



ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

C A P. LXXXV.

An Act for effecting an Arrangement with the *East India Company*, and for the better Government of His Majesty's *Indian Territories*, till the Thirtieth Day of *April* One thousand eight hundred and fifty-four. [28th *August* 1833.]

WHEREAS by an Act passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; and for regulating the Trade to and from the Places within the Limits of the said Company's Charter*, the Possession and Government of the *British Territories in India* were continued in the United Company of Merchants of *England* trading to the *East Indies* for a Term therein mentioned: And whereas the said Company are entitled to or claim the Lordships and Islands of *St. Helena* and *Bombay* under Grants from the Crown, and other Property to a large Amount in Value, and also certain Rights and Privileges not affected by the Determination of the Term granted by the said recited Act: And whereas the said Company have consented that all their Rights and Interests to or in the said Territories, and all their Territorial and Commercial, Real and Personal Assets and Property
53 G.3.c.155.
whatsoever,

The British Territories in India to remain under the Government of the Company till 30th April 1854.

Real and Personal Property of the Company to be held in Trust for the Crown, for the Service of India.

whatsoever, shall, subject to the Debts and Liabilities now affecting the same, be placed at the Disposal of Parliament in consideration of certain Provisions herein-after mentioned, and have also consented that their Right to trade for their own Profit in common with other His Majesty's Subjects be suspended during such Time as the Government of the said Territories shall be confided to them: And whereas it is expedient that the said Territories now under the Government of the said Company be continued under such Government, but in Trust for the Crown of the United Kingdom of *Great Britain* and *Ireland*, and discharged of all Claims of the said Company to any Profit therefrom to their own Use, except the Dividend herein-after secured to them, and that the Property of the said Company be continued in their Possession and at their Disposal, in Trust for the Crown, for the Service of the said Government, and other Purposes in this Act mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-second Day of *April* One thousand eight hundred and thirty-four the Territorial Acquisitions and Revenues mentioned or referred to in the said Act of the Fifty-third Year of His late Majesty King *George* the Third, together with the Port and Island of *Bombay*, and all other Territories now in the Possession and under the Government of the said Company, except the Island of *St. Helena*, shall remain and continue under such Government until the Thirtieth Day of *April* One thousand eight hundred and fifty-four; and that all the Lands and Hereditaments, Revenues, Rents, and Profits of the said Company, and all the Stores, Merchandize, Chattels, Monies, Debts, and Real and Personal Estate whatsoever, except the said Island of *St. Helena*, and the Stores and Property thereon herein-after mentioned, subject to the Debts and Liabilities now affecting the same respectively, and the Benefit of all Contracts, Covenants, and Engagements, and all Rights to Fines, Penalties, and Forfeitures, and other Emoluments whatsoever, which the said Company shall be seized or possessed of or entitled unto on the said Twenty-second Day of *April* One thousand eight hundred and thirty-four, shall remain and be vested in, and be held, received, and exercised respectively, according to the Nature and Quality, Estate and Interest of and in the same respectively, by the said Company, in Trust for His Majesty, His Heirs and Successors, for the Service of the Government of *India*, discharged of all Claims of the said Company to any Profit or Advantage therefrom to their own Use, except the Dividend on their Capital Stock, secured to them as herein-after is mentioned, subject to such Powers and Authorities for the Superintendence, Direction, and Control over the Acts, Operations, and Concerns of the said Company as have been already made or provided by any Act or Acts of Parliament in that Behalf, or are made or provided by this Act.

All Privileges, Powers, &c. granted by 58 G. 3. c. 155, for

II. And be it enacted, That all and singular the Privileges, Franchises, Abilities, Capacities, Powers, Authorities, whether Military or Civil, Rights, Remedies, Methods of Suit, Penalties, Forfeitures, Disabilities,

Disabilities, Provisions, Matters, and Things whatsoever granted to or continued in the said United Company by the said Act of the Fifty-third Year of King *George* the Third, for and during the Term limited by the said Act, and all other the Enactments, Provisions, Matters, and Things contained in the said Act, or in any other Act or Acts whatsoever, which are limited or may be construed to be limited to continue for and during the Term granted to the said Company by the said Act of the Fifty-third Year of King *George* the Third, so far as the same or any of them are in force, and not repealed by or repugnant to the Enactments herein-after contained, and all Powers of Alienation and Disposition, Rights, Franchises, and Immunities, which the said United Company now have, shall continue and be in force, and may be exercised and enjoyed, as against all Persons whomsoever, subject to the Superintendence, Direction, and Control herein-before mentioned, until the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

the Term thereby limited;

and all Enactments not repugnant to this Act;

as also all Rights and Immunities of the Company, to be in force until April 1854, subject to Control.

III. Provided always, and be it enacted, That from and after the said Twenty-second Day of *April* One thousand eight hundred and thirty-four the exclusive Right of trading with the Dominions of the Emperor of *China*, and of trading in Tea, continued to the said Company by the said Act of the Fifty-third Year of King *George* the Third, shall cease.

From 22d April 1834, China and Tea Trade of Company to cease.

IV. And be it enacted, That the said Company shall, with all convenient Speed after the said Twenty-second Day of *April* One thousand eight hundred and thirty-four, close their Commercial Business, and make sale of all their Merchandize, Stores, and Effects at Home and Abroad, distinguished in their Account Books as Commercial Assets, and all their Warehouses, Lands, Tenements, Hereditaments, and Property whatsoever which may not be retained for the Purposes of the Government of the said Territories, and get in all Debts due to them on account of the Commercial Branch of their Affairs, and reduce their Commercial Establishments as the same shall become unnecessary, and discontinue and abstain from all Commercial Business which shall not be incident to the closing of their actual Concerns, and to the Conversion into Money of the Property herein-before directed to be sold, or which shall not be carried on for the Purposes of the said Government.

Company to close their Commercial Business, and to sell their Property not retained for Government.

V. Provided always, and be it enacted, That nothing herein contained shall prevent the said Company from selling, at the Sales of their own Goods and Merchandize by this Act directed or authorized to be made, such Goods and Merchandize the Property of other Persons as they may now lawfully sell at their public Sales.

Company not prevented selling Goods the Property of other Persons.

VI. And be it enacted, That the Board of Commissioners for the Affairs of *India* shall have full Power to superintend, direct, and control the Sale of the said Merchandize, Stores, and Effects, and other Property herein-before directed to be sold, and to determine from Time to Time, until the said Property shall be converted into Money, what Parts of the said Commercial Establishments shall be continued and reduced respectively, and to control the Allowance and

Board of Control to superintend the Sale of the Property, the Reduction of the Commercial Establish-

ments, Pay-
ment of
Commercial
Claims, &c.

Board to
appoint
Officers to
attend them
during the
winding-up
of the Com-
mercial
Business.

and Payment of all Claims upon the said Company connected with the Commercial Branch of their Affairs, and generally to superintend and control all Acts and Operations whatsoever of the said Company whereby the Value of the Property of the said Company may be affected; and the said Board shall and may appoint such Officers as shall be necessary to attend upon the said Board during the winding-up of the Commercial Business of the said Company; and that the Charge of such Salaries or Allowances as His Majesty shall, by any Warrant or Warrants under His Sign Manual, countersigned by the Chancellor of the Exchequer for the Time being, direct to be paid to such Officers, shall be defrayed by the said Company, as herein-after mentioned, in addition to the ordinary Charges of the said Board.

The Company
may consider
Claims of
Commercial
Officers re-
duced, and,
under the
Control of
the Board,
grant Com-
pensations.

VII. And be it enacted, That it shall be lawful for the said Company to take into consideration the Claims of any Persons now or heretofore employed by or under the said Company, or the Widows and Children of any such Persons, whose Interests may be affected by the Discontinuance of the said Company's Trade, or who may from Time to Time be reduced, and, under the Control of the said Board, to grant such Compensations, Superannuations, or Allowances (the Charge thereof to be defrayed by the said Company as herein-after mentioned) as shall appear reasonable: Provided always, that no such Compensations, Superannuations, or Allowances shall be granted until the Expiration of Two Calendar Months after Particulars of the Compensation, Superannuation, or Allowance proposed to be so granted shall have been laid before both Houses of Parliament.

The Parti-
culars there-
of to be laid
before Parlia-
ment every
Year.

VIII. Provided always, and be it enacted, That within the first Fourteen sitting Days after the first meeting of Parliament in every Year there be laid before both Houses of Parliament the Particulars of all Compensations, Superannuations, and Allowances so granted, and of the Salaries and Allowances directed to be paid to such Officers as may be appointed by the said Board as aforesaid during the preceding Year.

Company's
Debts and
Liabilities
charged on
India.

IX. And be it enacted, That from and after the said Twenty-second Day of *April* One thousand eight hundred and thirty-four all the Bond Debt of the said Company in *Great Britain*, and all the Territorial Debt of the said Company in *India*, and all other Debts which shall on that Day be owing by the said Company, and all Sums of Money, Costs, Charges, and Expences which after the said Twenty-second Day of *April* One thousand eight hundred and thirty-four may become payable by the said Company in respect or by reason of any Covenants, Contracts, or Liabilities then existing, and all Debts, Expences, and Liabilities whatever which after the same Day shall be lawfully contracted and incurred on account of the Government of the said Territories, and all Payments by this Act directed to be made, shall be charged and chargeable upon the Revenues of the said Territories; and that neither any Stock or Effects which the said Company may hereafter have to their own Use, nor the Dividend by this Act secured to them, nor the Directors or Proprietors of the

said

said Company, shall be liable to or chargeable with any of the said Debts, Payments, or Liabilities.

X. Provided always, and be it enacted, That so long as the Possession and Government of the said Territories shall be continued to the said Company all Persons and Bodies Politic shall and may have and take the same Suits, Remedies, and Proceedings, legal and equitable, against the said Company, in respect of such Debts and Liabilities as aforesaid, and the Property vested in the said Company in Trust as aforesaid shall be subject and liable to the same Judgments and Executions, in the same Manner and Form respectively as if the said Property were hereby continued to the said Company to their own Use.

While India is under Government of the Company, their Property to continue subject to Execution.

XI. And be it enacted, That out of the Revenues of the said Territories there shall be paid to or retained by the said Company, to their own Use, a yearly Dividend after the Rate of Ten Pounds Ten Shillings *per Centum per Annum* on the present Amount of their Capital Stock; the said Dividend to be payable in *Great Britain*, by equal half-yearly Payments, on the Sixth Day of *January* and the Sixth Day of *July* in every Year; the first half-yearly Payment to be made on the Sixth Day of *July* One thousand eight hundred and thirty-four.

A Dividend of 10*l.* 10*s.* per Cent. per An. to be paid on Company's Stock by half-yearly Payments in Great Britain.

XII. Provided always, and be it enacted, That the said Dividend shall be subject to Redemption by Parliament upon and at any Time after the Thirtieth Day of *April* One thousand eight hundred and seventy-four, on Payment to the Company of Two hundred Pounds Sterling for every One hundred Pounds of the said Capital Stock, together with a proportionate Part of the same Dividend, if the Redemption shall take place on any other Day than one of the said half-yearly Days of Payment: Provided also, that Twelve Months Notice in Writing, signified by the Speaker of the House of Commons by the Order of the House, shall be given to the said Company of the Intention of Parliament to redeem the said Dividend.

Dividend to be subject to Redemption by Parliament after April 1874, on Payment of 200*l.* for 100*l.* Stock. Notice of Redemption.

