

**LEGISLATIVE COUNCIL
OF
INDIA**

VOL. 4

JAN. - DEC.

1858

P . L .

PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL OF INDIA,

January to December 1858

Published by the authority of the Council.

A. SAVINLE, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED),
NO. 1, WESTON'S LANE, COSSITOLLAH.

1858.

Saturday, February 6, 1858.

PRESENT :

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

Hon. the Chief Justice,	D. Elliott, Esq.
Hon. Major General	P. W. LeGeyt, Esq.,
J. Low,	E. Currie, Esq., and
Hon. B. Peacock,	H. B. Harington, Esq.

CORPORAL PUNISHMENT.

THE CLERK brought under the consideration of the Council a Petition of the British Indian Association against the Bill "to authorize the infliction of Corporal Punishment in certain cases."

MR. PEACOCK moved that the above Petition be referred to the Select Committee on the Bill.

Agreed to.

RESTORATION OF POSSESSION OF
LANDS (N. W. P.)

THE CLERK reported to the Council that he had received a communication from the Officiating Secretary to the Government of the North-Western Provinces with the Draft of a Bill to provide for the restoring to the possession of their lands persons who have been dispossessed during the disturbances in the North-Western Provinces.

MR. HARRINGTON gave notice that he would on Saturday next move the first reading of a Bill on the subject.

PORT-DUES (FORT ST. GEORGE).

MR. ELLIOTT presented the Report of the Select Committee on the Bill "for the levy of Port-dues and fees at Ports within the Presidency of Fort St. George."

KURNOOL.

MR. ELLIOTT moved the first reading of a Bill "for bringing the District of Kurnool under the Laws of the Presidency of Fort St. George."

The Governor-General of India in Council, he said, had given his sanction to a proposal from the Government of Fort St. George for bringing the non-Regulation district of Kurnool in that Presidency under the general Regulations, and for constituting a new Zillah, with a Judge and a Collector and Ma-

gistrate, to be composed of the said district of Kurnool, with the addition of the Talook of Punchapolliem, now belonging to the Zillah of Bellary, and the Talooks of Coilgoontla, Doopaud, and Cumbum, now comprehended in the Zillah of Cuddapah.

The Governor-General in Council, under the power vested in him by Section LIII Act VII of 1843, had authorized the establishment of a Civil and Sessions Court at Nundial in the new Zillah; and he (Mr. Elliott) had the honor to present to the Legislative Council a Bill for the repeal of Act X of 1843, under which the administration of Justice and the collection of Revenue were now conducted in Kurnool, and for bringing the general Laws of the Presidency of Fort St. George into operation therein.

The Bill was read a first time.

CONFISCATION OF VILLAGES, &c.

MR. PEACOCK moved the second reading of the Bill "to authorize the confiscation of, or the imposition of fines on Villages and other places for offences committed by the Inhabitants."

MR. CURRIE said, the only remark he wished to make touching the principle of this Bill was with regard to the time of its application. Section XI of the Bill provided that the Act should take effect only in those districts or places to which it should be extended by order of the Governor-General in Council, or of the Executive Government of any Presidency or place. He thought that the operation of the Bill should be limited in time, as well as in place. The provisions of the Bill, and indeed the principles upon which those provisions were based, were suitable to existing circumstances in certain parts of the country; but he thought they were not generally nor permanently suitable. The Bill referred to Act XVI of 1857, which was a temporary Act; and he thought that this should also be expressly a temporary Act. This modification would affect the principle of the Bill; but it might be made in Committee.

MR. PEACOCK said, he thought there was no objection to making the Act a temporary one; but the question might, of course, be considered in Committee.

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

MUNICIPAL ASSESSMENT (SUBURBS OF CALCUTTA AND HOWRAH).

MR. CURRIE postponed the Motion (which stood in the Orders of the Day) for the third reading of the Bill "for raising Funds for making and repairing roads in the Suburbs of Calcutta and the Station of Howrah."

PORT-DUES AND FEES (KURRACHEE).

MR. LEGEYTT moved that the Council do resolve itself into a Committee on the Bill "for the levy of Port-dues and fees in the Port of Kurrachee;" 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 after the omission of Section VII. and the substitution for it (with certain necessary modifications) of Sections V and VI Act II of 1853; and, the Council having resumed its sitting, was reported.

CONFISCATION OF VILLAGES, &c.

MR. PEACOCK moved that the Standing Orders be suspended to enable the Select Committee to whom the Bill "to authorize the confiscation of, or the imposition of fines on Villages and other places for offences committed by the Inhabitants" might be referred, to present their Report before the expiration of the period prescribed by Standing Order No. LXIX.

GENERAL LOW seconded the motion.

Agreed to.

PORT-DUES AND FEES (KURRACHEE).

MR. LEGEYTT gave notice that he would, on Saturday the 13th Instant, move the third reading of the Bill "for the levy of Port-dues and fees in the Port of Kurrachee."

CONFISCATION OF VILLAGES, &c.

MR. PEACOCK moved that the Bill "to authorize the confiscation of,

or the imposition of fines on Villages and other places for offences committed by the Inhabitants" be referred to a Select Committee consisting of Mr. Currie, Mr. Harington, and the Mover, with an instruction to present their Report thereon within a fortnight.

Agreed to.

MR. PEACOCK moved that Mr. Elliott and Mr. LeGeyt be added to the Select Committee on the above Bill.

Agreed to.

NOTICE OF MOTION.

MR. ELLIOTT gave notice that he would, on Saturday the 13th Instant, move for a Committee of the whole Council on the Bill "for the levy of Port-dues and fees at Ports within the Presidency of Fort St. George."

The Council adjourned.

Saturday, February 13, 1858.

PRESENT:

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

Hon. Chief Justice,	P. W. LeGeyt, Esq.,
Hon. Major-Genl. J. Low,	E. Currie, Esq.,
Hon. B. Peacock,	Hon. Sir A. W. Buller
D. Elliott, Esq.,	and
	H. B. Harington, Esq.

RESTORATION OF POSSESSION OF LANDS (N. W. P.)

MR. HARINGTON moved the first reading of a Bill "to facilitate the recovery of land and other real property, of which possession may have been wrongfully taken during the recent disturbances in the North-Western Provinces of the Presidency of Bengal.

In doing so, he said from the correspondence which had lately been received from the Officiating Secretary to the Chief Commissioner at Agra, as reported to the Council on Saturday last, as well as from information derived from other quarters, it appeared that, since the breaking out of the mutiny in the Native Army of Bengal in the month of May last, there had been considerable unauthorized disturbance of possession of land and other real property in some of the districts in the North-Western