

XXIII. Every Bond and Disposition in Security hereafter to be granted under the said recited Act or under this Act may, in the Option of the Party upon whose Application to the Court the same shall be executed, contain a Power of Sale in ordinary Form.

Bonds and Dispositions in Security may contain Power of Sale.

XXIV. Every Judgment and Decree pronounced, and that shall be pronounced upon any Application under the said recited Act or under this Act, where such Judgment or Decree has not been or shall not be brought under Review of the House of Lords by Appeal, or brought under Reduction upon any relevant Ground during the Period within which such Judgment or Decree might have been appealed from, shall, as regards Third Parties acting *bonâ fide* on the Faith thereof, be no longer reducible on any Ground of Irregularity or Non-compliance with the Provisions of the said recited Act or of this Act, but in respect of any such Ground of Challenge be final and conclusive; and the Period during which Challenge or Appeal is competent, under the said recited Act or under this Act, of any such Judgment or Decree, or of any Instrument of Disentail, or other Deed executed in virtue of such Judgment or Decree, shall not be extended in respect of the Minority or Want of Capacity to act of any Person or Persons whatever.

Judgments and Decrees to be final.

XXV. The following Words occurring in this Act shall, except where the Nature of the Provision shall be repugnant to such Construction, be construed as follows; that is to say, the Words "Court of Session," or "the Court," shall be construed to mean either Division of the Court of Session; the Words "Heir of Entail" shall include "Institute;" the Word "Lands" shall extend to and comprehend all Heritages; and the Words "Entailed Estate" shall extend to and comprehend all Heritages which by the Law of *Scotland* may be made the Subject of Entail.

Interpretation of Terms.

C A P. XCV.

An Act to provide for the Government of *India*.

[20th August 1853.]

WHEREAS by an Act passed in the Session of Parliament holden in the Third and Fourth Years of 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*, the Territories therein mentioned were continued under the Government of the *East India Company* until the Thirtieth Day of April One thousand eight hundred and fifty-four, with the Powers and subject to the Superintendence, Direction, and Control therein mentioned; and the Property and Rights in the said Act mentioned were continued in the Possession of the said Company in trust for the Crown for the Service of the said Government: And whereas it is expedient to provide for the Government of the Territories now in the Possession and under the Government of the said Company after the Expiration of the Term limited by the said Act: 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:

3 & 4 W. 4. c. 85.

I. Until Parliament shall otherwise provide, all the Territories now in the Possession and under the Government of the *East India Company* shall continue under such Government in trust for Her Majesty, Her Heirs and Successors, with and under the Powers and Restrictions, and subject to the Superintendence, Direction, and Control now by Law applicable to such Government, and subject also to the Provisions of this Act; and all the Provisions now in force of the said Act of the Third and Fourth Years of King *William* the Fourth, and all other Enactments whatsoever now in force with relation to the said Company and Government and Territories respectively, shall, save so far as the same are altered by or are repugnant to this Act, continue in force after the said Thirtieth Day of April One thousand eight hundred and fifty-four, as if the said Term had not expired; and no Appointments, Arrangements, or Acts made or done under the Provisions and Enactments hereby continued, shall, by reason only of the Expiration of the said Term, cease or be affected.

Until Parliament shall otherwise provide, the British Territories in *India* to be continued under the Government of the Company, subject to the Provisions of this Act.

After the Second Wednesday in April 1854, there shall be Eighteen Directors of the Company.

II. From and after the Second *Wednesday* in the Month of *April* One thousand eight hundred and fifty-four there shall be Eighteen Directors and no more of the said Company, to be from Time to Time appointed and elected as herein-after mentioned; and such Directors, or any Ten or more of them, shall be and shall be called a Court of Directors, and such Directors and Court of Directors respectively shall have the same Powers and Privileges as the Directors and Court of Directors of the said Company now have, save so far as such Powers and Privileges are altered by this Act; and in every Case where the Presence, Signature, Consent, or Concurrence of Thirteen Directors of the said Company, or of any greater Number of such Directors, is now requisite, the Presence, Signature, Consent, or Concurrence (as the Case may be) of Ten Directors under this Act, shall be sufficient; and in all Despatches and written Documents proceeding from the said Court of Directors the Signatures of the Chairman and Deputy Chairman and of the Senior Member of the said Court, or of any Two of them, countersigned by the Secretary or Deputy Secretary for the Time being of the said Company, shall be sufficient in lieu of the Signatures of the Majority of the said Directors.

Her Majesty to appoint Three of the first Directors for Two, Four, and Six Years.

All Directors appointed by Her Majesty to have served Ten Years in India.

