ANNO SEXTO

# GEORGII IV. REGIS.

## C A P. LXXXV.

An Act for further regulating the Payment of the Salaries and Pensions to the Judges of His Majesty's Courts in *India*, and the Bishop of *Calcutta*; for authorizing the Transportation of Offenders from the Island of *Saint Helena*; and for more effectually providing for the Administration of Justice in *Singapore* and *Malacca*, and certain Colonies on the Coast of *Coromandel*.

[5th *July* 1825.]

WHEREAS by an Act made and passed in the Thirteenth Year of the Reign of His late Majesty 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, it was enacted, that it should be lawful for His Majesty, by Charter or Letters Patent under the Great Seal of *Great Britain*, to erect and establish a Supreme Court of Judicature at *Fort William* in *Bengal*, to consist of a Chief Justice and Three other Judges, to be named from Time to Time by His Majesty, 13 G. 3. c. 63.

Majesty, His Heirs and Successors; and that the Court of Directors of the United Company of Merchants of *England* trading to the *East Indies* should direct and cause to be paid certain established Salaries to the Chief Justice and each of the Judges of the said Supreme Court of Judicature at *Fort William* in *Bengal*; that is to say, to the Chief Justice Eight thousand Pounds by the Year, and to each of the Judges of the said Supreme Court, Six thousand Pounds by the Year, in manner therein mentioned: And whereas His said late Majesty King *George* the Third, by His Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Twenty-sixth Day of *March* in the Fourteenth Year of His Reign, did erect and establish such Supreme Court of Judicature at *Fort William* in *Bengal* accordingly, and did declare that the Chief Justice and Puisne Judges of the said Court should, so long as they should hold their Offices respectively, be entitled to have and receive respectively the Salaries in the said in part recited Act provided for that Purpose: And whereas by virtue of an Act made in the Thirty-seventh Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for the better Administration of Justice at* Calcutta, Madras, *and* Bombay, *and for preventing* British *Subjects from being concerned in Loans to the Native Princes in* India, the Number of Puisne Judges of the said Supreme Court of Judicature at *Fort William* in *Bengal* was reduced to Two: And whereas by an Act made in the Thirty-ninth and Fortieth Years of the Reign of His said late Majesty King *George* the Third, intituled *An Act for establishing further Regulations for the Government of the* British *Territories in* India. *and the better Administration of Justice within the same*, it is enacted, that it should and might be lawful for His Majesty, His Heirs and Successors, by Charter or Letters Patent under the Great Seal of *Great Britain*, to erect and establish a Supreme Court of Judicature at *Madras* in the *East Indies*, to consist of such and the like Number of Persons, to be named from Time to Time by His Majesty, His Heirs and Successors, as the said Supreme Court of Judicature at *Fort William* in *Bengal*; and that the Court of Directors of the said United Company should direct and cause to be paid certain and established Salaries to the Chief Justice, and each of the Judges of such Supreme Court of Judicature at *Madras*, as should be by the said new Charter established; (that is to say), to the Chief Justice Six thousand Pounds by the Year, and to each of the Judges of the said Supreme Court of Judicature at *Madras* Five thousand Pounds by the Year; and that such Salaries should be paid and payable to each and every of them respectively out of the Territorial Revenues of the said Settlement of *Madras*, at an Exchange of Eight Shillings for the Pagoda of that Settlement: And whereas His said late Majesty King *George* the Third, by His Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Twenty-sixth Day of *December* in the Forty-first Year of His Reign, did erect and establish such Supreme Court of Judicature at *Madras* accordingly, and did grant, ordain, appoint, and declare that the Chief Justice and Puisne Judges of the said Court should, so long as they should hold their Offices respectively,

37 G. 3. c. 142.

39 & 40 G. 3. c. 79.