XIII. Provided always, and be it enacted, That if on or at any Time after the said Thirtieth Day of *April* One thousand eight hundred and fifty-four the said Company shall, by the Expiration of the Term hereby granted, cease to retain, or shall by the Authority of Parliament be deprived of the Possession and Government of the said Territories, it shall be lawful for the said Company within One Year thereafter to demand the Redemption of the said Dividend, and Provision shall be made for redeeming the said Dividend, after the Rate aforesaid, within Three Years after such Demand.

If Company deprived of the Government of India, they may demand Redemption of the Dividend.

XIV. And be it enacted, That there shall be paid by the said Company into the Bank of *England*, to the Account of the Commissioners for the Reduction of the National Debt, such Sums of Money as shall in the whole amount to the Sum of Two Millions Sterling, with Compound Interest after the Rate of Three Pounds Ten Shillings

Company to pay to Commissioners for Reduction of National Debt 2,000,000*l.* ;

to be placed to Account of Security Fund of the Company.

Monies and Dividends to be laid out in Securities, and Dividends placed to same Account, until the whole amounts to 12 Millions.

per Centum per Annum, computed half-yearly from the said Twenty-second Day of *April* One thousand eight hundred and thirty-four, on so much of the said Sums as shall from Time to Time remain unpaid; and the Cashiers of the said Bank shall receive all such Sums of Money, and place the same to a separate Account with the said Commissioners, to be intituled "The Account of the Security Fund of the *India* Company;" and that as well the Monies so paid into the said Bank as the Dividends or Interest which shall arise therefrom shall from Time to Time be laid out, under the Direction of the said Commissioners, in the Purchase of Capital Stock in any of the redeemable Public Annuities transferrable at the Bank of *England*; which Capital Stock so purchased shall be invested in the Names of the said Commissioners on account the said Security Fund, and the Dividends payable thereon shall be received by the said Cashiers and placed to the said Account, until the whole of the Sums so received on such Account shall have amounted to the Sum of Twelve Millions Sterling; and the said Monies, Stock, and Dividends, or Interest, shall be a Security Fund for better securing to the said Company the Redemption of their said Dividend after the Rate herein-before appointed for such Redemption.

Commissioners for Reduction of National Debt, upon Requisition of Court, may raise Money for paying the Dividend in case of Failure or Delay of Remittance of proper Funds.

XV. Provided always, and be it enacted, That it shall be lawful for the said Commissioners for the Reduction of the National Debt from Time to Time, and they are hereby required, upon Requisition made for that Purpose by the Court of Directors of the said Company, to raise and pay to the said Company such Sums of Money as may be necessary for the Payment of the said Company's Dividend by reason of any Failure or Delay of the Remittances of the proper Funds for such Payment; such Sums of Money to be raised by Sale or Transfer or Deposit by way of Mortgage of a competent Part of the said Security Fund, according as the said Directors, with the Approbation of the said Board, shall direct; to be repaid into the Bank of *England* to the Account of the Security Fund, with Interest after such Rate as the Court of Directors, with the Approbation of the said Court, shall fix, out of the Remittances which shall be made for answering such Dividend, as and when such Remittances shall be received in *England*.

Application of Dividends of Security Fund and the Fund itself in aid of Revenues.

XVI. Provided always, and be it enacted, That all Dividends on the Capital Stock forming the said Security Fund accruing after the Monies received by the said Bank to the Account of such Fund shall have amounted to the Sum of Twelve Millions Sterling, until the said Fund shall be applied to the Redemption of the said Company's Dividend, and also all the said Security Fund, or so much thereof as shall remain after the said Dividend shall be wholly redeemed after the Rate aforesaid, shall be applied in aid of the Revenues of the said Territories.

Company's Dividends to be paid out of Revenues in preference to other Charges, and

XVII. And be it enacted, That the said Dividend on the Company's Capital Stock shall be paid or retained as aforesaid out of such Part of the Revenues of the said Territories as shall be remitted to *Great Britain*, in preference to all other Charges payable thereout in *Great Britain*; and that the said Sum of Two Millions Sterling shall

be paid in manner aforesaid out of any Sums which shall on the said Twenty-second Day of *April* One thousand eight hundred and thirty-four be due to the said Company from the Public as and when the same shall be received, and out of any Monies which shall arise from the Sale of any Government Stock on that Day belonging to the said Company, in preference to all other Payments thereof; and that, subject to such Provisions for Priority of Charge, the Revenues of the said Territories, and all Monies which shall belong to the said Company on the said Twenty-second Day of *April* One thousand eight hundred and thirty-four, and all Monies which shall be thereafter received by the said Company from and in respect of the Property and Rights vested in them in Trust as aforesaid, shall be applied to the Service of the Government of the said Territories, and in defraying all Charges and Payments by this Act created, or confirmed and directed to be made respectively, in such Order as the said Court of Directors, under the Control of the said Board, shall from Time to Time direct; any thing in any other Act or Acts contained to the contrary notwithstanding.

2,000,000*l.*
to be paid
out of Debt
due from the
Public and
by Sale of
Stock.

Subject to
such Priori-
ties, Reve-
nues and
Monies to be
applied to
Service of
India and
Purposes of
this Act, un-
der Control.

XVIII. Provided also, and be it enacted, That nothing herein contained shall be construed or operate to the Prejudice of any Persons claiming or to claim under a Deed of Covenants dated the Tenth Day of *July* One thousand eight hundred and five, and made between the said Company of the one Part, and the several Persons whose Hands should be thereto set and affixed, and who respectively were or claimed to be Creditors of His Highness the Nabob *Wallah Jah*, formerly Nabob of *Arcot* and of the *Carnatic* in the *East Indies*, and now deceased, and of His Highness the Nabob *Omduh ul Omrah*, late Nabob of *Arcot* and of the *Carnatic*, and now also deceased, and of His Highness the *Ameer ul Omrah*, of the other Part.

Not to preju-
dice Persons
claiming
under a
Covenant be-
tween the
Company
and the Cre-
ditors of the
Nabobs of
Arcot, &c.

XIX. And be it enacted, That it shall and may be lawful for His Majesty by any Letters Patent, or by any Commission or Commissions to be issued under the Great Seal of *Great Britain* from Time to Time to nominate, constitute, and appoint, during Pleasure, such Persons as His Majesty shall think fit to be, and who shall accordingly be and be styled, Commissioners for the Affairs of *India*; and every Enactment, Provision, Matter, and Thing relating to the Commissioners for the Affairs of *India* in any other Act or Acts contained, so far as the same are in force and not repealed by or repugnant to this Act, shall be deemed and taken to be applicable to the Commissioners to be nominated as aforesaid.

His Majesty
may appoint
Commission-
ers for the
Affairs of
India.

XX. And be it enacted, That the Lord President of the Council, the Lord Privy Seal, the First Lord of the Treasury, the Principal Secretaries of State, and the Chancellor of the Exchequer for the Time being shall, by virtue of their respective Offices, be and they are hereby declared to be Commissioners for the Affairs of *India*, in conjunction with the Persons to be nominated in any such Commission as aforesaid, and they shall have the same Powers respectively as if they had been expressly nominated in such Commission, in the Order in which they are herein mentioned, next after the Commissioner first named therein.

Ex officio
Commission-
ers.

XXI. And

Two Commissioners may form a Board ;

first-named to be President ; in his Absence the next in order.

XXI. And be it enacted, That any Two or more of the said Commissioners shall and may form a Board for executing the several Powers which by this Act, or by any other Act or Acts, are or shall be given to or vested in the Commissioners for the Affairs of *India* ; and that the Commissioner first named in any such Letters Patent or Commission, for the Time being, shall be the President of the said Board ; and that when any Board shall be formed in the Absence of the President, the Commissioner next in order of Nomination in this Act or in the said Commission, of those who shall be present, shall for that Turn preside at the said Board.

President and occasional President to have the casting Vote.

XXII. And be it enacted, That if the Commissioners present at any Board shall be equally divided in Opinion with respect to any Matter by them discussed, then and on every such Occasion the President, or in his Absence the Commissioner acting as such, shall have Two Voices or the casting Vote.

The Board to appoint Two Secretaries and other Officers.

President, Secretaries, and Officers to be paid such Salaries as the Crown shall direct.

XXIII. And be it enacted, That the said Board shall and may nominate and appoint Two Secretaries, and such other Officers as shall be necessary, to attend upon the said Board, who shall be subject to Dismission at the Pleasure of the said Board ; and each of the said Secretaries shall have the same Powers, Rights, and Privileges as by any Act or Acts now in force are vested in the Chief Secretary of the Commissioners for the Affairs of *India* ; and that the President of the said Board, but no other Commissioner as such, and the said Secretaries and other Officers, shall be paid by the said Company such fixed Salaries as His Majesty shall, by any Warrant or Warrants under his Sign Manual, countersigned by the Chancellor of the Exchequer for the Time being, direct.

Secretaries and Officers to take Oaths if required by the Board.

XXIV. And be it enacted, That if at any Time the said Board shall deem it expedient to require their Secretaries and other Officers of the said Board, or any of them, to take an Oath of Secrecy, and for the Execution of the Duties of their respective Stations, it shall be lawful for the said Board to administer such Oath as they shall frame for the Purpose.

The Board of Commissioners to control all Acts concerning *India*, and the Sale of Property.

XXV. And be it enacted, That the said Board shall have and be invested with full Power and Authority to superintend, direct, and control all Acts, Operations, and Concerns of the said Company which in anywise relate to or concern the Government or Revenues of the said Territories, or the Property hereby vested in the said Company in Trust as aforesaid, and all Grants of Salaries, Gratuities, and Allowances, and all other Payments and Charges whatever, out of or upon the said Revenues and Property respectively, except as herein-after is mentioned.

Commissioners, Secretaries, and Officers, on 22d April 1834, to continue until

XXVI. And be it enacted, That the several Persons who on the said Twenty-second Day of *April* One thousand eight hundred and thirty-four shall be Commissioners for the Affairs of *India*, and Secretaries and Officers of such Board of Commissioners, shall continue and be Commissioners for the Affairs of *India*, and Secretaries and Officers of the said Board respectively, with the same Powers and

and subject to the same Restrictions as to Salaries as if they had been appointed by virtue of this Act, until by the issuing of new Patents, Commissions, or otherwise, their Appointments shall be respectively revoked.

their Ap-
pointments
are revoked.

XXVII. And be it enacted, That if, upon the Occasion of taking any Ballot on the Election of a Director or Directors of the said Company, any Proprietor, who shall be resident within the United Kingdom, shall, by reason of Absence, Illness, or otherwise, be desirous of voting by Letter of Attorney, he shall be at liberty so to do, provided that such Letter of Attorney shall in every Case express the Name or Names of the Candidate or Candidates for whom such Proprietor shall be so desirous of voting, and shall be executed within Ten Days next before such Election; and the Attorney constituted for such Purpose shall in every Case deliver the Vote he is so directed to give openly to the Person or Persons who shall be authorized by the said Company to receive the same; and every such Vote shall be accompanied by an Affidavit or Affirmation to be made before a Justice of the Peace by the Proprietor directing the same so to be given, to the same or the like Effect as the Oath or Affirmation now taken by Proprietors voting upon Ballots at General Courts of the said Company, and in which such Proprietor shall also state the Day of the Execution of such Letter of Attorney; and any Person making a false Oath or Affirmation before a Justice of Peace for the Purpose aforesaid shall be held to have thereby committed wilful Perjury; and if any Person do unlawfully or corruptly procure or suborn any other Person to take the said Oath or Affirmation before a Justice of the Peace as aforesaid, whereby he or she shall commit such wilful Perjury, and shall thereof be convicted, he, she, or they, for every such Offence, shall incur such Pains and Penalties as are provided by Law against Subornation of Perjury.

Proprietors
may vote by
Attorney in
Election of
Directors.

