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MADRAS RECORD OFFICE.

Government of Madras.

Public Works **DEPARTMENT.**

G.O. No.	2706	Press Mis
	367-368.	
Dated	16-9-	1864.

Not to be folded or roughly handled

15/10/64

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*Proceedings of the Madras Government, Public Works Department,
16th September 1864.*

No. 367. Read the following Extract from a letter to the Superintending Engineer, 7th Division, Coimbatore, No. 835, E, dated 29th August 1864.

Estate of the late Sub-Conductor W. Campbell, Department of Public Works.

Paragraph 2. "Your suggestion in paragraph 2, will be communicated to the Department of Public Works, with reference to G. O. G. regarding Estates."

(True Extract.)

(Signed) R. HAMILTON, Lieut.-Colonel,
*Deputy Secretary to Government, for
Secretary to Government.*

Extract from a letter from the Superintending Engineer, 7th Division, No. 87, dated 20th August 1864.

Paragraph 2.

"The great delay that has occurred in reporting to you, is owing to the inaction of the Executive Engineer, under whom Mr. Campbell was working, and to his ignorance, as a Civilian, of Military usages in such cases—a *propos* of which I take the liberty of suggesting that Circular Detailed Instructions be issued for the guidance of Officers of the Public Works Department in Executive Charge of Ranges, who at present are very much at a loss how to act."

(True Extracts.)

(Signed) R. HAMILTON, Lieut.-Colonel,
*Deputy Secretary to Government for
Secretary to Government.*

Port Saint George,
30th August 1864.

To the Secretary to Government, Department of Public Works.

No. 368. ORDER THEREON, 16th September 1864, No. 2,706.

Resolved that copies of the G. O. G. referred to, be furnished through the Superintending Engineers for the information and guidance of all Executive Engineers.

(True Extract.)

(Signed) J. H. M. SHAW STEWART, Major, R. E.,
Deputy Secretary to Government.

To the Superintending Engineers.

~~Department~~

Exd. T. O'Connor.

from 102 to 118.

GENERAL ORDERS.

HEAD QUARTERS: CHOULTRY PLAIN,

23D APRIL 1851.

The Right Honorable the Governor in Council having addressed the subjoined Orders to His Excellency the Commander in Chief, to be published to the Army, they are accordingly published in Military Orders.

General Orders by the Right Honorable the Governor in Council.

FORT ST. GEORGE, 22D APRIL 1851.

No. 79 of 1851.—The Right Honorable the Governor in Council directs the publication of the following Orders relating to the Estates of Officers and Soldiers of the Company's Service.

G. O. G. 28th May 1841, No. 93	G. O. G. 19th May 1846, No. 116
" 27th June 1843, No. 95	" 25th Augt. " No. 200
" 28th Novr. " No. 194	" 22d Sept. " No. 219 A
" 22d Decr. " No. 207	" 1st Decr. " No. 209
" 24th Sept. 1844, No. 143	" 2d March 1847, No. 55
" 1st Novr. " No. 106	" 28th May " No. 123
" 3d Jany. 1845, No. 2	" 15th June " No. 142
" 5th Augt. " No. 151	" 4th April 1848, No. 71
" 26th do " No. 164	" 16th May " No. 103
	" 27th Feby. 1849, No. 41

The Orders noted in the margin are cancelled.

SECTION I.

EXTRACTS FROM MUTINY ACT AND ARTICLES OF WAR.

LX. And be it enacted, That it shall be lawful for all Officers or other Persons who by or under the Authority of any Articles of War in force for the Time being for the *European* Officers or Soldiers in the Service of the said Company may be authorized or required to take care of or collect or superintend, or direct the Collection, of the Effects or any Part of the Effects of any Officers or Soldiers dying in the Service of the said Company out of the United Kingdom to ask, demand, and receive any such Effects to which his Authority shall extend, and to commence, prosecute, and carry on any Actions or Suits for the Recovery thereof, and to sell and dispose of or otherwise deal with the same, without taking out any Letters of Administration, either with any Will annexed or otherwise, in every respect as if such Officers or Persons employed or required as aforesaid had been appointed Executors, and had proved the Will, or had taken out Administration of such Effects; and no Registrar of any Court in the *East Indies*, or any Person acting under the Appointment or Authority of such Court *ad colligenda* or otherwise, shall in any Manner interpose in relation to any such Effects, unless required and authorized so to do by any such Officer or Person so authorized or required as aforesaid, any Act or Acts, Law, Statute, or Usage, to the contrary notwithstanding.