be entitled to have and receive respectively the Salaries in the said last mentioned Act provided for that Purpose: And whereas by an Act passed in the Thirty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Administration of Justice at* Calcutta, Madras, *and* Bombay, *and for preventing* British *Subjects from being concerned in Loans to the Native Princes in* India, it is amongst other Things enacted, that it should be lawful for His said Majesty, by Charter or Letters Patent under the Great Seal of *Great Britain*, to erect and establish a Court of Judicature at *Bombay*, to consist of the Mayor and Three of the Aldermen resident at the said Settlement of *Bombay*, together with one other Person to be named from Time to Time by His said Majesty, His Heirs and Successors, to be the President of the said Court, and to be styled "The Recorder of *Bombay*;" and that during such Time as the said Settlement of *Bombay* should remain in the Possession of the said United Company, the Court of Directors of the said United Company should direct and cause to be paid, to the Recorder of the said Court of Judicature at *Bombay*, the yearly Sum of Five thousand Pounds, such Salary to be paid out of the Revenues of the said Settlement of *Bombay*, at an Exchange of Two Shillings and Sixpence for the *Bombay* Rupee, and to commence and take place from such Time as therein is mentioned: And whereas His said Majesty King *George* the Third, by his Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Twentieth Day of *February* in the Thirty-eighth Year of His Reign, did erect and establish such Court of the Recorder of *Bombay* accordingly, and did grant and declare, that the Recorder of the said Court should, so long as he should hold the said Office, be entitled to have and receive the Salary in the said last mentioned Act provided for that Purpose: And whereas by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for defraying the Charge of Retiring Pay, Pensions, and other Expences of that Nature, of His Majesty's Forces serving in* India; *for establishing the Pensions of the Bishop, Archdeacons, and Judges; for regulating Ordinations; and for establishing a Court of Judicature at* Bombay, it is enacted, that it should and might be lawful for His said Majesty, His Heirs or Successors, by Charter or Letters Patent under the Great Seal of *Great Britain*, to erect and establish a Supreme Court of Judicature at *Bombay* aforesaid, to consist of such and the like Number of Persons, to be named from Time to Time by His said Majesty, His Heirs and Successors, as the said Supreme Court of Judicature at *Fort William* in *Bengal*; and that the Court of Directors of the said United Company should direct and cause to be paid certain and established Salaries to the Chief Justice and each of the Judges of such Supreme Court of Judicature at *Bombay* as should be by the said new Charter established; that is to say, to the Chief Justice Fifty-two thousand two hundred *Bombay* Rupees by the Year, and to each of the Puisne Judges of the said Supreme Court of Judicature at *Bombay* Forty-three thousand five hundred *Bombay* Rupees by the Year; and that such Salaries should be paid and payable to each and every of them respectively out of the Territorial Revenues of the

37 G. 3. c. 142.

4 G. 4. c. 71.

the said Settlement of *Bombay*: And whereas His said Majesty King *George* the Fourth, by His Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, bearing Date at *Westminster* the Eighth Day of *December* in the Fourth Year of His Reign, did erect and establish such Supreme Court of Judicature at *Bombay* accordingly, and did grant and declare that the Chief Justice and Puisne Judges of the said Court should, so long as they should hold their Offices respectively, be entitled to have and receive respectively the Salaries in the said last mentioned Act provided for that Purpose: And whereas His late Majesty King *George* the Third did, by His Letters Patent bearing Date at *Westminster* the Twenty-fifth Day of *March* in the Forty-seventh Year of His Reign, for Himself, His Heirs and Successors, give and grant unto the said United Company and their Successors, and did direct, ordain, and appoint, that there should be within the Factory of *Prince of Wales Island*, and the Places then or any Time to be subordinate or annexed thereto, a Court of Record, to be called "The Court of Judicature of *Prince of Wales Island*," and did thereby erect, create, and constitute the said Court of Judicature of *Prince of Wales Island* to be a Court of Record; and His said late Majesty did, by His said Letters Patent, further will, ordain, and appoint that the said Court of Judicature should consist of and be holden before the Governor or President and the Three Counsellors of the said Factory for the Time being, as Four of the Judges of the said Court, and before one other Judge, to be called "The Recorder of the *Prince of Wales Island*," and which Recorder of *Prince of Wales Island* it is ordained should be a Barrister in *England* or *Ireland*, of not less than Five Years standing, to be named and appointed from Time to Time by His said Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*; and His said Majesty did thereby further direct, that the said Recorder of *Prince of Wales Island* should hold his Office during the Pleasure of His said Majesty, His Heirs and Successors, and did further direct, ordain, and appoint, that it should and might be lawful to and for the said Recorder of *Prince of Wales Island* to receive from the said United Company a Salary equal to the yearly Sum of Three thousand Pounds Money current in that Part of the United Kingdom called *England*, to be calculated at the Exchange of Five Shillings of the said lawful Money for every Dollar current within the said Factory: And whereas by an Act made and passed in the Fifty-third Year of
53 G. 3. c. 155. 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 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 is amongst other Things enacted, that in case it should please His Majesty, by His Royal Letters Patent under the Great Seal of the said United Kingdom, to erect, found, and constitute One Bishoprick for the whole of the said *British* Territories in the *East Indies* and Parts aforesaid, and