XXVIII. And be it enacted, That so much of the Act of the Thirteenth Year of the Reign of King *George* the Third, intituled *An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company as well in India as in Europe*, as enacts that no Person employed in any Civil or Military Station in the *East Indies*, or claiming or exercising any Power, Authority, or Jurisdiction therein, shall be capable of being appointed or chosen into the Office of Director until such Person shall have returned to and been resident in *England* for the Space of Two Years, shall be and is hereby repealed: Provided, that if the said Court of Directors, with the Consent of the said Board, shall declare such Person to be an Accountant with the said Company, and that his Accounts are unsettled, or that a Charge against such Person is under the Consideration of the said Court, such Person shall not be capable of being chosen into the Office of Director for the Term of Two Years after his Return to *England*, unless such Accounts shall be settled, or such Charge be decided on, before the Expiration of the said Term.

Repeal of
Restriction in
13 G. 3. c. 63.
with respect
to any Person
employed in
the East
Indies being
chosen
Director.

If such Per-
son has un-
settled Ac-
counts, he
shall be in-
eligible for
Two Years,
unless they
are sooner
settled.

Court to deliver to Board Copies of Minutes, &c. of Courts of Proprietors and Directors, and of all material Letters and Dispatches.

XXIX. And be it further enacted, That the said Court of Directors shall from Time to Time deliver to the said Board Copies of all Minutes, Orders, Resolutions, and Proceedings of all Courts of Proprietors, General or Special, and of all Courts of Directors, within Eight Days after the holding of such Courts respectively, and also Copies of all Letters, Advices, and Dispatches whatever which shall at any Time or Times be received by the said Court of Directors or any Committee of Directors, and which shall be material to be communicated to the said Board, or which the said Board shall from Time to Time require.

No Official Communications to be sent by the Court until approved by the Board ;

XXX. And be it enacted, That no Orders, Instructions, Dispatches, Official Letters, or Communications whatever, relating to the said Territories or the Government thereof, or to the Property or Rights vested in the said Company in Trust as aforesaid, or to any public Matters whatever, shall be at any Time sent or given by the said Court of Directors, or any Committee of the said Directors, until the same shall have been submitted for the Consideration of and approved by the said Board ; and for that Purpose that Copies of all such Orders, Instructions, Dispatches, Official Letters, or Communications which the said Court of Directors, or any Committee of the said Directors, shall propose to be sent or given, shall be by them previously laid before the said Board, and that within the Space of Two Months after the Receipt of such proposed Orders, Instructions, Dispatches, Official Letters, or Communications, the said Board shall either return the same to the said Court of Directors or Committee of Directors, with their Approbation thereof, signified under the Hand of One of the Secretaries of the said Board, by the Order of the said Board ; or if the said Board shall disapprove, alter, or vary in Substance any of such proposed Orders, Instructions, Dispatches, Official Letters, or Communications, in every such Case the said Board shall give to the said Directors, in Writing, under the Hand of One of the Secretaries of the said Board, by Order of the said Board, their Reason in respect thereof, together with their Directions to the said Directors in relation thereto ; and the said Directors shall and they are hereby required forthwith to send the said Orders, Instructions, Dispatches, Official Letters, or Communications, in the Form approved by the said Board, to their proper Destinations : Provided always, that it shall be lawful for the said Board, by Minutes from Time to Time to be made for that Purpose and entered on the Records of the said Board, and to be communicated to the said Court, to allow such Classes of Orders, Instructions, Dispatches, Official Letters, or Communications as shall in such Minutes be described to be sent or given by the said Court without having been previously laid before the said Board.

except such Classes of Communications as the Board may allow.

If the Court omit to frame Official Communications for Consideration of the Board, they may prepare them.

XXXI. And be it enacted, That whenever the said Court of Directors shall omit to prepare and submit for the Consideration of the said Board any Orders, Instructions, Dispatches, Official Letters, or Communications, beyond the Space of Fourteen Days after Requisition made to them by Order of the said Board, it shall and may be lawful to and for the said Board to prepare and send to the

said Directors any Orders, Instructions, Dispatches, Official Letters, or Communications, together with their Directions relating thereto ; and the said Directors shall and they are hereby required forthwith to transmit the same to their proper Destinations. Court to send them.

XXXII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to restrict or prohibit the said Directors from expressing, within Fourteen Days, by Representation in Writing to the said Board, such Remarks, Observations, or Explanations as they shall think fit touching or concerning any Directions which they shall receive from the said Board ; and that the said Board shall and they are hereby required to take every such Representation, and the several Matters therein contained or alleged, into their Consideration, and to give such further Directions thereupon as they shall think fit and expedient ; which shall be final and conclusive upon the said Directors. Representations may be made by Court as to Official Communications ; and Board to consider such Representations, and give final Orders.

XXXIII. And be it enacted, That if it shall appear to the said Court of Directors that any Orders, Instructions, Dispatches, Official Letters or Communications, except such as shall pass through the Secret Committee, upon which Directions may be so given by the said Board as aforesaid, are contrary to Law, it shall be in the Power of the said Board and the said Court of Directors to send a special Case, to be agreed upon by and between them, and to be signed by the President of the said Board and the Chairman of the said Company, to Three or more of the Judges of His Majesty's Court of King's Bench, for the Opinion of the said Judges ; and the said Judges are hereby required to certify their Opinion upon any Case so submitted to them, and to send a Certificate thereof to the said President and Chairman ; which Opinion shall be final and conclusive. If Court think the Orders of Board contrary to Law, the Court of King's Bench may certify their Opinion on any Case which may be agreed upon ; such Opinion to be conclusive.

XXXIV. Provided always, and be it enacted and declared, That the said Board shall not have the Power of appointing any of the Servants of the said Company, or of directing or interfering with the Officers and Servants of the said Company employed in the Home Establishment, nor shall it be necessary for the said Court of Directors to submit for the Consideration of the said Board their Communications with the Officers or Servants employed in their said Home Establishment, or with the legal Advisers of the said Company. Board not empowered to appoint Officers of the Company, or to interfere with Home Officers.

XXXV. And be it enacted, That the said Court of Directors shall from Time to Time appoint a Secret Committee, to consist of any Number not exceeding Three of the said Directors, for the particular Purposes in this Act specified ; which said Directors so appointed shall, before they or any of them shall act in the Execution of the Powers and Trusts hereby reposed in them, take an Oath of the Tenor following ; (that is to say,) Directors to appoint a Secret Committee, who shall take the following Oath.

‘ I (A. B.) do swear, That I will, according to the best of my Skill and Judgment, faithfully execute the several Trusts and Powers reposed in me as a Member of the Secret Committee appointed by the Court of Directors of the *India* Company ; I will not dis-
‘ close

‘ close or make known any of the secret Orders, Instructions, Dispatches, Official Letters or Communications which shall be sent or given to me by the Commissioners for the Affairs of *India*, save only to the other Members of the said Secret Committee, or to the Person or Persons who shall be duly nominated and employed in transcribing or preparing the same respectively, unless I shall be authorized by the said Commissioners to disclose and make known the same. So help me GOD.’

Which said Oath shall and may be administered by the several and respective Members of the said Secret Committee to each other; and, being so by them taken and subscribed, shall be recorded by the Secretary or Deputy Secretary of the said Court of Directors for the Time being amongst the Acts of the said Court.

If the Board are of opinion that any Matters wherein Indian or other States are concerned require Secrecy, the Board may send Official Communications through Secret Committee.

XXXVI. Provided also, and be it enacted, That if the said Board shall be of opinion that the Subject Matter of any of their Deliberations concerning the levying War or making Peace, or treating or negotiating with any of the Native Princes or States in *India*, or with any other Princes or States, or touching the Policy to be observed with respect to such Princes or States, intended to be communicated in Orders, Dispatches, Official Letters or Communications, to any of the Governments or Presidencies in *India*, or to any Officers or Servants of the said Company, shall be of a Nature to require Secrecy, it shall and may be lawful for the said Board to send their Orders, Dispatches, Official Letters or Communications, to the Secret Committee of the said Court of Directors to be appointed as is by this Act directed, who shall thereupon, without disclosing the same, transmit the same according to the Tenor thereof, or pursuant to the Directions of the said Board, to the respective Governments and Presidencies, Officers and Servants; and that the said Governments and Presidencies, Officers and Servants, shall be bound to pay a faithful Obedience thereto, in like Manner as if such Orders, Dispatches, Official Letters or Communications had been sent to them by the said Court of Directors.

The Court to submit to the Board an Estimate of Salaries of Directors and other Expences of the India House, which shall be subject to Reduction.

The Sum allowed to be applicable to such Purposes, at Discretion of the Court of Directors.

XXXVII. And be it enacted, That the said Court of Directors shall, before the Twenty-second Day of *April* One thousand eight hundred and thirty-four, and afterwards from Time to Time so often as Reductions of the Establishment of the said Court or other Circumstances may require, frame and submit to the said Board an Estimate of the gross Sum which will be annually required for the Salaries of the Chairman, Deputy Chairman, and Members of the said Court, and the Officers and Secretaries thereof, and all other proper Expences fixed and contingent thereof, and of General Courts of Proprietors; and such Estimate shall be subject to Reduction by the said Board, so that the Reasons for such Reduction be given to the said Court of Directors; and any Sum not exceeding the Sum mentioned in such Estimate, or (if the same shall be reduced) in such reduced Estimate, shall be annually applicable, at the Discretion of the Court of Directors, to the Payment of the said Salaries and Expences; and it shall not be lawful for the said Board to interfere with or control the particular Application thereof, or to direct what particular

particular Salaries or Expences shall from Time to Time be increased or reduced : Provided always, that such and the same Accounts shall be kept and rendered of the Sums to be applied in defraying the Salaries and Expences aforesaid as of the other Branches of the Expenditure of the said Company.

Accounts of Application to be rendered.

XXXVIII. And be it enacted, That the Territories now subject to the Government of the Presidency of *Fort William* in *Bengal* shall be divided into Two distinct Presidencies, one of such Presidencies, in which shall be included *Fort William* aforesaid, to be styled the Presidency of *Fort William* in *Bengal*, and the other of such Presidencies to be styled the Presidency of *Agra* ; and that it shall be lawful for the said Court of Directors, under the Control by this Act provided, and they are hereby required, to declare and appoint what Part or Parts of any of the Territories under the Government of the said Company shall from Time to Time be subject to the Government of each of the several Presidencies now subsisting or to be established as aforesaid, and from Time to Time, as Occasion may require, to revoke and alter, in the whole or in part, such Appointment, and such new Distribution of the same as shall be deemed expedient.

Presidency of *Fort William* in *Bengal* to be divided into Two Presidencies.

The Court to declare the Limits from Time to Time of the several Presidencies.

XXXIX. And be it enacted, That the Superintendence, Direction, and Control of the whole Civil and Military Government of all the said Territories and Revenues in *India* shall be and is hereby vested in a Governor General and Counsellors, to be styled " The Governor General of *India* in Council."

Government of *India*.

XL. And be it enacted, That there shall be Four Ordinary Members of the said Council, Three of whom shall from Time to Time be appointed by the said Court of Directors from amongst such Persons as shall be or shall have been Servants of the said Company ; and each of the said Three Ordinary Members of Council shall at the Time of his Appointment have been in the Service of the said Company for at least Ten Years ; and if he shall be in the Military Service of the said Company, he shall not during his Continuance in Office as a Member of Council hold any Military Command, or be employed in actual Military Duties ; and that the Fourth Ordinary Member of Council shall from Time to Time be appointed from amongst Persons who shall not be Servants of the said Company by the said Court of Directors, subject to the Approbation of His Majesty, to be signified in Writing by His Royal Sign Manual, countersigned by the President of the said Board ; provided that such last-mentioned Member of Council shall not be entitled to sit or vote in the said Council except at Meetings thereof for making Laws and Regulations ; and it shall be lawful for the said Court of Directors to appoint the Commander-in-Chief of the Company's Forces in *India*, and if there shall be no such Commander-in-Chief, or the Offices of such Commander-in-Chief and of Governor General of *India* shall be vested in the same Person, then the Commander-in-Chief of the Forces on the *Bengal* Establishment, to be an Extraordinary

There shall be Four Ordinary Councillors, Three of whom shall be Servants of the Company.

