

Saturday, 26th August, 1854

PROCEEDINGS

OF THE

**LEGISLATIVE COUNCIL
OF INDIA**

Vol. I

(1854 - 1855)

Mr. MILLS moved the first reading of a Bill "for the better supervision of Embankments."

Bill read a first time accordingly.

SIR JAMES COLVILLE moved 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 thereof; and for giving additional powers in certain cases to Justices of the Peace, with regard to offences committed out of their jurisdiction."

Motion carried after a Debate, and Bill read a second time accordingly.

SIR JAMES COLVILLE moved the second reading 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."

Motion carried, and Bill read a second time accordingly.

Moved by the same that both the above Bills be referred to a Select Committee, consisting of Sir Lawrence Peel, Mr. Grant, Mr. Peacock, Mr. Mills, and the Mover.

Agreed to.

Mr. ALLEN moved the second reading of the Bill "for the construction and management of Electric Telegraphs in India."

Motion carried, and Bill read a second time accordingly.

Several amendments were made in the Bill, whereupon it was referred, on Mr. ALLEN's motion, to a Select Committee consisting of Mr. Elliott, Mr. Mills, and the Mover.

Mr. DORIN moved the passing of the Bill "for removing the prohibition against the importation of Foreign Sugar."

Motion carried, and Bill certified accordingly by the President.

Mr. ALLEN was appointed to carry the Act to the Most Noble the Governor General for his assent.

Mr. MILLS moved the passing of the Bill "to amend Regulation XIII of 1833 of the Bengal Code."

Motion carried, and Bill certified accordingly by the President.

Mr. ALLEN was appointed to carry the Act to the Most Noble the Governor General for his assent.

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

Motion carried, and Bill certified accordingly by the President.

Mr. ALLEN was appointed to carry the Act to the Most Noble the Governor General for his assent.

The Council then resolved itself, on Mr. GRANT's motion, into a Committee for the consideration of the revised Standing Orders.

The Orders having been passed after some verbal amendments, were certified accordingly by the CHAIRMAN, who reported them to the Council when it resumed its sitting.

Mr. GRANT thereupon moved that the Standing Orders, as reported, be adopted by the Council.

Agreed to.

Moved by the same that the above Orders be communicated to the Most Noble the Governor General in Council by Message, and that Mr. Dorin do carry the Message.

Agreed to.

Moved by the same that such of the Standing Orders as concern the public, be published in the *Calcutta Gazette*.

Agreed to.

SIR JAMES COLVILLE moved that the Select Committee appointed to consider what should be the Standing Orders of the Legislative Council, be continued as a permanent Committee under the title of "The Standing Orders Committee," with power to consider and report, as occasion shall arise, upon all questions relating to the operation of the Standing Orders, or the general conduct of the business of the Legislative Council; and to regulate by its own authority all such matters of arrangement and detail as, in its judgment, are not of sufficient importance to require the decision of the Council.

Agreed to.

Mr. GRANT moved that the consideration of the Petition of the British Indian Association, praying that the Meetings of the Council may be made accessible to the public, be postponed until after the return of the absent Members of the Council.

The Council adjourned.

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Saturday, August 26, 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. B. Peacock, A. Malet, Esq., and
Hon. Sir James Colville, C. Allen, Esq.

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

MESSAGE No. 8.

The Governor General informs the Legislative Council that he has given his assent to the Act, which was passed by them on the 19th August 1854, entitled "An Act for removing the prohibition against the importation of Foreign Sugar."

By Order of the Most Noble the Governor General.

C. ALLEN,

Offg. Secy. to the Govt. of India.

FORT WILLIAM, }
The 25th August 1854. }

MESSAGE No. 9.

The Governor General informs the Legislative Council that he has given his assent to the Act, which was passed by them on the 19th August 1854, entitled "An Act to amend Regulation XIII of 1833 of the Bengal Code."

By Order of the Most Noble the Governor General.

C. ALLEN,

Offg. Secy. to the Govt. of India.

FORT WILLIAM, }
The 25th August 1854. }

MESSAGE No. 10.

The Governor General informs the Legislative Council that he has given his assent to the Act, which was passed by them on the 19th August 1854, entitled "An Act to amend the Law relating to the several Banks of Bengal, Madras, and Bombay."

By Order of the Most Noble the Governor General.

C. ALLEN,

Offg. Secy. to the Govt. of India.

FORT WILLIAM, }
The 25th August 1854. }

THE CLERK reported a communication from the Secretary to the Government of India, relating to certain alterations in the Criminal Law in the Punjaub.

SIR JAMES COLVILLE moved that the same be printed and referred to the Select Committee on the Penal Code.

Agreed to.

THE CLERK further reported a communication from the Government of Madras, recommending that measures may be taken to prevent petty litigation under Act No. IX of 1850.