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from Time to Time to nominate and appoint a Bishop, the Court of Directors of the said Company, during such Time as the said Territorial Acquisitions should remain in the Possession of the said Company, should and they were thereby required to direct and cause to be paid a certain established Salary from and out of the Revenues of the said Presidency of *Fort William* in *Bengal*, to the said Bishop, of Five thousand Pounds by the Year, at an Exchange of Two Shillings for the *Bengal* current Rupee: And whereas His said late Majesty King *George* the Third did, by His Letters Patent bearing Date at *Westminster* the Second Day of *May* One thousand eight hundred and fourteen, in the Fifty-fourth Year of His Reign, erect, found, and constitute such Bishoprick accordingly: And whereas it is deemed expedient to make further and different Provisions for the Payment of the Salaries of the Judges of the said Supreme Courts of Judicature at *Madras* and *Bombay* respectively, and to make Provision for the Payment to any of the Puisne Judges of the said Supreme Courts of Judicature at *Fort William* in *Bengal*, and at *Madras* and *Bombay* respectively, who, during the Vacancy of the Office of Chief Justice in any of the said Courts, shall execute and discharge the Duties of Chief Justice, of the Salary of the Office of Chief Justice, in lieu of that of Puisne Judge, in respect of the Time during which such Puisne Judge shall so execute and discharge the Office of Chief Justice; and it is also expedient to make further Provision for all such Chief Justices, Bishops, Judges, and Recorders respectively, so as that the Acceptance of such Offices respectively shall not be the Occasion of actual Loss to their Representatives in the Event of the Death of any such Chief Justices, Bishops, Judges, or Recorders respectively having taken place or hereafter taking place after their Arrival in *India*; 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 the Court of Directors of the said United Company shall and they are hereby required to direct and cause to be paid to the Chief Justices and each of the Puisne Judges of the said Supreme Court of Judicature at *Madras*, in lieu and stead of the Salaries paid or payable to them respectively under or by virtue of the said recited Acts of the Thirty-ninth and Fortieth Years of His late Majesty's Reign, in like Manner and subject to the same Regulations and Provisions as the said Salaries have been heretofore or are now paid and payable, and not otherwise, the Salaries hereinafter mentioned; that is to say, to the Chief Justice of the said Supreme Court of Judicature at *Madras*, the Sum of Fifty-eight thousand *Madras* Rupees by the Year, to be computed from the First Day of *January* One thousand eight hundred and eighteen, to the Time of the passing of this Act, and from thenceforth a Salary after the Rate of Sixty thousand *Madras* Rupees by the Year; and to each of the Puisne Judges of the said last mentioned Court a Salary after the Rate of Forty-eight thousand *Madras* Rupees by the Year, [to be computed from the said First Day of *January* One thousand eight hundred and eighteen to the Time of the passing of this Act, and from thenceforth a Salary after the Rate

Salaries to Judges at Madras.

of Fifty thousand *Madras* Rupees by the Year;] and that such Salaries shall be paid and payable to each and every of them respectively, out of the Territorial Revenues of the said Settlement of *Madras*.

Salaries to Judges at Bombay.

