Description of Secretary of State in contract, etc., and execution of contract, etc.

5. In every contract, conveyance, surrender, lease, or other assurance of any lands, hereditaments, estates, or property with, unto, or by the last-mentioned Principal Secretary of State for the time being, and in every other deed or instrument relating to any lands, hereditaments, estates, or property, or in anywise to the public service, to which the last-mentioned Principal Secretary of State for the time being shall be or shall be intended to be a party, it shall be sufficient to call or describe him by the style or title of "His Majesty's Principal Secretary of State for the War Department," without naming him; and every such contract, conveyance, surrender, lease, assurance, deed, or instrument may be executed by such last-mentioned Principal Secretary of State, or by any other of the Principal Secretaries of State for the time being, by signing his name thereto, and, if the instrument so executed is in the form of a deed, by setting or affixing a seal thereto and delivering the same as his deed; and whenever any contract, conveyance, surrender, lease, assurance, deed, or instrument is executed by any other Principal Secretary of State than the Principal Secretary of State for the War Department, the Principal Secretary of State so executing the same shall, for that time, and on that occasion, and for the purposes thereof, be deemed to be the Principal Secretary of State for the War Department.

[*Originally* No. 14 of 1860.

Law Rev. Ord., 1937.]

No. 3 of 1860.

An Ordinance to make provision for the remission of penalties.

[17th August, 1860.]

WHEREAS penalties which under penal statutes or Ordinances are made payable to parties other than the Crown cannot be remitted by the Governor where no express provision has been made by the Imperial Statute or Colonial Ordinance for that purpose, and it is expedient that the law as to the remission of such penalties should be amended and made uniform:—

Short title.

1. This Ordinance may be cited as the Penalties (Remission) Ordinance, 1860.

Power to Governor to remit penalties other than those due to the Crown. *

2. It shall be lawful for the Governor to remit, in whole or in part, any sum of money which, under any enactment now in force or hereafter to be passed, may be imposed as a penalty or forfeiture on a convicted offender, although such money may be in whole or in part payable to some party other than the Crown, and to order the discharge of any person who may be imprisoned for non-payment of any sum of money so imposed.

— 1862. —

No. 1 of 1862, *repealed* by Law Revision Ordinance, 1937.

No. 2 of 1862, *repealed* by No. 21 of 1932. [24.6.32.] †

— 1863. —

No. 1 of 1863.

[*Originally* No. 3 of 1863.

Law Rev. Ord., 1937.]

An Ordinance for vesting all estates and property occupied by or for the Naval Service of the United Kingdom, in this Colony, in the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral.

[26th May, 1863.]

* As amended by Law Revision Ordinance, 1937.

† The repeal of No. 2 of 1862 does not affect the pensions of persons who retired before 24.6.1932, and ss. 3 & 3A of No. 2 of 1862 as amended by No. 2 of 1928 are still in force so far as officers in the public service on 24.6.1932 are concerned. *See* ss. 19 & 22 of No. 21 of 1932. The text of ss. 3 & 3A of No. 2 of 1862 is as follows :—

3. Subject to the approval of the Secretary of State as regards officers appointed under instructions from or through the Secretary of State, the Governor in Council may—

(*a*) require any judge or other public officer to retire from the service at any time after he attains the age of fifty-five years; or

(*b*) require any judge or other public officer to retire from the service at any time if, in the opinion of the Governor in Council, such judge or other public officer is unable from any cause to discharge efficiently the duties of his office.

3A. Every judge and every other public officer, whenever appointed, shall retire from the service upon attaining the age of sixty years unless the Governor in Council decides that his services shall be retained.