Persons employed under Articles of War to collect Effects of Officers dying in Service abroad may do so without Probate or Letters of Administration.

LXI. And be it enacted, That all Sums of Money due by deceased Officers and Soldiers in respect of any Military Clothing, Appointments, and Equipments, Servants Wages due, and Household Expenses, during the current Month, or in respect of any Quarters, or of any Mess or Band or Regimental Accounts, and all Sums of Money due to any Agent or Paymaster or Quartermaster, or any other Officer, upon any such Account, or on account of any Advance made for any such Purpose, and also any Charges or Expenses attending or relating to the Illness or Funeral of any such Officer or Soldier, shall be deemed and taken to be Regimental Debts, and shall be paid out of any Arrears of Pay or Allowances, or out of any Prize or Bounty Money, or the Equipage, Goods, Chattels, and Effects of any Officer or Soldier dying out of the United Kingdom while in the Service of the said Company, in preference to any other Debts, Claims, or Demands whatsoever upon the Estate and Effects of such Officer or Soldier; and if Doubt shall arise as to whether any Claim or Demand made in relation to any Officer or Soldier is a Regimental Debt or not, or whether such Charges or Expenses attending or relating to the Illness or Funeral of such Officer or Soldier are proper to be allowed, or whether any such Regimental Debts remain due, such Question shall be decided and concluded by any Order or Certificate to be made either by the Military Secretary to the Government of the Presidency to which such Officer or Soldier shall have belonged, or, in case where, for Convenience, such last-mentioned Military Secretary shall authorize or request the Military Secretary to the Government of any other Presidency to act on his Behalf, then by such last-named Military Secretary; and all such Payments shall be good and valid in Law, and every Person who shall make any such Payment out of any such Arrears of Pay, Effects, or Proceeds as aforesaid, under the Provisions of this Act, or in pursuance of any such Order or Certificate of such Military Secretary, or into whose Hands any such Money shall come, shall be and are hereby indemnified for and in respect of such Payments, and all other Acts, Matters, and Things done in pursuance of the Provisions of this Act, or of the Order or Certificate of the said Military Secretary in relation to the Distribution of such Assets, anything in any Act or Acts, or Law or Laws, to the contrary notwithstanding.

What Debts to be deemed Regimental Debts, and to have Priority accordingly.

LXII. And be it enacted, That all such Regimental Debts shall and may be paid without Probate of any Will being obtained, or any Letters of Administration, or any Confirmation of Testament, or Letters Testamentary or Dative, being taken out by any Person, and the Surplus only of such Arrears of Pay or Allowances, Prize or Bounty Money, Equipage, Goods and Chattels, or the Proceeds thereof, shall be deemed the Personal Estate of the Deceased for the Payment of any Duty which may be claimable in respect of the same; and it shall be lawful for the said Military Secretary to the Government of the Presidency to which the Deceased shall have belonged to order and direct the Payment or Distribution of any

Regimental Debts to be paid without Probate or Letters of Administration, and the Surplus only to be deemed

Vide G.O. 319 24th Oct. 1856 p. 444 additional regulations

the Personal Estate to be administered.

Military Secretary to administer such Surplus when not exceeding 1,000 Company's Rupees, without Probate or Administration, and Duty-free.

Effects remitted not to be deemed Assets in the Place to which remitted, so as to render Administration necessary. Military Secretary authorized to order Remittance of Effects to any other Place in India.

Mode of administering Surplus prescribed.

Registrar of Supreme Courts to take out Administration to Surplus.

