

5. Upon or for the payment off or repayment of any principal money secured under this Act, the Secretary of State may at any time borrow or raise by the creation and issue of capital stock, bearing interest at such rate per centum per annum as the Secretary of State may think fit, all or any part of the amount of principal money required to be paid off or repaid, and so from time to time as all or any part of the principal money secured under this Act may require to be repaid, but the amount to be charged upon the revenues of India shall not in any case exceed the principal money required to be paid off or repaid: Provided that nothing in this Act contained shall authorise the Secretary of State to re-issue any capital stock or securities which may, by the operation of the said sinking fund, be cancelled or redeemed in reduction of the public debt of India created under the authority of Parliament.

Power to raise money for payment of principal money.

6. All capital stock to be issued under this Act, and the interest thereon, shall be charged on and payable out of the revenues of India in like manner as other liabilities incurred on account of the government of India.

Capital stock and interest to be charged on revenues of India.

7. The half-yearly returns to Parliament of loans raised in England chargeable upon the revenues of India shall include the amount of the sinking fund created by the Secretary of State under the East Indian Railway Company Purchase Act, 1879, and the application thereof.

Half-yearly returns of loans to include sinking fund under 42 & 43 Vict. c. cxi.

8. This Act shall not prejudice or affect any power of raising or borrowing money vested in the Secretary of State at the time of passing thereof.

Saving borrowing powers.

9. Any capital stock created under this Act shall be deemed to be East India Stock within the Act twenty-second and twenty-third Victoria, chapter thirty-five, section thirty-two, unless and until Parliament shall otherwise provide; and any capital stock created under this Act shall be deemed to be and shall mean India stock within the Act of the twenty-sixth and twenty-seventh Victoria, chapter seventy-three, anything in the said last-mentioned Act to the contrary notwithstanding.

Stock created hereunder to be deemed East India Stock. 22 & 23 Vict. c. 35. s. 32.

10. The provisions contained in the third section of the Act of the thirty-third and thirty-fourth Victoria, chapter ninety-three, and all other enactments in the said Act relating to or affecting such provisions shall be extended and be applicable to any capital stock created under this Act.

26 & 27 Vict. c. 73.

33 & 34 Vict. c. 93. s. 3, &c. extended to capital stock created under this Act.

CHAPTER 44.

An Act to make provision in regard to the office of Lord Clerk Register of Scotland, and for other purposes.

[11th August 1879.]

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. Section twenty-six of the Land Registers (Scotland) Act, 1868, is hereby repealed; and from and after the passing of this Act no

Repeal of sect. 26 of 31 & 32 Vict. c. 64.

salary or emoluments shall be attached to the office of Lord Clerk Register of Scotland.

Status, &c. of
Lord Clerk
Register.

2. The Lord Clerk Register shall continue to be one of the officers of state of Scotland, and shall have the same status and precedence as heretofore ; but, save as herein provided, no rights, authorities, privileges, or duties shall be attached to the office of Lord Clerk Register.

Lord Clerk
Register to be
Keeper of the
Signet.

3. The Lord Clerk Register shall as heretofore be Keeper of the Signet, and shall continue to have all the rights, authorities, privileges, and duties belonging to the office of such keeper, including the right of appointing a deputy keeper and the officers in the Signet Office.

Lord Clerk
Register's
duties at elec-
tion of repre-
sentative peers.

4. The Lord Clerk Register shall continue to have all the rights, authorities, privileges, and duties heretofore belonging to or exercised by the Lord Clerk Register at or in connexion with the election of representative peers of Scotland : Provided that in the event of a vacancy in the office of Lord Clerk Register, or in his absence from any cause, the Deputy Clerk Register shall have and may exercise the said rights, authorities, privileges, and duties, any statute or custom to the contrary notwithstanding.

Appointment
and salary of
Deputy Clerk
Register.

5. Upon the death or resignation of William Pitt Dundas, Esquire, it shall be lawful for Her Majesty, her heirs and successors, to appoint a Deputy Clerk Register of Scotland, who shall be an Advocate of the Scottish Bar of not less than ten years standing, and who shall have a salary of one thousand two hundred pounds by the year, payable out of moneys voted by Parliament.