III. It shall be lawful for Her Majesty, by Warrant under the Royal Sign Manual, at any Time before the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four, to appoint Three Persons to be, from the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four, Directors of the said Company, under this Act, and One of such Persons shall be appointed to be a Director for the Term of Two Years, One other for the Term of Four Years, and One other for the Term of Six Years; and every Director to be so appointed, and every other Director to be appointed by Her Majesty under the Provisions herein contained, shall be a Person who shall have been for Ten Years at the least in the Service of the Crown in *India*, or in the Service of the said Company there.

The present Directors and the Directors out by Rotation, to appoint from their own Body Fifteen of the first Directors under this Act, Five for Two Years, Five for Four Years, and Five for Six Years.

IV. On the Second *Wednesday* in the Month of *March* One thousand eight hundred and fifty-four the present Directors of the said Company, or such of them as may then remain in Office, and the Persons, or Survivors of the Persons, heretofore Directors of the said Company, who in the Month of *April* One thousand eight hundred and fifty-three ceased to be such Directors by the Expiration of the Term for which they were elected, or the major Part of the said Directors and Persons, shall, from among the said Directors and Persons heretofore Directors as aforesaid, appoint Fifteen Persons to be, with the Three Persons to be appointed by Her Majesty, the first Directors of the said Company under this Act from the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four; and of such Fifteen Persons Five shall be appointed for the Term of Two Years, Five others for the Term of Four Years, and the remaining Five for the Term of Six Years; and for the Purposes of such Appointment as aforesaid, as well the said Persons heretofore Directors, as the said present Directors remaining in Office, shall meet and act together as a Court of Directors of the said Company on the said Second *Wednesday* in *March*, and the Names of the Directors who shall be appointed at such Court, together with the respective Terms for which they are appointed, shall be certified to the Board of Commissioners for the Affairs of *India*, under the Seal of the said Company.

On casual Vacancies, Directors appointed by the Crown to be increased to Six, those not so appointed to be reduced to Twelve.

V. To the Intent that the Number of the Directors of the said Company to be appointed by Her Majesty under this Act be increased to Six, and the Number of other Directors reduced to Twelve, it shall be lawful for Her Majesty, upon the First, Second, and Third Vacancy respectively among the Directors under this Act not appointed by Her Majesty which may happen otherwise than by the Expiration of the Term of Years for which a Director may have been appointed or elected, to appoint by Warrant as aforesaid a Person to be a Director of the said Company to fill each of such Vacancies.

Vacancies among Directors how to be filled up.

VI. Every Vacancy happening from Time to Time in the Office of any Director who shall have been appointed by Her Majesty under any Provision herein contained shall be filled up by Her Majesty by Warrant under the Royal Sign Manual; and, subject to the Provisions herein contained for increasing the Number of Directors to be appointed by Her Majesty, every Vacancy among the Directors not appointed by Her Majesty shall be filled up by Election by the General Court of the said Company, in the Manner in which Directors are now elected.

VII. Every

VII. Every Director appointed by Her Majesty or elected by the said General Court to fill a Vacancy occasioned by the Expiration of the Term of Office of a Director shall be appointed or elected for the Term of Six Years; and every Director appointed by Her Majesty or elected by the said General Court to supply the Place of any Director whose Office shall have become void otherwise than by the Expiration of his Term of Office, shall be appointed or elected for the Remainder of the Term of Office of such last-mentioned Director; and every Person who shall, or but for Re-appointment or Re-election would, cease to be a Director by the Expiration of his Term of Office, shall be capable of being forthwith re-appointed or of being re-elected at the Election holden on the Day of the Expiration of such Term.

Ordinary Term of Office of Directors to be Six Years, and Directors re-eligible.

VIII. The Terms of Two Years, Four Years, and Six Years respectively, for which the Directors first appointed under this Act shall be appointed, shall be taken to expire at the End of the Day on the Second *Wednesday* in the Month of *April* in the Second, Fourth, and Sixth Years respectively after the Year One thousand eight hundred and fifty-four, and the Term of Office of every Person appointed or elected to supply a Vacancy upon the Expiration of any Term shall be taken to expire at the End of the Day on the Second *Wednesday* in *April* in the Sixth following Year; and it shall be lawful for Her Majesty from Time to Time, upon or after the Expiration of the Term of Office of any Director or Directors appointed by Her Majesty by Warrant under the Royal Sign Manual, to appoint or re-appoint a Person or Persons to fill such Vacancy or Vacancies; and biennial Elections shall be holden on the Second *Wednesday* of the Month of *April* in the Year One thousand eight hundred and fifty-six, and in every alternate Year, for filling up such Vacancies among the Directors by the Expiration of any Term of Office as the General Courts of the said Company may be authorized to fill up, and all the Provisions applicable to the General Annual and other Elections of Directors by the said General Court shall be applicable to the biennial and other Elections of Directors by such General Court under this Act, so far as Circumstances will admit.

Term of Office of Directors to expire, and biennial Elections to be holden on the Second *Wednesday* in *April*.

