absolute Estate of Freehold in other Lands and Hereditaments, or either of them, to be conveyed to the Use or for the Benefit of such University or College; and such Lands and Hereditaments, and any Lands and Hereditaments received in Exchange by such University or College, shall be held by the University or College, as the Case may be, upon the like Trusts and for the like Purposes as the Lands and Hereditaments sold or given in Exchange by such University or College respectively; and the Monies from Time to Time remaining unapplied for the Purposes aforesaid shall be invested by and in the Names of the said Church Estates Commissioners in the Purchase of Government Stocks, Funds, or Securities, which the said Church Estates Commissioners shall hold in trust for such University or College, and the said Church Estates Commissioners may sell and dispose of the same for the Purpose of effecting any such Purchase of Lands and Hereditaments, or either of them, as aforesaid, or of paying Money for Equality of Exchange as aforesaid, as Occasion may require; and in the meantime the Interest, Dividends, and annual Proceeds of such Monies, Stocks, Funds, and Securities shall be paid to such University or College, to be applied to the same Purposes as the annual Income was applicable which arose out of those Lands and Hereditaments from the Sale or Exchange of which the Money invested in such Stocks, Funds, or Securities was produced: Provided that, except as herein-after mentioned, nothing in this Act contained shall apply to any Estate of the University or any College in Reversion in Lands or Hereditaments expectant upon any Lease for Lives, or for a Term of Years determinable upon any Life or Lives, or for a Term of Years whereof more than Seven shall be unexpired, on which a Rent less than Three Fourths of the clear yearly Value of such Lands or Hereditaments shall have been reserved.

**Act to extend to Lands held in trust for special Endowments.**

II. The Powers and Provisions of this Act in relation to any Estate of Land and Hereditaments vested in the said University and in any College of such University respectively, and in the College of *Saint Mary of Winchester* near *Winchester*, shall extend and be applicable, not only to any Estate in Lands or Hereditaments so vested as the Property or for the general Purposes of such University or such College respectively, but also to any such Estate so vested which may be held in trust for any special Endowment or other Purpose connected with such University or College.

**Colleges may accept Surrenders from Lessees in consideration of annual Payments, and may sell and exchange to or with such Lessees.**

III. Provided also, That for faciliting such Transactions by way of Sale and Exchange between Colleges and their Lessees it shall be lawful for any College in the said University, and for the College of *Saint Mary of Winchester* near *Winchester*, with the Consent of the said Church Estates Commissioners, upon accepting the Surrender of the whole or any Part of the Lands or Hereditaments comprised in any Lease for Years or for Lives, to covenant or agree to pay to the Person so surrendering during the Residue then unexpired of the Term, or so long as such Lease, but for such Surrender, would have continued, an annual Sum equal to the Difference between the Rent reserved by such Lease, or (if Part only of the Land or Hereditaments comprised therein be surrendered) a proportional Part of such Rent, and the estimated annual Value of the Lands or Hereditaments so surrendered; and it shall also be lawful for such College upon accepting such Surrender as aforesaid, and with such Consent as aforesaid, to contract with the Lessee or Person so surrendering for the Sale or Exchange to or with such Lessee or Person of the Lands or Hereditaments comprised in the Surrender, such Lands and Hereditaments being for the Purpose of such Sale or Exchange valued as if in the Possession of such College discharged of such Lease, and to convey the same in pursuance of such Contract accordingly.

## CAP. XCVI.

An Act for amending the Law of Marriage in *Scotland*. [29th *July* 1856.]

'WHEREAS it is expedient to amend the Law touching Marriages in *Scotland*:' 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:

I. After

I. After the Thirty-first Day of *December* One thousand eight hundred and fifty-six, no irregular Marriage contracted in *Scotland* by Declaration, Acknowledgment, or Ceremony shall be valid, unless One of the Parties had at the Date thereof his or her usual Place of Residence there, or had lived in *Scotland* for Twenty-one Days next preceding such Marriage; any Law, Custom, or Usage to the contrary notwithstanding. Declaring under what Circumstances Marriages solemnized in Scotland shall be valid.

II. If any Persons who shall have contracted an irregular Marriage in *Scotland* after the Day and Year aforesaid shall within Three Months thereafter present a joint Application for a Warrant to register such Marriage to the Sheriff or Sheriff Substitute of the County where such Marriage was contracted, and shall prove to his Satisfaction that they have been married to one another, and that One of them had lived in *Scotland* for Twenty-one Days next preceding such Marriage, or had his or her usual Residence in *Scotland* at the Date thereof, such Sheriff or Sheriff Substitute shall certify the same under his Hand, and shall thereupon grant Warrant to the Registrar of the Parish or Burgh in which the Marriage was contracted, who shall forthwith enter such Marriage in the Register of Marriages kept by him, in Terms of an Act of the Seventeenth and Eighteenth Years of Her present Majesty, Chapter Eighty; and any certified Copy of such Entry, signed by such Registrar, and which such Registrar is hereby required and empowered to give, charging for the same the Sum of Five Shillings, shall be received in Evidence of such Marriage, and of such Residence or of such previous living Twenty-one Days in *Scotland*, in all Courts in the United Kingdom and Dominions thereunto belonging. Certificated Copy of Entry by Sheriff Depute that Parties were married, and that One of them lived in Scotland Twenty-one Days preceding such Marriage, conclusive as to its Validity.

III. It shall not be lawful, after the Date aforesaid, to convict any Parties of having irregularly contracted Marriage, unless there shall be adduced to the Justice or Justices of the Peace, Magistrate or Magistrates, before whom the Complaint against such Parties has been brought, sufficient Proof, other than the Acknowledgment of such Parties, that One of them had at the Date thereof his or her usual Residence in *Scotland*, or had lived in *Scotland* for Twenty-one Days next preceding such Marriage; nor shall it be lawful for any Registrar of Births, Deaths, and Marriages in *Scotland* to register any Marriage under the Provisions of the said recited Act, on the Production of an Extract of a Conviction for having irregularly contracted Marriage, unless such Conviction shall bear that such sufficient Proof as aforesaid was so adduced. No Conviction for, nor Registration of irregular Marriage, without Proof of previous Residence.

## CAP. XCVII.

An Act to amend the Laws of *England* and *Ireland* affecting Trade and Commerce. [29th *July* 1856.]

'WHEREAS Inconvenience is felt by Persons engaged in Trade by reason of the Laws of *England* and *Ireland* being in some Particulars different from those of *Scotland* in Matters of common Occurrence in the course of such Trade, and with a view to remedy such Inconvenience it is expedient to amend the Laws of *England* and *Ireland* as hereinafter is mentioned:' 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:

I. No Writ of Fieri facias or other Writ of Execution, and no Writ of Attachment against the Goods of a Debtor, shall prejudice the Title to such Goods acquired by any Person *bonâ fide* and for a valuable Consideration before the actual Seizure or Attachment thereof by virtue of such Writ; provided such Person had not, at the Time when he acquired such Title, Notice that such Writ, or any other Writ by virtue of which the Goods of such Owner might be seized or attached, had been delivered to and remained unexecuted in the Hands of the Sheriff, Under Sheriff, or Coroner. Persons acquiring Title to Goods before they have been seized or attached under a Writ against the Seller protected.

II. In all Actions and Suits in any of the Superior Courts of Common Law at *Westminster* or *Dublin*, or in any Court of Record in *England*, *Wales*, or *Ireland*, for Breach of Contract Specific Delivery of Goods sold.