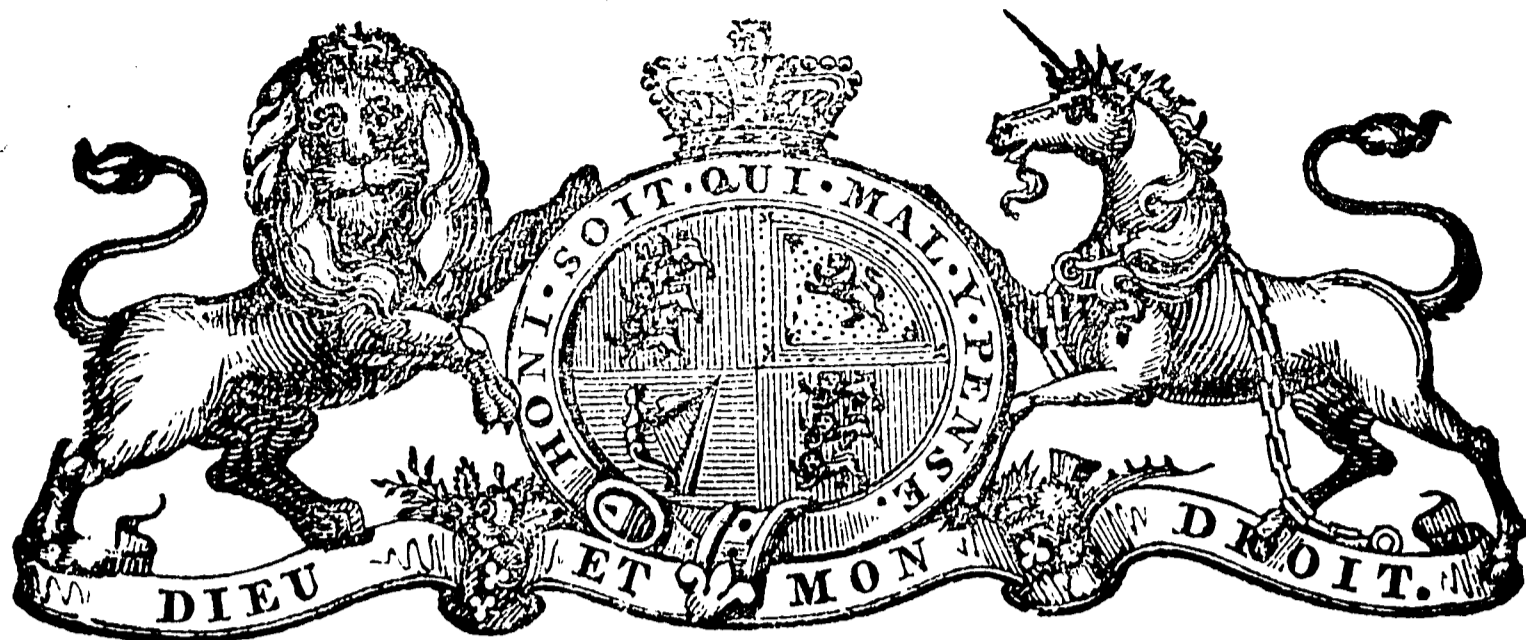


VICTORIA.



ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. CCLXXXIII.

An Act to amend and explain "The Instruments and Securities Statute 1864."

[20th September, 1865.]

WHEREAS doubts have arisen as to the validity of certain mortgages of stock and agreements by reason of the requirements of the Seventh Part of "*The Instruments and Securities Statute 1864*" not having been complied with And whereas by the forty-first section of the said Statute it is prohibited to make re-assurance except in the cases therein mentioned And whereas it is expedient to remove such doubts and restrictions Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows—

1. Every mortgage of stock and every agreement for the purchase of wool or advances thereon registered before the passing of this Act in accordance with the Eighth Part of the said Statute and every such mortgage and agreement and also every agreement for advancing money or goods to any company engaged in prosecuting mining operations and every mortgage of machinery stock and property registered under and in accordance with any Act in force at any time prior to the coming into operation of the said Statute and every mortgage of stock and every agreement for the purchase of wool or advances thereon registered after the passing of this Act in accordance with the said Eighth Part of the said Statute shall be as valid and effectual

Mortgages of stock to be valid.

effectual to all intents and purposes as if the Act of the twenty-fifth year of the reign of her present Majesty number one hundred and forty-one and the said Seventh Part of the said Statute respectively had not been passed.

Receipt to be endorsed
on mortgages &c.

2. Upon the registration of any such mortgage or agreement as aforesaid and upon the filing of any copy of a bill of sale under the Seventh Part of the said Statute the proper officer shall endorse thereon respectively a receipt for the same in which shall be specified the certain day hour and time on which the same shall have been registered or filed and the Registrar-General or other proper officer in that behalf shall then attach his signature to the said receipt and every such receipt so endorsed and signed shall be taken and allowed as evidence of the registration or filing as the case may be of such mortgage agreement or bill of sale and of the time when such registration or filing took place.

Re-assurance of sea
risks allowed.
27 and 28 Vict. c. 56
s. 1.

3. The said forty-first section of the said Statute shall be and the same is hereby repealed. Notwithstanding anything contained in the said Statute it shall be lawful to make re-assurance upon any ship or vessel or upon any goods merchandise or other property on board of any ship or vessel or upon the freight of any ship or vessel or upon any other interest in or relating to any ship or vessel which may lawfully be insured.

MELBOURNE:

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