IX. Of the Fifteen Directors first appointed under this Act by the present Directors and Persons heretofore Directors of the said Company, Six shall be Persons who shall have resided for Ten Years at the least in *India*; and all such Vacancies happening from Time to Time in the Offices of any of the Six Directors so qualified as the General Court may be authorized to fill up shall be filled up by Persons qualified in like Manner; and in case by the Vacancies among the Directors not appointed by Her Majesty, which Her Majesty is authorized to fill up, or any of such Vacancies, the Number of Directors so qualified as aforesaid (exclusive of those appointed by Her Majesty) be reduced below Six, every Person thereafter elected by the General Court to be a Director upon any Vacancy, except any of the Directors first appointed under this Act who may be elected at the Expiration of their Term of Office, shall be a Person qualified in like Manner until the Number of Directors so qualified, exclusive of those appointed by the Crown, be restored to Six, and every casual Vacancy thenceforth happening among such Six Directors so qualified shall be filled up by the Election of a Person qualified in like Manner; and when at the Time of any biennial Election thereafter of Directors by the General Court the Number of the Directors for the Time being who shall have resided for such Time in *India*, exclusive of any such Directors whose Term of Office may expire with the Day of the Election, and of the Directors appointed by the Crown, is less than Six, the Directors to be then elected, or so many of such Directors as may be necessary for making up the Number of Directors who shall have resided for such Time in *India* to Six, shall be a Person or Persons who shall have resided for such Time in *India*.

Six of the Directors not appointed by the Crown to be Persons who shall have served Ten Years in *India*.

X. Notwithstanding the Provision of the Charter of the Tenth Year of King *William* the Third, any Person shall be deemed, so far as respects the Possession of Stock of the said Company, to be qualified to be chosen or appointed and to continue a Director of the said Company, under this Act, who shall have in his own Name and in his own Right and to his own Use One thousand Pounds or more in the Capital Stock of the said Company; and all Enactments and all Provisions of any Charter or Byelaw having reference to the Qualification of a Director shall be construed as if the said Sum of One thousand Pounds were substituted therein, and in the said Charter of King *William* the Third, for the Sum of Two thousand Pounds;

Qualification of a Director as respects the Possession of East Indian Stock; 1,000*l.* to be a Qualification.

Director before
acting to make
a Declaration.

Pounds; and in the Case of any such Director appointed by Her Majesty, it shall be sufficient if, before he shall act as such Director, he shall have such Qualification in the said Capital Stock as is required under this Act, although he may not have the same at the Time of his Appointment; and every Person who shall be hereafter elected or appointed a Director of the said Company shall, before he shall act as such Director, make the following Declaration:

‘ I *A.B.* do declare, That the Sum of One thousand Pounds now standing in my Name of the Stock of the East India Company belongs to me in my own Right and not in trust for any other Person or Persons whatsoever.’

Directors appointed by Her Majesty may sit in Parliament.

XI. No Person appointed by Her Majesty to be a Director under this Act shall, by reason of such Appointment, be incapable of being elected, or sitting or voting in Parliament; and no such Director so appointed shall be subject to be removed by the General Court of the said Company; but it shall be lawful for Her Majesty, if She shall think fit, to remove any such Director for Inability or Misbehaviour.

The Authority of the present Directors to cease on the Second Wednesday of April 1854.

XII. From and after the Second *Wednesday* of the said Month of *April* One thousand eight hundred and fifty-four, all such of the present Directors of the said Company as shall not have been appointed to be Directors under this Act shall cease to be Directors of such Company; and no Vacancy which shall happen in the meantime in the Office of any of the said present Directors shall be filled up; and, notwithstanding any such Vacancies, such of the said present Directors as for the Time being may remain in Office, or the Majority of them, shall, until the Commencement of the Term of Office of the first Directors under this Act, have and exercise all the Powers by Law vested in the Directors of the said Company; and in every Case where the Presence, Signatures, Consent, or Concurrence of Thirteen Directors of the said Company or of any greater Number of such Directors is now requisite, the Presence, Signature, Consent, or Concurrence (as the Case may be) of the Majority of such of the said Directors as for the Time being may remain in Office shall be sufficient.

Directors before acting to take the Oath hereinafter named.

XIII. Every Person who shall hereafter be appointed or elected a Director of the said Company shall, before he shall act in that Office, take the following Oath, instead of the Oath now appointed to be taken by a Director; that is to say,

‘ I *A.B.* do swear, That I will be faithful to Her Majesty Queen Victoria, and will to the best of my Ability perform the Duty assigned to me as a Director of the East India Company in the Administration of the Government of India in trust for the Crown.
‘ So help me GOD.’

Quorum of General Courts of the Company.

XIV. If at any General Court of the said Company, after the Transaction of such Business as by any Act of Parliament or any Byelaw of the said Company may be required to be transacted at such Court, the Number of Proprietors assembled and qualified to vote, exclusively of any Directors then present, shall not amount to Twenty, it shall be lawful for the Chairman of the said Court, and he is hereby required, upon the Fact of the Number of Proprietors so assembled not amounting to Twenty being brought to his Notice, to declare the Court adjourned without putting the Question.

