

Saturday, 18th July, 1857

PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL OF INDIA,

FROM

January to December 1857.

VOL. III.

Published by the Authority of the Council.

CALCUTTA :  
PRINTED BY J. THOMAS, BAPTIST MISSION PRESS.  
1857.

With these observations, he should move the first reading of the Bill.

The Bill was read a first time.

MR. PEACOCK moved the second reading of the Bill.

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

MR. PEACOCK said, he did not propose to proceed farther with the Bill to-day, but should move that it be referred to a Select Committee consisting of General Low, Sir Arthur Buller, Mr. LeGeyt, and the Mover, with instructions to the Committee to report upon it on Saturday next.

THE CHIEF JUSTICE said, he should suggest to the Select Committee the insertion of a Clause that, where the person accused was dead, his heirs might come in and be heard at the enquiry before his property was confiscated. There was a provision of that kind in the Moplah Act.

MR. PEACOCK said, he had not taken the Section in this Bill from the Moplah Act; but he thought the suggestion of the Honorable and learned Chief Justice worthy of attention, and had no doubt it would be considered by the Select Committee.

The Motion to refer the Bill to a Select Committee was then carried.

#### MESSENGER.

MR. PEACOCK moved that General Low be requested to take the Bill "to provide for the good order and discipline of certain Volunteer Corps, and to invest them with certain powers" to the Governor-General for his assent.

Agreed to.

MR. LEGEYT moved that General Low be requested to take the Bill "to establish and incorporate an University at Bombay" to the Governor-General for his assent.

Agreed to.

The Council adjourned.

*Saturday, July 18, 1857.*

#### PRESENT:

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

Hon. the Chief Justice,	P. W. LeGeyt, Esq.,
Hon. Major General	E. Currie, Esq.,
J. Low,	and
Hon. J. P. Grant,	Hon. Sir A. W.
Hon. B. Peacock,	Buller.

The following Messages were brought by General Low, and read:—

#### MESSAGE No. 110.

The Governor-General informs the Legislative Council that he has given his assent to the Bill which was passed by them on the 11th July 1857, entitled a Bill "to establish and incorporate an University at Bombay."

By order of the Right Honorable the Governor-General.

CECIL BEADON,

*Secy. to the Govt. of India.*

FORT WILLIAM, }  
The 17th July 1857. }

#### MESSAGE No. 111.

The Governor-General informs the Legislative Council that he has given his assent to the Bill which was passed by them on the 11th July 1857, entitled a Bill "to provide for the good order and discipline of certain Volunteer Corps, and to invest them with certain powers."

By order of the Right Honorable the Governor-General.

CECIL BEADON,

*Secy. to the Govt. of India.*

FORT WILLIAM, }  
The 17th July 1857. }

#### FORFEITURE OF PROPERTY FOR MUTINY.

MR. PEACOCK postponed the presentation of the Report of the Select Committee on the Bill "to render Officers and Soldiers in the Native Army liable to forfeiture of property for Mutiny, and to provide for the adjudication of forfeitures of property in cases in which offenders cannot be brought to trial."

#### LAND CUSTOMS (BOMBAY.)

MR. CURRIE presented the Report of the Select Committee on the Bill "to make better provision for the collection of Land Customs in certain Foreign Frontiers of the Presidency of Bombay."

#### PORT-DUES AND FEES.

MR. CURRIE moved that the Bill "to authorize the levy of Port-dues and Fees at the present rates for a further

period of twelve months" be now read a second time.

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

**GANJA (BOMBAY PRESIDENCY.)**

**MR. LEGEYT** moved that the Bill "relating to the sale of Ganja in the Presidency of Bombay" be referred to a Select Committee consisting of Mr. Currie and the Mover.

Agreed to.

**PORT-DUES AND FEES.**

**MR. CURRIE** moved that the Bill "to authorize the levy of Port-dues and Fees at the present rates for a further period of twelve months" be referred to a Select Committee consisting of Mr. Grant, Mr. LeGeyt, and the Mover.

**MR. GRANT** said, he wished to make one remark upon the Motion. This would be the second extension of the period within which the local Governments were to have furnished information requisite to the framing of Bills for the several Ports respectively subject to them. When the General Harbor Act was passed, one year was given to the local Governments for that purpose. That period elapsed without the necessary information having been furnished, and a second year was allowed. It was now proposed to give a third year. He must say that he thought the Council had reason to complain of the very great delay which had taken place. He believed that six months would have been amply sufficient to enable the local Authorities to prepare and submit to the Council all the data which they had been requested to supply; and, therefore, if he were to be appointed a Member of the Select Committee upon the present Bill, he should propose in that Committee that the further term of one year which it provided should be reduced to six months. If the local Governments should fail to send up the necessary information within the next six months, he, for one, should not be prepared to vote for any further extension.

**MR. LEGEYT** said, he thought it right to offer a few words in explanation with reference to the Government of Bombay.

The Council had objected to that portion of the Ports Bill which proposed to give power to the local Governments to impose a consolidated tonnage duty

not exceeding eight annas a ton upon all sea-going vessels and river-steamers taking in or discharging cargo or passengers, and upon all such vessels not taking in or discharging any cargo or passenger, one-half the duty that would otherwise be chargeable. This provision was discussed in a Committee of the whole Council in July 1855, and the result of the debate was that it was negatived, and another substituted by which the dues and fees then collected were continued for one year, within which period the local Governments were to furnish their respective estimates of the dues required to be collected at each Port subject to their Governments, together with data which would enable the Council to determine whether the scale of duty recommended should be allowed. The Government of Bombay had sent the desired information in respect of four of the Ports in that Presidency, stating that they had been unable to collect details regarding the others; and they proposed that they should be authorized to levy such fees in all the Ports as might be found reasonable, and not to exceed a fixed maximum rate which they mentioned. He had, however, declined introducing into the Council a Bill for that purpose, since it would, in effect, have been a revival of the rejected Clauses—which rejection, he supposed, must have been overlooked by the Bombay Government. He had communicated with the Bombay Government, and fully expected that no time would be lost in obtaining the necessary information, and hoped that six months would be a sufficient duration for the proposed Bill.

**MR. CURRIE'S** Motion was then agreed to.

**MR. CURRIE** moved that the Standing Orders be suspended, to enable the Select Committee to report on the Bill within one week.

**MR. GRANT** seconded the Motion. Agreed to.

**NOTICE OF MOTION.**

**MR. LEGEYT** gave notice that he would, on Saturday the 25th Instant, move the first reading of a Bill for appointing Municipal Commissioners, and for levying rates and taxes, in the Town of Bombay.

The Council adjourned.