Also a communication from the Government of Bengal, containing the opinion of the Lieutenant Governor and the report of the Sudder Court at Calcutta on 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 that the same be printed and circulated.

Agreed to.

MR. GRANT gave notice that he would, on Saturday next, move the first reading of a Bill "to improve the Law relating to the Copper Currency in the Straits Settlements."

Also of a Bill "to improve the Law relating to Sales of Land for Arrears of Revenue in the Bengal Presidency," on Saturday the 9th of September next.

MR. MILLS gave notice that he would, on Saturday next, move the first reading of a Bill "for the more effectual suppression of affrays."

Also the second reading of the Bill "for the better supervision of Embankments."

MR. MALET gave notice of second reading of the Bill "to amend Regulation III of 1833 of the Bombay Regulations" on the same day.

MR. MILLS gave notice of motion for a Committee of the whole Council on the Bill "to repeal certain parts of the 53 George 3 c. 155, and of Section II Regulation XV of 1806 of the Bengal Code" on the same day.

MR. PEACOCK presented the Report of the Select Committee on the Bill "to extend the provisions of Act No. XII of 1843."

Moved by the same that the Bill "to provide for the administration of Civil and Criminal Justice, and of Police, and for the Collection of the public Revenue in the Provinces of Tenasserim and Arracan" be referred to a Select Committee consisting of Mr. Mills, Mr. Allen, and the Mover.

Agreed to.

Moved by the same that the Bill "to provide for the registration of decrees of the Civil Courts, and to prevent alienations of property in fraud of creditors" be referred to a Select Committee consisting of Mr. Elliott, Mr. Mills, and the Mover.

Agreed to.

MR. PEACOCK gave notice that he would, on Saturday next, move for a Com-

mittee of the whole Council on the Bill "to extend the provisions of Act No. XII of 1843."

The Council adjourned.

Saturday, September 2, 1854.

PRESENT :

The Most Noble the Governor General, *President.*

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

The following Message from the Most Noble the Governor General in Council was brought by Mr. Dorin, and read :—

MESSAGE No. 11.

The Governor General in Council transmits to the Legislative Council copy of a Resolution this day passed by the Government, prescribing, with reference to Article CXV of the Standing Orders of the Legislative Council, that all communications from the Governor General or the Governor General in Council to the Legislative Council, shall be made by Message to be taken by a Member of the Council of India.

By Order of the Governor General in Council.

C. ALLEN,

Offg. Secy. to the Govt. of India.

FORT WILLIAM, }
The 25th August, 1854. }

HOME DEPARTMENT.

The 25th August, 1854.

At the Meeting of the Council of India this morning, the Honorable Mr. Dorin brought a Message from the Legislative Council, transmitting to the Board a copy of the Standing Orders of the said Council as settled by them.

The Most Noble the Governor General in Council is pleased to resolve, with reference to Article CXV of the Standing Orders above mentioned, that all communications from the Governor General or the Governor General in Council to the Legislative Council, shall be made by Message to be taken by a Member of the Council of India.

Ordered, that a copy of the foregoing Resolution be communicated by Message to the Legislative Council, and that the Honorable Mr. Dorin be requested to carry the Message.

(True Copy)

C. ALLEN,

Offg. Secy. to the Govt. of India.

THE CLERK reported a communication from the Secretary to the Government of India, forwarding certain papers relative to the proposed establishment and regulation of Military Prisons in India, so as to obviate the necessity of transportation to New South Wales.

Also a communication from the Government of Madras on the subject of the Bill "to repeal certain parts of the 53 George 3, c. 155, and of Section II Regulation XV of 1806 of the Bengal Code."

Mr. MILLS moved that the same be printed.

Agreed to.

The motion for a Committee of the whole Council on the above Bill, which stood in the Orders for this day, was consequently postponed till Saturday next.

THE CLERK further reported an application from the Secretary of the Madras Hindoo Reading Room, for a copy of all the Regulations and Acts, English and Vernacular, for the use of the Members.

THE PRESIDENT observed that it was not within the province of the Council to sanction the grant in its full extent, and that to grant copies of Acts passed by the Legislative Council, would only lead to many similar applications. He suggested, therefore, that the letter be referred to the Standing Orders Committee.

Mr. GRANT moved as above suggested. Agreed to.

Mr. ELLIOTT gave notice that he would, on Saturday next, move that the Draft Act "to amend the law regarding the taking of Mochulkas or Penal recognizances in the Presidencies of Madras and Bombay," which was read in Council for the first time on the 6th of February 1852, be referred to a Select Committee with directions to take into consideration the Reports upon the working of Act V of 1848, submitted by the Governments of Bengal and Agra to the Government of India, in answer to a requisition from the Supreme Government, under date the 27th August 1852.