No Military Officer to hold any Command whilst a Member.

The Fourth Member not to be appointed from the Company's Servants.

Member of the said Council, and such Extraordinary Member of Council shall have Rank and Precedence at the Council Board next after the Governor General.

Governor General and the Members of Council on 22d April 1834 to be so under this Act.

XLI. And be it enacted, That the Person who shall be Governor General of the Presidency of *Fort William* in *Bengal* on the Twenty-second Day of *April* One thousand eight hundred and thirty-four shall be the First Governor General of *India* under this Act, and such Persons as shall be Members of Council of the same Presidency on that Day shall be respectively Members of the Council constituted by this Act.

Filling up Vacancies in these Offices.

XLII. And be it enacted, That all Vacancies happening in the Office of Governor General of *India* shall from Time to Time be filled up by the said Court of Directors, subject to the Approbation of His Majesty, to be signified in Writing by His Royal Sign Manual, countersigned by the President of the said Board.

The Governor General in Council empowered to legislate for India, except as to Matters herein mentioned.

XLIII. And be it enacted, That the said Governor General in Council shall have Power to make Laws and Regulations for repealing, amending, or altering any Laws or Regulations whatever now in force or hereafter to be in force in the said Territories or any Part thereof, and to make Laws and Regulations for all Persons, whether *British* or Native, Foreigners or others, and for all Courts of Justice, whether established by His Majesty's Charters or otherwise, and the Jurisdictions thereof, and for all Places and Things whatsoever within and throughout the whole and every Part of the said Territories, and for all Servants of the said Company within the Dominions of Princes and States in alliance with the said Company; save and except that the said Governor General in Council shall not have the Power of making any Laws or Regulations which shall in any way repeal, vary, suspend, or affect any of the Provisions of this Act, or any of the Provisions of the Acts for punishing Mutiny and Desertion of Officers and Soldiers, whether in the Service of His Majesty or the said Company, or any Provisions of any Act hereafter to be passed in anywise affecting the said Company or the said Territories or the Inhabitants thereof, or any Laws or Regulations which shall in any way affect any Prerogative of the Crown, or the Authority of Parliament, or the Constitution or Rights of the said Company, or any Part of the unwritten Laws or Constitution of the United Kingdom of *Great Britain* and *Ireland* whereon may depend in any Degree the Allegiance of any Person to the Crown of the United Kingdom, or the Sovereignty or Dominion of the said Crown over any Part of the said Territories.

If the Court of Directors disallow the Laws, Governor in Council to repeal them.

XLIV. Provided always, and be it enacted, That in case the said Court of Directors, under such Control as by this Act is provided, shall signify to the said Governor General in Council their Disallowance of any Laws or Regulations by the said Governor General in Council made, then and in every such Case, upon Receipt by the said Governor General in Council of Notice of such Disallowance, the

the said Governor General in Council shall forthwith repeal all Laws and Regulations so disallowed.

XLV. Provided also, and be it enacted, That all Laws and Regulations made as aforesaid, so long as they shall remain unrepealed, shall be of the same Force and Effect within and throughout the said Territories as any Act of Parliament would or ought to be within the same Territories, and shall be taken notice of by all Courts of Justice whatsoever within the same Territories, in the same Manner as any Public Act of Parliament would and ought to be taken notice of; and it shall not be necessary to register or publish in any Court of Justice any Laws or Regulations made by the said Governor General in Council.

All such Laws and Regulations to be of the same Force as any Act of Parliament.

Registration unnecessary.

XLVI. Provided also, and be it enacted, That it shall not be lawful for the said Governor General in Council, without the previous Sanction of the said Court of Directors, to make any Law or Regulation whereby Power shall be given to any Courts of Justice, other than the Courts of Justice established by His Majesty's Charters, to sentence to the Punishment of Death any of His Majesty's natural-born Subjects born in *Europe*, or the Children of such Subjects, or which shall abolish any of the Courts of Justice established by His Majesty's Charters.

Restricting the Power of punishing with Death European Subjects, &c.

XLVII. And be it enacted, That the said Court of Directors shall forthwith submit, for the Approbation of the said Board, such Rules as they shall deem expedient for the Procedure of the Governor General in Council in the Discharge and Exercise of all Powers, Functions, and Duties imposed on or vested in him by virtue of this Act, or to be imposed or vested in him by any other Act or Acts; which Rules shall prescribe the Modes of Promulgation of any Laws or Regulations to be made by the said Governor General in Council, and of the Authentication of all Acts and Proceedings whatsoever of the said Governor General in Council; and such Rules, when approved by the said Board of Commissioners, shall be of the same Force as if they had been inserted in this Act: Provided always, that such Rules shall be laid before both Houses of Parliament in the Session next after the Approval thereof.

The Court to submit to the Board Rules for the Procedure of the Governor General in Council.

Rules to be laid before Parliament.

XLVIII. Provided always, and be it enacted, That all Laws and Regulations shall be made at some Meeting of the Council at which the said Governor General and at least Three of the Ordinary Members of Council shall be assembled, and that all other Functions of the said Governor General in Council may be exercised by the said Governor General and One or more Ordinary Member or Members of Council, and that in every Case of Difference of Opinion at Meetings of the said Council where there shall be an Equality of Voices the said Governor General shall have Two Votes or the casting Vote.

Quorum of Governor General and Members in Council.

XLIX. Provided always, and be it enacted, That when and so often as any Measure shall be proposed before the said Governor General in Council whereby the Safety, Tranquillity or Interests of the *British Possessions*

Manner of Proceeding when any Measure is

proposed
whereby the
Safety or
Peace of
India may be
essentially
affected.

Possessions in *India*, or any Part thereof, are or may be, in the Judgment of the said Governor General, essentially affected, and the said Governor General shall be of opinion either that the Measure so proposed ought to be adopted or carried into execution, or that the same ought to be suspended or wholly rejected, and the Majority in Council then present shall differ in and dissent from such Opinion, the said Governor General and Members of Council are hereby directed forthwith mutually to exchange with and communicate to each other in Writing under their respective Hands, to be recorded at large on their Secret Consultations, the Grounds and Reasons of their respective Opinions; and if after considering the same the said Governor General and the Majority in Council shall still differ in Opinion, it shall be lawful for the said Governor General, of his own Authority and on his own Responsibility, to suspend or reject the Measure so proposed in part or in whole, or to adopt and carry the Measure so proposed into execution, as the said Governor General shall think fit and expedient.

Council to
assemble at
any Place in
India.

L. And be it enacted, That the said Council shall from Time to Time assemble at such Place or Places as shall be appointed by the said Governor General in Council within the said Territories, and that as often as the said Council shall assemble within any of the Presidencies of *Fort Saint George*, *Bombay*, or *Agra*, the Governor of such Presidency shall act as an Extraordinary Member of Council.

Nothing in
this Act to
affect the
Right of
Parliament
to legislate
for India.
Express
Reservation.

LI. Provided always, and be it enacted, That nothing herein contained shall extend to affect in any way the Right of Parliament to make Laws for the said Territories and for all the Inhabitants thereof; and it is expressly declared that a full, complete, and constantly existing Right and Power is intended to be reserved to Parliament to control, supersede, or prevent all Proceedings and Acts whatsoever of the said Governor General in Council, and to repeal and alter at any Time any Law or Regulation whatsoever made by the said Governor General in Council, and in all respects to legislate for the said Territories and all the Inhabitants thereof in as full and ample a Manner as if this Act had not been passed; and the better to enable Parliament to exercise at all Times such Right and Power, all Laws and Regulations made by the said Governor General in Council shall be transmitted to *England*, and laid before both Houses of Parliament, in the same Manner as is now by Law provided concerning the Rules and Regulations made by the several Governments in *India*.

Laws and
Regulations
to be laid
before Par-
liament.

All Enact-
ments re-
lating to
Supreme
Government
shall apply
to Governor
General of
India in
Council
and alone.

LII. And be it enacted, That all Enactments, Provisions, Matters, and Things relating to the Governor General of *Fort William* in *Bengal* in Council, and the Governor General of *Fort William* in *Bengal* alone, respectively, in any other Act or Acts contained, so far as the same are now in force, and not repealed by or repugnant to the Provisions of this Act, shall continue and be in force and be applicable to the Governor General of *India* in Council, and to the Governor General of *India* alone, respectively.

LIII. And

LIII. And whereas it is expedient that, subject to such special Arrangements as local Circumstances may require, a general System of Judicial Establishments and Police, to which all Persons whatsoever, as well *Europeans* as Natives, may be subject, should be established in the said Territories at an early Period, and that such Laws as may be applicable in common to all Classes of the Inhabitants of the said Territories, due Regard being had to the Rights, Feelings, and peculiar Usages of the People, should be enacted, and that all Laws and Customs having the Force of Law within the same Territories should be ascertained and consolidated, and as Occasion may require amended; be it therefore enacted, That the said Governor General of *India* in Council shall, as soon as conveniently may be after the passing of this Act, issue a Commission, and from Time to Time Commissions, to such Persons as the said Court of Directors, with the Approbation of the said Board of Commissioners, shall recommend for that Purpose, and to such other Persons, if necessary, as the said Governor General in Council shall think fit, all such Persons, not exceeding in the whole at any one Time Five in Number, and to be styled "The *Indian* Law Commissioners," with all such Powers as shall be necessary for the Purposes hereinafter mentioned; and the said Commissioners shall fully inquire into the Jurisdiction, Powers, and Rules of the existing Courts of Justice and Police Establishments in the said Territories, and all existing Forms of Judicial Procedure, and into the Nature and Operation of all Laws, whether Civil or Criminal, written or customary, prevailing and in force in any Part of the said Territories, and whereto any Inhabitants of the said Territories, whether *Europeans* or others, are now subject; and the said Commissioners shall from Time to Time make Reports, in which they shall fully set forth the Result of their said Inquiries, and shall from Time to Time suggest such Alterations as may in their Opinion be beneficially made in the said Courts of Justice and Police Establishments, Forms of Judicial Procedure and Laws, due Regard being had to the Distinction of Castes, Difference of Religion, and the Manners and Opinions prevailing among different Races and in different Parts of the said Territories.

A Law Commission to be appointed, to inquire into the Jurisdiction, &c. of existing Courts of Justice and Police Establishments, and the Operation of the Laws.

Commissioners from Time to Time to report the Result of their Inquiries.

LIV. And be it enacted, That the said Commissioners shall follow such Instructions with regard to the Researches and Inquiries to be made and the Places to be visited by them, and all their Transactions with reference to the Objects of their Commission, as they shall from Time to Time receive from the said Governor General of *India* in Council; and they are hereby required to make to the said Governor General in Council such special Reports upon any Matters as by such Instructions may from Time to Time be required; and the said Governor General in Council shall take into consideration the Reports from Time to Time to be made by the said *Indian* Law Commissioners, and shall transmit the same, together with the Opinions or Resolutions of the said Governor General in Council thereon, to the said Court of Directors; and which said Reports, together with the said Opinions or Resolutions, shall be laid before both Houses of Parliament in the same Manner as is now by Law provided concerning

Commissioners to follow Instructions of Governor General in Council, and to make special Reports when required. Governor General in Council to consider Reports, and transmit them with Opinions thereupon.

cerning the Rules and Regulations made by the several Governments in *India*.