Duties of
Deputy Clerk
Register.

6. The Deputy Clerk Register shall have, save as otherwise provided, the whole rights, authorities, privileges, and duties in regard to the public registers, records, and rolls of Scotland, and the keepers and other officers thereof, heretofore vested in the Lord Clerk Register, and shall exercise and discharge the same personally, giving regular attendance during the usual business hours for that purpose in Her Majesty's General Register House in Edinburgh.

Any reports, acts, or things required to be made or done to or in relation to the Lord Clerk Register by or under any Act of Parliament, law, or custom, shall, save in so far as otherwise provided by this Act, be made or done to or in relation to the Deputy Clerk Register.

Deputy Clerk
Register to hold
office of Regis-
trar General of
Births, &c.

7. The Deputy Clerk Register shall, without special appointment or additional salary, hold the office, with all the powers and duties thereto belonging, of Registrar General of Births, Deaths, and Marriages in Scotland.

Treasury to ap-
point to offices
in Register of
Sasines, &c.

8. The right of making or nominating to or approving of appointments to any offices now vested in the Lord Clerk Register, or Registrar General of Scotland, or Director of Chancery, and of appointing and removing deputies, assistants, clerks, and such other officers as may be necessary in the General Register of Sasines and the General Register of Hornings, Inhibitions, and Adjudications shall hereafter be vested in the Commissioners of Her Majesty's Treasury.

Provided that from and after the passing of this Act the Keeper of the General Register of Sasines and the General Register of Hornings, Inhibitions, and Adjudications shall be relieved of all

responsibility in respect of neglects, omissions, errors, or breaches of duty in the registration of writs in the said registers other than such as may in law attach to him in respect of neglects, omissions, errors, or breaches of duty in his own person or by his own default or direction.

The Commissioners of Her Majesty's Treasury shall have power to fix the salaries and emoluments attached to any of the offices aforesaid, and, with the consent of one of Her Majesty's Principal Secretaries of State, to regulate any of the said offices, and to change the designations thereof and the duties of officers employed therein, and the terms on which appointments shall be made thereto.

9. All appointments hereafter made to any of the offices aforesaid shall entitle the holders thereof to superannuation upon such conditions as the Commissioners of Her Majesty's Treasury, having regard to the Superannuation Act, 1859, shall prescribe: Provided, that it shall be lawful to the said Commissioners if, and so far as they see fit, to grant superannuations to the holders of such offices before the passing of this Act, although they may not have obtained certificates from the Civil Service Commissioners.

Superannuation of officers.

22 Vict. c. 26.

10. Wherever under the present law and practice an order may be made by any court or judge upon the Lord Clerk Register for the production or exhibition of any writ or document in public custody, such order may hereafter be made upon the Deputy Clerk Register.

Orders for production or exhibition of writs in public custody.

11. All minutes and regulations made in pursuance of this Act shall be laid before Parliament within one month after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within one month after the beginning of the then next session of Parliament.

Minutes, &c. to be laid before Parliament.

12. In respect of his long service as Deputy Clerk Register, and his special service as the first holder of the office of Registrar General of Scotland, in organising the system of registering births, deaths, and marriages in Scotland, it shall be lawful to the Commissioners of Her Majesty's Treasury to grant to William Pitt Dundas, Esquire, a retiring allowance not exceeding the salary now payable to him under the Act passed in the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter eighty-five, in respect of the said conjoined offices of Deputy Clerk Register and Registrar General of Scotland.

Retiring allowance to W. P. Dundas, Esq.

13. This Act may be cited for all purposes as the Lord Clerk Register (Scotland) Act, 1879.

Short title.

CHAPTER 45.

An Act to authorise the issue of a sum out of the Consolidated Fund by way of loan to the Secretary of State for India.
[11th August 1879.]

WHEREAS the exigencies of the public service in India render it expedient to grant a temporary advance out of the Consolidated Fund of the United Kingdom to the Government of India:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and