CAP. XLIII.

An Act to enable Her Majesty's Postmaster General to sell and otherwise dispose of Land. [13th *July* 1863.]

3 & 4 Vict. c. 96.

'WHEREAS by an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of the Duties of Postage*, in order to enable Her Majesty's Postmaster General for the Time being to hold and take Conveyances and Leases of Messuages, Tenements, Lands, and Hereditaments for the Service of the Post Office, and to transmit the same to his Successors, it was enacted that Her Majesty's Postmaster General and his Successors should be and were thereby made a Body Corporate, and should have a Seal, and that all Messuages, Tenements, Lands, and Hereditaments, of whatsoever Tenure, then vested in Her Majesty's then present Postmaster General, his Heirs, Executors, Administrators, and Assigns, in trust for Her Majesty and Her Successors, should, immediately on the passing of the said Act, be and become vested in him in his corporate Capacity, and his Successors for ever, in trust as aforesaid: And whereas it is expedient that Her Majesty's Postmaster General and his Successors should be invested with such Powers of Sale, Exchange, Leasing, and other Disposition over Lands held by him and them, and that such further and other Powers should be conferred on Her Majesty's Postmaster General for the Time being, as are herein-after in that Behalf contained:' 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:

Postmaster General empowered to sell or exchange Lands.

1. It shall be lawful for Her Majesty's Postmaster General for the Time being from Time to Time, with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, or any Two of them, (such Consent and Approbation to be certified by One of the Secretaries or Assistant Secretaries of the Treasury by Writing under his Hand,) to sell or to exchange for other Lands, or to lease or to surrender on any Terms, any Lands for the Time being vested in him in trust as aforesaid, and upon any such Exchange to give or receive any Money for Equality of Exchange; and any such Sale as aforesaid may be made either by Public Auction or Private Contract, and the Postmaster General may make any Stipulations as to Title or otherwise, in any Conditions of Sale or Contract for Sale or Exchange, and may buy in, rescind, or vary any Contract for Sale or Exchange, and may re-sell or re-exchange any such Lands as aforesaid; and it shall be lawful for the Postmaster General or his Successors, for the Purposes aforesaid, or any of them, to execute and do all such Assurances and Things as he or they shall think fit.

Rights of Way.

2. In all Sales, Exchanges, and Leases respectively to be made by Her Majesty's Postmaster General under the Authority of this Act, it shall be lawful for him to stipulate for, create, or reserve all such Rights of Way or Road as shall be deemed right.

Purchaser not to be bound to inquire into Authority of Postmaster General to execute Deed.

3. No Purchaser, Lessee, or other Person claiming under any Deed or Instrument purporting to be executed by the Postmaster General under the Authority of this Act shall be bound to inquire whether the Postmaster General shall have been duly authorized by the Commissioners of Her Majesty's Treasury to execute the same or not, or whether any Sale or Exchange or Lease or Surrender purporting to be made by the Postmaster General under the Authority of this Act shall have been in fact authorized by this Act or not, or whether it shall or shall not have been within the Provisions or within the true Intent and Meaning of this Act.

Monies payable to Postmaster General under this Act to be paid into the Bank of England.

4. All Monies, except Rents reserved on Leases, which shall become payable to the Postmaster General under the Provisions of this Act shall be paid into the Bank of *England*, and shall be there placed to the Account of Her Majesty's Postmaster General, or to such other Account at the Bank of *England* as the Postmaster General for the Time being and the Commissioners of Her Majesty's Treasury for the Time being, or any Two of them, shall direct; and the Receipt of the Receiver and Accountant General for the Time being of Her

Her Majesty's Post Office for such Monies shall effectually discharge the Person or Persons by whom or on whose Account the same shall be paid into the Bank of *England*, and no such Person shall be bound to see to the Application, or be answerable for the Nonapplication or Misapplication thereof.

5. All Leases and Underleases, and Agreements for Leases and Underleases, heretofore made or entered into by Her Majesty's present Postmaster General or any of his Predecessors in Office are hereby confirmed. Former Leases confirmed.

6. Upon and by virtue of the Appointment of any Person to be Her Majesty's Postmaster General, the Benefit of all Contracts, Bonds, Securities, and Things in Action, which shall have been vested in his Predecessor at the Time when such Predecessor ceased to hold Office, shall be transferred to and vested in and enure for the Benefit of the Postmaster General so appointed, in the same Manner as if he had been contracted with instead of his Predecessor, and as if his Name had been inserted in all such Contracts, Bonds, and Securities, instead of the Name of his Predecessor. On Appointment of Postmaster General, Contracts, &c. vested in his Predecessor transferred.

7. This Act may be cited for all Purposes as "The Post Office Lands Act, 1863." Short Title.

CAP. XLIV.

An Act for the further Security of the Persons of Her Majesty's Subjects from personal Violence. [13th *July* 1863.]

'WHEREAS by the Forty-third Section of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Ninety-six, it is provided that "whosoever shall, being armed with any offensive Weapon "or Instrument, rob or assault with Intent to rob any Person, or shall together with "One or more other Person or Persons rob or assault with Intent to rob any Person, or "shall rob any Person, and at the Time of or immediately before or immediately after "such Robbery shall wound, beat, strike, or use any other personal Violence to any "Person;" and by the Twenty-first Section of the Act of the same Session, Chapter One hundred, that "whosoever shall by any means attempt to choke, suffocate, or strangle "any Person, or by any means calculated to choke, suffocate, or strangle, attempt to "render any Person insensible, unconscious, or incapable of Resistance, with Intent in "any of such Cases thereby to enable himself or any other Person to commit, or with "Intent in any of such Cases to assist any other Person in committing, any indictable "Offence, 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:" And whereas the Punishment awarded by the said Sections is insufficient to deter from Crimes of Violence:' 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: 24 & 25 Vict. c. 96. 24 & 25 Vict. c. 100.

1. Where any Person is convicted of a Crime under either of the said Sections, the Court before whom he is convicted may, in addition to the Punishment awarded by the said Sections or any Part thereof, direct that the Offender, if a Male, be once, twice, or thrice privately whipped, subject to the following Provisions: Power to award Punishment of Whipping in Cases herein named.

1. That in the Case of an Offender whose Age does not exceed Sixteen Years the Number of Strokes at each such Whipping do not exceed Twenty-five, and the Instrument used shall be a Birch Rod: