

NAWAB OF CARNATIC ACT 1844

ACT No 1 OF 1844

(Rep., Act 8 of 1868)

[20<sup>th</sup> January, 1844]

*Passed by the Hon'ble the President of the Council of India in Council, on the 20<sup>th</sup> January, 1844, with the assent of the Right Hon'ble the Governor General of India.*

AN Act for securing certain immunities and privileges to His Highness the Nabob of the Carnatic, His Family and Retinue.

Whereas question have lately been raised as to the liability of persons of the Family, Household and Retinue of His Highness the Nabob of the Carnatic to the process and Jurisdiction of Courts of Justice, and it is deemed expedient that provision should be made for protecting by legislative enactment, under the qualifications hereinafter mentioned, certain individuals of the Family, Household and Retinue of his said Highness from any such liability, and from claims and litigation to establish any such liability.

I. It is hereby enacted, that it shall be lawful for the Governor in Council of Fort Saint George to publish, from time to time, in the Gazette at Madras, lists containing the names of persons belonging to the family, Household or Retinue of His Highness Nabob of the Carnatic, or of the Nabob Regent for the time being, who are to be entitled under this Act to privilege from Civil and Criminal process, and also from time to time to revise and alter such lists and publish in the Gazette as aforesaid now lists of the persons entitled for the time being to such privilege, and the list which shall have been last so published shall be the list which for the time being shall be in force and effect for the purpose of this Act.

II. And it is hereby enacted, that no Writ or Process shall at any time be sued forth or prosecuted against the person, goods or property of His Highness the Nabob of the Carnatic, or of the Nabob Regent for the time being, or of any person whose name shall be included in any list so published in the Gazette as aforesaid, and which for the time being shall be in force and effect for the purpose of this Act unless such Writ or Process shall be so sued forth or prosecuted with the consent of the Governor in Council of Fort St. George first had and obtained, such consent to be testified by the signature of the Secretary, or one of the Secretaries of Government, and that any Writ or Process which shall at any time be sued forth or prosecuted against the person or goods or property of His said Highness, or of the Nabob Regent, or of any such person as aforesaid, without such consent as aforesaid, so testified as aforesaid, shall be utterly null and void.

III. And it is hereby enacted and directed, that the said Governor in Council of Fort St. George shall from time to time cause to be furnished to the Governor General of India in Council copies of any and every list which shall be so published as aforesaid, and shall conform to and follow any directions which he may from time to time receive from the Governor General of India in Council respecting the persons to be included in any such list from time to time, and otherwise with respect to the matters which are the subject of this Act. And also that the said Governor in Council of Fort St. George shall from time to time cause every list, which shall be published in the Gazette as aforesaid, to be also otherwise published in

such manner as shall be deemed proper and sufficient for the purpose of making the same generally known.

IV. And it is hereby enacted and provided, that this Act shall not be construed or be held to be in any way declaratory or explanatory of the meaning or effect of any Treaty made or entered into with His Highness the Nabob of the Carnatic, and shall not be construed either to enlarge or restrict the operation of any such Treaty, and that independently of this Act His Highness the Nabob of the Carnatic and the Nabob Regent for the time being, and their respective families, dependants, and retinue shall be entitled to claim, maintain and enjoy any privilege which by virtue of any such Treaty or otherwise they may be rightfully entitled to.

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