CHAP. 33.

An Act to amend the Acts relating to the Export of unseasonable Salmon. [1st August 1870.]

WHEREAS by the third section of "The Salmon Acts Amendment Act, 1863," it is amongst other things provided that "the burden of proving that any salmon "entered for exportation from any part of the United Kingdom to parts beyond the seas "between the third day of September and the second day of February following is not "so entered in contravention of the said Act shall lie on the person entering the same for "exportation:"

And whereas it is expedient to make further provision for preventing the exportation of salmon that cannot legally be sold within the limits of the United Kingdom:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Salmon Acts Amendment Act, 1870."

Commencement of Act.

2. This Act shall not come into operation before the third day of September one thousand eight hundred and seventy, which day is herein-after referred to as "the commencement of this Act."

Amendment of sect. 3. of 26 Vict. c. 10.

3. From and after the commencement of this Act the said third section of "The Salmon Acts Amendment Act, 1863," shall be read and construed as if the words "second day of February" were omitted therefrom and the words "thirtieth day of April" were inserted instead of the said omitted words.

Amendment of sect. 65. of 28 & 29 Vict. c. 121.

4. The sixty-fifth section of "The Salmon Fishery Act, 1865," shall be read and construed as if the words "second day of February" were omitted therefrom and the words "thirtieth day of April" were inserted instead of the said omitted words.

CHAP. 34.

An Act to amend the Law as to the Investment on Real Securities of Trust Funds held for public and charitable purposes. [1st August 1870.]

WHEREAS it is expedient to amend the law relating to the investment on real securities of trust funds held for public and charitable purposes:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Corporations and trustees holding money in trust for any public or charitable purpose may invest the same in real securities.

1. It shall be lawful for all corporations and trustees in the United Kingdom holding moneys in trust for any public or charitable purpose to invest such moneys on any real security authorised by or consistent with the trusts on which such moneys are held, without being deemed thereby to have acquired or become possessed of any land within the meaning of the laws relating to mortmain, or of any prohibition or restraint against the holding of land by such corporations or trustees contained in any charter or Act of Parliament; and no contract for or conveyance of any interest in land made bonâ fide for the purpose only of such security shall be deemed void by reason of any non-compliance with the conditions and solemnities required by an Act passed in the ninth year of King George the Second, intituled "An Act to restrain the disposition of lands "whereby the same become unalienable."

2. Provided always, that in every case in which the equity of redemption of the premises comprised in any such security shall become liable to foreclosure, or otherwise barred or released, the same shall be thenceforth held in trust to be sold and converted into money, and shall be sold accordingly; and if any decree shall be made in any suit for the purpose of redeeming or enforcing such security, such decree shall direct a sale (in default of redemption) and not a foreclosure of such premises. Proviso for cases in which the equity of redemption of the premises may be barred or released.

3. The words "real security" in this Act shall include all mortgages or charges, legal or equitable, of or upon lands or hereditaments of any tenure, or of or upon any estate or interest therein or any charge or encumbrance thereon; and the word "conveyance" shall include all grants, releases, transfers, assignments, appointments, assurances, orders, surrenders, and admissions whatsoever operating to pass or vest any estate or interest, at law or in equity, in the premises comprised in any real security. Interpretation of Terms.

CHAP. 35.

An Act for the better Apportionment of Rents and other periodical Payments. [1st August 1870.]

WHEREAS rents and some other periodical payments are not at common law apportionable (like interest on money lent) in respect of time, and for remedy of some of the mischiefs and inconveniences thereby arising divers statutes have been passed in the eleventh year of the reign of His late Majesty King George the Second (chapter nineteen), and in the session of Parliament holden in the fourth and fifth years of His late Majesty King William the Fourth (chapter twenty-two), and in the session of Parliament held in the sixth and seventh years of His late Majesty King William the Fourth (chapter seventy-one), and in the session of Parliament held in the fourteenth and fifteenth years of Her present Majesty (chapter twenty-five), and in the session of Parliament held in the twenty-third and twenty-fourth years of Her present Majesty (chapter one hundred and fifty-four):

And whereas it is expedient to make provision for the remedy of all such mischiefs and inconveniences:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Apportionment Act, 1870." Short title.

2. From and after the passing of this Act all rents, annuities, dividends, and other periodical payments in the nature of income (whether reserved or made payable under an instrument in writing or otherwise) shall, like interest on money lent, be considered as accruing from day to day, and shall be apportionable in respect of time accordingly. Rents, &c. to accrue from day to day and be apportionable in respect of time.

3. The apportioned part of any such rent, annuity, dividend, or other payment shall be payable or recoverable in the case of a continuing rent, annuity, or other such payment when the entire portion of which such apportioned part shall form part shall become due and payable, and not before, and in the case of a rent, annuity, or other such payment determined by re-entry, death, or otherwise when the next entire portion of the same would have been payable if the same had not so determined, and not before. Apportioned part of rent, &c. to be payable when the next entire portion shall have become due.

4. All persons and their respective heirs, executors, administrators, and assigns, and also the executors, administrators, and assigns respectively of persons whose interests determine with their own deaths, shall have such or the same remedies at law and in equity for recovering such apportioned parts as aforesaid when payable (allowing proportionate parts of all just allowances) as they respectively would have had for recovering Persons shall have the same remedies for recovering apportioned parts as for entire portions.