

Saturday, 2nd September, 1854

PROCEEDINGS

OF THE

**LEGISLATIVE COUNCIL
OF INDIA**

Vol. I

(1854 - 1855)

mittee of the whole Council on the Bill "to extend the provisions of Act No. XII of 1843."

The Council adjourned.

Saturday, September 2, 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,	A. Malet, Esq., and
Hon. Sir James Colville,	C. Allen, Esq.

The following Message from the Most Noble the Governor General in Council was brought by Mr. Dorin, and read :—

MESSAGE No. 11.

The Governor General in Council transmits to the Legislative Council copy of a Resolution this day passed by the Government, prescribing, with reference to Article CXV of the Standing Orders of the Legislative Council, that all communications from the Governor General or the Governor General in Council to the Legislative Council, shall be made by Message to be taken by a Member of the Council of India.

By Order of the Governor General in Council.

C. ALLEN,

Offg. Secy. to the Govt. of India.

FORT WILLIAM, }
The 25th August, 1854. }

HOME DEPARTMENT.

The 25th August, 1854.

At the Meeting of the Council of India this morning, the Honorable Mr. Dorin brought a Message from the Legislative Council, transmitting to the Board a copy of the Standing Orders of the said Council as settled by them.

The Most Noble the Governor General in Council is pleased to resolve, with reference to Article CXV of the Standing Orders above mentioned, that all communications from the Governor General or the Governor General in Council to the Legislative Council, shall be made by Message to be taken by a Member of the Council of India.

Ordered, that a copy of the foregoing Resolution be communicated by Message to the Legislative Council, and that the Honorable Mr. Dorin be requested to carry the Message.

(True Copy)

C. ALLEN,

Offg. Secy. to the Govt. of India.

THE CLERK reported a communication from the Secretary to the Government of India, forwarding certain papers relative to the proposed establishment and regulation of Military Prisons in India, so as to obviate the necessity of transportation to New South Wales.

Also a communication from the Government of Madras on the subject of the Bill "to repeal certain parts of the 53 George 3, c. 155, and of Section II Regulation XV of 1806 of the Bengal Code."

Mr. MILLS moved that the same be printed.

Agreed to.

The motion for a Committee of the whole Council on the above Bill, which stood in the Orders for this day, was consequently postponed till Saturday next.

THE CLERK further reported an application from the Secretary of the Madras Hindoo Reading Room, for a copy of all the Regulations and Acts, English and Vernacular, for the use of the Members.

THE PRESIDENT observed that it was not within the province of the Council to sanction the grant in its full extent, and that to grant copies of Acts passed by the Legislative Council, would only lead to many similar applications. He suggested, therefore, that the letter be referred to the Standing Orders Committee.

Mr. GRANT moved as above suggested. Agreed to.

Mr. ELLIOTT gave notice that he would, on Saturday next, move that the Draft Act "to amend the law regarding the taking of Mochulkas or Penal recognizances in the Presidencies of Madras and Bombay," which was read in Council for the first time on the 6th of February 1852, be referred to a Select Committee with directions to take into consideration the Reports upon the working of Act V of 1848, submitted by the Governments of Bengal and Agra to the Government of India, in answer to a requisition from the Supreme Government, under date the 27th August 1852.

MR. ELLIOTT presented the Report of the Select Committee on the Bills "for the suppression of outrages in the District of Malabar in the Presidency of Fort St. George" and "for restricting the possession of arms in Malabar."

MR. GRANT moved the first reading of a Bill "to improve the Law relating to the Copper Currency in the Straits."

Bill read a first time accordingly.

MR. MILLS moved the first reading of a Bill "for the more effectual suppression of affrays concerning the possession of property."

Bill read a first time accordingly.

MR. MALET stated that, in consequence of Mr. Peacock's absence, he would postpone to Saturday next the first reading of a Bill relating to Deserters from the Indian Navy.

MR. MILLS moved the second reading of a Bill "for the better supervision of Embankments."

Motion carried, and Bill read a second time accordingly.

Moved by the same that the above Bill be referred to a Select Committee consisting of Mr. Grant, Mr. Allen, and the Mover.

Agreed to.

MR. MALET moved the second reading of the Bill "to amend Regulation III of 1833 of the Bombay Regulations."

Motion carried, and Bill read a second time accordingly.

MR. MALET proposed to move to amend the Bill by omitting certain words therefrom.

THE PRESIDENT observed that the present Standing Orders did not allow such a motion; but that a special instruction to the Select Committee on the Bill, immediately after its appointment, might be moved under the 80th Standing Order.

MR. MALET thereupon moved that the above Bill be referred to a Select Committee consisting of Mr. Peacock, Mr. Mills, and the Mover.

Agreed to.

The Council then resolved itself, on the motion of MR. ELLIOTT (in the absence of Mr. Peacock), into a Committee for the consideration of the Bill "to extend the provisions of Act No. XII of 1843."

Section I of the above Bill being read by the Chairman—MR. MILLS stated that the Bill had been altered by the Select Committee and reported by them in its altered form; and he suggested that the Committee of the whole Council should now proceed to settle the Bill as reported by the Select Committee.

The CHAIRMAN observed that, by the Standing Orders No. LXVIII and the following, the Report of the Select Committee did no more than propose amendments, and that the proposed alterations could not take effect until adopted by the Council or by the Committee of the whole Council.

The amendments proposed by the Select Committee were then severally adopted, and two new Sections were introduced as Sections III and V of the Bill; the former (on the motion of Mr. Grant) providing that decisions need not be written in open Court—and the latter (on the motion of Mr. Allen) providing that Native Judicial Officers may in certain cases write their decisions in English. In the latter case a debate ensued, and the Council divided as follows on the question of inserting the proposed Section.

Ayes 5.

Noes 4.

Mr. Allen.
Mr. Malet.
Mr. Mills.
Sir James Colville.
Mr. Dorin.

Mr. Elliott.
Mr. Grant.
General Low.
The Chairman.

So the motion was carried.

Verbal amendments were also made in the Preamble and Title, to correspond with Mr. Allen's new Section.

The Bill, as thus settled, was certified by the CHAIRMAN, who reported to the Council, when it resumed its sitting, the amendments made therein in Committee.

MR. ELLIOTT thereupon gave notice that he would, on Saturday next, move the third reading and passing of the above Bill.

The Council adjourned.

Saturday, September 9, 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, A. Malet, Esq., and
Hon. Sir James Colville, C. Allen, Esq.

THE CLERK presented the following Petitions:—

A Petition of the British Indian Association, praying that Miscellaneous Appeals to the Sudder Dewanny Adawlut may be placed on the same footing as Regular and Special Appeals, with regard to the number of Judges necessary for their disposal; and
A Petition of certain inhabitants of Mo-