The Queen may make Provision for the Collection and Administration of the Effects of Deserters.

such Surplus, to any Amount not exceeding One thousand Company's Rupees, without any Probate or Letters of Administration, or Confirmation of Testament, or Letters Testamentary or Dative, or Payment of any Duty; and it shall also be lawful for any Paymaster or other Person to issue any Sum, not exceeding the Value of One thousand Company's Rupees, which may be due to any deceased Officer or Soldier, or to the Widow or Relative of any Officer or Soldier deceased, or unto the Representative or Representative of Administration, or Confirmation of Testament, or Letters Testamentary or Dative, or Payment of any Duty, the same to be paid to the Person who shall be notified by the said Military Secretary as aforesaid as being entitled thereto; or as being a proper Person to receive the same; and all such Payments respectively shall be as valid and effectual to all Intents and Purposes as if the same had been made by or to any Executor or Administrator, or under the Authority of any Probate or Letters of Administration, or Confirmation of Testament, Letters Testamentary or Dative, anything in any Act or Acts, or Law or Laws, to the contrary notwithstanding.

LXIII. And be it enacted, That any Effects, or the Proceeds or Surplus of any Effects, which shall be collected or received under the Authority of any Articles of War as aforesaid, when remitted to any Person, under any Order of the Military Secretary to the Government of any of the said Company's Presidencies, or to such Military Secretary, shall not, by reason of coming into the Hands of such Person or Military Secretary, be taken to be Assets or Effects in the Place to which such Proceeds or Surplus may be remitted so as to render it necessary that Administration should be taken out in respect thereof; and it shall be lawful for the Military Secretary to the Government of the Presidency to which the deceased Officer or Soldier shall have belonged to order that such Effects, or the Proceeds or Surplus of any such Effects, shall be remitted to any other Place in India, Person or Persons, by whom the same can more conveniently be paid over to the Person or Persons entitled thereto; and the Obedience to the Orders of such Military Secretary in respect to the Payment and Disposal of any such Effects, Proceeds, or Surplus of such Effects shall be a sufficient Discharge from all Actions, Suits, and Demands in respect thereof, to all Persons to whose Hands any such Effects, Proceeds, or Surplus shall have come, and by whom the same shall have been paid and disposed of under the Order of such Military Secretary.

LXIV. And be it enacted, That the Effects, or the Proceeds or Surplus of the Effects, collected or received under the Authority of any Articles of War as aforesaid, which shall remain after satisfying such Regimental Debts as aforesaid, and subject to such Payment or Distribution as is herein-before authorised, shall with all convenient Speed be transmitted to such Military Secretary as aforesaid by the Officer or Person employed or required to take care of, collect, and receive the same; and such Military Secretary shall cause the same, or the Surplus thereof remaining after satisfying such Debts, and subject to such Payment and Distribution as aforesaid, to be paid to the Executor or legal Representatives (if in India) of such Officer or Soldier, or if there shall be no such Executor or legal Representatives (if in India) Soldier claim such Surplus, then and in that Case such Military Secretary shall remit the said Surplus to the Court of Directors of the East India Company in London, to be by them paid to the Executor or legal Representative of such Officer or Soldier so deceased; and such Remittance at the End of Twelve Months as aforesaid shall be a Discharge to such Military Secretary from all Actions, Suits, and Demands in respect of such Surplus: Provided always, that the Registrar of Her Majesty's several Supreme Courts in India shall not be required or entitled to take out Letters of Administration with the Will annexed, or otherwise, in respect of such Surplus, nor in any Manner to interpose in relation thereto, unless expressly authorized so to do by the said Military Secretary; and in all Cases in which the Surplus so to be remitted by the said Military Secretary to the said Court of Directors in London shall not exceed One hundred Pounds, it shall be lawful for the said Court of Directors to order and direct the Payment and Distribution thereof to the Parties entitled thereto, without any Probate, Letters Testamentary or Dative, or Payment of any Duty.

