

Saturday, 16th December, 1854

**PROCEEDINGS**

**OF THE**

**LEGISLATIVE COUNCIL  
OF INDIA**

**Vol. I**

**(1854 - 1855)**

Mr. GRANT moved that the above Orders be adopted by the Council.

Agreed to.

Moved by the same that MR. ALLEN be requested to carry a Message to the Most Noble the Governor General in Council with copies of the Report of the Standing Orders Committee and of the new Standing Orders now adopted, with reference to the proposal for the appointment of an Official Reporter and of a Door-keeper of the Council.

Agreed to.

SIR LAWRENCE PEEL gave notice that he would, next Saturday, move the second reading of the Bill "to amend the English Law in force within the Territories in the possession and under the Government of the East India Company, relating to the administration of the estates of deceased persons charged with any money by way of mortgage, and descending or devised."

The Council adjourned.

*Saturday, December 16, 1854.*

PRESENT :

The Most Noble the Governor General, *President.*

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

The following Messages from The Most Noble the Governor General were brought by MR. PEACOCK, and read :—

MESSAGE No. 21.

The Governor General informs the Legislative Council that he has given his assent to the Act which was passed by them on the 9th December 1854, entitled "An Act to abolish real actions, and also fines and common recoveries, and to simplify the mode of conveying land in cases to which the English Law is applicable."

By Order of the Most Noble the Governor General.

C. ALLEN,

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

FORT WILLIAM, }  
The 15th Dec., 1854. }

MESSAGE No. 22.

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

assent to the Act which was passed by them on the 9th December 1854, entitled "An Act to facilitate inquiries respecting the alleged use of torture in the Presidency of Fort St. George."

By Order of the Most Noble the Governor General.

C. ALLEN,

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

FORT WILLIAM, }  
The 15th Dec., 1854. }

THE CLERK presented the following Petitions :—

A Petition from the Secretary to the British Indian Association, stating that, in the Supreme Court of Calcutta, the same form of oath is administered to witnesses and to Jurors, and that its terms are not strictly applicable to Jurors ; and praying that the provisions of Act V of 1840 may be extended to Her Majesty's Courts in India.

SIR JAMES COLVILLE moved that the Petition be referred to the Select Committee on the projects of Laws relating to oaths and affirmations.

Agreed to.

Also a Petition from Grand Jurors in the Straits' Settlements, praying for some improvement of the system now in force of summoning and empannelling the Grand Jury at each Session of Oyer and Terminer.

THE CLERK reported that he had received (by transfer from the Officiating Secretary to Government in the Home Department) a communication from the Government of the Straits' Settlements, forwarding copies of two letters from the Recorder commenting on the insufficiency of the present Law of Inheritance.

MR. MILLS gave notice that he would, next Saturday, move the first reading of a Bill "to modify Act XXVI of 1850, so far as it relates to places in the Bengal Division of the Presidency of Fort William."

MR. ALLEN presented the Report of the Select Committee on the Bill relating to Electric Telegraphs in India.

Moved by the same that the Report be read.

Motion carried, and Report read accordingly.

MR. ELLIOTT moved the first reading of a Bill "to amend the Law relating to District Moonsiffs in the Presidency of Fort St. George."

Motion carried, and Bill read a first time accordingly.

SIR JAMES COLVILLE moved the second reading of the Bill "to amend the English Law in force within the Territories in the possession and under the Government of the East India Company, relating to the administration of the estates of deceased persons charged with any money by way of mortgage, and descending or devised."

Motion carried, and Bill read a second time accordingly.

Moved by the same that the Bill be referred to a Select Committee consisting of Sir Lawrence Peel, Mr. Peacock, and the Mover.

Agreed to.

The Order of the Day for the third reading and passing of the Bill "to extend and amend the provisions of Act XII of 1843" having been read—Mr. ELIOTT moved that the Bill be re-committed to a Committee of the whole Council for the purpose of considering certain proposed amendments in the Preamble and Title.

Motion carried, and Council accordingly resolved itself into a Committee on the above Bill.

A few verbal amendments were agreed to; and the Bill, as settled, was certified by the CHAIRMAN.

The Council thereupon resumed its sitting, and the CHAIRMAN reported the Bill with amendments.

MR. ELIOTT moved that the Bill "to extend the provisions of Act XII of 1843" be now read a third time and passed.

Motion carried, and Bill certified accordingly by the PRESIDENT.

Ordered that MR. ALLEN carry the Act to the Most Noble the Governor General for his assent.

MR. ALLEN moved that the Council do again resolve itself into a Committee on the Bill relating to Electric Telegraphs in India.

THE PRESIDENT explained that the Report of the Select Committee this day presented and read, was on a special reference of a question which had arisen during the discussion of this Bill in Committee of the whole Council. Such a Report did not fall under the 71st Standing Order, and the present motion was therefore regular.

The Motion was carried, and the Council accordingly resolved itself into a Committee for the further consideration of the above Bill.

Verbal amendments were made in Sections II, III, and XV; and a new Section

was introduced after Section XIV, declaring persons other than European British Subjects, committing offences under this Act, liable to be punished, upon conviction by any Magistrate.

The Bill, as settled, having been certified by the CHAIRMAN, the Council resumed its sitting, and the CHAIRMAN reported the Bill to the Council.

MR. ALLEN gave notice of third reading of the Bill for next Saturday.

Mr. DORIN gave notice that he would, on the same day, move that the Council do adjourn for three weeks.

The Council adjourned.

*Saturday, December 23, 1854.*

PRESENT :

The Most Noble the Governor General, *President.*

Hon. J. A. Dorin,	A. J. M. Mills, Esq.
Hon. Major Genl. Low,	D. Elliott, Esq.,
Hon. J. P. Grant,	and
Hon. B. Peacock,	C. Allen, Esq.

The following Message from the Most Noble the Governor General was brought by Mr. ALLEN, and read.

MESSAGE No. 23.

The Governor General informs the Legislative Council, that he has given his assent to the Act which was passed by them on the 16th December 1854, entitled "An Act to extend the provisions of Act No. XII of 1843."

By Order of the Most Noble the Governor General.

CECIL BEADON,

*Secy. to the Govt. of India.*

FORT WILLIAM, }  
The 22nd December 1854. }

THE CLERK presented a Petition from the Secretary to the British Indian Association, praying that Uncovenanted Officers in the Judicial and Revenue Departments may be placed on the same footing with Covenanted Officers in respect to suspension and dismissal from Office.

THE CLERK reported that he had received, from the Officiating Secretary to Government in the Financial Department, a communication from the Resident Councillor at Singapore, representing the difficulties under which the subordinate servants of Government labor at that Station in the