The Provisions of 3 & 4 W. 4. c. 85. for creating a Presidency of Agra, which has been suspended by 5 & 6 W. 4. c. 52., to remain so until the same be revoked.

XV. The Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth, relating to the Division of the Presidency of *Fort William* in *Bengal* into Two Presidencies, and to the Measures consequent thereupon, which have been suspended under the Authority of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty-two, shall remain suspended until the Court of Directors, under the Direction and Control of the Board of Commissioners for the Affairs of *India*, shall otherwise direct; and during the Continuance of such Suspension the Provisions of such last-mentioned Act, authorizing the Appointment of a Lieutenant Governor for the North-western Provinces, then under the Government of the Presidency of *Fort William* in *Bengal*, and the Appointments and Arrangements made thereunder, shall remain in full Force.

A separate Governor may be appointed for the Presidency.

XVI. It shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, at any Time after the passing of this Act, to declare that the Governor General of *India* shall not be Governor of the Presidency of *Fort William* in

in *Bengal*, but that a separate Governor shall be appointed for such Presidency, and in such Case a separate Governor shall be from Time to Time appointed for such Presidency accordingly, in manner provided by the said Act of the Third and Fourth Years of King *William* the Fourth, in the Case of Vacancies happening in the Offices of the Governors of the Presidencies of *Fort Saint George* and *Bombay*; and from and after the Appointment of such Governor, the Power by the said Act vested in the Governor General of *India* of appointing a Deputy Governor of the said Presidency of *Fort William* in *Bengal* shall cease; and unless and until a separate Governor of such Presidency shall be constituted as aforesaid, it shall be lawful for the Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, at any Time after the passing of this Act, to authorize and direct the Governor General of *India* in Council to appoint from Time to Time any Servant of the said Company who shall have been Ten Years in their Service in *India* to the Office of Lieutenant Governor of such Part of the Territories under the Presidency of *Fort William* in *Bengal* as for the Time being may not be under the Lieutenant Governor of the said North-western Provinces, and to declare and limit the Extent of the Authority of the Lieutenant Governor to be so appointed.

deney of
Bengal;

in the meantime
a Lieutenant
Governor may
be appointed.

XVII. It shall be lawful for the Court of Directors of the said Company, under such Direction and Control, if and when they think fit, to constitute One new Presidency within the Territories subject for the Time being to the Government of the said Company, and to declare and appoint what Part of such Territories shall be subject to the Government of such new Presidency; and unless and until such new Presidency be constituted as aforesaid, it shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, to authorize (in addition to such Appointments as are herein-before authorized to be continued and made for the Territories now and heretofore under the said Presidency of *Fort William*) the Appointment by the said Governor General in Council of a Lieutenant Governor for any Part of the Territories for the Time being subject to the Government of the said Company, and to declare for what Part of the said Territories such Lieutenant Governor shall be appointed, and the Extent of his Authority, and from Time to Time to revoke or alter any such Declaration.

Power to Di-
rectors to create
One new Presi-
dency or to au-
thorize Govern-
or General to
appoint a new
Lieutenant
Governorship.

XVIII. It shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, from Time to Time to declare and appoint what Part or Parts of the Territories for the Time being subject to the Government of the said Company shall be or continue subject to each of the Presidencies and Lieutenant Governorships for the Time being subsisting in such Territories, and to make such Distribution and Arrangement or new Distribution and Arrangement of such Territories into or among such Presidencies and Lieutenant Governorships as to the said Court of Directors, under such Direction and Control as aforesaid, may seem expedient.

Power to alter
from Time to
Time the Limits
of Presidencies
and Lieutenant
Governorships.

XIX. The Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth, as amended by this Act, and all other Provisions now in force for the Administration of the Executive Government of the Presidencies of *Fort Saint George* and *Bombay* respectively, and authorizing the Revocation and Suspension of the Appointment of Councils and the Reduction of the Number of Councillors in such Presidencies respectively, and as to the Powers, Duties, Functions, and Immunities of the Governors of such Presidencies respectively, and of such Governors in their respective Councils, and concerning or applicable to the Appointment and provisional Appointment of Governors and Members of Council of the said Presidencies respectively on Vacancies, and otherwise providing for Vacancies in the Office of any such Governor, and concerning the Removal and Dismissal of such Governors and Members of Council, and the Revocation of Appointments and provisional Appointments of Governors and Members of Council of such Presidencies, and concerning the Salaries and Emoluments of such Governors and Members of Council, shall extend and be applicable in like Manner to and in the Case of any new Presidency to be established as aforesaid under this Act, and also to and in the Case of the Presidency of *Agra*, in case the same be constituted under the Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth; and the said Provisions concerning Appointments of Governors and Members of Council on Vacancies, as amended by this Act, shall extend and be applicable to

The Enact-
ments as to
existing Presi-
dencies to ex-
tend to new
Presidencies.

to and for the first Appointment of a Governor and Members of Council of such new Presidency and the Presidency of *Agra* aforesaid.