Salaries to be granted to Law Commissioners.

LV. And be it enacted, That it shall and may be lawful for the Governor General of *India* in Council to grant Salaries to the said *Indian* Law Commissioners and their necessary Officers and Attendants, and to defray such other Expences as may be incident to the said Commission, and that the Salaries of the said Commissioners shall be according to the highest Scale of Remuneration given to any of the Officers or Servants of the *India* Company below the Rank of Members of Council.

The Executive Government of the Presidencies to be administered by a Governor and Three Councillors.

LVI. And be it enacted, That the Executive Government of each of the several Presidencies of *Fort William* in *Bengal*, *Fort Saint George*, *Bombay*, and *Agra* shall be administered by a Governor and Three Councillors, to be styled "The Governor in Council of the said Presidencies of *Fort William* in *Bengal*, *Fort Saint George*, *Bombay*, and *Agra*, respectively;" and the said Governor and Councillors respectively of each such Presidency shall have the same Rights and Voices in their Assemblies, and shall observe the same Order and Course in their Proceedings, as the Governors in Council of the Presidencies of *Fort Saint George* and *Bombay* now have and observe, and that the Governor General of *India* for the Time being shall be Governor of the Presidency of *Fort William* in *Bengal*.

Directors empowered to revoke the Appointment of Councils, or to reduce the Number of Councillors.

LVII. Provided always, and be it enacted, That it shall and may be lawful for the said Court of Directors, under such Control as is by this Act provided, to revoke and suspend, so often and for such Periods as the said Court shall in that Behalf direct, the Appointment of Councils in all or any of the said Presidencies, or to reduce the Number of Councillors in all or any of the said Councils, and during such Time as a Council shall not be appointed in any such Presidency the Executive Government thereof shall be administered by a Governor alone.

Governors of Fort St. George and Bombay.

LVIII. And be it enacted, That the several Persons who on the said Twenty-second Day of *April* One thousand eight hundred and thirty-four shall be Governors of the respective Presidencies of *Fort Saint George* and *Bombay*, shall be the first Governors of the said Presidencies respectively under this Act; and that the Office of Governor of the said Presidency of *Agra*, and all Vacancies happening in the Offices of the Governors of the said Presidencies respectively, shall be filled up by the said Court of Directors, subject to the Approbation of His Majesty, to be signified under His Royal Sign Manual, countersigned by the said President of the said Board of Commissioners.

Governor of Agra, and Vacancies in Presidencies to be filled up by Court.

The Governors of the Presidencies to have the Powers and Immunities

LIX. And be it enacted, That in the Presidencies in which the Appointment of a Council shall be suspended under the Provision herein-before contained, and during such Time as Councils shall not be appointed therein respectively, the Governors appointed under this Act, and in the Presidencies in which Councils shall from
Time

Time to Time be appointed the said Governors in their respective Councils, shall have all the Rights, Powers, Duties, Functions, and Immunities whatsoever, not in anywise repugnant to this Act, which the Governors of *Fort Saint George* and *Bombay* in their respective Councils now have within their respective Presidencies; and that the Governors and Members of Council of Presidencies appointed by or under this Act shall severally have all the Rights, Powers, and Immunities respectively, not in anywise repugnant to this Act, which the Governors and Members of Council of the Presidencies of *Fort Saint George* and *Bombay* respectively now have in their respective Presidencies; provided that no Governor or Governor in Council shall have the Power of making or suspending any Regulations or Laws in any Case whatever, unless in Cases of urgent Necessity (the Burthen of the Proof whereof shall be on such Governor or Governor in Council), and then only until the Decision of the Governor General of *India* in Council shall be signified thereon; and provided also, that no Governor or Governor in Council shall have the Power of creating any new Office, or granting any Salary, Gratuity, or Allowance, without the previous Sanction of the Governor General of *India* in Council.

of the present
Governors of
Madras and
Bombay,
but not to
make Laws
or grant
Money.

LX. Provided always, and be it enacted, That when and so often as the said Court of Directors shall neglect for the Space of Two Calendar Months, to be computed from the Day whereon the Notification of the Vacancy of any Office or Employment in *India* in the Appointment of the said Court shall have been received by the said Court, to supply such Vacancy, then and in every such Case it shall be lawful for His Majesty to appoint, by Writing under His Sign Manual, such Person as His Majesty shall think proper to supply such Vacancy; and that every Person so appointed shall have the same Powers, Privileges, and Authorities as if he or they had been appointed by the said Court, and shall not be subject to Removal or Dismissal without the Approbation and Consent of His Majesty.

If Court of
Directors
neglect for
Two Months
to supply
Vacancy in
any Office,
the King to
appoint.

LXI. And be it enacted, That it shall be lawful for the said Court of Directors to appoint any Person or Persons provisionally to succeed to any of the Offices aforesaid, for supplying any Vacancy or Vacancies therein, when the same shall happen by the Death or Resignation of the Person or Persons holding the same Office or Offices respectively, or on his or their Departure from *India* with Intent to return to *Europe*, or on any Event or Contingency expressed in any such provisional Appointment or Appointments to the same respectively, and such Appointments again to revoke: Provided that every provisional Appointment to the several Offices of Governor General of *India*, Governor of a Presidency, and the Member of Council of *India*, by this Act directed to be appointed from amongst Persons who shall not be Servants of the said Company, shall be subject to the Approbation of His Majesty, to be signified as aforesaid, but that no Person so appointed to succeed provisionally to any of the said Offices shall be entitled to any Authority, Salary, or Emolument appertaining thereto until he shall be in the actual Possession of such Office.

Power for
the Court to
make pro-
visional Ap-
pointments
to any Offices.

Provisional
Appoint-
ments of cer-
tain Officers
to be ap-
proved by
His Majesty.

LXII. And

In case of Vacancy in the Office of Governor General, and no Successor upon the Spot, the Ordinary Member of Council next in Rank to act as Governor General.

LXII. And be it enacted, That if any Vacancy shall happen in the Office of Governor General of *India* when no provisional or other Successor shall be upon the Spot to supply such Vacancy, then and in every such Case the Ordinary Member of Council next in Rank to the said Governor General shall hold and execute the said Office of Governor General of *India* and Governor of the Presidency of *Fort William* in *Bengal* until a Successor shall arrive, or until some other Person on the Spot shall be duly appointed thereto; and that every such Acting Governor General shall, during the Time of his continuing to act as such, have and exercise all the Rights and Powers of Governor General of *India*, and shall be entitled to receive the Emoluments and Advantages appertaining to the Office by him supplied, such Acting Governor General foregoing his Salary and Allowance of a Member of Council for the same Period.

In case of a Vacancy in the Office of Governor of any of the subordinate Presidencies, and no provisional or other Successor on the Spot.

LXIII. And be it enacted, That if any Vacancy shall happen in the Office of Governor of *Fort Saint George*, *Bombay*, or *Agra* when no provisional or other Successor shall be upon the Spot to supply such Vacancy, then and in every such Case, if there shall be a Council in the Presidency in which such Vacancy shall happen, the Member of such Council, who shall be next in Rank to the Governor, other than the Commander in Chief or Officer commanding the Forces of such Presidency, and if there shall be no Council, then the Secretary of Government of the said Presidency who shall be senior in the said Office of Secretary, shall hold and execute the said Office of Governor until a Successor shall arrive, or until some other Person on the Spot shall be duly appointed thereto; and that every such Acting Governor shall, during the Time of his continuing to act as such, receive and be entitled to the Emoluments and Advantages appertaining to the Office by him supplied, such Acting Governor foregoing all Salaries and Allowances by him held and enjoyed at the Time of his being called to supply such Office.

In case of a Vacancy in the Office of a Member of Council when no provisional or other Successor on the Spot.

LXIV. And be it enacted, That if any Vacancy shall happen in the Office of an Ordinary Member of Council of *India* when no Person provisionally or otherwise appointed to succeed thereto shall be then present on the Spot, then and on every such Occasion such Vacancy shall be supplied by the Appointment of the Governor General in Council; and if any Vacancy shall happen in the Office of a Member of Council of any Presidency when no Person provisionally or otherwise appointed to succeed thereto shall be then present on the Spot, then and on every such Occasion such Vacancy shall be supplied by the Appointment of the Governor in Council of the Presidency in which such Vacancy shall happen; and until a Successor shall arrive the Person so nominated shall execute the Office by him supplied, and shall have all the Powers thereof, and shall have and be entitled to the Salary and other Emoluments and Advantages appertaining to the said Office during his Continuance therein, every such temporary Member of Council foregoing all Salaries and Allowances by him held and enjoyed at the Time of his being appointed to such Office: Provided always, that no Person shall be appointed a temporary Member of Council who might not have been appointed by the said Court of Directors to fill the Vacancy supplied by such temporary Appointment.

LXV. And

LXV. And be it further enacted, That the said Governor General in Council shall have and be invested by virtue of this Act with full Power and Authority to superintend and control the Governors and Governors in Council of *Fort William* in *Bengal*, *Fort Saint George*, *Bombay*, and *Agra*, in all Points relating to the Civil or Military Administration of the said Presidencies respectively, and the said Governors and Governors in Council shall be bound to obey such Orders and Instructions of the said Governor General in Council in all Cases whatsoever.

The Governor General in Council to have the Control over the Presidencies.

LXVI. And be it enacted, That it shall and may be lawful for the Governors or Governors in Council of *Fort William* in *Bengal*, *Fort Saint George*, *Bombay*, and *Agra* respectively, to propose to the said Governor General in Council Drafts or Projects of any Laws or Regulations which the said Governors or Governors in Council respectively may think expedient, together with their Reasons for proposing the same; and the said Governor General in Council is hereby required to take the same and such Reasons into consideration, and to communicate the Resolutions of the said Governor General in Council thereon to the Governor or Governor in Council by whom the same shall have been proposed.

Drafts of Laws proposed by Governors to be taken into consideration by Governor General in Council.

LXVII. And be it enacted, That when the said Governor General shall visit any of the Presidencies of *Fort Saint George*, *Bombay*, or *Agra*, the Powers of the Governors of those Presidencies respectively shall not by reason of such Visit be suspended.

Powers of Governors of Presidencies not to be suspended.

LXVIII. And be it enacted, That the said Governors and Governors in Council of the said Presidencies of *Fort William* in *Bengal*, *Fort Saint George*, *Bombay*, and *Agra* respectively shall and they are hereby respectively required regularly to transmit to the said Governor General in Council true and exact Copies of all such Orders and Acts of their respective Governments, and also Advice and Intelligence of all Transactions and Matters which shall have come to their Knowledge, and which they shall deem material to be communicated to the said Governor General in Council as aforesaid, or as the said Governor General in Council shall from Time to Time require.

Communications to be transmitted by Governors to Governor General in Council.

LXIX. And be it enacted, That it shall be lawful for the said Governor General in Council, as often as the Exigencies of the Public Service may appear to him to require, to appoint such one of the Ordinary Members of the said Council of *India* as he may think fit to be Deputy Governor of the said Presidency of *Fort William* in *Bengal*, and such Deputy Governor shall be invested with all the Powers and perform all the Duties of the said Governor of the Presidency of *Fort William* in *Bengal*, but shall receive no additional Salary by reason of such Appointment.

The Governor General in Council may appoint a Deputy Governor of Bengal as Exigencies may require.

