carrying out works of a permanent nature,) on mortgage of rates leviable by the aforesaid Board, a sum or sums not exceeding Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings, which (together with the amount already borrowed) will not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed:

And whereas, after due inquiry, I am of opinion that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the power vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health in and for the District of Southampton shall have power and authority to borrow or re-borrow, for the execution and completion of works of a permanent nature, and on mortgage of the rates leviable by them as such, an amount not exceeding Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings, which will not, with the sums already borrowed, exceed in the whole two years assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid amount of Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Eighteenth day of July One thousand eight hundred and sixty-six.

(Signed) S. H. WALPOLE.

CAP. CVIII.

An Act to amend the Law relating to Securities issued by Railway Companies. [10th *August* 1866.]

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:

Short Title.

1. This Act may be cited as The Railway Companies Securities Act, 1866.

Interpretation of Terms.

2. In this Act—

The Term "Railway" includes a Tramway authorized by Act of Parliament incorporating The Companies Clauses Consolidation Act, 1845, but not any other Tramway:

The Term "Railway Company" includes every Company authorized by Act of Parliament to raise any Loan Capital for the Construction or Working of a Railway, or for any Purposes connected with the Conveyance by such Company of Traffic on a Railway, either alone or in conjunction with other Purposes:

The Term "Debenture Stock" includes Mortgage Preference Stock and Funded Debt, and any Stock or Shares representing Loan Capital of a Railway Company, by whatever Name called:

The Term "Act of Parliament" includes a Certificate of the Board of Trade made under The Railways Construction Facilities Act, 1864, or The Railway Companies Powers Act, 1864, or any other Act of Parliament.

27 & 28 Vict. cc. 120, 121.

Company to have Registered Officer.

3. Every Railway Company shall, on or before the Fifteenth Day of *January* One thousand eight hundred and sixty-seven, register, and shall always thereafter keep registered, at

at the Office of the Registrar of Joint Stock Companies in *England*, the Name of their Secretary, Accountant, Treasurer, or Chief Cashier for the Time being authorized by them to sign Instruments under this Act, or, if they think fit, the Names of Two or more such Officers of the Company so authorized (and the Officer so registered for the Time being, and any One of the Officers so registered if more than One, is in this Act referred to as the Company's Registered Officer).

Half Years for Purposes of Act.

4. Half Years shall, for the Purposes of this Act, be deemed to end on the Thirtieth Day of *June* and the Thirty-first Day of *December*; and the First Half Year to which this Act applies shall be that ending on the Thirty-first Day of *December* One thousand eight hundred and sixty-six; but the Board of Trade, on the Application of any Railway Company, may (by Writing under the Hand of One of their Secretaries or Assistant Secretaries, which shall be registered by the Railway Company at the Office of the said Registrar) appoint, with respect to that Company, other Days for the ending of Half Years (including the First).

Loan Capital Accounts to be made half-yearly.

5. Within Fourteen Days after the End of each Half Year every Railway Company shall make an Account of their Loan Capital authorized to be raised and actually raised up to the End of that Half Year, specifying the Particulars described in the First Schedule to this Act, Part I. (which Account for each Half Year is in this Act referred to as the Loan Capital Half-yearly Account).

Form of Half-yearly Account.

6. The Board of Trade may from Time to Time, by Notice published in the *London*, *Edinburgh*, and *Dublin* Gazettes, prescribe the Form in which the Loan Capital Half-yearly Account is to be made.

Account to be open to Shareholders, &c.

7. The Loan Capital Half-yearly Account of each Company may be perused at all reasonable Times, without Payment, by any Shareholder, Stockholder, Mortgagee, Bond Creditor, or Holder of Debenture Stock of the Company, or any Person interested in any Mortgage, Bond, or Debenture Stock of the Company.

Deposit of Copy of Account.

8. Within Twenty-one Days after the End of each Half Year every Railway Company shall deposit with the Registrar of Joint Stock Companies in *England* a Copy, certified and signed by the Company's Registered Officer as a true Copy, of their Loan Capital Half-yearly Account.

Deposit in Scotland and Ireland.

9. A Railway Company may also, if they think fit, deposit with the Registrar of Joint Stock Companies in *Scotland*, or with the Assistant Registrar of Joint Stock Companies in *Ireland*, or with each, a like Copy of any Loan Capital Half-yearly Account of the Company.

Prohibition against borrowing before Registration of Act giving the Borrowing Power.

10. It shall not be lawful for any Railway Company at any Time to borrow any Money on Mortgage or Bond, or to issue any Debenture Stock, under any Act of the present Session or passed after the End of the Half Year to which their then last registered Loan Capital Half-yearly Account relates, unless and until they have first deposited with the Registrar of Joint Stock Companies in *England* a Statement, certified and signed by the Company's Registered Officer as a true Statement, specifying the Particulars described in the First Schedule to this Act, Part II.