All Appoint-
ments of Mem-
bers of Council
to be approved
of by Her
Majesty.

Provision of
3 & 4 W. 4.
c. 85. excluding
Fourth ordinary
Member from
certain Meet-
ings repealed.

Legislative
Councillors
added to the
Council of India
for making
Laws and
Regulations.

XX. Every Appointment by the Court of Directors of any ordinary Member of the Council of *India*, or of any Member of the Council of any Presidency in *India*, shall be subject to the Approbation of Her Majesty, to be signified under Her Royal Sign Manual, countersigned by the President of the Board of Commissioners for the Affairs of *India*.

XXI. So much of the said Act of the Third and Fourth Years of King *William* the Fourth as provides that the Fourth ordinary Member of the Council of *India* shall not be entitled to sit or vote in the said Council, except at Meetings thereof for making Laws and Regulations, shall be repealed.

XXII. For the better Exercise of the Powers of making Laws and Regulations, now vested in the Governor General of *India* in Council, the several Persons herein-after mentioned shall, in addition to and together with such Governor General and the Members of the said Council, under the said Act of the Third and Fourth Years of King *William* the Fourth, be Members of the said Council of *India* for and in relation to the Exercise of all such Powers of making Laws and Regulations as aforesaid, and shall be distinguished as Legislative Councillors thereof; (that is to say,)

One Member for each Presidency and Lieutenant Governorship for the Time being established in the said Territories, to be appointed from Time to Time by the Governor of such Presidency and the Lieutenant Governor of such Lieutenant Governorship respectively, from among the Persons having been or being at the Time of their Appointment in the Civil Service of such Company within such Presidency or Lieutenant Governorship, and who shall have been Ten Years in the Service of the said Company:

The Chief Justice of the Supreme Court of Judicature at *Fort William* in *Bengal*, or the Chief Justice or Chief Judge of any Court of Judicature hereafter to be constituted in the said Territories to or in which the Powers of such Supreme Court may be transferred or vested:

One of the other Judges of such Supreme Court, or One of the Judges appointed by Her Majesty of any such future Court as aforesaid, to be named by the said Governor General:

And it shall be lawful for the Court of Directors, if they think it expedient, under the Direction and Control of the Board of Commissioners for the Affairs of *India*, to authorize and direct the Governor General of *India* to appoint from Time to Time, in addition to such Legislative Councillors as aforesaid, Two Persons, to be selected by the said Governor General, having been Ten Years in the Service of the Company, to be Legislative Councillors of the said Council under this Act: Provided always, that the Legislative Councillors added to the Council of *India* by or under this Act shall not be entitled to sit or vote in the said Council, except at Meetings thereof for making Laws and Regulations.

Legislative
Councillors to
vote only at
Meetings for
making Laws
and Regu-
lations.

Appointment
of a Vice Presi-
dent of Council
to preside at
Meetings in
Absence of
Governor
General;
Quorum for
Legislative
Business.

XXIII. It shall be lawful for such Governor General to appoint any Member of the said Council to be Vice President thereof at Meetings of the said Council for making Laws and Regulations, who shall preside therein at such Meetings in the Absence of such Governor General, and in the Absence of such Vice President the senior ordinary Member of the Council of *India* there present shall preside therein; and the Powers of making Laws or Regulations vested in the said Governor General in Council shall be exercised only at Meetings of the said Council, at which such Governor General or Vice President or some ordinary Member of Council, and Six or more Members of the said Council, shall be assembled, the Chief Justice or Chief Judge, or such other Judge of the Supreme Court or such other Court as aforesaid, or the Fourth ordinary Member of the said Council of *India*, being One; and in every Case of Difference of Opinion at Meetings of the said Council for making Laws and Regulations, where there shall be an Equality of Voices, the Governor General, or in his Absence the Vice President, and in the Absence of the Governor General and Vice President such senior ordinary Member of Council there present and presiding, shall have Two Votes or the Casting Vote.

XXIV. Provided

XXIV. Provided always, That no Law or Regulation made by the said Council shall have Force or be promulgated until the same has been assented to by the said Governor General, whether he shall or shall not have been present in Council at the making thereof.

Governor General's Assent requisite to Validity of Laws.

XXV. Provided also, That the said Governor General shall by Proclamation appoint a Time, not being later than Six Months from the Commencement of this Act, for the First Meeting of the said Council of *India* for making Laws and Regulations under this Act, and summon thereto as well the Legislative Councillors appointed by and under this Act as the other Members of such Council; and until such First Meeting the Powers now vested in the said Governor General of *India* in Council of making Laws and Regulations shall and may be exercised in like Manner and by the same Members as before the passing of this Act.