LXV. And be it enacted, That it shall be lawful for Her Majesty, by any Articles of War to be made by Her as aforesaid, to make Provision for collecting any Effects of Deserters, and for Payment out of the same of any Regimental Debts and Quarters of the Deserters, and for carrying the Balance to the Credit of the East India Company, for the Use of the said Company; and that all Questions respecting any such Regimental Debts may be determined and concluded in such Manner as herein-before is provided.

29. When any Commissioned Officer shall die on Service, or out of the United Kingdom, the Major of the Regiment or Battalion, or the Officer doing the Major's Duty in his Absence, or any other Officer to be appointed for that Purpose by the Officer commanding on the Station, shall immediately secure all the Effects of the Deceased then in Camp or Quarters, and any other Effects of the Deceased within the Territorial Possessions of the East India Company, which the Officer commanding as aforesaid shall direct or authorize to be collected or secured, and shall with all convenient Speed, and not later than One Month after the Death of the Officer, with the Assistance of Two other Officers not under the rank of Lieutenant, (such Lieutenant not having served less than Eight Years as a Commissioned Officer,) to be appointed by the Commanding Officer of the Regiment or Battalion, or by the Officer commanding on the Station, make an Inventory thereof, and transmit that Inventory, together with an Account of the Debts and Credits, to the Office of the Military Secretary to the Government of the Presidency to which such Officer belonged, to the end that, after Payment of such Officer's Regimental Debts and Quarters and Interment, the Overplus, if any, be paid over by the said Military Secretary to the legal Representatives of the Officer so deceased.

30. The Major and other Officers to be appointed as aforesaid, and the said Military Secretary, in acting in the Matters aforesaid, shall have regard to the Provisions respecting the same Matters contained

in the Act passed in the Twelfth and Thirteenth Years of Our Reign, intituled "An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in the Service."

31. When any Soldier shall die on Service or out of the United Kingdom, the Officer commanding the Troop or Company to which such Soldier belonged shall immediately secure all the Effects of the Deceased in Camp and Quarters, or within the Territorial Possessions of the East India Company, and shall, with the Assistance of Two other Commissioned Officers, forthwith make an Inventory thereof, and shall within One Month of the Death of the Soldier, after Payment of his Regimental Debts and Quarters, pay over the Balance to the Military Secretary to the Government of the Presidency to which the Deceased shall have belonged, or according to the Orders of such Military Secretary, to the end that the same may be paid to the legal Representatives of the deceased Soldier; and such Officer and Military Secretary, in acting in the Matters aforesaid, shall have regard to the Provisions respecting the same Matters contained in the aforesaid Act.

32. When any Soldier shall desert from the Service of the East India Company, or be delivered up as a Deserter from another Corps, the Officer commanding the Troop or Company shall immediately secure all his Effects in Camp or Quarters;—and shall, with the Assistance of Two other Commissioned Officers, forthwith make an Inventory thereof, and within Three Months of the Date when the Soldier became non-effective shall, after Payment of Regimental Debts and Quarters, transmit the Balance, together with the Inventory, and an Account of the Debts and Credits, to the Military Secretary to the Government of the Presidency to which such Officer belongs, to be brought to the Credit of the East India Company.

SECTION II.

COMMANDING OFFICERS.

1. On the decease of any Commissioned or Warrant Officer, report is to be made by the Officer Commanding the Regiment or Station or Head of Department, with as little delay as practicable, to the Military Secretary to Government, stating whether there is a Will—whether there are any and what relatives in India—and whether the Estate is believed to be solvent.

* 2. When Wills are found, carefully prepared certified copies are to be forwarded for the orders of the Military Secretary.

3. When a Will is found or known to exist, and any named Executor is at hand and prepared to act—or when no Will is found, but the family of the deceased Officer is on the spot, and the Estate is believed to be solvent—the Commanding Officer is to postpone all proceedings pending reference to the Military Secretary.

4. In the case of an Officer dying at a station too distant to admit of previous reference to the Military Secretary without distress or serious inconvenience to parties concerned, the Officer Commanding is authorised to make over the property to the Executor or Widow, upon an engagement to be answerable for all just demands to the extent of the Estate and to take out Administration if required.

