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CAP. XXXVIII.

An Act for the Appropriation of certain unclaimed Shares of Prize Money acquired by Soldiers and Seamen in *India*. [25th *June* 1868.]

BE it 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, as follows; (that is to say,)

Prize Money to be paid and placed to the Credit of the Revenues of India;

1. All and every Shares and Share of Booty, Prize Money, Head Money, Bounty Money, and Salvage Money, and of Money arisen or which shall hereafter arise from, or which is now or shall hereafter be distributable in respect of, any Capture or other warlike Service whatsoever which has heretofore been or shall hereafter be made or performed, and to which Shares or Share any Officer, Soldier, Sailor, or other Person at any Time in or belonging or having belonged to the Forces of the *East India* Company, to Her Majesty's *Indian* Staff Corps, or to Her Majesty's Local *Indian* Forces, *European* or Native, is now or shall hereafter be entitled, in whatsoever Service the same may have been acquired, and which Shares or Share have come into and are now remaining in the Hands, or shall hereafter come into the Hands, of any Prize Agent or Agents, or any other Person whomsoever, shall be paid, according to the Residence of the

Party or Parties paying the same, either in *London* into the Bank of *England* to the Account of the Secretary of State in Council of *India*, or in *India* into such Places and in such Manner as the Government in *India* shall direct; and all Sums of Money when so paid shall be placed to the Credit of the Revenues of *India*, and shall for all Purposes form Part of such Revenues, and be applicable in all respects as such Revenues are or shall be applicable, subject, nevertheless, to be refunded, without Interest, to any Person or Persons entitled to the same, and establishing his, her, or their Claim or Claims thereto to the Satisfaction of the Secretary of State in Council of *India*.

subject to be refunded without Interest.

Times within which Payments are to be made.

2. All Money now remaining in the Hands of any Prize Agent or Agents or any other Person or Persons whomsoever, and which is hereby directed to be paid and be placed to the Credit of the Revenues of *India*, and which shall be to be paid in *England*, shall be paid within Two Calendar Months next after the passing of this Act, and all such Money which shall be to be paid in *India* shall be paid within Six Calendar Months next after the passing of this Act; and all Money which shall hereafter come into the Hands of any Prize Agent or Prize Agents, or any other Person or Persons whomsoever, and which is hereby directed to be paid and be placed to the Credit of the Revenues of *India*, whether the same shall be to be paid in *England* or in *India*, shall be paid within Two Calendar Months next after the Receipt thereof by such Prize Agent or Agents or other Person or Persons.

Power to the Secretary of State in Council to recover Monies as herein directed.

3. The Secretary of State in Council of *India* shall have and may exercise the same or the like Powers, Rights, and Remedies, so far as the same shall be applicable for Discovery and Recovery of and otherwise in relation to or in respect of the Monies hereby directed to be paid and to be placed to the Credit of the Revenues of *India*, as the Commissioners or the Treasurer for the Time being of *Chelsea Hospital*, or the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral, or any other Persons or Person, or any Corporation entitled to or interested in any Prize Money acquired by or due to any Officers, Soldiers, or Seamen in or belonging to Her Majesty's *European* Military or Naval Forces, have or can exercise by virtue of any Act or Acts now in force for the Discovery or Recovery of or otherwise in relation to or in respect of such last-mentioned Prize Money, and all Courts of Law and Equity and of Admiralty Jurisdiction in the United Kingdom and in *India* shall have and may exercise the same or the like Jurisdiction, Powers, and Authorities for compelling every Person to account for and pay over the

the Monies hereby directed to be paid and be placed to the Credit of the Revenues of *India* as any Court of Law or Equity or of Admiralty Jurisdiction may now exercise with respect to any Prize Money acquired by or belonging to any such Officers, Soldiers, or Seamen as last aforesaid; and every Person who is required by this Act to pay over any Share or Shares shall be subject to the like Liability to account for the same, and to the like Fines and Penalties for Neglect or Default in not accounting for the same, and otherwise, as Agents or other Persons are by any Act or Acts now in force subject to in respect of any Shares or Balances of Prize Money acquired by or belonging to any such Officers, Soldiers, or Seamen as last aforesaid.

Persons required to pay over Prize Money to be liable to account.

4. Nothing in this Act contained shall prevent any Person or Persons from resorting to any Remedy at Law or in Equity against the Secretary of State in Council of *India* for the Recovery of Principal without Interest of any Money to which he or they may be entitled, and which shall be paid in manner herein-before directed, and placed to the Credit of the Revenues of *India*, provided such Person or Persons shall prefer his or their Claim thereto to the Secretary of State in Council of *India* within Six Years from the respective Times at which the same Money shall be so paid as aforesaid.

Nothing in the Act contained to prevent trying Rights to Prize Money.

5. Nothing herein contained shall take away or affect any Right which the Secretary of State in Council of *India* now has, or if this Act had not been passed would at any Time have had, to or in respect of any Monies hereby directed to be paid, nor shall diminish, abridge, or prejudice any Rights, Powers, or Remedies which the Secretary of State in Council of *India* has, or if this Act had not been passed would have had, or could at any Time have enforced, for the Discovery or Recovery of the same Monies, or any of them.

Nothing to prejudice any Rights or Powers the Secretary of State in Council already has to the Prize Money.

LONDON:

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