Time for Meeting of Council with new Legislative Councillors to be fixed by Governor General by Proclamation.

XXVI. No Law or Regulation made by the Governor General in Council shall be invalid by reason only that the same affects any Prerogative of the Crown, provided such Law or Regulation shall have received the previous Sanction of the Crown, signified under the Royal Sign Manual of Her Majesty, countersigned by the President of the Board of Commissioners for the Affairs of *India*.

No Law, &c. invalid by reason of its affecting any Prerogative of the Crown.

XXVII. All Fines and Penalties incurred by the Sentence or Order of any Court of Justice within the Territories under the Government of the *East India* Company, and all Forfeitures for Crimes of any Real or Personal Estate within the said Territories, and all Real and Personal Estate within the said Territories escheating or lapsing for Want of an Heir or Successor, and all Property within the said Territories devolving as *Bona vacantia* for Want of a rightful Owner, shall (as Part of the Revenues of *India*) belong to the *East India* Company in trust for Her Majesty for the Service of the Government of *India*; Provided also, that the Governor General in Council, and any other Person or Persons who may be authorized by any Act passed in that Behalf by the Governor General in Council, shall have Power (in Cases where the same may appear suitable and proper) to make any Grant or Disposition of any Property so accruing by Forfeiture, Escheat, or otherwise to or in favour of any Relative or Connexion of the Person from whom the same shall have accrued, or to or in favour of any other Person or Persons.

All Fines, Penalties, &c. to belong to the *East India* Company.

XXVIII. ' And whereas by the said Act of the Third and Fourth Years of King *William* the Fourth it was provided, that Commissioners to be appointed thereunder, and to be styled the *Indian* Law Commissioners, should 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 should from Time to Time make Reports, in which they should fully set forth the Result of their Inquiries, and should from Time to Time suggest such Alterations as might 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: And whereas the *Indian* Law Commissioners from Time to Time appointed under the said Act have, in a Series of Reports, recommended extensive Alterations in the Judicial Establishments, Judicial Procedure, and Laws established and in force in *India*, and have set forth in detail the Provisions which they have proposed to be established by Law for giving effect to certain of their Recommendations, and such Reports have been transmitted from Time to Time to the said Court of Directors; but on the greater Part of such Reports and Recommendations no final Decision has been had:'

Recital of Provisions of 3 & 4 W. 4. c. 85. as to Appointment of *Indian* Law Commissioners.

It shall be lawful for Her Majesty, at any Time after the passing of this Act, by Commission under the Royal Sign Manual, to appoint such and so many Persons in *England* as to Her Majesty may seem fit to examine and consider the Recommendations of the said *Indian* Law Commissioners, and the Enactments proposed by them for the Reform of the Judicial Establishments, Judicial Procedure, and Laws of *India*, and such other Matters in relation to the Reform of the said Judicial Establishments, Judicial Procedure, and Laws, as may, by or with the Sanction of the Commissioners for the Affairs of *India*, be referred to them

Her Majesty may appoint Commissioners in *England* to consider and report on the Reforms proposed by the *Indian* Law Commissioners,

for their Consideration, and to authorize and direct the Persons so appointed, or such Number as may be limited by their Commission in this Behalf, to report their Opinion to Her Majesty on the Matters aforesaid, and especially to report from Time to Time what Laws or Regulations should be made or enacted in relation to the Matters aforesaid, but so that every such Report be made within Three Years after the passing of this Act; and for the Purposes of such Examination it shall be lawful for Her Majesty to authorize the Persons so appointed, or the Number limited by the Commission in this Behalf, to call before them and examine in *England* such Persons in the Service of the Crown and the said Company respectively, and to require the Production of such official Documents in the Possession of the Board of Commissioners for the Affairs of *India*, or of the said Company, as they may think fit.

Board of Control to approve of Advocate General.

Commander-in-Chief of Her Majesty's Forces to be Commander-in-Chief of Company's Forces.

XXIX. No Appointment of any Advocate General of the said Company shall be valid without the Approbation of the Board of Commissioners for the Affairs of *India*.

XXX. Any Person who shall be hereafter appointed by Her Majesty to be the Commander-in-Chief of Her Forces in *India* shall by virtue of such Appointment be also the Commander-in-Chief of all the Company's Forces in *India*, and any Person who shall be hereafter appointed by Her Majesty to be the Commander-in-Chief of Her Forces in any Presidency in *India* shall by virtue of such Appointment be also the Commander-in-Chief of the Company's Forces in such Presidency.

Limit of European Troops of the Company and of their inroops in training at home extended.