The Board of Trade may from Time to Time, by Notice published in the *London*, *Edinburgh*, and *Dublin* Gazettes, prescribe the Form in which such Statement is to be made.

A Railway Company may also, if they think fit, deposit with the Registrar of Joint Stock Companies in *Scotland*, or with the Assistant Registrar of Joint Stock Companies in *Ireland*, or with each, a like Copy of any such Statement.

Penalty on Company failing to register, &c.

11. If at any Time any Railway Company fail to register or keep registered as aforesaid the Name of their Secretary, Accountant, Treasurer, or Chief Cashier, or to deposit with the Registrar of Joint Stock Companies in *England*, within the Time required by this Act, such a Copy as aforesaid of any Loan Capital Half-yearly Account, or borrow any Money on Mortgage or Bond, or issue any Debenture Stock, without having first deposited with the Registrar of Joint Stock Companies in *England* such a Statement as they are by this

Act required to deposit, in any Case where they are so required, then and in every such Case they shall be deemed guilty of an Offence against this Act, and shall for every such Offence be liable, on summary Conviction, to a Penalty not exceeding Twenty Pounds, and in case of a continuing Offence to a further Penalty not exceeding Five Pounds for every Day during which the same continues after the Day on which the First Penalty is incurred.

Power to inspect Documents on Payment of a Fee.

12. Every Person may inspect the Documents kept by any Registrar or Assistant Registrar under this Act on paying a Fee of One Shilling for each Inspection as regards each Railway Company; and any Person may require a Copy or Extract of any of those Documents to be certified by the Registrar or Assistant Registrar on paying for such certified Copy or Extract a Fee of Sixpence, and a further Fee of Sixpence for every Two hundred Words or fractional Part of Two hundred Words after the First Two hundred Words.

Fees on Registration of Name of Officer, &c.

13. Every Railway Company on registering the Name or Names of any Officer or Officers, or depositing any Account or Statement, under this Act, shall pay the like Fee as is for the Time being payable under The Companies Act, 1862, on Registration of any Document other than a Memorandum of Association.

Declaration by Directors, &c. on Mortgage Deed, &c.

14. There shall be put (by Indorsement or otherwise) on every Mortgage Deed or Bond made or given after the Twenty-first Day of *January* One thousand eight hundred and sixty-seven by a Railway Company for securing Money borrowed by the Company, and on every Certificate given after that Day by a Railway Company for any Sum of Debenture Stock issued by the Company, a Declaration in the Form given in the Second Schedule to this Act, or to the like Effect, with such Variations as Circumstances require.

Every such Declaration shall be signed by Two Directors of the Company specially authorized and appointed by the Board of Directors to sign such Declarations, and by the Company's Registered Officer.

Penalty on Company, &c. if Declaration omitted.

15. If after the Expiration of the Time specified in the last preceding Section any Railway Company deliver any such Mortgage Deed, Bond, or Certificate without such a Declaration being first put thereon and signed as aforesaid, they shall be deemed guilty of an Offence against this Act, and shall for every such Offence be liable, on summary Conviction, to a Penalty not exceeding Twenty Pounds; and if any Director or Officer of any Railway Company knowingly authorizes or permits the Delivery of any such Mortgage Deed, Bond, or Certificate without such a Declaration being first put thereon and signed as aforesaid, every such Person shall be deemed guilty of an Offence against this Act.

Penalty on Registered Officer.

16. If any Director or Registered Officer of a Company signs any Declaration, Account, or Statement under this Act knowing the same to be false in any Particular he shall be deemed guilty of an Offence against this Act.

Punishment for Offences against Act.

17. If any Director or Officer of a Railway Company is guilty of an Offence against this Act, he shall be liable, on Conviction thereof on Indictment, to Fine or Imprisonment, or on summary Conviction thereof to a Penalty not exceeding Ten Pounds.

Nothing to affect Liability of Company, &c.

18. Nothing in this Act, or in any Account, Statement, or Declaration under it, shall affect in any Action or Suit any Question respecting any Loan, Debt, Liability, Mortgage, Bond, or Debenture Stock as between a Railway Company or any Director or Officer of a Railway Company on the one Side, and any Person or Class of Persons on the other Side.

Account, &c. not to be Evidence for Company.

19. An Account, Statement, or Declaration under this Act shall not be admissible as Evidence in favour of a Railway Company of the Truth of any Matter therein stated.

SCHEDULES.

THE FIRST SCHEDULE.

PART I.

Particulars to be specified in Loan Capital Half-yearly Account.

