ANNO SEPTIMO

VICTORIÆ REGINÆ.

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C A P. XVII.

An Act for giving additional Powers to the Commissioners for the Relief of certain of Her Majesty's Colonies and Plantations in the *West Indies*.

[6th *June* 1844.]

WHEREAS by an Act passed in the Session of the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for enabling His* 2 & 3 W. 4.
Majesty to direct the Issue of Exchequer Bills to a limited Amount, c. 125.
for the Purposes and in the Manner therein mentioned; and for giving Relief to Trinidad, British Guiana, *and* Saint Lucie, it was (amongst other things) enacted, that it should be lawful for the Commissioners thereby appointed, or other the Commissioners for the Time being acting in the Execution of the said Act, or any Three of them, to advance and lend Exchequer Bills to the Amount and in the Proportions therein specified to the Owners of and Persons interested in Estates which had suffered Injuries from the Causes therein mentioned in the Islands of *Jamaica*, *Barbadoes*, *Saint Vincent*, and *Saint Lucie*, and that the said Commissioners, or any Three of them, as therein mentioned, should take such Security or Securities as therein mentioned for the Repayment of any Advances or Loans to be made under the said Act within Ten Years from the Time of such Advances respectively, with Interest for the same in the mean time

after the Rate of Four Pounds *per Centum per Annum*, with Power to the said Commissioners, in default of Repayment of such Loans or Advances, to take possession of any of the mortgaged Premises, and to sell or mortgage the same as therein mentioned; and it was enacted that all Mortgages and other Securities to be made in pursuance of the said Act should have such Priority as therein is mentioned: And whereas by an Act passed in the Session of the Fifth and Sixth Years of the Reign of His said Majesty King *William* the Fourth, intituled *An Act for granting Relief to the Island of* Dominica; *and to amend an Act of the Second and Third Years of His present Majesty, for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes therein mentioned*, it was (amongst other things) enacted, that it should be lawful for the Commissioners acting in the Execution of the said recited Act to advance Exchequer Bills to a certain Amount to the Owners of and Persons interested in the Property in the said Island of *Dominica* which had suffered Injury as therein mentioned, and that such Advances should be made in the same Manner in all respects as was provided by the said recited Act with regard to the Advances thereby authorized to be made: And whereas by an Act passed in the Session of the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to amend Two Acts of His late Majesty King* William *the Fourth, for the Relief of certain of Her Majesty's Colonies and Plantations in the* West Indies, it was (amongst other things) enacted, that it should be lawful for the Commissioners for the Time being acting in the Execution of the said therein and herein before recited Acts, or any Three of them, with the Consent in Writing of the Lord High Treasurer for the Time being, or any Three or more of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, upon any Application made to them at any Time before the passing of the said Act, or upon any Application thereafter to be made to them, to grant any Extension or Enlargement of the Time limited for the Repayment of any Loan or Advance which should have been or should be made under the Provisions or Authority of the therein-before recited Acts, or any Part of such Loan or Advance, for any Period not exceeding Ten Years from the Day originally fixed for the Repayment thereof or the last Instalment thereof, together with Interest for the same as in the said Act now in recital is provided, and so that every such Extension of Time should be made on the Conditions in the said Act now in recital specified; and it was by the said Act provided, that every such Application should be made not less than One Year before such Time or Times so limited for the Repayment of such Loans should arrive: And whereas it is expedient that the Powers of granting such Extension of Time should be altered, and that the said Commissioners should be enabled to make such Transfers of the Securities made in pursuance of the said Acts, and the Monies thereby secured, in manner after mentioned: 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, That so much of the said last-recited Act as provides that every such Application for such Extension of Time for the

5 & 6 W. 4. c. 51.

3 & 4 Vict. c. 40.

Proviso in last-recited Act, limiting

Payment of any such Loan as aforesaid should be made within One Year before the Time or Times limited for the Payment of such Loans as aforesaid should arrive shall be and is hereby repealed; and that henceforth it shall and may be lawful for the said Commissioners acting in the Execution of the said recited Acts, or any Three of them, with such Consent and in all respects whatsoever as by the said lastly herein-before recited Act is provided, to grant such Extension of Time for the Repayment of such Loans as aforesaid in all respects as is by the said Act provided, and under and subject to the Conditions in the said last-recited Act specified, except that any such Extension of Time may be granted at any Time hereafter, and without regard to the Period at which the Application for the granting thereof shall be or shall have been made, and notwithstanding the Time originally fixed for the Repayment of such Loan shall have arrived, or that the Monies so secured as aforesaid shall be actually due; and any such Extension which shall be hereafter granted shall be taken to have been granted in pursuance of the Powers in the said recited Acts contained in all respects whatsoever, except as regards the hereby repealed Provision contained in the lastly herein-before recited Act.

the Time for making Applications for Extension of Time for Repayment of Loans, repealed, and Commissioners enabled to grant such Extension.

II. And be it enacted, That it shall not be necessary to record, register, or enrol, in any Colonial Registry or elsewhere, any such Grant or Extension of Time, or any Power of Sale or Covenant to be entered into on the granting such Extension, which may already have been made or may hereafter be made in pursuance of the said recited Acts or of this Act; but that every such Grant of Extension, and other Instrument, Power of Sale, or Covenant, shall in all respects have the same Effect as if the same respectively had been duly registered, recorded, or enrolled on the Day of the Date thereof, in pursuance of any Law or Provision for the registering, recording, or enrolling of Instruments which may be subsisting in the Island or Colony wherein the Hereditaments to which such Instruments may relate are situate.

Grants for Extension of Time need not be recorded.

III. And be it enacted, That it shall be lawful for the said Commissioners acting in the Execution of the said recited Acts, or any Three of them, to make any Transfer of any Sum or Sums of Money secured to or owing to Her Majesty under or by virtue of any Security made in pursuance of the said recited Acts respectively, and either before or after such Sums shall be actually due, and any Interest thereon which may be due, and to convey and assure the Securities for the same unto or in trust for any Person or Persons who shall pay and discharge all Principal Monies due or secured by such Mortgage Security as aforesaid, and the Interest thereon, such Principal Monies and Interest to be paid into the Bank of *England*, and in all respects as by the said first-recited Act is provided with respect to the Repayment of the Monies to be secured by virtue of the Provisions of the said Act; and upon any such Transfer and Disposition so to be made as aforesaid the Person or Persons to whom such Transfer or Disposition shall be made, his, her, or their Heirs, Executors, Administrators, and Assigns respectively, shall have in all respects such and the same Priorities, Privileges, Powers, and Securities

Commissioners may transfer Securities, &c.

Securities as by the said recited Acts or any of them are given to Her Majesty or the said Commissioners, or any of them, or which Her said Majesty, Her Heirs or Successors, or the said Commissioners acting in execution of the said recited Acts, would have had in case no such Transfer had been made.

Conveyances by Commissioners to have the same Effect as if executed by Her Majesty.

IV. And be it enacted, That every Conveyance, Transfer, and Assignment authorized by this Act may be made and executed by the Commissioners for the Time being acting in the Execution of the said recited Acts, or by any Three of them, or by any Attorney or Attornies by them or any Three of them appointed for that Purpose by Deed under their Hands and Seals; and every such Conveyance, Transfer, or Assignment so made and executed shall have the same Effect to all Intents and Purposes as if made and executed by Her said Majesty, Her Heirs or Successors.

Act may be amended this Session.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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