CHAP. 59.

An Act to render valid certain Contracts informally executed in India.

[9th August 1870.]

22 & 23 Vict. c. 41.

WHEREAS by an Act passed in the twenty-second and twenty-third years of the reign of Her present Majesty, amending an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, intituled "An Act for the "better Government of India," it was provided that any deed, contract, or other instrument made by the authorities therein named for the purpose of disposing of real and personal estate in India vested in Her Majesty under the said last-mentioned Act, or of raising money on such real estate by way of mortgage, or of making proper assurance for that purpose, or of purchasing and acquiring any lands and hereditaments, or any interest therein, stores, goods, chattels, and other property in India, and of entering into any contracts whatsoever for the purposes of the said first-mentioned Act, may be expressed to be executed as on behalf of the Secretary of State for India in Council, by or by order of the Governor General in Council, or the Governor of Fort Saint George or of Bombay in Council:

And whereas by an Act passed in the thirty-second and thirty-third years of Her said Majesty it was recited, that certain deeds had been issued for Inam lands in the Presidency of Fort Saint George by the Inam commissioner in the execution of his office in that respect, which, by reason of certain defects in the expression of the execution thereof, it was apprehended might be invalid; and provision was thereupon made by the said last-mentioned Act that the said title deeds should not be deemed invalid by reason of such defects:

And whereas it is apprehended that other deeds, contracts, and instruments made for the purpose expressed in the said first-recited Act, besides such title deeds as aforesaid, may be invalid or deemed invalid for the like reason, and such provision as aforesaid should therefore be made more general:

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:

Deeds, contracts, and instruments executed in India valid notwithstanding certain defects of execution.

1. Every deed, contract, or other instrument made in India for the purposes and by the authorities expressed in the said first-recited Act up to the date of the passing of this Act, and for any further period within the limit of one year to which the Governor General in Council may deem it advisable to extend the operation of this Act, which is expressed to be executed by or by order of or on behalf of the Governor General of India in Council, the Governor of Fort Saint George in Council, or the Governor of Bombay in Council, or by any Lieutenant-Governor or Chief Commissioner, or any other officer for the time being entrusted with the government, charge, or care of any presidency, province, or district of British India within the limits of their respective governments, provinces, or districts, and every deed, contract, or other instrument so executed in British India by any person authorised in this behalf by the Secretary of State for India in Council, shall be and be deemed to have been as valid as if it had been executed in conformity with the provisions of the said first-recited Act; provided that such deed, contract, or other instrument has been in other respects duly executed according to the law in force at the date of its execution.

Power to authorities in India to vary forms of execution.

2. It shall be lawful for the Governor General, by resolution in Council, from time to time to vary the form of execution prescribed by the said first-recited Act for the deeds, contracts, and other instruments to which it relates, and to empower such authorities as to him may seem expedient to vary it within the respective limits of their local jurisdic-

tion; and deeds, contracts, and other instruments executed according to forms so altered shall have in all respects the like validity as if they had been executed according to the provisions of the said first-recited Act.

CHAP. 60.

An Act to relieve the Brokers of the City of London from the supervision of the Court of Mayor and Aldermen of the said City. [9th August 1870.]

WHEREAS by an Act of Parliament made in the sixth year of the reign of Queen Anne, intituled "An Act for repealing the Act of the first year of King James the "First, intituled 'An Act for the well garbling of spices and for granting an equivalent "'to the city of London by admitting brokers,'" it was amongst other things enacted that from and after the determination of the then session of Parliament all persons that should act as brokers within the city of London and liberties thereof, should from time to time be admitted so to do by the court of mayor and aldermen of the said city for the time being under such restrictions and limitations for their honest and good behaviour as the said court should think fit and reasonable, and should upon such their admission pay to the chamberlain of the said city for the time being, for the uses therein-after mentioned, the sum of forty shillings, and should also yearly pay to the said uses the sum of forty shillings upon the twenty-ninth day of September in every year; and it was further enacted that if any person or persons from and after the determination of the then session of Parliament should take upon him to act as a broker or employ any other under him to act as such within the said city and liberties not being admitted as aforesaid, every such person so offending should forfeit and pay to the use of the said mayor and commonalty and citizens of the said city for every such offence the sum of twenty-five pounds, to be recovered as in the said Act is mentioned:

And whereas by an Act (local and personal) made and passed in the fifty-seventh year of the reign of King George the Third, intituled "An Act for granting an equivalent for "the diminution of the profits of the office of gauger of the city of London, and increasing "the payments to be made by brokers," after reciting amongst other things the before-mentioned Act, it was amongst other things enacted that all persons that from and after the first day of July next after the passing of that Act should be admitted to act as brokers within the city of London and liberties thereof by the said court in pursuance of the said recited Act of Parliament should upon such their admission, over and above the sum of forty shillings required to be paid by the said recited Act, pay to the chamberlain of the said city for the time being the sum of three pounds, and should also yearly pay to the said chamberlain, over and above the said yearly sum of forty shillings required to be paid by the said recited Act, the sum of three pounds on the twenty-ninth day of September in every year; and it was amongst other things further enacted that so much of the said recited Act as imposed a penalty of twenty-five pounds upon any person who should take upon him to act as a broker, or employ any person under him to act as such not being admitted in pursuance of the said recited Act, should be and the same was thereby repealed; and that from and after the passing of the now reciting Act if any person should take upon him to act as a broker, or employ, or cause, permit, or suffer any person or persons to be employed with, under, or for him, to act as such within the said city and liberties, not being admitted in pursuance of the said recited Act, every such person so offending should forfeit and pay to the use of the mayor and commonalty and citizens of the said city for every such offence the sum of one hundred pounds, to be recovered as in the now reciting Act is mentioned;