XXXI. So much of the Act of the Twenty-eighth Year of King *George* the Third, Chapter Eight, as limits the Numbers of the *European* Forces of the said Company to Twelve thousand two hundred Men, and so much of the Act of the Thirty-ninth Year of King *George* the Third, Chapter One hundred and nine, as limits the Number of Non-commissioned Officers and Private Men which the said Company are authorized to enlist and have in Pay at any One Time, or to train or discipline at any One Time, in *Great Britain* and the Islands of *Guernsey* and *Jersey*, by virtue of that Act, to Two thousand Men, shall, from the passing of this Act, be repealed; and it shall be lawful for the Board of Commissioners for the Affairs of *India*, at any Time after the passing of this Act, and from Time to Time, to give or approve such Directions as they may think fit for raising and maintaining out of the Revenues arising from the said Territories such Number of *European* Forces as they may judge necessary, so that the Number of *European* Forces of the said Company at any One Time do not amount in the whole to more than Twenty thousand Men, including the Commissioned and Non-commissioned Officers; and it shall be lawful for the said Company to enlist and have in Pay and train and discipline under the said last-mentioned Act any Number of Non-commissioned Officers and Private Men not exceeding at any One Time Four thousand.

Sick Leave or Furlough Regulations may be extended as to Residence out of the Limits of the Company's Charter.

XXXII. Nothing in any Enactment now in force, or any Charter, relating to the said Company, shall be taken to prevent the Establishment, by the Court of Directors (under the Direction and Control of the said Board of Commissioners), at any Time after the passing of this Act, and from Time to Time, of any Regulations which they may deem expedient in relation to the Absence on Sick Leave or Furlough of all or any Officers and Persons in the Service of the said Company in *India*, or receiving Salaries from the said Company there, under which they respectively may be authorized to repair to and reside in *Europe* or elsewhere out of the Limits of the said Company's Charter, without Forfeiture of Pay or Salary, during the Times and under the Circumstances during and under which they may now be permitted (while absent from their Duty) to reside in Places out of *India* within the Limits of the said Company's Charter, or during such Times and under such Circumstances as by such Regulations may be permitted.

Salary of President of Board of Control.

XXXIII. ' And whereas by the said Act of the Third and Fourth Years of King *William* the Fourth it is enacted, that the President of the Board of Commissioners for the Affairs of *India*, but no other Commissioner, as such, and the 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: ' Be it enacted, That such fixed Salary of the said President of the Board

Board of Commissioners shall in no Case be less than the Salary which shall be paid to One of Her Majesty's Principal Secretaries of State; and that only One of the said Secretaries to the said Board shall be capable of being elected or sitting and voting in Parliament.

XXXIV. Instead of the yearly Sums allowed under the Byelaws of the said Company to the Chairman, Deputy Chairman, and other Directors, for their Attendance upon the Business of the said Company, there shall be allowed to the Chairman, Deputy Chairman, and Directors, under this Act, the yearly Sums following; (that is to say,) to the Chairman One thousand Pounds a Year, to the Deputy Chairman One thousand Pounds a Year, and to every other Director Five hundred Pounds a Year.

Allowances to Chairman, Deputy Chairman, and Directors, instead of those now payable under Byelaws.

XXXV. There shall be paid to the several Officers herein-after named the several annual Salaries set against the Names of such Officers respectively, subject to such Reduction as the Court of Directors, with the Sanction of the said Board, may from Time to Time think fit; (that is to say,)

Salaries.

To the Commander-in-Chief of the Forces in *India*, One hundred thousand Company's Rupees, in lieu of all other Pay and Allowances:

To each Lieutenant Governor, One hundred thousand Company's Rupees:

To each ordinary Member of the Council of *India*, Eighty thousand Company's Rupees:

To each Legislative Councillor of the Council of *India* (not holding any other Office), Fifty thousand Company's Rupees:

The several Salaries aforesaid to be subject to the Provisions and Regulations of the said Act of the Third and Fourth Years of King *William* the Fourth, concerning the Salaries thereby appointed: Provided always, that the Salary of any such Officer appointed before the passing of this Act shall not under this Enactment be reduced.

XXXVI. The Provisions herein-after mentioned, respecting the Appointment of Persons to the Civil Service of the said Company, and the Admission of Students into the College of the said Company at *Haileybury*, (that is to say,) Section Forty-six of the Act of the Fifty-third Year of King *George* the Third, Chapter One hundred and fifty-five, and Sections One hundred and three, One hundred and four, One hundred and five, One hundred and six, and One hundred and seven of the said Act of the Third and Fourth Years of King *William* the Fourth, shall be repealed, and all Powers, Rights, or Privileges of the Court of Directors of the said Company to nominate or appoint Persons to be admitted as Students or Candidates for such Admission, or as Assistant Surgeons in the Forces of the said Company, shall cease as regards all Vacancies which shall occur on or after the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

Provisions of 53 G. 3. c. 155. and 3 & 4 W. 4. c. 85. repealed, and existing Rights of Patronage of Appointments to cease.

