

Friday, 2nd February, 1855

PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

OF INDIA

Vol. I

(1854-1855)

NOTICES OF MOTION.

SIR JAMES COLVILLE gave notice that, at the next Meeting of the Council, he would move that the Council resolve itself into a Committee of the whole Council on the Bill "to assimilate the process of execution on all sides of Her Majesty's Supreme Courts, and in the Courts for the Relief of Insolvent Debtors; and to extend and amend the provisions of Act XXV of 1841."

SIR LAWRENCE PEEL gave notice that, at the next Meeting of the Council, he would move that the Council resolve itself into a Committee of the whole Council on the Bill "to extend the operation of, and regulate the mode of executing writs of execution in Her Majesty's Supreme Courts of Judicature."

The Council then adjourned, until Friday next, at 1 o'clock.

Friday, February 2, 1855.

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. 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. GRANT, and read :

MESSAGE No. 26.

The Governor General informs the Legislative Council that he has given his assent to the Act passed by them on the 27th January 1855, entitled "An Act for providing for the exercise of certain powers by the Governor General during his absence from the Council of India."

By Order of the Most Noble the Governor General.

CECIL BEADON,

Secretary to the Govt. of India.

FORT WILLIAM, }
 The 2nd February, 1855. }

MESSAGE No. 27.

The Governor General informs the Legislative Council that he has given his assent to the Act passed by them on the 27th January 1855, entitled "An Act for the

further improvement of the Law of evidence."

By Order of the Most Noble the Governor General.

CECIL BEADON,

Secretary to the Govt. of India.

FORT WILLIAM, }
 The 2nd February, 1855. }

MESSAGE No 28.

The Governor General informs the Legislative Council that he has given his assent to the Act passed by them on the 27th January 1855, entitled "An Act for the better prevention of Desertion from the Indian Navy."

By Order of the Most Noble the Governor General.

CECIL BEADON,

Secretary to the Govt. of India.

FORT WILLIAM, }
 The 2nd February, 1855. }

REPORTS OF SELECT COMMITTEES.

SIR LAWRENCE PEEL presented the Report of the Select Committee on the Bill "relating to Mesne Profits, and to improvements made by holders under defective titles"—the Report of the Select Committee on the Bill "to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong"—and the Report of the Select Committee on the Bill "to improve the English Law in force in India, by extending to this Country, with some enlargement thereof, the provisions of the Statute 3 and 4 Wm. 4, c. 42, s. 2."

MR. PEACOCK presented the Report of the Select Committee on the Bill "to amend the Law relating to the office and duties of Administrator General"—and the Report of the Select Committee on the Bill "to amend the Law of arrest on mesne process in Civil actions in the Supreme Courts of Judicature, and to provide for the subsistence of destitute prisoners confined under Civil process of any of the said Courts."

MUNICIPAL LAW.

MR. ALLEN said he was not prepared to-day to move the first reading, of which he had given notice, of a Bill "to modify Act XXVI of 1850."

BOUNDARY MARKS (MADRAS.)

MR. ELLIOTT moved that the Bill "for the establishment and maintenance of boundary marks in the Presidency of Fort St. George," be now read a second time.

Agreed to.

ASSAM COMPANY.

MR. MILLS moved that the Bill "for incorporating for a further period, and for giving further powers to the Assam Company," be now read a third time and passed.

Agreed to.

MR. ALLEN was requested to carry the Bill to the Most Noble the Governor General for his assent.

PROCESS OF EXECUTION.

SIR JAMES COLVILLE moved that the Council resolve itself into a Committee on the Bill "to assimilate the process of execution on all sides of Her Majesty's Supreme Courts, and in the Courts for the Relief of Insolvent Debtors; and to extend and amend the provisions of Act XXV of 1841."

Agreed to.

The Bill was passed in Committee, with only one material alteration, which had been recommended by the Select Committee, and by which Insolvent Courts are excepted from its operation.

WRITS OF EXECUTION.

SIR LAWRENCE PEEL moved that the Council resolve itself into a Committee on the Bill "to extend the operation of, and regulate the mode of executing writs of execution in Her Majesty's Supreme Courts of Judicature," 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 was passed in Committee in its amended form.

NOTICES OF MOTION.

SIR JAMES COLVILLE gave notice that, at the next Meeting of the Council, he would move that the Bill "to assimilate the process of execution on all sides of Her Majesty's Supreme Courts, and to extend and amend the provisions of Act XXV of 1841," be read a third time and passed.

SIR JAMES COLVILLE also gave notice that, as the Hon'ble and learned the Chief Justice would not be present at the next Meeting of the Council, he would move, on

that occasion, that the Bill "to extend the operation of, and regulate the mode of executing writs of execution in Her Majesty's Supreme Courts of Judicature," be read a third time and passed.

BOUNDARY MARKS (MADRAS.)

MR. ELLIOTT moved that the Bill "for the establishment and maintenance of boundary marks in the Presidency of Fort St. George," be referred to a Select Committee, consisting of Mr. Mills, Mr. Allen, and the Mover.

Agreed to.

NOTICES OF MOTION.

MR. PEACOCK gave notice that, on Saturday after next, he would move that the Council resolve itself into a Committee of the whole Council on the Bill "to amend the Law relating to the office and duties of Administrator General;" and also on the Bill "to amend the Law of arrest on mesne process in civil actions in the Supreme Courts of Judicature, and to provide for the subsistence of destitute prisoners confined under Civil process of any of the said Courts."

COPPER CURRENCY (STRAITS.)

MR. GRANT moved that the Petition from the Inhabitants of Singapore against the Bill "to improve the Law relating to the Copper Currency in the Straits," presented to the Council last Saturday, be printed and referred to the Select Committee on the Bill. Mr. Grant said he should have made this motion last Saturday, when the Petition was presented, had he not been under the impression that it would be referred to the Select Committee as a matter of course; but on looking at the Standing Orders, he found he was mistaken.

Motion carried.

The Council adjourned.

Saturday, February 10, 1855.

PRESENT :

The Most Noble the Governor General, *President*.

Hon. J. A. Doris,	A. J. M. Mills, Esq.,
Hon. J. P. Grant,	D. Elliott, Esq.,
Hon. B. Peacock,	A. Malot, Esq., and
Hon. Sir James Colville,	C. Allen, Esq.

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