II. And be it further enacted, That the Court of Directors of the said United Company shall and they are hereby required to direct and cause to be paid to the Chief Justice and each of the Puisne Judges of the said Supreme Court of Judicature at *Bombay*, in lieu and instead of the Salaries paid or payable to them respectively under or by virtue of the said recited Act of the Fourth Year of His present Majesty, in like Manner and subject to the same Regulations and Provisions as the said Salaries have been heretofore or are now paid or payable, and not otherwise, the Salaries hereinafter mentioned; that is to say, to the Chief Justice of the said Supreme Court of Judicature at *Bombay* a Salary after the Rate of Fifty-eight thousand *Bombay* Rupees by the Year, to be computed from the Eighth Day of *May* One thousand eight hundred and twenty-four, to the Time of the passing of this Act, and from thenceforth a Salary after the Rate of Sixty thousand *Bombay* Rupees by the Year; and to each of the Puisne Judges of the said last mentioned Court the Sum of Forty-eight thousand *Bombay* Rupees by the Year, to be computed from the said Eighth Day of *May* One thousand eight hundred and twenty-four, to the Time of the passing of this Act, and from thenceforth a Salary after the Rate of Fifty thousand *Bombay* Rupees by the Year; and that such Salaries shall be paid and payable to each and every of them respectively, out of the Territorial Revenues of the said Settlement of *Bombay*.

Salary to Recorder of Bombay.

III. And be it further enacted, That the Court of Directors of the said United Company shall and they are hereby required to direct and cause to be paid to each and every the Person and Persons who, during the Period between the said First Day of *January* One thousand eight hundred and eighteen and the said Eighth Day of *May* One thousand eight hundred and twenty-four, acted as Recorder of *Bombay* as aforesaid, or to his or their Executors or Administrators, such further Sum and Sums of Money as shall, together with the Salaries which have been paid to the Recorder for the Time being, make up a Rate of Salary to each and every of such Person and Persons so having acted as Recorder as aforesaid, of Forty-eight thousand *Bombay* Rupees by the Year; and that such further Sum and Sums shall be paid and payable out of the Territorial Revenues of the said Settlement of *Bombay*.

Judge executing the Office of Chief Justice to be entitled to his Salary.

IV. And be it further enacted, That when and as often as it shall happen that in consequence of the Vacancy of the Office of Chief Justice in any of the said Supreme Courts of Judicature at *Fort William* in *Bengal*, or at *Madras* or *Bombay* respectively, One of the Puisne Judges of the said Courts respectively shall preside for and exercise the Office of such Chief Justice, such Puisne Judge so acting

as Chief Justice during a Vacancy, and until the Arrival of the Person appointed to succeed to the Office of Chief Justice, shall be entitled to receive, in lieu of his Proportion of Salary as a Puisne Judge of such Court, such a Proportion of Salary (and no more) as would have become due to such Chief Justice during the Period while the Vacancy shall be supplied by such Puisne Judge as aforesaid, and that the Payment of such Rate of Salary to a Puisne Judge so acting or having acted as such Chief Justice in any of the said Supreme Courts respectively, shall commence and take effect from the Twenty-second Day of *January* One thousand eight hundred and twenty-two.

Provision in case any Judge or Bishop, &c. shall die either during his Voyage, or within Six Months after his Arrival, &c.

V. And be it further enacted, That in all Cases from and since the said Twenty-second Day of *January* One thousand eight hundred and twenty-two, in which it has already happened, or when and as often as it shall hereafter happen, that any Chief Justice or Puisne Judge of any of the said Supreme Courts of Judicature at *Fort William* in *Bengal*, *Madras*, or *Bombay*, or the Recorder of *Prince of Wales Island*, or any Bishop of *Calcutta*, shall have departed or shall hereafter depart this Life, either during his Voyage to *India* or 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 Chief Justice or Puisne Judge, Recorder, or Bishop, the Court of Directors of the said United Company shall and they are hereby required to pay, or direct and cause to be paid, out of the Territorial Revenues from which the Salary of such Chief Justice or Puisne Judge, Recorder, or Bishop so dying shall be payable, to the legal Personal Representatives of such Chief Justice or Puisne Judge, Recorder, or Bishop so dying as aforesaid, such Sum or Sums of Money as shall, together with the Sum or Sums paid to or drawn by such Chief Justice or Puisne Judge, Recorder, or Bishop, in respect of his Salary, make up the full Amount of One Year's Salary of the Office to which he shall have been appointed; and that from and since the First Day of *January* One thousand eight hundred and twenty-three, when and as often as it shall have happened or shall hereafter happen that any such Chief Justice or Puisne Judge, Recorder, or Bishop hath departed or 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 the Office of Chief Justice, Puisne Judge, Recorder, or Bishop, then and in all and every of such Cases the said Court of Directors shall and they are hereby required to pay or direct and cause to be paid, out of the Territorial Revenues from which the Salary of such Chief Justice, Puisne Judge, Recorder, or Bishop so dying shall be payable, to the legal Personal Representatives of such Chief Justice or Puisne Judge, Recorder, or Bishop respectively so dying as aforesaid, over and above what may have been due to such Chief Justice or Puisne Judge, Recorder, or Bishop respectively at the Time of his Death, a Sum equal to the Amount of Six Calendar Months Salary of the Office of such Chief Justice or Puisne Judge, Recorder, or Bishop respectively.

