Duties of his Office with Efficiency, by reason of permanent Infirmity of Mind or Body, or of old Age, upon his resigning or otherwise ceasing to hold his Office, an annual Allowance not exceeding in any Case Two Thirds of his then Salary, whether computed according to a fixed Sum or to a Poundage, and shall charge such Allowance to the same Fund as that to which such Salary would have been charged if he had continued in his Office. grant Superannuation Allowances to Officers in certain Cases.

**2.** This Allowance shall be payable to or in trust for such Officer only, and shall not be assignable nor chargeable with his Debts or other Liabilities. Such Allowances not to be assignable.

**3.** No Officer shall be entitled to such Allowance on the Ground of Age who shall not have completed the full Age of Sixty Years, and shall not have served as an Officer of some Union or Parish for Twenty Years at the least. Limitation of Grants of Allowances.

**4.** No Grant shall be made without One Month's previous Notice, to be specially given in Writing to every Guardian of the Union or Parish and to every Member of the Board of Trustees or Overseers (as the Case may be), of the Proposal to make such Grant, and the Time when it shall be brought forward. Notice of Grant to be given to Guardians.

**5.** The Words herein used shall be interpreted in the Manner prescribed by the Statute of the Fourth and Fifth Years of *William* the Fourth, Chapter Seventy-six, and the subsequent Acts amending or explaining the same. Interpretation of Words herein used.

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## CAP. XLIII.

### An Act to grant additional Facilities for the Purchase of small Government Annuities, and for assuring Payments of Money on Death. [14th *July* 1864.]

'WHEREAS under the Act Sixteenth and Seventeenth *Victoria*, Chapter Forty-five, Deferred Annuities of small Amounts can only be granted upon the Condition that the full Amount required to purchase such Annuities shall be paid in One Sum, or by annual Payments during a Course of Years fixed at the Time of Purchase: And whereas under the said Act Contracts for Payment of a Sum of Money on Death cannot be entered into except upon the Condition that the Party contracting for such Payment on Death shall at the same Time purchase a Deferred Annuity depending upon his or her own Life: And whereas it is expedient to amend the said Act:' 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: 16 & 17 Vict. c. 45.

**1.** Deferred Annuities, authorized to be granted by the Second Section of the said Act, may be granted upon the Condition, to be fixed at the Time of Purchase, that the Sum required under the said Act to purchase such Annuity shall be payable in smaller Instalments and at shorter Periods than are now fixed by the said Act. Deferred Annuities may be granted if Sum required be paid in smaller Instalments.

**2.** Annuities authorized to be granted under the Second Section of the said Act may be granted in Amounts exceeding the Limit of Thirty Pounds fixed by the said Act, but no such Annuity shall be granted to any One Person to an Amount exceeding Fifty Pounds *per Annum*. Such Annuities may be granted to Extent of 50*l*.

**3.** So much of the Tenth Section of the said Act as requires that a Deferred Annuity shall be purchased by any Person contracting with the Commissioners for the Reduction of the National Debt for Payment of a Sum of Money on Death shall be and the same is hereby repealed. Portion of Sect. 10 of recited Act repealed.

**4.** No Contract for a Payment on Death shall be entered into by or on behalf of any Person under the Age of Sixteen or over the Age of Sixty Years. Limit on Age of Persons insured.

**5.** No

Limit of Sum insured.

**5.** No Contracts for Payment to be made on the Death of any One Person under this and the said Act shall be for a greater Amount in the whole than One hundred Pounds, or of a less Amount than Twenty Pounds.

Power to construct fresh Tables for Annuities and Insurances.

**6.** 'Whereas by the Sixteenth Section of the said Act it is enacted, that the Commissioners of Her Majesty's Treasury may from Time to Time direct the Commissioners for the Reduction of the National Debt to use and adopt such Tables as shall from Time to Time be authorized and approved of by the said Commissioners of the Treasury for the Grant of Annuities and for Payment of Sums of Money to be secured at Death under the Provisions of the said Act: And whereas it is expedient that the Fund to be formed by the Receipt of Sums on account of all such Contracts effected under the said Act and this Act shall be adequate to meet all Claims accruing and to accrue thereon, so as to render certain the Fulfilment of all Engagements to Persons contracting for such Annuities or Payments on Death, or for any Compositions or Sums agreed to be granted upon the Lapse of any Contract, without entailing any Charge in respect thereof, or in respect of Costs and Expenses on the Consolidated Fund of the United Kingdom:' Be it enacted, therefore, That the said Commissioners of Her Majesty's Treasury shall cause Tables to be constructed in accordance with the Principles above recited, upon which Annuities or Payments on Death shall be contracted for under the said Act and this Act, and the said Tables shall be framed, first, for such Contracts as shall provide for the Consideration Money in One Sum; second, for such Contracts as shall provide for the like Payments in annual Sums; and, third, for such Contracts as shall provide for the like Payments by more frequent Instalments; and such Tables, when the Commissioners of Her Majesty's Treasury have approved of the same, shall, together with a Statement of the Rules observed in constructing them, be laid before both Houses of Parliament for Thirty Days before they shall be acted upon; and if any Address shall be presented to Her Majesty from either House of Parliament praying that such Tables may be revoked and cancelled, such Tables shall be revoked and cancelled accordingly; and thereupon the Commissioners of Her Majesty's Treasury shall order other Tables to be framed for their Approval in lieu of the Tables so revoked and cancelled. The Tables for Payments on Death shall be calculated, so far as the Interest of Money is concerned, at the Rate of Three *per Centum per Annum.*

