

PART VII.—MISCELLANEOUS PROVISIONS.

48. Subject to the control of the Secretary of State, the Consul-General may, from time to time, with the previous sanction of the Governor-General of India in Council, make Rules of Procedure and other Rules, consistent with this Order, for the better execution of the provisions herein contained in respect of any matter arising in the course of any civil or criminal case, including insolvency and bankruptcy proceedings.

49.—(1.) Subject to the control of the Secretary of State acting with the concurrence of the Treasury, the Consul-General may, from time to time, with the previous sanction of the Governor-General of India in Council, make rules imposing fees leviable in respect of any proceedings in, or processes issued out of, any Court established under this Order.

(2.) But a Court before which any matter is pending may, in any case, if it thinks fit, on account of the poverty of a party, or for any other reason, dispense in whole or in part with the payment of any fees chargeable in respect of such matter.

(3.) Nothing in this Order shall affect any Order in Council for the time being in force prescribing a table of fees to be taken by Consular officers; and where a fee is taken under that Order, no fee shall be taken in respect of the same matter under this Order.

50.—(1.) All fees, charges, expenses, costs, fines, damages, and other money payable under this Order, or under any law made applicable by this Order, may be enforced under order of the Court by attachment and sale of the movable property of the person by whom they are payable, and in case of deficiency by imprisonment for a term which may extend to one month.

(2.) Any bill of sale or mortgage, or transfer of property, made with the view of avoiding such attachment or sale, shall not be effectual to defeat the provisions of this Order.

(3.) All fees, penalties, fines, and forfeitures levied under this Order shall be paid to the public account, and shall be applied in such manner as the Secretary of State with the consent of the Treasury may direct.

51. Whenever an Acting Consul-General or Acting Judicial Assistant has commenced the hearing of any cause or matter, civil or criminal, he may, unless the Consul-General otherwise directs, continue and complete the hearing and determination thereof, notwithstanding that his authority to act as Consul-General or as Judicial Assistant has otherwise ceased by reason of the expiration of the time for which he was appointed to act, or by reason of the happening of any event by which his authority is determined.

52.—(1.) If an officer of the Court, employed to execute a decree or order, loses, by neglect or omission, the opportunity of executing it, then, on complaint of the person aggrieved and proof of the fact alleged, the Court may, if it thinks fit, order the officer to pay the damages sustained by the person complaining, or part thereof.

(2.) The order may be enforced as an order directing payment of money.

53.—(1.) If a clerk or officer of the Court, acting under pretence of the process or authority

of the Court, is charged with extortion, or with not paying over money duly levied, or with other misconduct, the Court may, if it thinks fit, inquire into the charge in a summary way, and may for that purpose summon and enforce the attendance of all necessary persons as in a suit, and may make such order for the repayment of any money extorted, or for the payment over of any money levied, and for the payment of such damages and costs as the Court thinks fit.

(2.) The Court may also, if it thinks fit, on the same inquiry, impose on the clerk or officer such fine, not exceeding 50 rupees (22-99 dollars) for each offence, as the Court thinks fit.

(3.) A clerk or officer punished under this Article, shall not, without the leave of the Court, be liable to a civil suit in respect of the same matter; and any such suit, if already or afterwards begun, may be stayed by the Court in such manner and on such terms as the Court thinks fit.

(4.) Nothing in this Article shall be deemed to prevent any person from being prosecuted under any other British or British Indian law for any act or omission punishable under this Article, or from being liable under that other law to any other or higher punishment or penalty than that provided by this Article:

Provided that no person shall be punished twice for the same offence.

54. The Court shall have jurisdiction from time to time to make an order requiring a person to contribute, in such manner as the Court directs, to the support of his wife, or to the support of his or her child, whether legitimate or not, being, in the opinion of the Court, under the age of sixteen years. Any such order may be made in a summary way, as if the neglect to provide for the support of such wife or child were an offence, and any failure to comply with any such order shall be deemed to be an offence, and shall be punishable with a fine not exceeding 10 rupees (4-59 dollars) for any one default, and the Court may direct any penalty imposed for such offence to be applied for the support of such wife or child in such manner as the Court thinks fit.

55. The Consul-General under this Order shall have power to make and alter Regulations (to be called King's Regulations) for the following purposes (that is to say):—

(a.) For the peace, order, and good government of British subjects within any such place in relation to matters not provided for by this Order and to matters intended by this Order to be prescribed by Regulation.

(b.) For securing the observance of any Treaty or arrangement, for the time being in force, relating to any place within the limits of this Order, or of any native or local law or custom, whether relating to trade, commerce, revenue, or any other matter.

(c.) For amending, modifying, or repealing with respect to places within the limits of this Order any Acts or enactments which are made applicable or have been brought into operation in those places by or under any of the provisions of Article 7 of this Order.

(d.) For regulating or preventing the importation or exportation in British ships or by