5. If the Estate be not solvent, the usual course must be followed, but the assembly of the Committee of adjustment may be deferred at the Commanding Officer's discretion, it being only necessary to insure that all property belonging to the Estate be accurately accounted for.

* 6. Excepting only in the case provided for, in para 4, Effects are never to be made over to any party without the previous sanction of the Military Secretary.

7. Commanding Officers are held responsible that no unnecessary delay takes place in disposing of Effects. They are directed however to act in this respect as may appear to them to be most for the benefit of the Estate.

8. The responsibility for the sale of Effects and for the realisation of the proceeds rests with the Commanding Officer, the Committee of Adjustment affording such assistance as he may see fit to require.

* 9. The Auctioneer is to be appointed by the Commanding Officer. His Commission is to be limited to 5 per cent, to include all charges—and not to be paid till his accounts have been passed, and the amount of proceeds realised.

* 10. It will rest with the Commanding Officer to allow such credit as he may consider necessary—bearing in mind however that he is held responsible for the amount to be realised.

11. When any military person indebted to an Estate shall, before the full payment of the account of his purchase, apply for leave of absence on sick certificate or otherwise, it will be the

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duty of the Officer in charge of the Estate from which such purchases have been made to recover the payment of the debt prior to the departure of the individual from his Station, or to report the default to the Military Secretary.

* 12. All sums recovered on account of Estates are to be paid into the nearest Pay Office, or if at Madras into the General Treasury—and in order to relieve themselves from responsibility as much as practicable, Commanding Officers are authorised to make such deposits as sums accrue, without waiting for the final adjustment of accounts.

* 13. The Paymaster's receipts for such deposits are to be forwarded to the Military Secretary with the accounts, copies being always entered in the Regimental Register.

* 14. Receipts for supplemental deposits, made at any time after Estates have been handed over, are also to be forwarded to the Military Secretary, accompanied by information shewing from what sources such deposits have accrued.

* 15. To avoid delay in adjusting the arrears of Pay due to Officers deceased, it will be the duty of the Military Auditor General, immediately on receiving notice of the decease of an Officer, to cause all Bills in his Office connected with the deceased to be examined and checked, in order to their early settlement.

* 16. In the case of the demise of an Officer possessed of Instruments, Field Books or Maps, or other articles, the property of Government, it will be the duty of the Committee of Adjustment to report to the convening Officer, who will be held responsible that such articles be not sold with the private Effects of the deceased, and that proper measures be taken for their safe custody. A copy of such report will be inserted in the proceedings of the Committee.

* 17. As soon as practicable after the disposal of Effects, the Commanding Officer is required to cause an Account Current to be entered in the Regimental Register of Estates—prepared in the annexed form No. 1—together with copies of the several vouchers connected with it.

* 18. The Register of Estates referred to in the preceding paragraph is to contain copies of all documents of every description, as well as of all correspondence connected with each Estate.

* 19. Similar Registers are required to be kept at all Stations for Estates coming within the provisions of paras 2, 3 and 4, Section II.

* 20. A certified copy of the Account Current with the original vouchers, is to be forwarded to the Military Secretary, accompanied by Inventory and Account Sale.

* 21. All communications from Committees of Adjustment to the Military Secretary are to be forwarded under the countersignature of Commanding Officers.

* 22. References to and from the Administrator General regarding Estates are required to be made through the Military Secretary.

* 23. Separate letters are invariably to be forwarded for each separate Estate—excepting only in the case of Native Estates, for which it will be sufficient that only those of the same Corps or Department are included in the same letter.

* 24. On finally making over an Estate to the Military Secretary or other authorised person, the Commanding Officer will forward to the Military Secretary a Notification of his having done so for publication in the Fort St. George Gazette—specifying whether with or without a Will. Form No. 2.

* 25. No charges will be allowed for advertisements in Newspapers—excepting when circumstances may render it necessary to publish notices to Creditors, &c. in the Bengal or Bombay Presidencies.