This Act not to come in force until Tables can be legally acted on.

**7.** Until the Tables made in pursuance of this Act can be legally acted on, this Act shall not come into force so far as to enable any Grant to be made of an Insurance on the Life of any Person or any Grant to be made of any Annuity the Consideration Money for which is paid by Instalments more frequent than annual Instalments.

Provision in case of Default by Purchasers after Five Years Payments.

**8.** In case any Person who shall contract under the Provisions of the said Act and of this Act for a Payment to be made at Death, after having paid the several Premiums for a Period of not less than Five Years, shall desire to surrender his Policy, or shall make default in the Payments stipulated to be made according to the Contract, the Commissioners for the Reduction of the National Debt, at the Option of the Party beneficially interested in the Contract, shall pay to such Person such Sum of Money, not being less than One Third of the Premiums paid by him, as shall be fixed by the Regulations authorized to be framed under the Provisions of this Act, or shall grant to him such a paid-up Policy of Assurance, or such an Immediate or Deferred Life Annuity, under the Tables in force under the Authority of the said Act or this Act, as shall be equivalent in Value to the Sum which under the Provisions of this Act would be paid to him in Money; but it shall also be lawful for the said Commissioners, if they think fit, to enter into Contracts for Payments to be made at Death, on the Condition that no Portion of the Premiums paid are to be returnable; and no Premium shall be returned in pursuance of this Section in respect of any Contract so made.

Purchasers liable to Provisions of existing Savings Banks Acts.

**9.** For the Purposes of this Act and of the said Act, every Person purchasing an Annuity, or having purchased the same under the Provisions of the said Act, or contracting for the Payment of a Sum of Money on his or her Death, shall be considered as a Depositor in a Savings Bank; and all the Provisions of the Acts now in force relating to Savings Banks, in as far as the same can or may be applicable, shall apply to the Parties having purchased or purchasing such Annuities, or contracting for the Payment of Money on Death, and to the

the Rules and Regulations to be made for carrying the same into effect: Provided always, that nothing in this Act or the said Act contained shall be held to exempt any Person or Persons entering into a Contract for a Payment on Death, or any Person or Persons becoming beneficially interested therein, from Probate or any Stamp Duty payable by Law.

Jurisdiction of County Court.

**10.** If Payment of any Sum of Money due on a Contract made under this Act for Payment of Money on Death shall be refused by the Commissioners for the Reduction of the National Debt, the Party beneficially interested therein may, if he think fit, instead of proceeding to Arbitration in manner provided by the said Savings Banks Acts, take Proceedings against the said Commissioners for the Reduction of the National Debt in the County Court of the District in which such Contract was entered into, or with the Consent of the said Commissioners in any other County Court in the Jurisdiction of which such Party may be resident, for the Recovery of the Amount; and any County Court in which Proceedings under this Section may be taken shall have Jurisdiction in the Matter, and the Decision thereupon shall be final and binding on all Parties to all Intents and Purposes, and without any Appeal; and for the Purposes of this Act the Contract shall be deemed to have been entered into at the Place where the Party insured resided at the Time at which the Contract bears Date. For the Purpose of Arbitration under the said Acts relating to Savings Banks, the said Commissioners shall when necessary be deemed to be in the Place of the Trustees of the Savings Banks. In *Scotland* the Sheriff Court, and in *Ireland* the Civil Bills Court of the Chairman of Quarter Sessions, shall have the same Jurisdiction as is given by this Section to the County Court.

Jurisdiction of Courts in Scotland and Ireland.

Assignment of Contracts.

**11.** Any Person who shall contract under the Provisions of this Act and of the said Act for a Payment to be made at Death may, after having duly paid for Five Years or upwards the Premiums thereon, assign his Right and Interest therein, upon Payment of such Fee and on such Conditions as shall be fixed by Regulations made under the Authority of this Act. The Assignee of such Contract shall take, both at Law and in Equity, all such Right and Interest therein, including the Right to sue, as was possessed by the Assignor, but no other or greater Right or Interest.

Commissioners not to be affected by Notice of Trusts.

