"Ship and equipment:" "Ship and equipment" shall include a ship and everything in or belonging to a ship:

"Master." "Master" shall include any person having the charge or command of a ship.

Repeal of Acts, and Saving Clauses.

Repeal of Foreign Enlistment Act. 59 G. 3. c. 69.

31. From and after the commencement of this Act, an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, chapter sixty-nine, intituled "An Act to prevent the enlisting or engagement of His Majesty's subjects to "serve in foreign service, and the fitting out or equipping, in His Majesty's dominions, "vessels for warlike purposes, without His Majesty's license, shall be repealed: Provided that such repeal shall not affect any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before this Act comes into operation, nor the institution of any investigation or legal proceeding, or any other remedy for enforcing any such penalty, forfeiture, or punishment as aforesaid.

Saving as to commissioned foreign ships.

32. Nothing in this Act contained shall subject to forfeiture any commissioned ship of any foreign state, or give to any British court over or in respect of any ship entitled to recognition as a commissioned ship of any foreign state any jurisdiction which it would not have had if this Act had not passed.

Penalties not to extend to persons entering into military service in Asia. 59 G. 3. c. 69. s. 12.

33. Nothing in this Act contained shall extend or be construed to extend to subject to any penalty any person who enters into the military service of any prince, state, or potentate in Asia, with such leave or license as is for the time being required by law in the case of subjects of Her Majesty entering into the military service of princes, states, or potentates in Asia.

CHAP. 91.

An Act for the relief of persons admitted to the office of Priest or Deacon in the Church of England. [9th August 1870.]

WHEREAS it is expedient that relief be given in respect of civil disabilities and in certain other respects to persons who have been admitted to the office of priest or of deacon in the Church of England:

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:

Short title.

1. This Act may be cited as The Clerical Disabilities Act, 1870.

Interpretation.

2. In this Act—

The term "the Church of England" means the Church of England as by law established:

The term "minister" means a priest or a deacon:

The terms "preferment," "bishop," and "diocese" respectively have the same meaning as in the Act thirdly mentioned in the first schedule to this Act.

Execution and inrolment of deed of relinquishment.

3. Any person admitted (before or after the passing of this Act) to the office of minister in the Church of England may, after having resigned any and every preferment held by him, do the following things:—

(1.) He may execute a deed of relinquishment in the form given in the second schedule to this Act:

(2.) He may cause the same to be inrolled in the High Court of Chancery:

(3.) He may deliver an office copy of the inrolment to the bishop of the diocese in which he last held a preferment, or if he has not held any preferment then to the bishop of the diocese in which he is resident, in either case stating his place of residence:

(4.) He may give notice of his having so done to the archbishop of the province in which that diocese is situate.

Recording by bishop of deed of relinquishment and consequences thereof.

4. At the expiration of six months after an office copy of the inrolment of a deed of relinquishment has been so delivered to a bishop, he or his successor in office shall, on the application of the person executing the deed, cause the deed to be recorded in the registry of the diocese, and thereupon and thenceforth (but not sooner) the following consequences shall ensue with respect to the person executing the deed:—

(1.) He shall be incapable of officiating or acting in any manner as a minister of the Church of England, and of taking or holding any preferment therein, and shall cease to enjoy all rights, privileges, advantages, and exemptions attached to the office of minister in the Church of England:

(2.) Every licence, office, and place held by him for which it is by law an indispensable qualification that the holder thereof should be a minister of the Church of England shall be ipso facto determined and void:

(3.) He shall be by virtue of this Act discharged and free from all disabilities, disqualifications, restraints, and prohibitions to which, if this Act had not been passed, he would, by force of any of the enactments mentioned in the first schedule to this Act or of any other law, have been subject as a person who had been admitted to the office of minister in the Church of England, and from all jurisdiction, penalties, censures, and proceedings to which, if this Act had not been passed, he would or might, under any of the same enactments or any other law, have been amenable or liable in consequence of his having been so admitted and of any act or thing done or omitted by him after such admission.

Provision for pending proceedings before recording in registry.

5. Provided, that if within the aforesaid period of six months the bishop to whom an office copy of the inrolment of a deed of relinquishment is delivered, or his successor in office, has notice of proceedings pending against the person executing the deed as a person who had been admitted to the office of minister in the Church of England, the bishop shall, on the application of that person, cause the deed to be recorded in the registry of the diocese on the termination of those proceedings by a definitive sentence, or interlocutory decree having the force and effect of a definitive sentence, and execution thereof, but not sooner.

