

ACT No. XXVI OF 1860.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

*(Received the assent of the Governor General on the 31st May 1860.)*

*An Act to amend Act VIII of 1855 (relating to the office and duties of Administrator General.)*

WHEREAS it is expedient to amend Act VIII of 1855, relating to the office and duties of Administrator General; It is enacted as follows:—

Preamble.

I. The Administrator General shall, when duly authorized or required so to do by the Military Secretary to Government, secure and distribute the assets of the estate and effects of any Officer, Soldier, or other person subject to any Articles of War, in all cases in which such estate and effects do not exceed on the whole five hundred Rupees, charging the estate with a commission of three per centum only. Provided always that it shall not be necessary for the Administrator General to take out letters of administration in cases referred to in this Section.

Administrator General in certain cases to secure and distribute the estate and effects of Soldiers.

Proviso.

II. If in cases falling within Section XLIII of Act VIII of 1855, no person claiming to be entitled to a principal share of the effects of the deceased shall within three months obtain a certificate from the Administrator General under the said Section of the said Act, or letters of administration to the estate and effects of the deceased, the Administrator General may administer the estate without letters of administration in the same

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same manner as if such letters of administration had been granted to him, and if he shall neglect or refuse to take upon himself the administration of the estate and effects, he shall upon the application of a creditor and upon being satisfied of his title, grant a certificate in the same manner as if such creditor were entitled to a principal share of the effects of the deceased, and such certificate shall have the same effect as a certificate granted under the provisions of the said Section of the said Act, and shall be subject to all the provisions of the said Act

Proviso. which are applicable to such certificate. Provided that the Administrator General may, before granting such certificate, if he think fit, require the creditor to give reasonable security for the due administration of the estate and effects of the deceased.

III. Whenever any person holding the Office of Administrator General shall obtain leave of absence, it shall be lawful for the Government to appoint some person to officiate as Administrator General, and such person while so officiating shall be subject to the same conditions and be bound by the same responsibilities as the Administrator General by any law now in force or that may hereafter be enacted, and he shall be deemed to be Administrator General for the time being under Act VIII of 1855, and shall be liable to give security under Section VII of the said Act in like manner as if he had been appointed Administrator General.

Appointment of Officiating Administrator General.