A. Every Half-yearly Account to show—

(1.) The Act or Acts of Parliament under the Powers of which the Company have contracted any Mortgage or Bond Debt existing at the End of the Half Year, or have issued any Debenture Stock then existing, or the Act or Acts of Parliament by or under which any Mortgage or Bond Debt or Debenture Stock of the Company then existing has been confirmed, and the Act or Acts of Parliament under which the Company have any subsisting Power to contract any Mortgage or Bond Debt, or to issue any Debenture Stock (either on Fulfilment of any Condition or otherwise):

(2.) The Amount or respective Amounts of Mortgage or Bond Debt or Debenture Stock thereby authorized or confirmed:

(3.) Whether or not by any such Act or Acts the obtaining of the Certificate of a Justice or Sheriff for any Purpose, or the obtaining of the Assent of a Meeting of the Company, has been made a Condition precedent to the Exercise of the Power thereby conferred of borrowing on Mortgage or Bond, or of creating and issuing Debenture Stock:

(4.) The Date at which such Condition has been fulfilled:

(5.) The Amount or the aggregate Amount, under the Powers of such Act or Acts, actually borrowed up to the End of the Half Year on Mortgage or Bond (distinguishing them), and then being an existing Debt, and of Debenture Stock actually issued up to that Time and then existing:

(6.) The Amount or the aggregate Amount remaining to be borrowed.

B. The Second and every subsequent Half-yearly Account to show also—

(7.) The Items described in Paragraphs (2.) and (5.) of this Part of the present Schedule for Two consecutive Half Years, and the Increase or Decrease of any of those Items in the Second of those Half Years as compared with the First.

PART II.

Particulars to be specified in Statement as to new Borrowing Power.

(1.) The Act of Parliament conferring the Power to borrow on Mortgage or Bond or to issue Debenture Stock (either on Fulfilment of any Condition or otherwise):

(2.) The Amount of Mortgage or Bond Debt or Debenture Stock thereby authorized:

(3.) Whether or not by such Act the obtaining of the Certificate of a Justice or Sheriff for any Purpose, or the obtaining of the Assent of a Meeting of the Company, has been made a Condition precedent to the Exercise of the Power thereby conferred of borrowing on Mortgage or Bond, or of creating and issuing Debenture Stock:

(4.) The Date at which such Condition has been fulfilled.

THE SECOND SCHEDULE.

Declaration on Mortgage Deed, Bond, or Certificate of Debenture Stock.

The Railway Company.

We, the undersigned, being Two of the Directors of the Company specially authorized and appointed for this Purpose, and I, the undersigned Registered Officer of the Company, do

do hereby declare (each for himself) that the within-written [*or as the Case may be*] Mortgage Deed [*or* Bond *or* Certificate] is issued under the Borrowing Powers of the Company as registered * on the Day of , and is † not in Excess of the Amount there stated as remaining to be borrowed.

Dated this Day of 18 .

_____ } Directors.
_____ }

_____ { [Secretary *or* Accountant, *or as the Case may be*] and Registered Officer.

*Note.—Where the Case so requires with reference to a Statement under the First Schedule, Part II., leave out from the * to the End of the Form and insert:*—on the Day of and the Day of , and is not in Excess of the Amounts there stated as remaining and authorized to be borrowed.

Where the Mortgage Deed, Bond, or Certificate is issued under a Power of Re-borrowing, or of issuing Debenture Stock in discharge of Mortgage or Bond Debt, leave out from the † to the End of the Form, and insert:—in substitution for a Mortgage Deed [*or* Bond] which has since been paid off.

CAP. CIX.

An Act to make Provision for the Discipline of the Navy.

[10th *August* 1866.]

'WHEREAS it is expedient to amend the Law relating to the Government of the 'Navy, whereon, under the good Providence of God, the Wealth, Safety, and 'Strength of the Kingdom chiefly depend:'

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:

PART I.

ARTICLES OF WAR.

Public Worship.

Public Worship to be performed.

1. All Officers in Command of Her Majesty's Ships of War shall cause the Public Worship of Almighty God according to the Liturgy of the Church of *England* established by Law to be solemnly, orderly, and reverently performed in their respective Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently, and that the Lord's Day be observed according to Law.

Misconduct in the Presence of the Enemy.

Penalty for Misconduct in Action.

2. Every Flag Officer, Captain, Commander or Officer commanding subject to this Act who upon Signal of Battle, or on Sight of a Ship of an Enemy which it may be his Duty to engage, shall not,

(1.) Use his utmost Exertion to bring his Ship into Action;

(2.) Or shall not during such Action, in his own Person and according to his Rank, encourage his inferior Officers and Men to fight courageously;

(3.) Or who shall surrender his Ship to the Enemy when capable of making a successful Defence, or who in Time of Action shall improperly withdraw from the Fight,

shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice, shall suffer Death, or such other Punishment as is herein-after mentioned; and if he has acted from Negligence