LXX. And be it enacted, That whenever the said Governor General in Council shall declare that it is expedient that the said Governor General should visit any Part of *India* unaccompanied by any Member or Members of the Council of *India*, it shall be lawful

Provision in case the Governor General in Council shall declare it

expedient for the Governor General to visit any Part of India without his Council.

lawful for the said Governor General in Council, previously to the Departure of the said Governor General, to nominate some Member of the Council of *India* to be President of the said Council, in whom, during the Absence of the said Governor General from the said Presidency of *Fort William* in *Bengal*, the Powers of the said Governor General in Assemblies of the said Council shall be reposed ; and it shall be lawful in every such Case for the said Governor General in Council, by a Law or Regulation for that Purpose to be made, to authorize the Governor General alone to exercise all or any of the Powers which might be exercised by the said Governor General in Council, except the Power of making Laws or Regulations : Provided always, that during the Absence of the Governor General no Law or Regulation shall be made by the said President and Council without the Assent in Writing of the said Governor General.

The new Presidency of Agra not to affect the Succession to Commands and Offices in Bengal and Agra.

LXXI. And be it enacted, That there shall not, by reason of the Division of the Territories now subject to the Government of the Presidency of *Fort William* in *Bengal* into Two Presidencies as aforesaid, be any Separation between the Establishments and Forces thereof respectively, or any Alteration in the Course and Order of Promotion and Succession of the Company's Servants in the same Two Presidencies respectively, but that all the Servants, Civil and Military, of the *Bengal* Establishments and Forces, shall and may succeed and be appointed to all Commands and Offices within either of the said Presidencies respectively as if this Act had not been passed.

Presidency of Fort William to be entire for the Purposes of the Mutiny Act.

LXXII. And be it enacted, That for the Purposes of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and to authorize Soldiers and Sailors in the East Indies to send and receive Letters at a reduced Rate of Postage*, and of any Articles of War made or to be made under the same, the Presidency of *Fort William* in *Bengal* shall be taken and deemed to comprise under and within it all the Territories which by or in virtue of this Act shall be divided between the Presidencies of *Fort William* in *Bengal* and *Agra* respectively, and shall for all the Purposes aforesaid be taken to be the Presidency of *Fort William* in *Bengal* in the said Act mentioned.

Articles of War to be made by Governor General in Council.

LXXIII. And be it enacted, That it shall be lawful for the said Governor General in Council from Time to Time to make Articles of War for the Government of the Native Officers and Soldiers in the Military Service of the Company, and for the Administration of Justice by Courts-martial to be holden on such Officers and Soldiers, and such Articles of War from Time to Time to repeal or vary and amend ; and such Articles of War shall be made and taken notice of in the same Manner as all other the Laws and Regulations to be made by the said Governor General in Council under this Act, and shall prevail and be in force, and shall be of exclusive Authority over all the Native Officers and Soldiers in the said Military Service, to

whatever

whatever Presidency such Officers and Soldiers may belong, or wheresoever they may be serving : Provided nevertheless, that until such Articles of War shall be made by the said Governor General in Council any Articles of War for or relating to the Government of the Company's Native Forces, which at the Time of this Act coming into operation shall be in force and use in any Part or Parts of the said Territories, shall remain in force.

LXXIV. And be it enacted, That it shall be lawful for His Majesty, by any Writing under His Sign Manual, countersigned by the President of the said Board of Commissioners, to remove or dismiss any Person holding any Office, Employment, or Commission, Civil or Military, under the said Company in *India*, and to vacate any Appointment or Commission of any Person to any such Office or Employment ; provided that a Copy of every such Writing, attested by the said President, shall within Eight Days after the same shall be signed by His Majesty be transmitted or delivered to the Chairman or Deputy Chairman of the said Company.

His Majesty may remove any Officer of the Company in India.

LXXV. Provided always, and be it enacted, That nothing in this Act contained shall take away the Power of the said Court of Directors to remove or dismiss any of the Officers or Servants of the said Company, but that the said Court shall and may at all Times have full Liberty to remove or dismiss any of such Officers or Servants at their Will and Pleasure ; provided that any Servant of the said Company appointed by His Majesty through the Default of Appointment by the said Court of Directors shall not be dismissed or removed without His Majesty's Approbation, as herein-before is mentioned.

The Power of the Directors to remove their Servants preserved.

LXXVI. And be it enacted, That there shall be paid to the several Officers herein-after named the several Salaries set against the Names of such Officers, subject to such Reduction of the said several Salaries respectively as the said Court of Directors, with the Sanction of the said Board, may at any Time think fit ; (that is to say,)

Salaries of Governor General, &c. fixed ; to be in lieu of all Fees, &c.

To the Governor General of *India*, Two hundred and forty thousand Sicca Rupees :

To each Ordinary Member of the Council of *India*, Ninety-six thousand Sicca Rupees :

To each Governor of the Presidencies of *Fort Saint George*, *Bombay*, and *Agra*, One hundred and twenty thousand Sicca Rupees :

To each Member of any Council to be appointed in any Presidency, Sixty thousand Sicca Rupees :

And the Salaries of the said Officers respectively shall commence from their respectively taking upon them the Execution of their respective Offices, and the said Salaries shall be the whole Profit or Advantage which the said Officers shall enjoy during their Continuance in such Offices respectively ; and it shall be and it is hereby declared to be a Misdemeanor for any such Officer to accept for his own Use, in the Discharge of his Office, any Present, Gift, Donation,

Acceptance of Gratuities a Misdemeanor.

Passage
Money fixed.

Donation, Gratuity, or Reward, pecuniary or otherwise whatsoever, or to trade or traffic for his own Benefit or for the Benefit of any other Person or Persons whatsoever; and the said Court of Directors are hereby required to pay to all and singular the Officers and Persons herein-after named who shall be resident in the United Kingdom at the Time of their respective Appointments, for the Purpose of defraying the Expences of their Equipment and Voyage, such Sums of Money as are set against the Names of such Officers and Persons respectively; (that is to say,)

To the Governor General, Five thousand Pounds:

To each Member of the Council of *India*, One thousand two hundred Pounds:

To each Governor of the Presidencies of *Fort Saint George*, *Bombay*, and *Agra*, Two thousand five hundred Pounds:

Provided also, that any Governor General, Governor, or Member of Council appointed by or by virtue of this Act, who shall at the Time of passing this Act hold the Office of Governor General, Governor, or Member of Council respectively, shall receive the same Salary and Allowances that he would have received if this Act had not been passed.

Governor
General and
Governors
to forego
Pensions and
other Salaries
from the
Crown or
Company
while they
hold Office.

LXXVII. Provided always, and be it enacted, That if any Governor General, Governor, or Ordinary Member of the Council of *India*, or any Member of the Council of any Presidency, shall hold or enjoy any Pension, Salary, or any Place, Office, or Employment of Profit under the Crown or any Public Office or the said Company, or any Annuity payable out of the Civil or Military Fund of the said Company, the Salary of his Office of Governor General of *India*, Governor or Member of Council, shall be reduced by the Amount of the Pension, Salary, Annuity, or Profits of Office so respectively held or enjoyed by him.

Directors to
make Regu-
lations for
the Distri-
bution of
Patronage
in India.

LXXVIII. And be it enacted, That the said Court of Directors, with the Approbation of the said Board of Commissioners, shall and may from Time to Time make Regulations for the Division and Distribution of the Patronage and Power of Nomination of and to the Offices, Commands, and Employments in the said Territories, and in all or any of the Presidencies thereof, among the said Governor General in Council, Governor General, Governors in Council, Governors, Commander in Chief, and other Commanding Officers respectively appointed or to be appointed under this Act.

Departure of
Governor
General, &c.
for Europe,
to be a Re-
signation.

Resignation
in India to
be by Deed.

LXXIX. And be it enacted, That the Return to *Europe* or the Departure from *India* with Intent to return to *Europe* of any Governor General of *India*, Governor, Member of Council, or Commander in Chief, shall be deemed in Law a Resignation and Avoidance of his Office or Employment, and that no Act or Declaration of any Governor General, or Governor, or Member of Council, other than as aforesaid, excepting a Declaration in Writing under Hand and Seal, delivered to the Secretary for the Public Department of the Presidency wherein he shall be, in order to its being recorded, shall
be

be deemed or held as a Resignation or Surrender of his said Office; and that the Salary and other Allowances of any such Governor General or other Officer respectively shall cease from the Day of such his Departure, Resignation, or Surrender; and that if any such Governor General or Member of Council of *India* shall leave the said Territories, or if any Governor or other Officer whatever in the Service of the said Company shall leave the Presidency to which he shall belong, other than in the known actual Service of the said Company, the Salary and Allowances appertaining to his Office shall not be paid or payable during his Absence to any Agent or other Person for his Use; and in the event of his not returning, or of his coming to *Europe*, his Salary and Allowances shall be deemed to have ceased on the Day of his leaving the said Territories, or the Presidency to which he may have belonged; provided that it shall be lawful for the said Company to make such Payment as is now by Law permitted to be made to the Representatives of their Officers or Servants who, having left their Stations intending to return thereto, shall die during their Absence.

Salary to
cease on
Departure or
Resignation.

As to Repre-
sentatives of
Officers dying
during Ab-
sence.

LXXX. And be it enacted, That every wilful disobeying, and every wilful omitting, forbearing, or neglecting to execute the Orders or Instructions of the said Court of Directors by any Governor General of *India*, Governor, Member of Council, or Commander in Chief, or by any other of the Officers or Servants of the said Company, unless in Cases of Necessity (the Burthen of the Proof of which Necessity shall be on the Person so disobeying or omitting, forbearing or neglecting, to execute such Orders or Instructions as aforesaid); and every wilful Breach of the Trust and Duty of any Office or Employment by any such Governor General, Governor, Member of Council, or Commander in Chief, or any of the Officers or Servants of the said Company, shall be deemed and taken to be a Misdemeanor at Law, and shall or may be proceeded against and punished as such by virtue of this Act.

Disobedience
of Orders
and Breach
of Trust by
Officers or
Servants of
the Company
in *India*, Mis-
demeanors.

LXXXI. And be it enacted, That it shall be lawful for any natural-born Subjects of His Majesty to proceed by Sea to any Port or Place having a Custom-house Establishment within the said Territories, and to reside thereat, or to proceed to and reside in or pass through any Part of such of the said Territories as were under the Government of the said Company on the First Day of *January* One thousand eight hundred, and in any Part of the Countries ceded by the Nabob of the *Carnatic*, of the Province of *Cuttack*, and of the Settlements of *Singapore* and *Malacca*, without any Licence whatever; provided that all Subjects of His Majesty not Natives of the said Territories shall, on their Arrival in any Part of the said Territories from any Port or Place not within the said Territories, make known in Writing their Names, Places of Destination, and Objects of Pursuit in *India*, to the Chief Officer of the Customs or other Officer authorized for that Purpose at such Port or Place as aforesaid.

Authority
for His
Majesty's
Subjects to
reside in
certain Parts
of *India*
without
Licence.

LXXXII. Provided always, and be it enacted, That it shall not be lawful for any Subject of His Majesty, except the Servants of the said Company and others now lawfully authorized to reside in the said Territories,

Subjects of
His Majesty
not to reside
in certain

Parts of
India without
Licence.

Territories, to enter the same by Land, or to proceed to or reside in any Place or Places in such Parts of the said Territories as are not herein-before in that Behalf mentioned, without Licence from the said Board of Commissioners, or the said Court of Directors, or the said Governor General in Council, or a Governor or Governor in Council of any of the said Presidencies for that Purpose first obtained : Provided always, that no Licence given to any natural-born Subject of His Majesty to reside in Parts of the Territories not open to all such Subjects shall be determined or revoked unless in accordance with the Terms of some express Clause of Revocation or Determination in such Licence contained.