XXXVII. Subject to such Regulations as may be made by the Board of Commissioners for the Affairs of *India*, any Person being a natural-born Subject of Her Majesty who may be desirous of being admitted into the said College at *Haileybury*, or of being appointed an Assistant Surgeon in the said Company's Forces, shall be admitted to be examined as a Candidate for such Admission or Appointment respectively.

Candidates for *Haileybury*, or as Assistant Surgeons, to be admitted for Examination.

XXXVIII. It shall be lawful for the said Board of Commissioners at any Time after the passing of this Act, and from Time to Time, to frame and make Regulations not inconsistent with the Provisions of this Act concerning such Examinations, Admissions, and Appointments, and concerning the Examination of Persons to be admitted as Students into the Military Seminary of the said Company at *Addiscombe*, and for such other Purposes as herein-after mentioned, and the said Board may from Time to Time alter or vary such Regulations as to the said Board may seem expedient: Provided always, that all Regulations to be made by the said Board under this Act shall be laid before Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and if Parliament be not sitting, then within Fourteen Days after the next Meeting thereof.

Board of Control to make Regulations.

Regulations to be laid before Parliament.

XXXIX. It shall be lawful for the said Board, by such Regulations as aforesaid, to determine the Age and Qualifications in all respects of Persons to be admitted Students into the said College and Seminary respectively, and of Persons who may be examined as Candidates

Regulations as to Admission to *Haileybury* and *Addiscombe*.

and for Examination of Candidates.

dates for such Admission, and to make Provisions for admitting such qualified Candidates to Examination, and prescribing the Branches of Knowledge in which such Candidates shall be examined, and generally for regulating and conducting such Examinations, and for admitting into such College and Seminary respectively qualified Persons from among Candidates who shall have been examined as aforesaid.

Regulations as to Admission into the Civil and Military Service, and of Assistant Surgeons.

XL. It shall be also lawful for the said Board, by such Regulations as aforesaid, to determine the Age and Qualifications of Persons to be appointed to the Civil Service of the said Company in *India*, or to their Military Service there, or as Assistant Surgeons in the said Company's Forces, and to prescribe the Branches of Knowledge in which Candidates for Appointment to the Civil and Military Service respectively of the said Company in *India*, and for Appointment as such Assistant Surgeons as aforesaid, shall be examined, and generally to provide for regulating and conducting such respective Examinations.

Persons qualified and entitled according to the Regulations only to be appointed.

XL.I. Such Persons only shall be appointed or admitted by the Court of Directors to the Civil and Military Service of the said Company in *India*, or as such Assistant Surgeons as aforesaid, as shall be qualified and entitled to Admission according to the Regulations for the Time being in force under this Act, and the Court of Directors shall from Time to Time appoint such Persons as may become entitled to Appointments under such Regulations.

Board of Control to appoint Examiners.

XLII. It shall be lawful for the said Board of Commissioners from Time to Time to appoint such Persons as they may see fit, to be respectively Examiners for conducting the Examinations, under the Regulations to be made under this Act, of Persons desirous of being admitted as Students into the said College at *Haileybury* and Seminary at *Addiscombe*, and of Candidates for Appointment to the Civil and Military Service respectively of the said Company, and of Persons desirous of being appointed Assistant Surgeons in the said Company's Forces.

Commencement of Act.

XLIII. This Act shall, save as herein otherwise expressly provided, commence and take effect on the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

C A P. XCVI.

An Act to amend an Act passed in the Ninth Year of Her Majesty, "for the Regulation of the Care and Treatment of Lunatics." [20th August 1853.]

8 & 9 Vict.
c. 100.

' WHEREAS an Act was passed in the Ninth Year of Her Majesty, "for the Regulation of the Care and Treatment of Lunatics:" And whereas it is expedient to amend the said Act as 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 his present Parliament assembled, and by the Authority of the same, as follows:

Section 25. of recited Act repealed, and Provision as to what may be included in One Licence.

I. Section Twenty-five of the said recited Act shall be repealed, and any One Licence to be granted for the Reception of Lunatics may, in the Discretion of the Commissioners or Justices granting such Licence, include Two or more Houses belonging to One Proprietor or to Two or more joint Proprietors, provided that no One of such Houses be separated from the other or others of them otherwise than by Land in the same Occupation, and by a Road, or by either of such Modes; and all Houses, Buildings, and Lands intended to be included in any Licence shall be specified, delineated, and described in the Plan required by Section Twenty-four of the said recited Act.

The Person or One of the Persons receiving a Licence to reside on the Premises.

II. No Person having, after the passing of the said recited Act, received for the First Time a Licence for the Reception of Lunatics, or hereafter receiving for the First Time such Licence, shall receive a Licence unless he shall reside on the Premises licensed; and no Two or more Persons having after the passing of the said recited Act received for the First Time a joint Licence for the Reception of Lunatics, or hereafter receiving for the First Time such Licence,