VI. And

4 G. 4. c. 71. s. 15.

VI. And whereas under and by virtue of the said Act of the Fourth Year of the Reign of His present Majesty, His Majesty is empowered to direct and authorize certain Allowances to be made out of the Revenues of the *British* Territories in *India* to the Chief Justices and Puisne Judges of the said Supreme Courts respectively, and to the Recorder of *Prince of Wales Island*, on their respectively resigning their respective Offices, after a Residence in *India* for Ten Years: And whereas it is expedient to shorten the Period during which such Chief Justices, Judges, and Recorders respectively are required to hold their Offices in *India* before an Allowance can be granted to them, and to make other Provisions respecting such Allowances; be it therefore enacted, That so much of the said Act of the Fourth Year of the Reign of His present Majesty as relates to the said Allowances, and the Length of Residence in *India* necessary to entitle the Parties thereto, shall be and the same is hereby repealed.

Repeal of Provisions in 4 G. 4. c. 71. s. 15 and 16, as to Residence.

Pensions to Chief Justices and Judges on Resignation.

VII. And be it further enacted, That if any of the Chief Justices or Puisne Judges of the said Supreme Courts of Judicature at *Fort William*, *Madras*, or *Bombay* respectively, or the Recorder of the Court of Judicature of *Prince of Wales Island*, shall resign his Office in consequence of Age, Infirmity, or other Cause, to be approved by His Majesty, His Heirs or Successors, it shall and may be lawful for His Majesty, His Heirs or Successors, by Warrants under the Sign Manual, to direct and authorize an Allowance to be made out of the Revenues of the *British* Territories in *India*, to such Chief Justice, Puisne Judges, or Recorder so resigning, subject to the Limitations and Restrictions herein-after provided; that is to say, Provided always, that it shall not be lawful for His Majesty to direct any such Allowance to be made to any Person who shall not have resided in *India* for Five Years, either as Chief Justice or as a Puisne Judge (or partly as one and partly as the other) of some or one of the said Supreme Courts.

Five Years Residence necessary.

Limitation of Allowance to Chief Justice of Fort William.

VIII. Provided also, and be it enacted, That it shall not be lawful to direct any larger Allowance to be made to any Chief Justice of the said Supreme Court of Judicature at *Fort William*, than the Sum of One thousand Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Chief Justice or Puisne Judge, or partly as one and partly as the other, for Seven Years; nor if he shall have so resided for Seven Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of One thousand three hundred Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Chief Justice or Puisne Judge, or partly as one and partly as the other, for Ten Years; nor if he shall have so resided for Ten Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of Two thousand Pounds Sterling *per Annum*.

Limitation of Allowance to Chief Justices

IX. Provided also, and be it further enacted, That it shall not be lawful to direct any larger Allowance to be made to either of the Chief

Chief Justices of the said Supreme Courts of Judicature at *Madras* or *Bombay*, than the Sum of Eight hundred Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Chief Justice or Puisne Judge, or partly as one and partly as the other, for Seven Years; nor if he shall have so resided for Seven Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of One thousand Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Chief Justice or Puisne Judge, or partly as one and partly as the other, for Ten Years; nor if he shall have so resided for Ten Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of One thousand six hundred Pounds Sterling *per Annum*. of Madras and Bombay.

X. Provided also, and be it further enacted, That it shall not be lawful to direct any larger Allowance to be made to either of the Puisne Judges of the said Supreme Court of Judicature at *Fort William*, than the Sum of Seven hundred and fifty Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Puisne Judge for Seven Years; nor if he shall have so resided for Seven Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of One thousand Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Puisne Judge for Ten Years; nor if he shall have so resided for Ten Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of One thousand five hundred Pounds Sterling *per Annum*. Limitation of Allowance to Puisne Judges of Fort William.