The Governor
General in
Council, with
previous
Consent of
Directors,
may declare
other Places
open.

LXXXIII. Provided always, and be it enacted, That it shall be lawful for the said Governor General in Council, with the previous Consent and Approbation of the said Court of Directors for that Purpose obtained, to declare any Place or Places whatever within the said Territories open to all His Majesty's natural-born Subjects, and it shall be thenceforth lawful for any of His Majesty's natural-born Subjects to proceed to, or reside in, or pass through any Place or Places declared open without any Licence whatever.

Laws against
illicit Resi-
dence to be
made.

LXXXIV. And be it enacted, That the said Governor General in Council shall and he is hereby required, as soon as conveniently may be, to make Laws or Regulations providing for the Prevention or Punishment of the illicit Entrance into or Residence in the said Territories of Persons not authorized to enter or reside therein.

Laws and
Regulations
to be made
for Protec-
tion of
Natives.

LXXXV. And whereas the Removal of Restrictions on the Inter-
course of *Europeans* with the said Territories will render it necessary to provide against any Mischiefs or Dangers that may arise there-
from, be it therefore enacted, That the said Governor General in
Council shall and he is hereby required, by Laws or Regulations, to
provide with all convenient Speed for the Protection of the Natives
of the said Territories from Insult and Outrage in their Persons,
Religions, or Opinions.

Lands
within the
Indian
Territories
may be pur-
chased.

LXXXVI. And be it enacted, That it shall be lawful for any
natural-born Subject of His Majesty authorized to reside in the said
Territories to acquire and hold Lands, or any Right, Interest, or
Profit in or out of Lands, for any Term of Years, in such Part or
Parts of the said Territories as he shall be so authorized to reside in :
Provided always, that nothing herein contained shall be taken to pre-
vent the said Governor General in Council from enabling, by any
Laws or Regulations, or otherwise, any Subjects of His Majesty to
acquire or hold any Lands, or Rights, Interests, or Profits in or out
of Lands, in any Part of the said Territories, and for any Estates or
Terms whatever.

No Dis-
abilities in
respect of
Religion,
Colour, or
Place of Birth.

LXXXVII. And be it enacted, That no Native of the said Terri-
tories, nor any natural-born Subject of His Majesty resident therein,
shall, by reason only of his Religion, Place of Birth, Descent, Colour,
or any of them, be disabled from holding any Place, Office, or Em-
ployment under the said Company.

LXXXVIII. And

LXXXVIII. And be it further enacted, That the said Governor General in Council shall and he is hereby required forthwith to take into consideration the Means of mitigating the State of Slavery, and of ameliorating the Condition of Slaves, and of extinguishing Slavery throughout the said Territories so soon as such Extinction shall be practicable and safe, and from Time to Time to prepare and transmit to the said Court of Directors Drafts of Laws or Regulations for the Purposes aforesaid, and that in preparing such Drafts due Regard shall be had to the Laws of Marriage and the Rights and Authorities of Fathers and Heads of Families, and that such Drafts shall forthwith after Receipt thereof be taken into consideration by the said Court of Directors, who shall, with all convenient Speed, communicate to the said Governor General in Council their Instructions on the Drafts of the said Laws and Regulations, but no such Laws and Regulations shall be promulgated or put in force without the previous Consent of the said Court; and the said Court shall, within Fourteen Days after the first meeting of Parliament in every Year, lay before both Houses of Parliament a Report of the Drafts of such Rules and Regulations as shall have been received by them, and of their Resolutions or Proceedings thereon.

Slavery to be mitigated, and abolished as soon as practicable.

LXXXIX. And whereas the present Diocese of the Bishoprick of *Calcutta* is of too great an Extent for the Incumbent thereof to perform efficiently all the Duties of the Office without endangering his Health and Life, and it is therefore expedient to diminish the Labours of the Bishop of the said Diocese, and for that Purpose to make Provision for assigning new Limits to the Diocese of the said Bishop, and for founding and constituting Two separate and distinct Bishopricks, but nevertheless the Bishops thereof to be subordinate and subject to the Bishop of *Calcutta* for the Time being, and his Successors, as their Metropolitan; be it therefore enacted, That in case it shall please His Majesty to erect, found, and constitute Two Bishopricks, one to be styled the Bishoprick of *Madras* and the other the Bishoprick of *Bombay*, and from Time to Time to nominate and appoint Bishops to such Bishopricks under the Style and Title of Bishops of *Madras* and *Bombay* respectively, there shall be paid from and out of the Revenues of the said Territories to such Bishops respectively the Sum of Twenty-four thousand Sicca Rupees by the Year.

Respecting the inconvenient Extent of the Diocese of *Calcutta*.

If the King erects Bishopricks of *Madras* and *Bombay*, certain Salaries to be paid to the Bishops.

CX. And be it enacted, That the said Salaries shall commence from the Time at which such Persons as shall be appointed to the said Office of Bishop shall take upon them the Execution of their respective Offices; and that such Salaries shall be in lieu of all Fees of Office, Perquisites, Emoluments, or Advantages whatsoever; and that no Fees of Office, Perquisites, Emoluments, or Advantages whatsoever shall be accepted, received, or taken by such Bishop or either of them, in any Manner or on any Account or Pretence whatsoever, other than the Salaries aforesaid; and that such Bishops respectively shall be entitled to such Salaries so long as they shall respectively exercise the Functions of their several Offices in the *British Territories* aforesaid.

Such Salaries to commence from Time of taking Office, and to be in lieu of all Fees, &c.

XCI. And

Passage
Money for
each such
Bishop.

XCI. And be it enacted, That the said Court of Directors shall and they are required to pay to the Bishops so from Time to Time to be appointed to the said Bishopricks of *Madras* and *Bombay*, in case they shall be resident in the United Kingdom at the Time of their respective Appointments, the Sum of Five hundred Pounds each, for the Purpose of defraying the Expences of their Equipments and Voyage.

As to Juris-
diction of
such Bishops.

XCII. Provided always, and be it enacted, That such Bishops shall not have or use any Jurisdiction, or exercise any Episcopal Functions whatsoever, either in the said Territories or elsewhere, but only such Jurisdiction and Functions as shall or may from Time to Time be limited to them respectively by His Majesty by His Royal Letters Patent under the Great Seal of the said United Kingdom.

The King
empowered
by Letters
Patent to
limit Juris-
diction and
Functions.

XCIII. And be it enacted, That it shall and may be lawful for His Majesty from Time to Time, if He shall think fit, by His Royal Letters Patent under the Great Seal of the said United Kingdom, to assign Limits to the Diocese of the Bishoprick of *Calcutta* and to the Dioceses of the said Bishopricks of *Madras* and *Bombay* respectively, and from Time to Time to alter and vary the same Limits respectively, as to His Majesty shall seem fit, and to grant to such Bishops respectively within the Limits of their respective Dioceses the Exercise of Episcopal Functions, and of such Ecclesiastical Jurisdiction as His Majesty shall think necessary for the Superintendence and good Government of the Ministers of the United Church of *England* and *Ireland* therein.

The Bishop
of *Calcutta*
to be Metro-
politan in
India.

XCIV. Provided always, and be it enacted, That the Bishop of *Calcutta* for the Time being shall be deemed and taken to be the Metropolitan Bishop in *India*, and as such shall have, enjoy, and exercise all such Ecclesiastical Jurisdiction and Episcopal Functions, for the Purposes aforesaid, as His Majesty shall by his Royal Letters Patent under the Great Seal of the said United Kingdom think necessary to direct, subject nevertheless to the general Superintendence and Revision of the Archbishop of *Canterbury* for the Time being; and that the Bishops of *Madras* and *Bombay* for the Time being respectively shall be subject to the Bishop of *Calcutta* for the Time being as such Metropolitan, and shall, at the Time of their respective Appointments to such Bishopricks, or at the Time of their respective Consecrations as Bishop, take an Oath of Obedience to the said Bishop of *Calcutta* in such Manner as His Majesty by His said Royal Letters Patent shall be pleased to direct.

Warrants for
Bills on Let-
ters Patent
appointing
Bishops to
be counter-
signed by the
President.

XCV. And be it enacted, That when and as often as it shall please His Majesty to issue any Letters Patent respecting the Bishoprick of *Calcutta*, *Madras*, or *Bombay*, or for the Nomination or Appointment of any Person thereto respectively, the Warrant for the Bill in every such Case shall be countersigned by the President of the Board of Commissioners for the Affairs of *India*, and by no other Person.

XCVI. And be it enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Warrant under His Royal Sign Manual, countersigned by the Chancellor of the Exchequer for the Time being, to grant to any such Bishop of *Madras* or *Bombay* respectively who shall have exercised in the *British Territories* aforesaid for Fifteen Years the Office of such Bishop a Pension not exceeding Eight hundred Pounds *per Annum*, to be paid quarterly by the said Company.

The King may grant certain Pensions to Bishops of Madras or Bombay.

XCVII. And be it enacted, That in all Cases when it shall happen the said Person nominated and appointed to be Bishop of either of the said Bishopricks of *Madras* or *Bombay* shall depart this Life within Six Calendar Months next after the Day when he shall have arrived in *India* for the Purpose of taking upon him the Office of such Bishop, there shall be payable out of the Territorial Revenues from which the Salary of such Bishop so dying shall be payable, to the legal personal Representatives of such Bishop, such Sum or Sums of Money as shall, together with the Sum or Sums paid to or drawn by such Bishop in respect of his Salary, make up the full Amount of One Year's Salary; and when and so often as it shall happen that any such Bishop shall depart this Life while in possession of such Office, and after the Expiration of Six Calendar Months from the Time of his Arrival in *India* for the Purpose of taking upon him such Office, then and in every such Case there shall be payable, out of the Territorial Revenues from which the Salary of the said Bishop so dying shall be payable, to his legal personal Representatives, over and above what may have been due to him at the Time of his Death, a Sum equal to the full Amount of the Salary of such Bishop for Six Calendar Months.

Respecting Salary of a Bishop of Madras or Bombay dying within Six Months after Arrival;

or after Six Months holding Office in India.

XCVIII. And be it enacted, That if it shall happen that either of the Bishops of *Madras* or *Bombay* shall be translated to the Bishoprick of *Calcutta*, the Period of Residence of such Person as Bishop of *Madras* or *Bombay* shall be accounted for and taken as a Residence as Bishop of *Calcutta*; and if any Person now an Archdeacon in the said Territories shall be appointed Bishop of *Madras* or *Bombay*, the Period of his Residence in *India* as such Archdeacon shall for all the Purposes of this Act be accounted for and taken as a Residence as such Bishop.

As to Residence of Bishop of Madras or Bombay if translated to Calcutta.

XCIX. Provided also, and be it enacted, That if any Person under the Degree of a Bishop shall be appointed to either of the Bishopricks of *Calcutta*, *Madras*, or *Bombay*, who at the Time of such Appointment shall be resident in *India*, then and in such Case it shall and may be lawful for the Archbishop of *Canterbury*, when and as he shall be required so to do by His Majesty by His Royal Letters Patent under the Great Seal of the said United Kingdom, to issue a Commission under His Hand and Seal, to be directed to the Two remaining Bishops, authorizing and charging them to perform all such requisite Ceremonies for the Consecration of the Person so to be appointed to the Degree and Office of a Bishop.

As to Consecration of any Person under the Degree of a Bishop, if resident in India, appointed to a Bishoprick.

Provision for
Expences of
Visitations.

C. And be it enacted, That the Expences of Visitations to be made from Time to Time by the said Bishops of *Madras* and *Bombay* respectively shall be paid by the said Company out of the Revenues of the said Territories ; provided that no greater Sum on account of such Visitations be at any Time issued than shall from Time to Time be defined and settled by the Court of Directors of the said Company, with the Approbation of the Commissioners for the Affairs of *India*.

