

ANNO VICESIMO OCTAVO & VICESIMO NONO
VICTORIÆ REGINÆ.

CAP. LXIV.

An Act to remove Doubts respecting the Validity of certain Marriages contracted in Her Majesty's Possessions abroad.

[29th June, 1865.]

WHEREAS Laws have from time to time been made by the Legislatures of divers of Her Majesty's Possessions abroad for the purpose of establishing the Validity of certain Marriages previously contracted therein, but Doubts are entertained whether such Laws are in all respects effectual for the aforesaid purpose beyond the Limits of such Possessions: 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:

1. Every Law made or to be made by the Legislature of any such Possession as aforesaid for the purpose of establishing the Validity of any Marriage or Marriages contracted in such possession shall have and be deemed to have had from the date of the making of such Law the same force and effect for the purpose aforesaid within all Parts of Her Majesty's Dominions as such Law may have had or may hereafter have within the Possession for which the same was made: Provided that nothing in this Law contained shall give any Effect or Validity to any Marriage unless at the time of such Marriage both of the Parties thereto were, according to the Law of England, competent to contract the same.

2. In this Act the word "Legislature" shall include any Authority competent to make Laws for any of Her Majesty's Possessions abroad, except the Parliament of the United Kingdom and Her Majesty in Council.

ANNO VICESIMO OCTAVO & VICESIMO NONO
VICTORIÆ REGINÆ.

CAP. CXIII.

An Act to authorize the Payment of Retiring Pensions to Colonial Governors.

[5th July, 1865.]

WHEREAS it is expedient that Retiring Pensions should be granted in certain Cases to Officers who have administered the Government of Her Majesty's Colonial Possessions: 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:

1. In this Act the Term "Colony" includes any Plantation, Island, or other Possession within Her Majesty's Dominions, exclusive of the United Kingdom of *Great Britain* and *Ireland*, and of the Islands being immediate Dependencies thereof, and exclusive of *India* as defined by the Act of Parliament of 1858 "for the better Government of *India*."

2. The full Rate of Pension hereinafter referred to shall be as follows, that is to say:

In the Case of Officers who shall for at least Four Years have administered the Government of any Colony or Colonies in which the Salary of the Governor is not less than Five thousand Pounds, One thousand Pounds:

In the Case of Officers who shall for at least Four Years have administered the Government of any Colony or Colonies in which the Salary of the Governor is not less than Two thousand five hundred Pounds, Seven hundred and fifty Pounds:

In the Case of Officers who shall for at least Four Years have administered the Government of any Colony or Colonies in which the Salary of the Governor is not less than One thousand two hundred Pounds, Five hundred Pounds:

In other Cases, Two hundred and fifty Pounds.

3. The reduced Rate of Pension hereinafter referred to shall in all Cases be Two Thirds of the full Rate.

4. One of Her Majesty's Principal Secretaries of State may, by Writing under his Hand, grant the full Rate of Pension to any Person who, being of the Age of Sixty, shall have adminis-

tered the Government of any Colony or Colonies for Periods amounting in the whole to Eighteen Years, or who, being of the Age aforesaid, shall have administered such Government or Governments for Periods amounting in the whole to Ten Years, and shall have been employed in the whole either in such Administration or in the permanent Civil Service of Her Majesty, for Periods amounting in the whole to Twenty-five Years, or to any Person who, having administered such Government or Governments for Periods amounting in the whole to Fifteen Years, shall have established, to the Satisfaction of such Secretary of State, that he is incapable, from Infirmary of Mind or Body contracted while administering his Government, of discharging the Duties of any Office in the Public Service, and that such Infirmary is likely to be permanent.

5. Such Secretary of State may, by such Writing as aforesaid, grant the reduced Rate of Pension to any Person being of the Age of Sixty, who, after having attained the Age of Forty, shall have administered the Government of any Colony or Colonies for Periods amounting in the whole to Twelve Years, or to any Person being of the Age of Sixty, who, after having attained the Age of Forty, shall have administered such Government or Governments for Periods amounting in the whole to Eight Years, and shall have been employed in the whole, either in such Administration or in the permanent Civil Service of Her Majesty, for Periods amounting in the whole to Twenty Years, or to any Person who, having administered such Government or Governments for Periods amounting in the whole to Ten Years, shall have established to the Satisfaction of such Secretary of State that he is incapable, from Infirmary of Mind or Body contracted while administering his Government, of discharging the Duties of any Office in the Public Service, and that such Infirmary is likely to be permanent.

6. No person whose Claim to a Pension under the Provisions of this Act is founded in part upon his Employment in the permanent Civil Service of Her Majesty shall be entitled to claim a Superannuation Allowance, in respect of the same Employment, under the Provisions of any other Act of Parliament.

7. In case any Person to whom a Pension shall have been granted under the Provisions of this Act shall be or become entitled to any Half Pay, Salary, or other Emolument from any Public Revenue raised, or in respect of any Public Services performed, within Her Majesty's Dominions, his Pension shall be reduced by Half the Amount of such Half Pay, Salary, or Emolument.

8. In case any Person to whom a Pension shall have been granted under the Provisions of this Act shall, by reason of his Re-employment, become eligible for any higher Rate of Pension than that already granted him, One of Her Majesty's Principal Secretaries of State may, by such Writing as aforesaid, grant to him such higher Rate of Pension.

9. In case any Person, having administered the Government of any Colony and not being of the full Age of Sixty, shall be called upon by Her Majesty to administer the Government of any Colony not being of a lower Class than that on which his Rate of Pension has been, or in case of his Retirement on reaching the Age of Sixty would be calculated, and not being incapable from Infirmary of Mind or Body of administering such Government, shall refuse to administer the same; or if any such Person, not being of the full Age of Sixty-five, shall relinquish such Government without the Permission of Her Majesty, or shall neglect or decline to execute the Duties thereof satisfactorily, the said Secretary of State may, by Writing under his Hand, declare that such Person has forfeited all Claim to any Pension under this Act, and such Claim shall thereupon be forfeited accordingly.

10. In case any Person shall have administered the Government of any Colony or Colonies, and shall have likewise been employed in the permanent Civil Service of Her Majesty, but shall not have become entitled to any Pension under the preceding Clauses of this Act, the Number of Years passed in the Government of such Colony or Colonies shall, for the purpose of computing any Superannuation Allowance to be granted to such Person under the Superannuation Act, 1859, be taken to have been passed in the permanent Civil Service of Her Majesty, and at the Rate of Salary last received by such Person in respect of his Employment in such permanent Civil Service.

11. Any Person claiming a Pension shall, for the Purposes of this Act, be taken to have been employed in the permanent Civil Service of Her Majesty while holding any Office which at the Time of his claiming such Pension would entitle the Holder thereof to Superannuation Allowance under the Superannuation Act, 1859.