

PROCEEDINGS



OF THE

LEGISLATIVE COUNCIL OF INDIA,

FROM

January to December 1856.

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MUNICIPAL ASSESSMENT (STRAITS SETTLEMENT.)

MR. ALLEN moved that a communication received by him from the Governor of the Straits Settlement relative to the Bill "for appointing Municipal Commissioners and for levying rates and taxes in the several Stations of the Settlement of Prince of Wales Island, Singapore, and Malacca," and the Bill "to comprise in one Act the provisions necessary for the assessment and collection of Municipal rates and taxes in the Towns of Calcutta, Madras, and Bombay, and the several stations of the Settlement of Prince of Wales Island, Singapore, and Malacca," be laid upon the table and referred to the Select Committees on those Bills.

Agreed to.

MESSENGER.

MR. CURBIE moved that Mr. Peacock be requested to take the Bill "to consolidate and amend the law relating to the Abkaree Revenue in the Presidency of Fort William in Bengal" to the Governor General for his assent.

Agreed to.

NOTICES OF MOTIONS.

MR. ELIOTT gave notice that he would, on Saturday the 22nd instant, move the second reading of the Bill "for repealing Act I of 1844."

And of the Bill "for declaring the law for the recovery of arrears of revenue under ryotwar settlements in the Madras Presidency."

The Council adjourned.

Saturday, November 22, 1856.

PRESENT :

The Honorable J. A. Dorin, *Vice-President*, in the chair.

Hon. Sir J. W. Colvile, C. Allen, Esq.,
 Hon. Maj. Genl. J. Low, P. W. LeGeyt, Esq.,
 Hon. J. P. Grant, E. Currie, Esq.,
 Hon. B. Peacock, and
 D. Elliott, Esq., Hon. Sir Arthur Bulier.

SALES OF LAND FOR ARREARS OF REVENUE (BENGAL.)

THE CLERK presented a Petition of Rajah Sutt Shurn Ghosaul concerning the Bill "to improve the law relating to sales of land for arrears of revenue in the Bengal Presidency."

MR. GRANT moved that the Petition be printed, and referred to the Select Committee on the Bill.

Agreed to.

HINDOO POLYGAMY.

THE CLERK also presented the following Petitions praying for the abolition of Hindoo Polygamy:—

A Petition of Hindoo Inhabitants of Midnapore.

A Petition of Hindoo Inhabitants of Kamarpooker in the District of Hooghly.

MR. GRANT moved that these Petitions be printed.

Agreed to.

ESCAPE OF TRANSPORTED FELONS.

THE CLERK reported to the Council that he had received, by transfer from the Officiating Under-Secretary to the Government of India in the Home Department, a communication from the Governor of the Straits Settlement, submitting a second time the draft of an Act to facilitate the conviction of persons accused of aiding or abetting the escape of transported felons.

MR. ALLEN moved that this communication be referred to the Select Committee on the Penal Code prepared by the Indian Law Commissioners.

Agreed to.

MUNICIPAL ASSESSMENT (GENERAL)

MR. ELIOTT presented the Report of the Select Committee on the Bill "to comprise in one Act the provisions necessary for the assessment and collection of Municipal rates and taxes in the Towns of Calcutta, Madras, and Bombay, and the several stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca."

MUNICIPAL ASSESSMENT (MADRAS.)

Also the Report of the Select Committee on the Bill "for appointing Municipal Commissioners, and for levying rates and taxes, in the Town of Madras."

MUNICIPAL ASSESSMENT (STRAITS.)

MR. ALLEN presented the Report of the Select Committee on the Bill "for appointing Municipal Commissioners, and for levying rates and taxes in the several stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca."

MESSAGE FROM THE GOVERNOR GENERAL.

The following Message from the Governor General was brought by Mr. Grant and read.

MESSAGE No. 84.

The Governor General informs the Legislative Council that he has given his assent to the Bill which was passed by them on the 8th November 1856, entitled "a Bill to make better provision for the appointment and maintenance of Police Chowkeydars in Cities, Towns, Stations, Suburbs, and Bazaars in the Presidency of Fort William in Bengal."

By order of the Right Honorable the Governor General.

CECIL BEADON.

Secy. to the Govt. of India.

FORT WILLIAM, }
The 21st Nov. 1856. }

BENGAL MARINERS FUND SOCIETY.

MR. PEACOCK presented the Report of the Select Committee on the Bill "to provide for the dissolution of the Bengal Mariners' and General Widows' Fund Society, and the distribution of the funds belonging thereto."

NAWAB OF THE CARNATIC.

MR. ELIOTT moved the second reading of the Bill "for repealing Act I of 1844" (for securing certain immunities and privileges to His Highness the Nawab of the Carnatic, his family, and retinue).

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

REVENUE ARREARS UNDER RYOTWAR SETTLEMENTS (FORT St. GEORGE.)

MR. ELIOTT moved the second reading of the Bill "for declaring the law for the recovery of arrears of Revenue under ryotwar settlements in the Madras Presidency."

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

TOLLS ON THE KURATIYA RIVER.

MR. CURRIE moved that the Council resolve itself into a Committee on the Bill "for establishing a toll on Boats and Timber passing through the Kuratiya river in the District of Bogra"; 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, and was reported.

