giving security, or otherwise, as the court in the circumstances of each case shall think fit, but in no case shall any such under-lessee be entitled to require a lease to be granted to him for any longer term than he had under his original sub-lease.

Extension of definitions of "lease," "under-lease," and "under-lessee."

5. In section fourteen of the Conveyancing and Law of Property Act, 1881, as amended by this Act, and in this Act, "lease" shall also include an agreement for a lease where the lessee has become entitled to have his lease granted, and "under-lease" shall also include an agreement for an under-lease where the under-lessee has become entitled to have his under-lease granted, and in this Act "under-lessee" shall include any person deriving title under or from an under-lessee.

Trustees.

Trustee may be appointed for separate parts of property though no new trustee be appointed of other parts.

6. A separate set of trustees or a separate trustee may be appointed under the fifth section of the Conveyancing Act, 1882, of a part only of the trust property, notwithstanding that no new trustees or trustee are to be appointed of other parts of the trust property, and any existing trustee may be appointed or remain one of such separate set of trustees; and every appointment already made of a separate set of trustees shall be valid notwithstanding that there was no retiring trustee of other parts of the trust property, and that no new trustees were appointed of such other parts thereof.

CHAPTER 14.

An Act to amend the Indian Councils Act, 1861.

[20th June 1892.]

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:

Provisions for increase of number of members of Indian councils for making laws and regulations. 24 & 25 Vict. c. 67.

1.—(1.) The number of additional members of Council nominated by the Governor General under the provisions of section ten of the Indian Councils Act, 1861, shall be such as to him may seem from time to time expedient, but shall not be less than ten nor more than sixteen; and the number of additional members of Council nominated by the governors of the presidencies of Fort St. George and Bombay respectively under the provisions of section twenty-nine of the Indian Councils Act, 1861, shall (besides the advocate general of the presidency or officer acting in that capacity) be such as to the said governors respectively may seem from time to time expedient, but shall not be less than eight nor more than twenty.

(2.) It shall be lawful for the Governor General in Council by proclamation from time to time to increase the number of

councillors whom the lieutenant governors of the Bengal Division of the presidency of Fort William and of the North-Western Provinces and Oudh respectively may nominate for their assistance in making laws and regulations: Provided always, that not more than twenty shall be nominated for the Bengal Division, and not more than fifteen for the North-Western Provinces and Oudh.

(3.) Any person resident in India may be nominated an additional member of Council under sections ten and twenty-nine of the Indian Councils Act, 1861, and this Act, or a member of the Council of the lieutenant governor of any province to which the provisions of the Indian Councils Act, 1861, touching the making of laws and regulations, have been or are hereafter extended or made applicable.

(4.) The Governor General in Council may from time to time, with the approval of the Secretary of State in Council, make regulations as to the conditions under which such nominations, or any of them, shall be made by the Governor General, Governors, and Lieutenant Governors respectively, and prescribe the manner in which such regulations shall be carried into effect.

Modification of provisions of 24 & 25 Vict. c. 67. as to business at legislative meetings.

2. Notwithstanding any provision in the Indian Councils Act, 1861, the Governor General of India in Council may from time to time make rules authorising at any meeting of the Governor General's Council for the purpose of making laws and regulations the discussion of the annual financial statement of the Governor General in Council and the asking of questions, but under such conditions and restrictions as to subject or otherwise as shall be in the said rules prescribed or declared: And notwithstanding any provisions in the Indian Councils Act, 1861, the Governors in Council of Fort St. George and Bombay respectively, and the lieutenant governor of any province to which the provisions of the Indian Councils Act, 1861, touching the making of laws and regulations, have been or are hereafter extended or made applicable, may from time to time make rules for authorising at any meeting of their respective councils for the purpose of making laws and regulations the discussion of the annual financial statement of their respective local governments, and the asking of questions, but under such conditions and restrictions, as to subject or otherwise, as shall in the said rules applicable to such councils respectively be prescribed or declared. But no member at any such meeting of any council shall have power to submit or propose any resolution, or to divide the council in respect of any such financial discussion, or the answer to any question asked under the authority of this Act, or the rules made under this Act: Provided that any rule made under this Act by a governor in council, or by a lieutenant governor, shall be submitted for and shall be subject to the sanction of the Governor General in Council, and any rule made under this Act by the Governor General in Council shall be submitted for and shall be subject to the sanction of the Secretary of State in Council: Provided also that rules made under this Act shall not be subject to alteration or amendment at meetings for the purpose of making laws and regulations.