XI. And be it further enacted, That it shall not be lawful to direct any larger Allowance to be made to any One of the Puisne Judges of either of the said Supreme Courts of Judicature at *Madras* or *Bombay* respectively, than the Sum of Six hundred Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Puisne Judge for Seven Years; nor if he shall have so resided for Seven Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of Eight hundred Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Puisne Judge for Ten Years; nor if he shall have so resided for Ten Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of One thousand two hundred Pounds Sterling *per Annum*. Limitation of Allowance to Puisne Judges of Madras and Bombay.

XII. Provided also, and be it further enacted, That it shall not be lawful for His Majesty to direct any larger Allowance to be made to any Chief Justice of any of the said Supreme Courts so resigning, than the Amount by this Act limited for the Allowance to be made to the Puisne Judges of the Court to which such Chief Justice shall belong, unless he shall have held the Office of a Chief Justice of One of the said Supreme Courts during Five Years of his Residence in *India*. Chief Justice not to have more than Puisne Judge unless he has been Chief Justice for Five Years.

XIII. And be it further enacted, That it shall not be lawful to direct any larger Allowance to be made to the Recorder of the said Court of Judicature of *Prince of Wales Island*, than the Sum of Five hundred Limitation of Allowance to Recorder of Prince of Wales Island.

hundred Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Recorder for Seven Years; nor if he shall have so resided for Seven Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of Six hundred and fifty Pounds Sterling *per Annum*, unless he shall have resided in *India* as such Recorder for Ten Years; nor if he shall have so resided for Ten Years, shall it be lawful to direct any larger Allowance to be made to him than the Sum of One thousand Pounds Sterling *per Annum*.

Time of Recorder appointed Judge to be reckoned at a certain Rate.

XIV. Provided also, and be it further enacted, That if any Person having for any Time resided in the *East Indies* as Recorder of the said Court of Judicature of *Prince of Wales Island* shall have been or shall be appointed to the Office of Chief Justice or Puisne Judge of either of the said Supreme Courts of *Fort William*, *Madras*, or *Bombay*, the Period of Residence of such Person in the *East Indies* as such Recorder of the said Court of Judicature of *Prince of Wales Island* shall be accounted and taken as and for a Residence in *India* as a Puisne Judge of such Courts respectively, in the Proportion of Three Years Residence as such Recorder to Two Years Residence as such Puisne Judge; and that if such Person shall have resided in the *East Indies* partly as such Recorder, and partly as such Chief Justice or Puisne Judge, it shall and may be lawful for His Majesty, His Heirs and Successors, in manner herein-before mentioned, to direct such Allowance to be made to such Person as might lawfully be directed in case such Person had resided the Whole of such Time as such Recorder, and had resigned the Office of such Recorder, although such Person may not have resided in *India* for such Length of Time as to entitle him, under the Provisions herein contained, to the Allowance of a Chief Justice or Puisne Judge.

53 G. 3. c. 155.

4 G. 4. c. 71. s. 2 and 3.

XV. And whereas under and by virtue of an Act made and passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, and of another Act made and passed in the Fourth Year of the Reign of His present Majesty, Provision is made for granting a Pension to the Bishop of *Calcutta*, under the Limitations therein contained, and it is expedient to make further Provision in respect thereof; be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, in manner in the said Act of the Fifty-third Year of the Reign of His late Majesty mentioned, to grant to any such Bishop who shall have exercised within the Limits of the Charter of the said United Company the Office of Bishop of *Calcutta* for Five Years a Pension not exceeding One Half of the Sum which His Majesty, by the said Act of the Fifty-third Year of the Reign of His late Majesty, is empowered to grant to any such Bishop; and also to grant to any such Bishop who shall have exercised within the Limits aforesaid the said Office of Bishop of *Calcutta* for Seven Years a Pension not exceeding Two-thirds of the Sum which His Majesty, by the said Act of the Fifty-third Year of His late Majesty's Reign, is empowered to grant to any such Bishop.

Pension to Bishop on Resignation.

