said Harbour; and such Byelaws, Rules, and Orders shall be binding upon and shall be observed by all Persons whomsoever: Provided, that all such Byelaws, Rules, Orders, and Regulations be approved of and confirmed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, by Writing under his or their Hands. Byelaws to be approved by Lord Lieutenant, &c.

8. Provided always, That in all Cases of Prosecution for any Offence or Offences against any of the Byelaws, Rules, Orders, and Regulations of the said Commissioners, the Production of a Book or Document purporting to contain the Byelaws, Rules, Orders, or Regulations of the said Commissioners, and authenticated by the Signatures of any Two or more of the said Commissioners, or by the Signature of their Secretary for the Time being, shall be conclusive Evidence of the Existence of such Byelaws, Rules, Orders, or Regulations. Copies of Byelaws to be Evidence.

CAP. LXXIII.

An Act to give further Facilities to the Holders of *India* Stock.

[28th *July* 1863.]

'WHEREAS the Secretary of State in Council of *India* is empowered, under the Provisions of certain Acts of Parliament passed in the Sessions holden in the Twenty-second and Twenty-third, Twenty-third and Twenty-fourth, Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty respectively, to raise Money in the United Kingdom, not exceeding such Amount as is in the said Acts prescribed, and is further empowered, upon or for the Repayment of any Principal Money secured under the Authority of the said Acts respectively, to borrow or raise by the like Method all or any Part of the Amount of Principal Money so repaid or to be repaid: And whereas Capital Stock has been and may be from Time to Time created and issued under the Authority of the said Acts respectively, and it is expedient to give further Facilities to the Holders of such Stock in respect of the Transfer thereof, and the Receipt of the Dividends thereon:' 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: 22 & 23 Vict. c. 39. 23 & 24 Vict. c. 130. 24 & 25 Vict. c. 25.

1. This Act may be cited for all Purposes as "The *India* Stock Certificate Act, 1863." Short Title.

2. In this Section and elsewhere in this Act the following Expressions have the Meanings here assigned to them: Definition of Terms,

"The Bank" shall, with reference to the Stocks created and issued under the said Acts transferable at the Bank of *England*, and Certificates issued under this Act in respect thereof, and the Coupons of such Certificates, mean the Governor and Company of the Bank of *England*, and shall, with reference to the said Stocks transferable at the Bank of *Ireland*, and Certificates issued under this Act in respect thereof, and the Coupons of such last-mentioned Certificates, mean the Governor and Company of the Bank of *Ireland*:

"*India* Stock" shall mean any Stocks which have been or may be created and issued under the Acts aforesaid, transferable in the Books of the Bank, and "Share in *India* Stock" shall include any Part of a Share;

"Person" shall include Corporation.

3. With the Exception and subject to the Conditions herein-after mentioned, every Person who now is or may hereafter be inscribed in the Books of the Bank of *England* or of the Bank of *Ireland* as Proprietor of a Share in *India* Stock may obtain a Certificate or Certificates of Title to the said Share or to any Part thereof, having annexed Coupons entitling the Bearer to the Dividends payable in respect of that Share or Part of a Share. Right to Certificate of Title to India Stock.

Restriction as to Trustees taking Certificates of Title.

4. No Trustee of any Share in the said Stock shall apply for or hold a Certificate of Title to that Share, unless he is authorized so to do by the Terms of his Trust; and any Contravention of this Section by a Trustee shall be deemed to be a Breach of Trust, and be punishable accordingly; nevertheless, this Section shall not impose on the Bank any Obligation to inquire whether a Person applying for a Certificate of Title under this Act is or not a Trustee, nor subject them to any Liability in the event of their granting a Certificate of Title to a Trustee, nor invalidate any Certificate of Title if granted.

General Provisions as to Certificates of Title.

5. No Certificate shall be granted in respect of any Sum of Stock being other than One hundred, or Five hundred, or One thousand Pounds.

The Coupons annexed to an *India* Stock Certificate shall comprise the Dividends payable in respect of the Stock described in the Certificate. At the Expiration of the Period for which the Coupons shall have been issued fresh Coupons shall be issued for further successive Periods during the Continuance in force of the Stock Certificate; but the Bank may, if they think fit, in lieu of issuing fresh Coupons in respect of a Certificate, give in exchange a fresh Certificate with Coupons attached thereto.

Coupons shall be payable at the chief Establishment of the Bank at the Expiration of Three clear Days from the Day of Presentation.