NAWAB OF THE CARNATIC.

MR. ELIOTT moved that the Bill "for repealing Act I of 1844" be referred to a Select Committee consisting of Mr. Allen, Mr. LeGeyt, and the Mover.

Agreed to.

REVENUE ARREARS UNDER RYOTWAR SETTLEMENTS (FORT St. GEORGE.)

MR. ELIOTT said, in the usual course, he should now move for the appointment of a Select Committee on the Bill "for declaring the law for the recovery of Revenue under ryotwar settlements in the Madras Presidency." But seeing the extreme exigency of the case—that, in point of fact, the collection of the Revenue was wholly at a standstill for want of the power which this Bill was intended to give to Collectors—that one-half the Revenue year had already passed, and that, before this Bill could become law under the usual process, more than three-quarters of it would have elapsed, and a large portion of Revenue be, in all probability, lost, this seemed to him to be a case in which the Standing Orders might be very properly suspended. He therefore proposed to move on Saturday next, if the Council should see no serious objection to that course, that the Standing Orders should be suspended.

MR. CURRIE asked if the Honorable Member intended that no Select Committee should be appointed to consider the Bill.

MR. ELIOTT said, he proposed that the next step which the Council should take with this Bill should be to go into Committee upon it.

MR. CURRIE said, he thought it very desirable that the Bill should be referred to a Select Committee for consideration. He thought it was not sufficiently explicit:—indeed, without the annexures, the object which it contemplated could not be sufficiently understood. He should, therefore, suggest that the Bill be referred to a Select Committee. The same course had been adopted by the Honorable Member for Bombay with regard to the Water Bill for that Presidency. The Standing Orders had been suspended as to that Bill; but, nevertheless, the Bill

had been referred to a Select Committee, had been revised by that Committee, and had been brought forward at the next Meeting of the Council after such revision.

MR. ELIOTT said, he thought it very desirable that the Bill should be fully considered, and therefore he had no objection whatever to follow the suggestion made by the Honorable Member. Instead, therefore, of the course which he had proposed to take, he should now move that the Bill be referred to a Select Committee consisting of Mr. Allen, Mr. Currie, and the Mover.

MR. PEACOCK said, the Standing Orders ought to be suspended now, otherwise the Select Committee would not be able to report upon the Bill.

SIR JAMES COLVILLE said, he saw no objection to the appointment of a Select Committee; but it appeared to him that the Bill was as explicit as it well could be. It was a Bill brought in to alter the construction of part of a particular Section of a Regulation, and, in one Section, it declared and enacted that the Section for the recovery of arrears of revenue should be applicable to the realization of rent due from ryots. However, if the Honorable Member for Madras desired to proceed with his Bill on Saturday next, a Select Committee might be appointed to-day to consider its provisions in the meantime.

MR. ELIOTT'S motion was then put and carried.

MR. ELIOTT moved that the Standing Orders be suspended, in order that the Select Committee might be enabled to present their Report on the Bill, and that the Bill might be passed through the subsequent stages, at the next Meeting of the Council.

In doing so, he said he should, perhaps, have mentioned, in his Statement of objects and reasons, more strongly than he had done, that the construction of Regulation XXVIII of 1802 which the Bill would maintain, was the construction which had obtained and been acted upon without any question in almost all the districts of the Madras Presidency, until the year 1835, when the Board of Revenue issued a Circular Order directing the attention of Collectors to the construction which the Sudder Dewanny Adawlut had put upon it, and enjoining its observance.

MR. GRANT seconded the motion, which was then carried.

OPIUM (BENGAL PRESIDENCY.)

MR. CURRIE moved that a communication received by him from the Government of Bengal be laid upon the table and referred to the Select Committee on the Bill "to consolidate and amend the Law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal."

Agreed to.

The Council then adjourned.

Saturday, November 29, 1856.

PRESENT :

The Honorable J. A. Dorin, *Vice-President*, in the Chair.

Hon. Sir J. W. Colville, C. Allen, Esq.,
Hon. Maj. Genl. J. Low, P. W. LeGeyt, Esq.,
Hon. J. P. Grant, E. Currie, Esq.,
Hon. B. Peacock, and
D. Elliott, Esq., Hon. Sir Arthur Buller.

HINDOO POLYGAMY.

THE CLERK presented the following Petitions, praying for the abolition of Hindoo Polygamy :—

A Petition of Hindoo Inhabitants of Andool in the District of Hooghly.

A Petition of Hindoo Inhabitants of Midnapore.

A Petition of Pundits and other Hindoo Inhabitants of Benares.

MR. GRANT moved that the above Petitions be printed.

Agreed to.

THE CLERK also presented the following Petitions :—

FRAUDULENT CONCEALMENT OF PROPERTY.

A Petition of certain Native merchants of Delhi, praying that measures may be taken to prevent the secreting of property to evade the payment of just debts.

MR. PEACOCK moved that the above Petition be printed.

Agreed to.

MUNICIPAL ASSESSMENT (BOMBAY).

A Petition of Justices of the Peace for the Town and Island of Bombay against the provisions contained in the draft of a Bill (lately referred to the Bench by Mr. LeGeyt) to amend and consolidate the laws relating to Municipal Taxes in the Islands of Bombay and Colaba.