Indemnity to witnesses.

10.—(1.) Every person examined as a witness under this Act who, in the opinion of the Commissioners, makes a full and true disclosure touching all the matters in respect of which he is examined, shall be entitled to receive a certificate signed by the Commissioners, stating that the witness has, on his examination, made a and full true disclosure as aforesaid.

(2.) If any civil or criminal proceeding is at any time thereafter instituted against any such witness in respect of any matter touching which he has been so examined, the court having cognizance of the case shall, on proof of the certificate, stay the proceeding, and may in its discretion award to the witness such costs as he may be put to in or by reason of the proceeding: Provided that nothing in this section shall be deemed to apply in the case of proceedings for having given false evidence at an inquiry held under this Act, or of having procured, or attempted or conspired to procure, the giving of such evidence.

Short title.

11. This Act may be cited as the Special Commission Act, 1888.

CHAPTER 36.

An Act to amend the Law of Bail in Scotland.

[13th August 1888.]

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:

Short title and application.

1. This Act may be cited as the Bail (Scotland) Act, 1888, and shall apply to Scotland only.

All crimes to be bailable except murder and treason.

2. The Act passed in the first Parliament of His Majesty King William the Third, intituled "An Act for preventing wrongous imprisonment and undue delay in Trials," so far as the same relates to bail, is hereby repealed, and from and after the passing of this Act all crimes and offences, except murder and treason, shall be bailable, and any magistrate having jurisdiction to try the offence or to commit the accused until liberated in due course of law may henceforth, at his discretion, on the application of any person who has been committed until liberation in due course of law for any crime or offence, except murder or treason, and after opportunity shall have been given to the prosecutor to be heard thereon, admit or refuse to admit such person to bail; and such application shall be disposed of within twenty-four hours after its presentation to the magistrate, failing which the accused shall be forthwith liberated.

Renewal of application for bail. 50 & 51 Vict. c. 35.

3. Where bail is refused before commitment until liberation in due course of law on an application made under section eighteen of the Criminal Procedure (Scotland) Act, 1887, the application for bail may be renewed after such commitment.

Statutory limit of bail abolished.

4. Any magistrate admitting a person to bail shall fix the bail at such an amount as he may consider sufficient to ensure the appearance of such person to answer at all diets to which he may be cited

on the charge, and the Act passed in the thirty-ninth year of His
39 G. 3. c. 49. Majesty King George the Third, intituled "An Act to extend the "bail to be given in cases of criminal information in that part of "Great Britain called Scotland," is hereby repealed, and all other Acts of Parliament, in so far as they limit the amount of bail which may be fixed by any magistrate, are hereby repealed.

Right of appeal to High Court of Justiciary.

5. Where an application for bail after commitment until liberation in due course of law is refused by any magistrate, or where the applicant is dissatisfied with the amount of bail fixed, he may appeal to the High Court of Justiciary, and the said Court may, in its discretion, order intimation to the Lord Advocate; and where an application for bail is granted by any magistrate, whether before or after commitment until liberation in due course of law, the Public Prosecutor, if dissatisfied with the decision allowing bail, or with the amount of bail fixed, may appeal in like manner, and the applicant shall not be liberated until the appeal at the instance of such prosecutor is disposed of, except as herein-after provided: Provided always, that written notice of appeal shall be immediately given by the party appealing to the opposite party, and every appeal shall be disposed of by the said High Court of Justiciary or any Lord Commissioner thereof in court or in chambers after such inquiry and hearing of parties as shall seem just; and in the event of the appeal of the Public Prosecutor being refused, the Court may award expenses against the appellant.

No fees exigible against accused in respect of application for bail.

6. No clerks' fees, court fees, or other fees or expenses shall be exigible from, or be awarded against, an accused in respect of his application for bail, or of the appeal of such application to the High Court of Justiciary.

Liberation of applicant when appeal by Public Prosecutor.

7. When an appeal is taken at the instance of the Public Prosecutor either against bail being granted or against the amount fixed, the applicant to whom bail has been allowed shall, if the bail fixed shall have been found by him, be liberated after seventy-two hours, or where the place of application is in any island in the Outer Hebrides, or in the Orkney and Shetland islands, ninety-six hours from the time of his application being granted, whether the appeal be disposed of or not, unless the High Court shall grant order for further detaining him in custody pending consideration of the appeal, and notice by telegraph to the gaoler of the issue of such order within the time aforesaid bearing to be sent by the clerk of court or the Crown agent shall be sufficient to justify the applicant's detention until the arrival of such order in due course of post: Provided always, that in computing such periods of hours, Sundays, public fasts and public holidays, whether general or Court holidays, shall not be included.

Right of Lord Advocate and Court of Justiciary saved.

8. Nothing in this Act contained shall affect the right of the Lord Advocate or the High Court of Justiciary to admit to bail any person charged with any crime or offence.

Interpretation clause.

9. The words "crimes" and "offences" shall mean all crimes and offences at common law, as well as all crimes and offences under any existing or future Acts of Parliament. The word "magistrate" shall mean the sheriff or sheriff substitute, and the words

"Public Prosecutor" shall mean "any prosecutor acting for the "public interest in the High Court of Justiciary or the sheriff "court."

Rules for carrying out Act.

10. It shall be lawful for the Lords Commissioners of the High Court of Justiciary, and the said Court is hereby required from time to time to make all such rules and regulations, by Act of Adjournal, as may be necessary for carrying out the purposes and accomplishing the objects of this Act: Provided always, that copies of all such Acts of Adjournal shall, within fourteen days of the making thereof, be laid before both Houses of Parliament if Parliament shall be then sitting, and if not, within fourteen days after the commencement of the then next session of Parliament.

Commencement of Act.

11. This Act shall come into force on the expiry of one month from the date of the passing thereof.

CHAPTER 37.

An Act to amend the Acts relating to the planting of Timber Trees in Ireland. [13th August 1888.]

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:

Amendments in the Timber Acts.

1. From and after the passing of this Act the Act of the session of the Irish Parliament of the twenty-third and twenty-fourth years of the reign of King George the Third, chapter thirty-nine, intituled "An Act to amend the Acts relating to the planting of Timber Trees," shall be amended as follows:—

(1.) Every tenant of a holding who has a statutory term therein under the Land Law (Ireland) Act, 1881, shall have the same rights and privileges as are conferred by the said Act of King George the Third upon tenants for years exceeding fourteen years unexpired, subject to the conditions imposed by the said Acts. 44 & 45 Vict. c. 49.

(2.) The said Act of King George the Third, and the other Acts relating to the planting of timber trees in Ireland, shall extend to and include fruit trees.

Amendment of 33 & 34 Vict. c. 46. s. 4.

2. A tenant of a holding under a lease made for a term certain of not less than thirty-one years, or, in cases of leases made before the first day of August one thousand eight hundred and seventy, for a term of a life or lives with or without a concurrent term of years, which leases shall have existed for thirty-one years before the making of the claim, shall be entitled to claim compensation under the fourth section of the Landlord and Tenant (Ireland) Act, 1870, in respect of trees planted and registered by him under the provisions of the said Act of King George the Third: Provided