The Payment to the Bearer of any Coupon of the Amount expressed therein shall be a full Discharge to the Bank of all Liability in respect of that Coupon, and the Dividend represented thereby.

If any *India* Stock Certificate or Coupon issued under this Act is lost or destroyed, and such Loss or Destruction proved in such Manner as may from Time to Time be directed by the Bank, the Bank shall grant a new Certificate or Coupon, on receiving Indemnity to their Satisfaction against the Claims of all Persons deriving Title under the Certificate or Coupon so lost or destroyed.

No Notice of any Trust in respect of any Stock Certificate or Coupon issued under this Act shall be receivable by the Bank.

An *India* Stock Certificate shall entitle the Bearer to the Stock therein described, and shall be transferable by Delivery.

Reconversion of the Certificate to Stock.

6. The Bearer of an *India* Stock Certificate may, on Delivery up to the Bank of his Certificate and of all unpaid Coupons belonging thereto, and on Compliance with any Regulation made in pursuance of this Act, require to be registered in the Books of the Bank as a Holder of the Stock described in the Certificate under which he derives Title, and thereupon the Stock shall be re-entered in the Books kept by the Bank for the Entry of transferable Stock, and become transferable, and the Dividends payable, as if no Certificate had been issued in respect of such Stock.

Fees in respect of Dealings with Stock under this Act.

7. No Fees shall be charged on the Grant of a Stock Certificate to Bearer in exchange for a like Certificate, but there shall be charged with respect to the several other Proceedings in relation to Stock authorized by this Act the Fees specified in the Schedule hereto, or such less Fees as may be determined by the Secretary of State in Council.

All Fees received in pursuance of this Act shall be paid to the "Account of the Secretary of State for *India* in Council of *India*."

No Stamp Duty shall be payable in respect of any Certificate or Coupon issued in pursuance of this Act.

Remuneration to the Bank.

8. There shall be paid to the Bank of *England*, by the Secretary of State in Council, on account of the additional Trouble, Expense, and Responsibility, if any, imposed on it by this Act, in addition to the Remuneration otherwise payable to it in respect of the Management of the *Indian* Debt, such Remuneration as may be agreed upon between the Bank of *England* and the said Secretary of State in Council.

General Regulations with respect to Certificates of Title.

9. The Bank of *England* and the Bank of *Ireland*, with the Sanction of the Secretary of State in Council, may from Time to Time issue any Forms that may be required for carrying into effect the Provisions of this Act, and also from Time to Time make any Regulations that are not inconsistent with this Act relative to the following Things:

1. The Time for which Coupons are to be given:

2. The Authority under which and the Mode in which the Bank is to act in issuing *India* Stock Certificates, or registering in their Books the Holders of such Stock Certificates, or taking any other Proceedings in relation to *India* Stock authorized to be taken under this Act:
3. The Mode of proving the Title of or identifying any Person applying for an *India* Stock Certificate, or deriving any Title under a Stock Certificate issued under this Act:
4. With respect to any other Matter necessary to carry this Act into effect:

And any Regulation so made shall be deemed to be Part of this Act in the same Manner as if it were herein enacted.

Income Tax.

10. The Income Tax shall be deducted from any Coupons payable under this Act in the same Manner and subject to the same Regulations in and subject to which it may, in pursuance of any Law for the Time being in force, be deducted from the Dividends payable at the Bank in respect of the Stock of Proprietors inscribed in the Books of the Bank: Provided always, that such Deduction of Income Tax shall be made, although the half-yearly Payment on any Coupon shall not amount to Fifty Shillings, anything in any former Act to the contrary notwithstanding.

Unclaimed Dividends.

11. All Sums due and not demanded on any Coupons issued under this Act shall for all Purposes be dealt with as if they were Dividends due and not demanded in respect of the Stock of Proprietors inscribed in the Books of the Bank.

Shares in India Stock outstanding to cease to be transferable, &c.

12. When any Certificate of Title issued under this Act in respect of any Share in *India* Stock is outstanding, the Stock represented thereby shall cease to be transferable in the Books of the Bank.

Save in so far as relates to the Mode of Transfer and Payment of Dividends thereon, any *India* Stock described in a Stock Certificate issued under this Act shall be deemed to be charged on the same Securities, and to be subject to the same Powers of Redemption and to the same Incidents in all respects, including the Remuneration payable to the Bank, as if it had continued registered in the Books of the Bank as Stock transferable therein.

Punishment of Forgery.

