ANNO SEPTIMO

GEORGII IV. REGIS.

C A P. LVI.

An Act to suspend the Provisions of an Act of His late Majesty, respecting the Appointment of Writers in the Service of the *East India* Company, and to authorize the Payment of the Allowances of the Civil and Military Officers of the said Company dying while absent from *India*.

[26th *May* 1826.]

WHEREAS by an Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing in the* East India *Company* 53G.3.c.155 *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,* it was among other things enacted, that it should not be lawful for the Court of Directors of the United Company of Merchants of *England* trading to the *East Indies,* to nominate, appoint, or send to the Presidencies of *Fort William, Fort Saint George,* or *Bombay,* any Person in the Capacity of a Writer, unless such Person should have been duly entered at the College of the said Company in *England,* and have resided there Four Terms according to the Rules and Regulations thereof, and should also produce to the said Court of Directors a Certificate under the Hand of the Principal of the said

College, testifying that he has for the Space of Four Terms been a Member of and duly conformed himself to the Rules and Regulations of the said College: And whereas there is not a sufficient Number of Persons qualified, according to the Provisions of the said Act, to be appointed Writers to fill the Vacancies which exist and which are likely to occur in the Civil Establishments of the said Presidencies in the *East Indies:* 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 at any Time within Three Years from the passing of this Act, it shall and may be lawful for the Court of Directors of the said United Company to nominate and appoint, and to send to the Presidencies of *Fort William, Fort Saint George,* or *Bombay,* in the Capacity of a Writer, any Person who shall produce such Testimonials of his Character and Conduct, and pass such an Examination as, by Rules and Regulations to be framed and established as herein-after is mentioned, shall be required.

Persons may be sent to India as Writers, on producing Testimonials and passing Examination.

II. And be it further enacted, That the said Court of Directors shall, and they are hereby required, with all convenient Speed, by and with the Consent and Approbation of the Board of Commissioners for the Affairs of *India,* to frame and establish proper Rules and Regulations respecting the due and necessary Qualifications of Writers; and that it shall and may be lawful for the said Court of Directors, with the Consent and Approbation of the said Board of Commissioners, to alter and vary such Rules and Regulations from Time to Time as Circumstances may appear to require; and that the Rules and Regulations so altered and varied shall be of the same Force and Effect as the original Rules and Regulations.

Directors may, with Approbation of Board of Controul, establish Regulations respecting Qualifications.

III. And whereas by an Act passed in the Thirty-third Year of the Reign of His late 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 their exclusive Trade, under certain Limitations; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; for appropriating to certain Uses the Revenues and Profits of the said Company; and for making Provision for the good Order and Government of the Towns of* Calcutta, Madras, *and* Bombay, it was enacted, that if any Governor General, or any other Officer whatever in the Service of the said Company, should quit or leave the Presidency or Settlement to which he should belong, other than in the known actual Service of the said Company, the Salary and Allowances appertaining to his Office should 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 back to his Station at such Presidency or Settlement, or of his coming to *Europe,* his Salary and Allowances should be deemed to have ceased from the Day of his quitting such Presidency or Settlement; any Law or Usage to the contrary notwithstanding: And whereas it hath happened that Officers, as well Civil as Military, in the Service of the said Company, who have quitted the Presidencies or Settlements to which they

Representatives of Officers dying, during a temporary Absence from their Stations, may receive Salaries to which such Officers would have been entitled. 33 G. 3. c. 52.

they respectively belonged in consequence of Ill-health, with the Intention of returning to their Stations at such Presidencies or Settlements without proceeding to *Europe*, have died during such temporary Absence within the Limits of the said Company's Charter or at the *Cape of Good Hope*: And whereas it is just and reasonable that the Representatives of such Officers should be entitled to the Salaries and Allowances of such Officers from the Time of quitting their Stations; be it therefore enacted, That it shall and may be lawful to and for the said Company to cause Payment to be made to the Representatives of Officers in their Service, Civil or Military, who having quitted or left their Stations, and not having proceeded or intended to proceed to *Europe*, but intending to return to their Stations, have died, or may hereafter happen to die, during their temporary Absence within the Limits of the said Company's Charter, or at the *Cape of Good Hope*, of such Salaries and Allowances, or such Portion of Salaries or Allowances, as the Officers so dying would have been entitled to if they had returned to their Stations.

Former Payments confirmed.

IV. And whereas certain Payments have heretofore been made under the Circumstances aforesaid, be it further enacted, That all such Payments so made shall be deemed and taken to have been legally made; any thing in the said recited Act of Parliament to the contrary notwithstanding: Provided always, that nothing herein contained shall extend to authorize the said Company to make any such Payment to the Representatives of any such Officer who shall have quitted or left his Station prior to the Second Day of *May* One thousand eight hundred and twenty-one.

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