passed by them this day, entitled "An Act for the management of the Post Office, for the regulation of the duties of postage, and for the punishment of offences against the Post Office."

By Order of the Most Noble the Governor General,

C. ALLEN,

Offg. Secy. to the Govt. of India.

FORT WILLIAM,
The 12th August, 1854. }

MESSAGE No 7.

The Governor General informs the Legislative Council that he has given his assent to the Act passed by them this day, entitled "An Act relating to Railways in India."

By Order of the Most Noble the Governor General,

C. ALLEN,

Offg. Secy. to the Govt. of India.

FORT WILLIAM,
The 12th August, 1854. }

MR. ELIOTT proposed to move that the Bill "for the amendment of procedure in cases of regular appeal to the Sudder Court in the Presidency of Fort St. George," and the Bill "to amend the Law of Evidence in the Civil Courts of the East India Company in the Madras Presidency," be severally referred to a Select Committee.

THE PRESIDENT intimated that, in the present stage of the business, the motions could not be made without a suspension of the Standing Orders.

The Order of the Day for a Committee of the whole Council on the Standing Orders having been read—MR. GRANT moved that this Order be postponed until the other Orders of the Day are disposed of.

Agreed to.

The Council, on the motion of MR. DORIN, resolved itself into a Committee on the Bill "for removing the prohibition against the importation of Foreign Sugar."

A few amendments were agreed to, and the Bill, as settled, was certified by the CHAIRMAN; whereupon the Council resumed its sitting.

The Council, on the motion of MR. MILLS, resolved itself into a Committee on the Bill "to amend Regulation XIII of 1833 of the Bengal Code," which was passed without any amendments.

The Bill, as thus settled, was certified by the CHAIRMAN, and the Council resumed its sitting.

The Council, on the motion of MR. MALET, resolved itself into a Committee on the Bill "to amend the law relating to the several Banks of Bengal, Madras, and Bombay," which was passed with a single trifling verbal amendment.

The Bill, as thus settled, was certified by the CHAIRMAN, and the Council resumed its sitting.

The Council then resolved itself into a Committee on the Standing Orders.

Several alterations were agreed to, and the Orders, as thus settled, were certified by the CHAIRMAN.

The Council having resumed its sitting, the CHAIRMAN reported the foregoing Bills and Orders.

MR. DORIN, MR. MILLS, and MR. MALET severally gave notice that they would, on Saturday next, move the passing of the following Bills, namely,

Bill "for removing the prohibition against the importation of Foreign Sugar ;"

Bill "to amend Regulation XIII of 1833 of the Bengal Code ;" and

Bill "to amend the law relating to the several Banks of Bengal, Madras, and Bombay."

MR. GRANT gave notice that he would, on the same day, move for a Committee of the whole Council on the revised Standing Orders, and the Petition of the British Indian Association praying that the Meetings of the Council may be made accessible to the public.

The Council adjourned.

Saturday, August 19, 1854.

PRESENT :

The Most Noble the Governor General, *President*,
 Hon. J. A. Dorin, A. J. M. Mills, Esq.,
 Hon. Major General Low, D. Elliott, Esq.,
 Hon. J. P. Grant, A. Malet, Esq., and
 Hon. Sir James Colville, C. Allen, Esq.

THE CLERK presented the following Petitions :—

A Petition of two Rajahs of the Zillah of Sarun, praying for the modification of the Evidence Act, No. XIX of 1853 ;

A Petition of Bhugwanloll and others, Zemindars and Mahajuns of the above Zillah, praying for the modification of the same Act ; and

A Petition of Golam Ali Khan, Inhabitant of Delhi, concerning abuses stated to prevail in the Company's Civil Courts prescribed over by Uncovenanted Officers.

THE CLERK reported a communication from the Government of Bombay, recommending extension to the Bombay Presidency of the provisions of Act No. XVIII of 1838, which removes the prohibition against the use of badges by servants of private persons.

Also a communication from the Government of the North-Western Provinces, submitting a revised Code of Rules, proposed by the Sudder Court at Agra, for the administration of criminal justice in the Province of Kumaon.

Also a communication from the same Government, containing the opinion of the Lieutenant Governor and the report of the Agra Sudder Court on the Draft Act "for the more easy recovery of small debts and demands in the Territories subject to the Government of the East India Company."

MR. MILLS moved that the same be printed and circulated.

Agreed to.

MR. MALET moved for permission to withdraw the Bill "relating to Deserters from the Indian Navy."

Motion carried, and Bill withdrawn accordingly.

The Order of the Day for Mr. Elliott's motion to refer to a Select Committee the Bill "for the amendment of procedure in cases of regular Appeal to the Sudder Court in the Presidency of Madras" being read—the PRESIDENT stated that it would be convenient in future to follow the practice of the House of Commons, according to which the Member moving for a Select Committee, named the Members of the Committee, such nomination being subject to the approval of the House.

MR. ELIOTT thereupon moved that the above Bill be referred to a Select Committee, consisting of Mr. Peacock, Mr. Mills, and the Mover.

Agreed to.

Moved by the same that the Bill "to amend the Law of Evidence in the Civil Courts of the East India Company in the Presidency of Madras" be referred to a Select Committee consisting of the same Members.

Agreed to.