XVI. Pro-

XVI. Provided also, and be it further enacted, That it shall not be lawful for His Majesty, His Heirs or Successors, to direct any such Allowance to be made to any such Chief Justice, Puisné Judge, Recorder, or Bishop respectively, who before he shall have held and exercised such Office, or some or one of such Offices, for the Space of Ten Years in the Whole, shall resign his said Office for any other Cause than in consequence of Illness or Infirmity, to be proved to the Satisfaction of His Majesty, His Heirs or Successors. Resignation under Ten Years Service for other Cause than Illness not to entitle to Pension.

XVII. And whereas it is expedient that the Governor and Council appointed by the said United Company in and for the Island of *Saint Helena* should be empowered, when acting as a Court of Oyer and Terminer and Gaol Delivery, to order Offenders to be transported from the said Island to such Places as are herein-after mentioned or referred to; be it therefore enacted, That when any Person or Persons shall have been convicted before the said Governor and Council of the said Island of *Saint Helena*, sitting and acting as a Court of Oyer and Terminer and Gaol Delivery, of the Crime of Grand or Petit Larceny, or of any other Offence for which such Person or Persons would before the passing of this Act have been liable by the Laws of this Realm to be transported, it shall and may be lawful for the Governor and the Council of the said Island to order and adjudge that such Person or Persons so convicted as aforesaid shall be transported, for such Term of Years as such Governor and Council shall direct, to *New South Wales*, or any other Place to which by virtue of any Law now in force he, she, or they might have been transported, or sentenced to be transported, by or by the Sentence of any Court exercising Jurisdiction within the several *British* Presidencies or Governments in the *East Indies*; and where any Person or Persons shall hereafter be convicted of any Crimes whatever, for which he, she, or they is or are or shall be by the Laws of this Realm in force within the said Island of *Saint Helena* excluded from the Benefit of Clergy, it shall and may be lawful to and for the said Governor and Council, as they shall see fit, instead of awarding Sentence of Execution against such Offender or Offenders, to order such Offender or Offenders to be in like Manner transported, either for Life, or for such Number of Years as the said Governor and Council shall award and order; and the Governor and Council of the said Island are hereby authorized and required to take the necessary Measures for the due Performance of such Sentences and Awards of Transportation accordingly. Transportation of Offenders from Saint Helena.

XVIII. And be it further enacted, That if any Offender so sentenced or ordered to be transported as aforesaid shall return to the said Island of *Saint Helena*, or come into any of the Territories or Acquisitions of His Majesty, or of the said United Company in the *East Indies*, or shall come into any Part of *Great Britain* or *Ireland*, before the End of the Term for which he or she shall be so sentenced or ordered to be transported as aforesaid, he or she so returning or coming as aforesaid shall be liable to be punished as a Person attainted Punishment for Persons returning.

attainted of Felony, without Benefit of Clergy, and Execution shall and may be awarded against such Offender accordingly: Provided nevertheless, that nothing herein contained shall be construed or taken to prevent His Majesty, His Heirs and Successors, from extending His or Their Royal Mercy to any such Offender or Offenders, or from allowing the Return of such Offender or Offenders from such Place of Transportation.

Administration of Justice in Singapore and Malacca.

42 G. 3. c. 29.

XIX. And whereas under and by virtue and according to the Effect of an Act passed in the Forty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the* East India *Company to make their Settlement at* Fort Marlborough *in the* East Indies *a Factory subordinate to the Presidency of* Fort William *in* Bengal, *and to transfer the Servants, who on the Reduction of that Establishment shall be supernumerary, to the Presidency of* Fort Saint George; and an Act passed in the Fifth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for transferring to the* East India *Company certain Possessions newly acquired in the* East Indies, *and the Removal of Convicts from* Sumatra, the Island of *Singapore* in the *East Indies*, and the Town and Fort of *Malacca* and its Dependencies, and all the Colonies, Possessions, and Establishments ceded by His Majesty the King of the *Netherlands* to His said present Majesty King *George* the Fourth, by a Treaty concluded between their said Majesties on the Seventeenth Day of *March* One thousand eight hundred and twenty-four, have become and now are Factories subordinate to the Presidency of *Fort William* in *Bengal*, and thereby, by virtue of an Act passed in the Thirty-ninth and Fortieth Years of the Reign of His said late Majesty King *George* the Third, intituled *An Act for establishing further Regulations for the Government of the* British *Territories in* India, *and the better Administration of Justice within the same*, are subject to the Jurisdiction of the Supreme Court of Judicature of *Fort William* aforesaid; and it may be expedient that some other Provision should be made for the Administration of Justice within the said Island and other Places aforesaid; be it therefore enacted, That it shall and may be lawful to and for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of *Great Britain*, or in any other lawful manner, to make such Provision for the Administration of Justice in Civil, Criminal, Ecclesiastical, and Admiralty Matters arisen and to arise within the said Island of *Singapore*, and the said Town and Fort of *Malacca* and its Dependencies, by His and Their Royal Prerogative He or They might have done if the said last-mentioned Act had never been made or passed; and in case any such Provision shall be made by His Majesty, His Heirs and Successors, then the said Island, and the said Town and Fort and its Dependencies, from the Time or several Times when such Provision shall take effect, or from any other Time or Times to be appointed by His Majesty, His Heirs or Successors, and all the Inhabitants of the said Island, and the said Town, Fort, and its Dependencies, and other Persons being thereon, shall cease to be subject to and shall be wholly exempt from the Jurisdiction of the said Supreme Court; the said last mentioned Act,