Service at place of residence stated.

6. For the purposes of any proceedings instituted within the aforesaid period of six months against a person executing a deed of relinquishment under this Act, the service of any citation, notice, or other document at the place stated by him in pursuance of this Act as his place of residence shall be good service.

Copy of record to be evidence.

7. A copy of the record in the registry of a diocese of a deed of relinquishment under this Act, duly extracted and certified by the registrar of the bishop, shall be evidence of the due execution, inrolment, and recording of the deed, and of the fulfilment of all the requirements of this Act in relation thereto.

The registrar of the bishop shall, on the application of the person executing the deed, give to him a copy of the record thereof duly extracted and certified, on payment of a fee not exceeding ten shillings for the recording and copy thereof.

Saving for pecuniary liabilities.

8. Nothing in this Act shall relieve any person or his estate from any liability in respect of dilapidations or from any debt or other pecuniary liability incurred or accrued before or after his execution of a deed of relinquishment under this Act, and the same may be enforced and recovered as if this Act had not been passed.

SCHEDULES.

THE FIRST SCHEDULE.

Enactments referred to.

41 Geo. 3. c. 63.

(1.) The Act of the session of the forty-first year of the reign of King George the Third (chapter sixty-three) "to remove doubts respecting the eligibility of persons in holy orders to sit in "the House of Commons" as far as it relates to persons ordained to the office of priest or of deacon before their election to serve in Parliament.

5 & 6 Will. 4. c. 76. s. 28. (2.) Section twenty-eight of the Act of the session of the fifth and sixth years of the reign of King William the Fourth (chapter seventy-six) "to provide for the regulation of municipal "corporations in England and Wales."

3 & 4 Vict. c. 86. (3.) The Act of the session of the third and fourth years of Her Majesty's reign (chapter eighty-six) "for better enforcing church discipline."

THE SECOND SCHEDULE.

Form of Deed of Relinquishment.

Know all men by these presents, that I *A.B.* of having been admitted to the office of priest [*or* deacon, *as the case may be*] in the Church of England, [and having resigned *here to be inserted description of late preferment, if any,*] do hereby, in pursuance of The Clerical Disabilities Act, 1870, declare that I relinquish all rights, privileges, advantages, and exemptions of the office as by law belonging to it. In witness whereof I have hereunto set my hand and seal this day of 18 .

(Signed) *A.B.* (L.S.)

Executed by *A.B.* in presence of
C.D. of
[*address and description of witness*].

CHAP. 92.

An Act to amend the laws for the Election of the Magistrates and Councillors of Royal and Parliamentary Burghs in Scotland. [9th August 1870.]

WHEREAS it is expedient to amend the laws relating to the election of the magistrates and councillors of Royal and Parliamentary Burghs in Scotland:

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 Municipal Elections Amendment (Scotland) Act, 1870.

Interpretation of terms. **2.** The following expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; that is to say,

"Burgh" shall mean any Royal or Parliamentary Burgh in Scotland:

"Election Acts" shall mean the Acts third and fourth William the Fourth, chapters seventy-six and seventy-seven, and thirty-first and thirty-second Victoria, chapter one hundred and eight, and any other Acts relating to the election of magistrates and councillors of Royal and Parliamentary Burghs in Scotland which may be in force for the time:

"Registration Acts" shall mean the Act nineteenth and twentieth Victoria, chapter fifty-eight, as amended by the Act thirty-first and thirty-second Victoria, chapter forty-eight, and any other Act relating to the registration of persons entitled to vote in the election of members to serve in Parliament for burghs in Scotland which may be in force for the time:

"The assessor" shall mean the assessor of the burgh in and for which he is assessor, appointed and acting under the Acts for the valuation of lands and heritages in Scotland, or any of them.

Election of councillors where number of persons proposed does not exceed vacan- **3.** Where at any election of town councillors in any burgh the number of persons whose names have been intimated to the town clerk, under the provisions of the Act thirty-first and thirty-second Victoria, chapter one hundred and eight, as persons proposed for election in such burgh, or any ward of such burgh if divided into wards, does not exceed the vacancies to be supplied in such burgh or ward, as the case may be, the town