

Governors of
Colonies to
report the
Leave of Absence
granted
by them to
the Secretary
of State for
Confirmation

If not confirmed, the
Person is to
return forth-
with to the
Colony.

Penalty on
Governors
not reporting

A Return to
be annu-
ally laid before the
House of
Commons
of Persons
absent

This Act not
to prejudice
subsisting
Grants.

II. And whereas it is expedient that the Power of granting Leave of absence heretofore vested in the Governor or Council of Colonies should be subject to further Restrictions and Limitations; be it therefore enacted, that in all cases in which the Governor and Council of any Colony, Settlement, Plantation, or Foreign Possession, shall hereafter grant Leave of absence to any Person holding an Office within the same, to which he shall have been appointed subsequent to the passing of this act, the Governor of the said Colony, Settlement, Plantation, or Foreign Possession, or in his absence the Lieutenant Governor or other Person administering the Government of the same, shall within one Week after granting the same, report the same to one of His Majesty's Principal Secretaries of State for Confirmation; and in case the said Leave of absence shall not be confirmed within one month from the Date of such Report having been received by the Secretary of State, the Person to whom the said leave of absence may have been granted by the Governor and Council as aforesaid, shall forthwith return to the Colony, Settlement, Plantation, or Foreign Possession in which his office is situated; and in Default thereof shall be deemed to have vacated such office, and his appointment to such office shall be construed to all Intents and Purposes void and of none effect.

III. And be it further enacted; That every Governor, Lieutenant Governor, or other Person administering the Government of any Colony, Settlement, Plantation, or Foreign Possession, who shall omit or neglect to report in the Manner herein-before directed, such Leave of absence as may have been granted by him, shall, for every such omission or Neglect, forfeit a Sum not exceeding One hundred Pounds, to be sued for and recovered by action of Debt in any of His Majesty's Courts of Westminster, within one year after the arrival in England of the said Governor, Lieutenant Governor, or other Person administering the Government.

IV. And be it further enacted, That within Six Weeks after the opening of every Session of Parliament, there shall be laid upon the Table of the House of Commons, a Return of all Persons holding offices in the Colonies who may have been appointed thereto subsequent to the passing of this act, who may not be present in the execution of the Duties of their respective offices; and that such return shall be made in the Form prescribed in the Schedule (A.) to this act annexed.

V. And be it further enacted, That nothing in this act contained shall operate to the Prejudice of any subsisting Grant any of Office or offices, or shall be construed to affect any appointment, or any leave of absence, granted previous to the passing of this act, or any renewed Grant of any office which may be made in consequence of the demise of the Crown to any Person now holding the same; and that no provision of this act shall be applicable or applied to any office granted or to be granted by the United Company of Merchants trading to the East Indies, or to any Rules, Regulations, or Provisions, made by the said Company, with respect to the appointment or Leave of absence of any of their Civil or Military Servants.

SCHEDULE