No Arch-
deacon in
India to have
a Salary
exceeding
3,000 Sicca
Rupees.

CI. And be it enacted, That no Archdeacon hereafter to be appointed for the Archdeaconry of the Presidency of *Fort William* in *Bengal*, or the Archdeaconry of the Presidency of *Fort Saint George*, or the Archdeaconry of the Presidency and Island of *Bombay*, shall receive in respect of his Archdeaconry any Salary exceeding Three thousand Sicca Rupees *per Annum*: Provided always, that the whole Expende incurred in respect of the said Bishops and Archdeacons shall not exceed One hundred and twenty thousand Sicca Rupees *per Annum*.

Two Chap-
lains of the
Church of
Scotland to
be on the
Establish-
ment of each
Presidency.

CII. And be it enacted, That of the Establishment of Chaplains maintained by the said Company at each of the Presidencies of the said Territories Two Chaplains shall always be Ministers of the Church of *Scotland*, and shall have and enjoy from the said Company such Salary as shall from Time to Time be allotted to the Military Chaplains at the several Presidencies: Provided always, that the Ministers of the Church of *Scotland* to be appointed Chaplains at the said Presidencies as aforesaid shall be ordained and inducted by the Presbytery of *Edinburgh* according to the Forms and Solemnities used in the Church of *Scotland*, and shall be subject to the Spiritual and Ecclesiastical Jurisdiction in all Things of the Presbytery of *Edinburgh*, whose Judgments shall be subject to Dissent, Protest, and Appeal to the Provincial Synod of *Lothian* and *Tweeddale*, and to the General Assembly of the Church of *Scotland*: Provided always, that nothing herein contained shall be so construed as to prevent the Governor General in Council from granting from Time to Time, with the Sanction of the Court of Directors and of the Commissioners for the Affairs of *India*, to any Sect, Persuasion, or Community of Christians not being of the United Church of *England* and *Ireland*, or of the Church of *Scotland*, such Sums of Money as may be expedient for the Purpose of Instruction or for the Maintenance of Places of Worship.

The Govern-
or General
in Council
annually to
make a pro-
spective Esti-
mate of the
Number of
Vacancies in
Indian Es-
tablishments.

CIII. And whereas it is expedient to provide for the due Qualification of Persons to be employed in the Civil Service of the said Company in the said Territories, be it therefore enacted, That the said Governor General of *India* in Council shall, as soon as may be after the First Day of *January* in every Year, make and transmit to the said Court of Directors a prospective Estimate of the Number of Persons who, in the Opinion of the said Governor General in Council, will be necessary, in addition to those already in *India* or likely to return from *Europe*, to supply the expected Vacancies in the Civil Establishments of the respective Governments in *India* in such one of the subsequent Years as shall be fixed in the Rules and

Regulations herein-after mentioned ; and it shall be lawful for the said Board of Commissioners to reduce such Estimate, so that the Reasons for such Reduction be given to the said Court of Directors ; and in the Month of *June* in every Year, if the said Estimate shall have been then received by the said Board, and if not, then within One Month after such Estimate shall have been received, the said Board of Commissioners shall certify to the said Court of Directors what Number of Persons shall be nominated as Candidates for Admission, and what Number of Students shall be admitted to the College of the said Company at *Haileybury* in the then current Year, but so that at least Four such Candidates, no one of whom shall be under the Age of Seventeen or above the Age of Twenty Years, be nominated, and no more than One Student admitted for every such expected Vacancy in the said Civil Establishments, according to such Estimate or reduced Estimate as aforesaid ; and it shall be lawful for the said Court of Directors to nominate such a Number of Candidates for Admission to the said College as shall be mentioned in the Certificate of the said Board ; and if the said Court of Directors shall not within One Month after the Receipt of such Certificate nominate the whole Number mentioned therein, it shall be lawful for the said Board of Commissioners to nominate so many as shall be necessary to supply the Deficiency.

Board to certify what Number of Persons shall be Candidates for Admission to Haileybury College, and what Number shall be admitted Students.

CIV. And be it enacted, That when and so often as any Vacancy shall happen in the Number of Students in the said College by Death, Expulsion, or Resignation it shall be lawful for the said Board of Commissioners to add in respect of every such Vacancy One to the Number of Students to be admitted and Four to the Number of Candidates for Admission to be nominated by the said Court in the following Year.

Additional Students to be admitted to fill up Vacancies.

CV. And be it enacted, That the said Candidates for Admission to the said College shall be subjected to an Examination in such Branches of Knowledge and by such Examiners as the said Board shall direct, and shall be classed in a List to be prepared by the Examiners, and the Candidates whose Names shall stand highest in such List shall be admitted by the said Court as Students in the said College until the Number to be admitted for that Year, according to the Certificate of the said Board, be supplied.

The Candidates for Admission to be subjected to an Examination and classed.

CVI. And be it further enacted, That it shall be lawful for the said Board of Commissioners and they are hereby required, forthwith after the passing of this Act, to form such Rules, Regulations, and Provisions for the Guidance of the said Governor General in Council in the Formation of the Estimate herein-before mentioned, and for the good Government of the said College, as in their Judgment shall appear best adapted to secure fit Candidates for Admission into the same, and for the Examination and Qualifications of such Candidates, and of the Students of the said College, after they shall have completed their Residence there, and for the Appointment and Remuneration of proper Examiners ; and such Plan, Rules, and Regulations and Provisions respectively shall be submitted to His Majesty in Council for his Revision and

The Board to frame Rules for the Government of the College and the Examination and Qualification of Candidates.

Approbation ;

Approbation; and when the same shall have been so revised and approved by His Majesty in Council, the same shall not afterwards be altered or repealed, except by the said Board of Commissioners, with the Approbation of His Majesty in Council.

Students to be examined and classed.

CVII. And be it enacted, That at the Expiration of such Time as shall be fixed by such Rules, Regulations, and Provisions made as aforesaid, so many of the said Students as shall have a Certificate from the said College of good Conduct during the Term of their Residence therein shall be subjected to an Examination in the Studies prosecuted in the said College, and so many of the said Students as shall appear duly qualified shall be classed according to Merit in a List to be prepared by the Examiners, and shall be nominated to supply the Vacancies in the Civil Establishments in *India*, and have Seniority therein according to their Priority in the said List; and if there shall be at the same Time Vacancies in the Establishments of more than One of the said Presidencies, the Students on the said List shall, according to such Priority, have the Right of electing to which of the said Establishments they will be appointed.

The Students to supply the Vacancies in the Service according to Priority on the List, and to choose their Presidencies.

Sanction of Appointment of Professors.

CVIII. And be it enacted, That no Appointment of any Professor or Teacher at the said College shall be valid or effectual until the same shall have been approved by the Board of Commissioners.

All Powers of Court of Directors to be subject to the Control of the Board except Patronage.

CIX. And be it enacted, That every Power, Authority, and Function by this or any other Act or Acts given to and vested in the said Court of Directors shall be deemed and taken to be subject to such Control of the said Board of Commissioners as in this Act is mentioned, unless there shall be something in the Enactments conferring such Powers, Authorities, or Functions inconsistent with such Construction, and except as to any Patronage or Right of appointing to Office vested in or reserved to the said Court.

Board of Control prohibited from directing the Grant of Allowances.

CX. Provided always, and be it enacted, That nothing herein contained shall be construed to enable the said Board of Commissioners to give or cause to be given Directions ordering or authorizing the Payment of any extraordinary Allowance or Gratuity, or the Increase of any established Salary, Allowance, or Emolument, unless in the Cases and subject to the Provisions in and subject to which such Directions may now be given by the said Board, or to increase the Sum now payable by the said Company on account of the said Board, except only by such Salaries or Allowances as shall be payable to the Officers to be appointed as herein-before is mentioned to attend upon the said Board during the winding up of the Commercial Business of the said Company.

The Company to be called the East India Company.

CXI. And be it enacted, That whenever in this Act, or in any Act hereafter to be passed, the Term *East India Company* is or shall be used, it shall be held to apply to the United Company of Merchants of *England* trading to the *East Indies*, and that the said United Company of Merchants of *England* trading to the *East Indies* may, in all Suits, Proceedings, and Transactions whatsoever after the passing

passing of this Act, be called by the Name of the *East India* Company.

CXII. And be it enacted, That the Island of *Saint Helena*, and all Forts, Factories, public Edifices, and Hereditaments whatsoever in the said Island, and all Stores and Property thereon fit or used for the Service of the Government thereof, shall be vested in His Majesty, His Heirs and Successors, and the said Island shall be governed by such Orders as His Majesty in Council shall from Time to Time issue in that Behalf.

Saint Helena vested in the Crown.

CXIII. And be it further enacted, That every Supercargo and other Civil Servant of the said Company, now employed by the said Company in the Factory at *Canton* or in the Island of *Saint Helena*, shall be capable of taking and holding any Office in any Presidency or Establishment of the said Territories which he would have been capable of taking and holding if he had been a Civil Servant in such Presidency or on such Establishment during the same Time as he shall have been in the Service of the said Company.

Servants of the Company in China and St. Helena to be eligible to Offices in any Presidency.

CXIV. And be it enacted, That from and after the passing of this Act all Enactments and Provisions directing the said Company to provide for keeping a Stock of Tea shall be repealed.

Repeal of Enactments for keeping a Stock of Tea.

CXV. And be it enacted, That it shall be lawful for any Court of Justice established by His Majesty's Charters in the said Territories to approve, admit, and enrol Persons as Barristers, Advocates, and Attornies in such Court without any Licence from the said Company, any thing in any such Charter contained to the contrary notwithstanding: Provided always, that the being entitled to practise as an Advocate in the principal Courts of *Scotland* is and shall be deemed and taken to be a Qualification for Admission as an Advocate in any Court in *India* equal to that of having been called to the Bar in *England* or *Ireland*.

King's Courts authorized to admit Advocates and Attornies without the Company's Licence.

CXVI. And be it further enacted, That the Court of Directors of the said Company shall, within the first Fourteen sitting Days next after the First Day of *May* in every Year, lay before both Houses of Parliament an Account, made up according to the latest Advices which shall have been received, of the annual Produce of the Revenues of the said Territories in *India*, distinguishing the same and the respective Heads thereof at each of their several Presidencies or Settlements, and of all their annual Receipts and Disbursements at Home and Abroad, distinguishing the same under the respective Heads thereof, together with the latest Estimate of the same, and also the Amount of their Debts, with the Rates of Interest they respectively carry, and the annual Amount of such Interest, the State of their Effects and Credits at each Presidency or Settlement, and in *England* or elsewhere, according to the latest Advices which shall have been received thereof, and also a List of their several Establishments, and the Salaries and Allowances payable by the said Court of Directors in respect thereof; and the said Court of Directors, under the Direction and Control of the said Board of Commissioners, shall forthwith prepare

Accounts to be annually laid before Parliament.

Forms of the said Accounts and Estimates in such Manner as to exhibit a complete and accurate View of the Financial Affairs of the said Company; and if any new or increased Salaries, Establishments, or Pensions shall have been granted or created within any Year, the Particulars thereof shall be specially stated and explained at the Foot of the Account of the said Year.

Commence-
ment of Act.

CXVII. And be it enacted, That this Act shall commence and take effect from and after the passing thereof, so far as to authorize the Appointment or prospective or provisional Appointment of the Governor General of *India*, Governors, Members of Council, or other Officers, under the Provisions herein contained, and so far as herein-before in that Behalf mentioned, and as to all other Matters and Things, from and after the Twenty-second Day of *April* next.

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