* 26. An Officer Commanding, quitting or being relieved from the charge of a Regiment, shall render to the relieving Officer the account of every Estate, the accounts and balance of which shall not have been then already rendered to the Military Secretary, or Executor, as the case may be; and such relieving Officer will be responsible for the correctness of the account unless, at the time of receiving charge of the Regiment, he objects to the account and brings such objection to the notice of the Military Secretary.

* 27. In case of any Officer Commanding dying, or being by sickness incapacitated from rendering or receiving accounts, the next senior Officer shall direct the assembly of a Committee consisting of three of the senior Officers of the station or Regiment, for the purpose of taking an account of all Estates, whether of Intestates or otherwise, the accounts and balances of which shall not have been then already rendered to the Military Secretary or Executor, as the case may be; and the Committee so assembled shall render the accounts taken to the Officer succeeding to the Command, or to the permanent Commandant on his resumption of duty, according to circumstances.

28. The rules now prescribed are equally applicable to the Estates of Officers of other Presidencies dying within the Madras Territory. When such casualties may take place at Stations Commanded by Madras Officers, but within the limits of other Presidencies, as at Cuttack or Dharwar, the Commanding Officer will communicate his proceedings to the Military Secretary of the Presidency within which the Station is situated.

SECTION III.

COMMITTEES OF ADJUSTMENT.

* 1. For Estates of Officers dying with their Regiments, Committees of Adjustment are to be assembled as regulated by the Articles of War.

2. In the case of an Officer dying while on the Staff, or otherwise permanently detached from his Corps, the Committee is to be assembled by the Officer Commanding the Station at which the casualty may occur, and the proceedings will be reported by him to the Military Secretary direct—copies being furnished to Regiments, for all Officers under the rank of Lieutenant Colonel, for entry in the Regimental Register. Copies will not be required for Estates of Medical Officers so circumstanced.

* 3. In the case of an Officer or Warrant Officer dying while temporarily absent from his Regiment or Department, the Officer Commanding the Station at which the casualty may occur is to assemble a Committee of adjustment, the proceedings of which are to be transmitted to the Regiment or Department of the deceased, where also, should there be any Effects, the usual Regimental Committee is to be assembled.

* 4. When an Officer may die on route, his Effects are to be taken charge of by the Officer Commanding the nearest Military Station—who will proceed as above directed.

* 5. Committees at the Presidency, otherwise than for Estates of Officers serving with Regiments there stationed, are to be assembled by the Town Major.

6. The duties of Committees of Adjustment are as under.

1. To ascertain whether any Will exists, and if a Will or notice of Will be found, to report immediately to the Convening Officer, suspending all further proceedings until the receipt of orders from him.

* 2. To take a complete Inventory of the whole of the Effects—in every case distinctly specifying whether any and what amount of Cash was found.

3. To collect the whole of the papers of the deceased.

Note.—The duties of Committees at the Presidency assembled by the Town Major are restricted to Nos. 1, 2 and 3.

* 4. To prepare a Statement shewing, as far as practicable, all sums due to the Estate, from whatever source, and all debts due by the deceased, distinguishing Regimental debts from others, and noting against each the opinion of the Committee as to whether justly due.

* 5. Under the provisions of para 8, Section I—if so directed by the Commanding Officer, to cause the Effects to be sold—taking care that the Account Sale distinctly accounts for every item entered in the Inventory, and that the name of the actual purchaser is entered against each lot.

* 6. To draw whatever Pay and Allowances may be due to the Estate. (By the Committee at the Station where the casualty may have taken place.)

* 7. To realise all sums due to the Estate upon Accountant General's Bills, or Hoondees, or by parties connected with the Regiment, or at the Station.

* 8. To note whatever sums appear to be at the credit of the Estate elsewhere.

* 9. With the previous sanction of the Commanding Officer to pay all Regimental debts, in doing which they will be guided by the following rules.

* 1st.—Ordinary Regimental Debts.

1. Funeral expenses.
2. Usual monthly Subscriptions to Military or Medical Fund, Band, and Mess.
3. House Rent due to the same landlord for any continuous period up to date of decease or date of removal of property.
4. Servants wages due for any continuous period to individuals actually in the service of deceased at the time of his death.
5. House expenses from the date of last issue of pay to date of decease.
6. Mess Bills for current month, and month preceding.
7. Charges for keep of live stock till date of sale.
8. Charges for Postage when unavoidably incurred.

