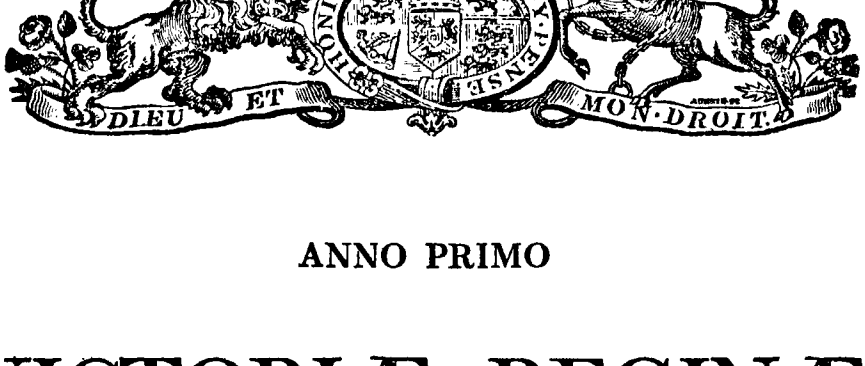


ANNO PRIMO

VICTORIÆ REGINÆ.

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CAP. XLVII.

An Act to repeal the Prohibition of the Payment of the Salaries and Allowances of the *East India* Company's Officers during their Absence from their respective Stations in *India*.

[12th *July* 1837.]

WHEREAS under and by virtue of an Act passed in the Thirty-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 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 Provisions for the good Order and Government of the Towns of* Calcutta, Madras, *and* Bombay, and of another Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *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*, it is enacted, that "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

33 G. 3. c. 52.

3 & 4 W. 4. c. 85.

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": And whereas it is further provided in the said last-mentioned Act, 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, and it is expedient that such Provision of the Law should be altered in manner herein-after mentioned: Be it therefore enacted by the Queen'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 so much and such Part or Parts of the said Two Acts passed respectively in the Thirty-third Year of the Reign of His Majesty King *George* the Third and in the Third and Fourth Years of the Reign of His said late Majesty King *William* the Fourth, and of any other Act or Provision of the Law, as enacts that 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, shall not extend to the Case of any Officer or Servant of the Company under the Rank of Governor or Member of Council who shall quit the Presidency to which he shall belong in consequence of Sickness, under such Rules as may from Time to Time be established by the Governor General in *India* in Council, or by the Governor in Council of such Presidency, as the Case may be, and who shall proceed to any Place within the Limits of the *East India* Company's Charter, or to the *Cape of Good Hope*, or to the *Mauritius*, or to the Island of *St. Helena*, nor to the Case of any Officer or Servant of the said Company, under such Rank as aforesaid, who, with the Permission of the Government of the Presidency to which he shall belong, shall quit such Presidency in order to proceed to another Presidency for the Purpose of embarking thence for *Europe*, until the Departure of such Officer or Servant from such last-mentioned Presidency with a view to return to *Europe*, so as that the Port of such Departure for *Europe* shall not be more distant from the Place which he shall have quitted in his own Presidency than any Port of Embarkation within such Presidency.

So much of the Provisions of the recited Acts as prohibits the Payment of Salaries to Officers in the Service of the East India Company during their Absence shall not extend to Cases of Sickness;

nor to Cases of Officers quitting one Presidency for another, in order to embark for Europe.

No Rule valid till approved by Court of Directors, subject to the Control of Commissioners for Affairs of India.

II. Provided always, and be it enacted, That no such Rule so to be established as aforesaid shall have any Force or Validity until the same shall have been approved by the Court of Directors of the said Company, subject to the Control of the Commissioners for the Affairs of *India*, in like Manner as is provided by the said Act of the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth.

Power for the Court of Directors, *subject to*

III. And be it further enacted, That it shall be lawful for the said Court of Directors, subject to such Control as aforesaid, to direct the refunding,

refunding, by any Officer or Servant of the said Company, or by the Representatives of any such Officer or Servant, of the Whole or any Part of the Salary or Allowance which he or they may have received under or by virtue of any such Rule so to be established as aforesaid, if it shall appear to the said Court, subject to such Control as aforesaid, that the Permission to such Officer or Servant to quit the Presidency to which he shall belong hath been improperly granted or obtained; and such Sum as the said Court, subject to such Control as aforesaid, shall direct such Officer or Servant, or the Representatives of such Officer or Servant, to refund, shall be a Debt due to the said Company, and shall be recoverable by them in any Court in like Manner as any Debt may now or hereafter shall be recovered by them.

aforesaid Control, to direct the refunding of any Part of the Allowance paid under any of said Rules.

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