

Saturday, 12th December, 1857

PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL OF INDIA,

FROM

January to December 1857.

VOL. III.

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referred, that the Council should make itself acquainted with them, in order that it might see whether further legislation on the subject was expedient or proper. He, therefore, moved that the Bombay Government be requested to furnish the Legislative Council with copies of all papers relating to the preparation and passing of Act XVIII of 1848.

Agreed to.

MUNICIPAL ASSESSMENT (BOMBAY).

MR. LEGEYT moved that a communication received by him from the Government of Bombay, relative to the proposed Town-duty on Timber, be laid upon the table and referred to the Select Committee on the Bill "for appointing Municipal Commissioners and for raising a fund for Municipal purposes in the town of Bombay."

Agreed to.

PORT-DUES (MOULMEIN, &c.)

MR. CURRIE moved that Mr. Peacock be requested to take the Bill "for the levy of Port-dues in the Ports of Moulmein, Rangoon, Kyook Phyoo, Akyab, and Chittagong" to the Governor-General for his assent.

Agreed to.

RECOVERY OF RENT (BENGAL).

MR. CURRIE moved that Mr. Harrington be added to the Select Committee on the Bill "to amend the law relating to the recovery of Rent in the Presidency of Fort William in Bengal."

Agreed to.

INDIAN PENAL CODE.

MR. PEACOCK moved that Mr. Harrington be substituted for Mr. Grant as a Member of the Select Committee on "The Indian Penal Code."

Agreed to.

The Council adjourned.

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Saturday, December 12, 1857.

PRESENT:

The Honorable J. A. Dorin, Vice-President, in the Chair.	P. W. LeGeyt, Esq.,
Hon. the Chief Justice,	E. Currie, Esq.,
Hon. Major General J. Low,	Hon. Sir A. W. Buller
Hon. B. Peacock,	and
D. Elliott, Esq.	H. B. Harrington, Esq.

SALE OF LANDS (BENGAL).

THE CLERK presented to the Council a Petition from Womachurn Roy relative to the Bill "to improve the law relating to sales of land for arrears of Revenue in the Bengal Presidency."

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

Agreed to.

MUNICIPAL ASSESSMENT (SUBURBS OF CALCUTTA, AND HOWRAH).

THE CLERK also presented a Petition from Native Inhabitants of the Suburbs of Calcutta against the proposed levy of a carriage and horse-tax in those Suburbs.

MR. CURRIE moved that the above Petition be referred to the Select Committee on the Bill "for raising funds for making and repairing roads in the Suburbs of Calcutta and the Station of Howrah."

Agreed to.

COMPULSORY LABOR (MADRAS).

MR. ELIOTT presented the Report of the Select Committee on the Bill "to make lawful compulsory labor for the prevention of mischief by inundation, and to provide for the enforcement of customary labor to certain works of irrigation in the Presidency of Fort St. George."

OOTACAMUND SUBORDINATE CRIMINAL COURT.

MR. ELIOTT moved that a Bill "to extend Act XXV of 1855" (to empower the Session Judge of Coimbatore to hold Sessions at Ootacamund on the Neilgherry Hills) be now read a first time.

Act XXV of 1855, he said, contemplated the establishment at Ootacamund of a Subordinate Criminal Court constituted according to Regulation VIII of 1827 of the Code of Fort St. George, that was under the presidency of a Principal Sudder Ameen, provided for the Session Judge of Coimbatore holding Sessions at Ootacamund for the trial of persons charged with offences subject to his

jurisdiction on commitments made by such Court.

The Honorable the Court of Directors being of opinion that the Court at Ootacamund had better be presided over by an Officer of the class of Subordinate Judges under Regulation II of 1827, than by a Principal Sudder Ameen under Regulation VIII of 1827 of the Code, had directed an application to be made to the Legislative Council for such an amendment of Act XXV of 1855 as would make it operative on this alteration in the constitution of the Court; and he now submitted to the Council a Bill for that purpose, which was to the same effect as a draft which he had received from the Government of Madras, but different in form, inasmuch as the latter contemplated a new Act to be substituted for Act XXV of 1855, whereas it appeared to him to be necessary to extend its provisions.

The Bill was read a first time.

REGULATION OF PORTS (FORT ST. GEORGE).

MR. ELIOTT moved that a Bill "for the Regulation of certain Ports within the Presidency of Fort St. George" be now read a first time.

He said, at the instance of the Government of Madras, he submitted a Bill to provide for the preservation of the Ports in that Presidency which were declared under Act VI of 1844 to be Ports for the landing and shipment of merchandise, but which were not considerable enough to be made subject generally to the provisions of Act XXII of 1855.

By this Bill, the provisions of Sections XVI and XXIV of Act XXII of 1855 were made applicable to the Ports in question. By the former of these Sections, authority was given for the imposition of penalties on persons causing obstruction or impediment to the navigation of a Port, or causing any public nuisance affecting such navigation. By the latter, provision was made for the punishment in like manner of persons improperly discharging ballast in a Port so as to be detrimental to its navigation.

The Bill was read a first time.

PORT-DUES (FORT ST. GEORGE).

MR. ELIOTT moved that the Bill "for the levy of Port-dues and fees at

Ports within the Presidency of Fort St. George" be now read a second time.

The motion was agreed to, and the Bill read a second time accordingly.

PORT-DUES (CUTTACK).

MR. CURRIE moved that the Council resolve itself into a Committee on the Bill "for the levy of Port-dues in certain Ports in the Province of Cuttack;" and that the Committee be instructed to consider the Bill in the amended form in which the Select Committee had recommended it to be passed.

Agreed to.

The Bill passed through Committee without amendment, and was reported.

PORT-DUES (FORT ST. GEORGE).

MR. ELIOTT moved that the Bill "for the levy of Port-dues and fees at Ports within the Presidency of Fort St. George" be referred to a Select Committee consisting of Mr. LeGeyt, Mr. Currie, and the Mover.

Agreed to.

MR. ELIOTT moved that the Standing Orders be suspended to enable the Select Committee to present their Report on or after the 17th of January next.

THE CHIEF JUSTICE seconded the motion, which was then agreed to.

SALE OF LANDS (BENGAL).

MR. CURRIE moved that Mr. Harrington be added to the Select Committee on the Bill "to improve the law relating to sales of land for arrears of Revenue in the Bengal Presidency."

Agreed to.

NOTICE OF MOTION.

MR. LEGEYT gave notice that he would, on Saturday next, move the second reading of the Bill "for the suppression of frauds in the Cotton-Trade in the Presidency of Bombay."

The Council adjourned.