39 & 40 G. 3. c. 79.

or any other Law or Statute to the contrary thereof in anywise notwithstanding.

Colonies ceded to His Majesty to be under Jurisdiction of Fort Saint George.

XX. And be it further enacted, That from and after the First Day of *January* next the Colonies, Possessions, and Establishments so ceded to His Majesty, and which are situate on the Coast of *Coromandel*, or in the Northern Circars in the *East Indies*, and all the Inhabitants of the said Colonies, Possessions, and Establishments, and all other Persons being therein, shall cease to be subject to, and shall be wholly exempt from the Jurisdiction of the said Supreme Court of Judicature in *Bengal*; and the said Colonies, Possessions, and Establishments, and all the Inhabitants thereof, and all other Persons being therein, shall be subject and amenable to the Jurisdiction and Authority of the Supreme Court of Judicature at *Fort Saint George* in the *East Indies*, in like Manner as any other Place being or deemed to be a Factory subordinate to the Government of *Fort Saint George*, and the Inhabitants thereof, whether *Europeans* or Natives, as the Case may be, is or are or ought to be liable and amenable thereto; the said Act of the Thirty-ninth and Fortieth Years of His late Majesty's Reign, or any other Law or Statute, to the contrary thereof in anyways notwithstanding.

Singapore and Malacca annexed to Prince of Wales Island.

XXI. And be it further enacted, That it shall and may be lawful for the Court of Directors for the Time being of the said United Company to declare and appoint that the said Island of *Singapore* and the said Town and Port of *Malacca* and its Dependencies, and the Colonies, Possessions, and Establishments so ceded as aforesaid, or any of them, shall cease to be Factories or a Factory subordinate to the said Presidency of *Fort William* in *Bengal*, and that they shall be annexed to and be considered as and be Part of the Settlement of *Prince of Wales Island*, or as Factories or a Factory subordinate to the said Presidency of *Fort Saint George*, or to any Presidency or Government of the said United Company, or that they or any of them shall be independent Settlements or an independent Settlement, subject to such Government as the said United Company, under and by virtue of the Charters granted to them or otherwise, may lawfully appoint, and from Time to Time, as Occasion may require, to revoke and alter such Appointments or Appointment, and to place the said Island, Town, Fort, and its Dependencies, and the said Colonies, Possessions, and Establishments, under such Presidency or Government, or to be independent, as to them shall seem fit and expedient, subject nevertheless to the Superintendence, Direction, and Controul of the Commissioners for the Affairs of *India*, in like Manner as any Acts or Orders of the said Court of Directors are now by Law subject; and the said Island, Town, Fort, and its Dependencies, Colonies, Possessions, and Establishments, so ceded as aforesaid, and the Revenues thereof, and the Civil Servants connected therewith respectively, shall, from and after the Time to be by the said Court of Directors limited and appointed, be to all Intents and Purposes annexed to the Presidency or Government to be appointed in manner aforesaid, or such Island and Places aforesaid shall be an independent Settlement or independent Settlements,

ments, and the Revenues and Civil Servants thereof shall be annexed thereto, according to the true Intent and Meaning of such Appointment as aforesaid; any Law or Statute to the contrary thereof in anywise notwithstanding.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1825.