Meaning of 24 & 25 Vict. c. 67. s. 22; 3 & 4 Will. 4. c. 85.; and 16 & 17 Vict. c. 95.

3. It is hereby declared that in the twenty-second section of the Indian Councils Act, 1861, it was and is intended that the words "Indian territories now under the dominion of Her Majesty" should be read and construed as if the words "or hereafter" were and had at the time of the passing of the said Act been inserted next after the word "now"; and further, that the Acts third and fourth William the Fourth, chapter eighty-five, and sixteenth and seventeenth Victoria, chapter ninety-five, respectively, shall be read and construed as if at the date of the enactment thereof respectively it was intended and had been enacted that the said Acts respectively should extend to and include the territories acquired after the dates thereof respectively by the East India Company, and should not be confined to the territories at the dates of the said enactments respectively in the possession and under the government of the said company.

Repeal. Power to fill up vacancy in number of additional members.

4. Sections thirteen and thirty-two of the Indian Councils Act, 1861, are hereby repealed, and it is enacted that—

(1.) If any additional member of Council, or any member of the council of a lieutenant governor, appointed under the said Act or this Act, shall be absent from India or unable to attend to the duties of his office for a period of two consecutive months, it shall be lawful for the Governor General, the governor, or the lieutenant governor, to whose council such additional member or member may have been nominated (as the case may be) to declare, by a notification published in the Government Gazette, that the seat in Council of such person has become vacant:

(2.) In the event of a vacancy occurring by the absence from India, inability to attend to duty, death, acceptance of office, or resignation duly accepted, of any such additional member or member of the council of a lieutenant governor, it shall be lawful for the Governor General, for the governor, or for the lieutenant governor, as the case may be, to nominate any person as additional member or member, as the case may be, in his place; and every member so nominated shall be summoned to all meetings held for the purpose of making laws and regulations for the term of two years from the date of such nomination: Provided always that it shall not be lawful by such nomination, or by any other nomination made under this Act, to diminish the proportion of non-official members directed by the Indian Councils Act, 1861, to be nominated.

Powers of Indian provincial legislatures.

5. The local legislature of any province in India may from time to time, by Acts passed under and subject to the provisions of the Indian Councils Act, 1861, and with the previous sanction of the Governor General, but not otherwise, repeal or amend as to that province any law or regulation made either before or after the passing of this Act by any authority in India other than that local legislature: Provided that an Act or a provision of an Act made by a local legislature, and subsequently assented to by the Governor General in pursuance of the Indian Councils Act, 1861, shall not

be deemed invalid by reason only of its requiring the previous sanction of the Governor General under this section.

Definitions.

6. In this Act—

The expression "local legislature" means—

(1.) The Governor in Council for the purpose of making laws and regulations of the respective provinces of Fort St. George and Bombay; and

(2.) The council for the purpose of making laws and regulations of the lieutenant governor of any province to which the provisions of the Indian Councils Act, 1861, touching the making of laws or regulations have been or are hereafter extended or made applicable:

The expression "province" means any presidency, division, province, or territory over which the powers of any local legislature for the time being extend.

Saving of powers of Governor General in Council.

7. Nothing in this Act shall detract from or diminish the powers of the Governor General in Council at meetings for the purpose of making laws and regulations.

Short title.

8. This Act may be cited as the Indian Councils Act, 1892 and the Indian Councils Act, 1861, and this Act may be cited together as the Indian Councils Acts, 1861 and 1892.

CHAPTER 15.

An Act to authorise the Councils of Counties and County Boroughs to contribute to the Expenses of Inquiries into certain Charities. [20th June 1892.]

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:

Power for council of county or county borough to contribute to expenses of charity inquiries.

1.—(1.) The council of any county or county borough may, if they think fit, pay or contribute towards the expenses of any inquiry conducted by the Charity Commissioners into any charities which are by the trusts governing their administration expressly appropriated in whole or in part for the benefit of their county or county borough, or of any part thereof.

(2.) The payment or contribution may be made out of the county fund, or in the case of a county borough out of the borough fund or borough rate.

Short title.

2. This Act may be cited as the Charity Inquiries (Expenses) Act, 1892.