9. Auctioneer's commission.

Claims of the above description may at once be settled by the Committee.

* 2d.—*Special Regimental Debts.*

1. Balances of Donations to Military and Medical Funds, previously due, and in course of payment at the time of decease.

Tradesmen's Bills for the following articles.

2. All articles of Regimental equipment, and required for Regimental wear—including in the case of Officers of Horse Artillery or Cavalry, registered Chargers.

3. Camp Equipage as required by regulation for the Officer's rank.

4. Regimental Books or Papers such as Officers are required by the orders of the Service to be supplied with for official use.

* Claims of the above description are to be carefully examined by the Committee who will certify on each their opinion of its correctness—but the Committee will refer them for payment to the Military Secretary, accompanied by full information of particulars and vouchers.

* All other claims without exception are to be registered in a separate List for transmission to the Military Secretary accompanied by whatever vouchers the several parties have to produce in support of their respective claims—with full particulars of each.

* 7. In no case are private papers to be examined—any marked to be destroyed are to be burnt in presence of the Committee, who will note their having done so in the Inventory.

* 8. Private papers not so marked, are to be separated from papers of accounts, bills &c., as far as this may be practicable without perusal, and sealed up.

* 9. Public papers belonging to the Regiment or Department are to be made over to the Commanding Officer.

* 10. Committees are at liberty to reserve from sale such Articles as they may consider likely to be acceptable to the family of the deceased—the estimated value of each article being carefully noted in the Inventory—but they are in no case to be made over to any party without the sanction of the Military Secretary.

* 11. When such Articles may be required to be transmitted to the Military Secretary, they are to be packed under seal, labelled with a certified list of contents, and, if known, the address of the party for whom intended.

12. Inventories, Accounts Sale and Accounts Current are to be forwarded together, as soon as prepared, without waiting for other papers.

* 13. Inventories and all other documents are to bear noted on them the date of decease.

SECTION IV.

EUROPEAN NON-COMMISSIONED OFFICERS AND SOLDIERS.

1. The foregoing rules are to be followed in regard to the Estates of European Non-Commissioned Officers and Soldiers, including Staff Sergeants of Native Corps, as far as applicable. The rules considered generally applicable are marked with Asterisks.

2. Claims on account of regularly established Regimental Funds are allowed to be adjusted as Regimental debts.

3. Funeral charges for Non-Commissioned Officers, &c. are not to exceed the amount of interment allowance granted by Government.

4. Estates of Military Pensioners are not taken charge of by the Military Secretary. They are to be left to follow the ordinary course of Private Estates, and whenever from the family of the deceased not being present, or from any other cause, it may be necessary for any Military Officer to interfere, immediate reference must be made to the nearest Judicial authority, whose duty it is to take charge.

5. The only exception to the above rule is the case of a Military Pensioner who may be under the orders of the Town Major or other Military authority for embarkation to Europe—whose Estate is to be disposed of under the rules applicable to Soldiers generally.

6. Receipts for deposits on account of Discharged Men are to be forwarded to the Military Secretary—and if at any subsequent period required to be refunded, applications are to be made to him accompanied by Bills according to the annexed form No. 3.

7. Receipts for deposits on account of Deserters are to be forwarded to the Military Secretary, copies being retained for Regimental Record. Whenever it may be desired to obtain the refund of any such deposit, application must be made to the Adjutant General.

8. Estates of Men who may suffer death as felons are to be dealt with as in the case of ordinary casualties.

SECTION V.

NATIVE TROOPS.

1. The Estates of Native Soldiers, including Trumpeters, &c. of Native Corps, are to be disposed of regimentally, as not coming under the control of the Military Secretary.