**12.** The Commissioners shall not, except in so far as is provided by the said Act, receive or be affected by Notice, however given, of any Trust affecting any Annuity, or any Contract for Payment on Death, made in pursuance of this and the said Act.

Commissioners for Reduction of National Debt to regulate Instalments.

**13.** The Commissioners for the Reduction of the National Debt, with the Consent of the Commissioners of Her Majesty's Treasury, may make Regulations for fixing the Amounts of the several Instalments and Premiums, and the Periods at which such Instalments and Premiums shall be paid, in respect of the Purchase Money payable upon all Contracts which shall be made under the Authority of this and the said Act, but so as not to affect any Contract previously made; and no Sum in respect of Instalments or Premiums payable at any One Time shall be of less Amount than Two Shillings.

Power to Postmaster General, with Consent of Treasury, to authorize his Officers to receive Monies.

**14.** The Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, may, if he shall think fit, authorize and direct such of his Officers as he may select to receive such Monies as may become payable upon Contracts entered into under this and the said Act for Investment with the Commissioners for the Reduction of the National Debt, and to pay on behalf of the said Commissioners all such Monies as may become due and payable under such Contracts.

Power to Commissioners to give Authority to Trustees of Savings Banks.

**15.** The Commissioners for the Reduction of the National Debt may, in like Manner, with the Consent of the said Commissioners of Her Majesty's Treasury, if they shall think fit, authorize the Trustees of Savings Banks established under the Act of the Twenty-sixth and Twenty-seventh *Victoria*, Chapter Eighty-seven, with Consent of such Trustees, to receive such Monies as may become payable upon Contracts entered into under this Act for Remittance to the Commissioners for the Reduction of the National Debt, and to pay on behalf of the said Commissioners all such Monies as may become due and payable under such Contracts, and may make to the said Trustees a reasonable Allowance for their Expenses, in respect of such Transactions, out of the Monies so received and paid over by the said Trustees to the said Commissioners.

Power to Postmaster General, with Consent of Treasury, to make Regulations for carrying out Provisions of this Act.

**16.** The Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, may make all Regulations for carrying out the Provisions of this Act, in so far as his Department is concerned; and the Commissioners for the Reduction of the National Debt, with the Consent of the said Commissioners of Her Majesty's Treasury, may make Regulations for carrying out the Provisions of this Act so far as the Trustees of Savings Banks are concerned, and also for the Execution of Contracts on behalf of the said Commissioners, by any Officer or Officers appointed by the said Commissioners for that Purpose, or appointed by the Postmaster General, with the Consent of the said Commissioners; and all Regulations made by the said Postmaster General and the said Commissioners for the Reduction of the National Debt respectively shall be binding to the same Extent as if such Regulations formed Part of this Act; and Copies of all Regulations issued under the Authority of this Act shall be laid before both Houses of Parliament.

Accounts of Postmaster General and Commissioners to be submitted to Commissioners for auditing Public Accounts.

**17.** The annual Accounts of the Postmaster General and of the Commissioners for the Reduction of the National Debt to the Thirty-first Day of *December* in each Year, in respect to all Monies received or invested under the Authority of this Act, shall annually, prior to the Thirty-first Day of *March* in each Year, be submitted by the said Postmaster General and by the said Commissioners for Examination and Audit to the Commissioners for auditing Public Accounts.

## CAP. XLIV.

### An Act to amend the Act relating to Divorce and Matrimonial Causes in *England*, Twentieth and Twenty-first *Victoria*, Chapter Eighty-five.

[14th *July* 1864.]

'WHEREAS it is expedient to amend an Act passed in the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Eighty-five:' 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:

Amending Provisions of 20 & 21 Vict. c. 85. as to Orders of Protection of Property of Wife deserted by her Husband.

**1.** Where under the Provisions of Section Twenty-one of the said Act a Wife deserted by her Husband shall have obtained or shall hereafter obtain an Order protecting her Earnings and Property from a Police Magistrate, or Justices in Petty Sessions, or the Court for Divorce and Matrimonial Causes, as the Case may be, the Husband and any Creditor or other Person claiming under him may apply to the Court or to the Magistrate or Justices by whom such Order was made for the Discharge thereof as by the said Act authorized; and in case the said Order shall have been made by a Police Magistrate and the said Magistrate shall have died or been removed, or have become incapable of acting, then in every such Case the Husband or Creditor, or such other Person as aforesaid, may apply to the Magistrate for the Time being acting as the Successor or in the Place of the Magistrate who made the Order of Protection, for the Discharge of it, who shall have Authority to make an Order discharging the same; and an Order for Discharge of an Order for Protection may be applied for to and be granted by the Court, although the Order for Protection was not made by the Court, and an Order for Protection made at One Petty Sessions may be discharged by the Justices of any later Petty Sessions, or by the Court.