13. Whosoever shall forge or alter, or offer, utter, dispose of, or put off, knowing the same to be forged or altered, any *India* Stock Certificate or Coupon, or any Document purporting to be any *India* Stock Certificate or Coupon, issued in pursuance of this Act, or shall demand or endeavour to obtain or receive any Share or Interest of or in *India* Stock, or to receive any Dividend or Money payable in respect thereof, by virtue of any such forged or altered Certificate or Coupon, or Document purporting as aforesaid, knowing the same to be forged or altered, with Intent in any of the Cases aforesaid to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Punishment of Personation.

14. Whosoever shall falsely and deceitfully personate any Owner of any Share or Interest of or in *India* Stock, or of any *India* Stock Certificate or Coupon issued in pursuance of this Act, and shall thereby obtain or endeavour to obtain any such *India* Stock Certificate or Coupon, or receive or endeavour to receive any Money due to any such Owner, as if such Offender were the true and lawful Owner, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Punishment of engraving, &c.

15. Whosoever, without lawful Authority or Excuse, the Proof whereof shall lie on the Party accused, shall engrave or make upon any Plate, Wood, Stone, or other Material any *India* Stock Certificate or Coupon purporting to be an *India* Stock Certificate or Coupon issued or made under and in pursuance of this Act, or to be a blank *India* Stock Certificate or Coupon issued or made as aforesaid, or to be a Part of such a Stock Certificate or Coupon, or

or shall use any such Plate, Wood, Stone, or other Material for the making or printing any such *India* Stock Certificate or Coupon, or any such blank *India* Stock Certificate or Coupon, or any Part thereof respectively, or knowingly have in his Custody or Possession any such Plate, Wood, Stone, or other Material, or shall knowingly offer, utter, dispose of, or put off, or have in his Custody or Possession, any Paper upon which any such blank *India* Stock Certificate or Coupon, or Part of any such *India* Stock Certificate or Coupon, shall be made or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to the Signature and Counter-Signature of Documents in the Department of the Secretary of State for India.

16. 'And whereas it is expedient that there should be Uniformity of Practice in respect 'of the Signature and Counter-Signature of Documents by the Secretary and Under 'Secretaries of State and Members of the Council of *India*:' Be it enacted, That wherever by reason of the Provisions of any Act of Parliament or otherwise, it is required that any Deeds, Contracts, Bonds, Debentures, Cheques, Drafts, or Orders for Money, or other Documents, shall be signed by any Number of Members of the Council of *India*, and countersigned by the Secretary of State or One of his Under Secretaries, any such Deed, Contract, Bond, Debenture, Cheque, Draft, or Order for Money, or other Document, may be signed by Two Members of the said Council, and countersigned by the Secretary of State or One of his Under Secretaries, or by his Assistant Under Secretary.

SCHEDULE.

Schedule of Fees.

On the Issue of an India Stock Certificate, a Fee not exceeding Five Shillings on every Hundred Pounds of Stock included in the Certificate.

On the Registration in the Books of the Bank of the Stock included in an India Stock Certificate, a Fee not exceeding Five Shillings.

CAP. LXXIV.

An Act to enable Her Majesty to declare Gold Coins to be issued from Her Majesty's Branch Mint at *Sydney, New South Wales*, a legal Tender for Payments; and for other Purposes relating thereto. [28th *July* 1863.]

56 G. 3. c. 68.

'WHEREAS by an Act of the Fifty-sixth Year of the Reign of His late Majesty King 'George the Third, Chapter Sixty-eight, intituled *An Act to provide for a new Silver 'Coinage, and to regulate the Currency of the Gold and Silver Coins of this Realm*, it is 'amongst other things provided, that after the Date of the passing of that Act the Gold 'Coin of the Realm should be the only legal Tender for Payments (except the Silver Coin 'of the Realm to the Extent of Forty Shillings) within the United Kingdom of *Great 'Britain* and *Ireland*: And whereas by the same Act it is declared that the Gold Coin of the 'Realm should hold such Weight and Fineness as are prescribed by an Indenture therein 'referred to, and made with His Majesty's Master and Worker of the Mint for making 'Gold Monies at His Majesty's Mint in *London*, and with such Allowance called the 'Remedy as is given to the said Master by the said Indenture, which Weight and Fineness 'are by the said Act declared to be the Standard of the lawful Gold Coin of the Realm, so far 'as relates to the Gold Coins of the Denominations in use at the Time of the passing of the 'said Act and specified in the said Indenture: And whereas Gold Coins of the Weight and 'Fineness and of the Denominations mentioned in the said Act, and specified in the said 'Indenture,