2. No commission is allowed to be paid on any auction sale of Native Estates.

3. Paymasters' receipts for unclaimed Estates are to be forwarded to the Military Secretary.

4. The same are also to be forwarded for deposits on account of Discharged Men.

5. Receipts for deposits on account of Deserters are to be retained as Regimental records.

6. Applications for repayment of deposits on account of unclaimed Estates and of Discharged Men are to be made to the Military Secretary accompanied by Bills in the annexed form No. 3.

7. Estates of Men who may suffer death as felons are to be dealt with as in the case of ordinary casualties.

MEMORANDUM.

PREPARATION OF WILLS.

FORT ST. GEORGE, 25TH AUGUST 1846.

No. 201 of 1846.—The following General Order by the Hon'ble the President of the Council of India in Council, is republished at this Presidency.

General Orders by the Hon'ble the President of the Council of India in Council.
Fort William, 7th August 1846.—No. 213 of 1846.—The Hon'ble the President of the Council of India in Council is pleased to publish, for the information of the Army, the following paras. of a Military Letter No. 12, from the Hon'ble the Court of Directors to the Governor General of India in Council, dated 29th April 1846:

Para. 1. We have received a communication from the Deputy Secretary at War, notifying, that the Law Authorities of the Crown have lately decided that all Wills of deceased Soldiers, if prepared while on ordinary service, and not during service in the Field, must, to be valid, be properly signed and witnessed according to the existing Law.

2. The Wills of our European Soldiers not having heretofore been prepared in accordance with this view of the Law relating to Wills, it is desirable the opinion of the Law Officers of the Crown should be published in General Orders for the information and guidance of our European Troops, with particular instructions as to the mode in which "Wills" should be signed and witnessed.

With reference to the above, it is to be distinctly understood that the mode in which the Wills of Soldiers prepared on "Ordinary Service," and not during "Service in the Field," should be signed and witnessed, is that prescribed by the 7th Section of Act XXV, of 1833.

The following are the precise requisites:
1st. The Testamentary Instrument, whether Will or Codicil, must be signed at the foot or end thereof by the Testator himself (his mark, if he be unable to write, is sufficient) or by some other person, in his presence, and by his direction, and such other person may be one of the subscribing witnesses.

2dly. The signature must be either made or acknowledged by the Testator in the presence of two witnesses present at the same time.

3dly. Such two witnesses must both attest such signature, or acknowledgment of a signature, by subscribing (both on the same occasion, and after the Testator's signature has been made or acknowledged in their presence) their respective names in the presence of the Testator.

The following form of attestation is recommended as comprising all that is requisite:

"Signed by the Testator A. B. in the presence of us present at the same time, who have hereunto subscribed our names as Witnesses in the presence of the said A. B., and in the presence of each other, this day of 18

N. B. If the signature be made for the Testator by some person in his presence and by his direction as authorized by the Act, the name of the Testator should be signed, and the form of the attestation may run thus:

"The above signature was made by C. D., for, and was acknowledged by, the Testator A. B. in the presence of us, present at the same time, who have hereunto subscribed our names as Witnesses in the presence of the Testator, and in the presence of each other this day of 18

(Sd.) W. M. N. STURT, Major,
Offy. Secy. to the Govt. of India, Mil. Dept.

9/28/13
120
1/20/13

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JP
Resolves that Copies of
the G. O. G. referred to be furnished
thru the Superintending Engineers for
the information and guidance of
all Executive Engineers.

Chepman
16th Sept 1885

To The Superintg Engineers W. H. G. G. -
Military Department.

Sept. 20th September

Dear Sir,
I have the honor to

[Faint, illegible handwritten text]

1-1-1944

30 May / 61 -
1567 -
629 - 633.

907 V 1864 Sept
 Recd of Govt for Sept
 15 No 3840
 From the D^y Secy
 to Govt Military
 & State Depart
 Dated 30 Aug 1864
 Received 10 Sept
 No 3840

Forwarding copy of
an Extract of a letter from the
Supt & Co 7th Div suggesting the
circulate detailed instructions
regarding Estates, may be
issued for the guidance
of all of the DMB in Executive
charge of Prisons.
no 2706-16th Sept/64
With an Order

Q 11. 357. 368