1. This Act may be cited as the Passengers Acts Amendment Act, 1889, and shall be construed together with the Passengers Act, 1855, and the Passengers Act Amendment Act, 1863. Short title and construction.

2. For the purposes of the fifty-second section of the Passengers Act, 1855, and the fifteenth section of the Passengers Act Amendment Act, 1863, the term "passenger ship" shall signify every description of sea-going vessel carrying one or more passenger or passengers on any voyage from any place in Her Majesty's dominions to any place whatever. Amendment of 18 & 19 Vict. c. 119. s. 52. 26 & 27 Vict. c. 51. s. 15.

CHAPTER 30.

An Act for establishing a Board of Agriculture for Great Britain. [12th August 1889.]

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.—(1.) There shall be established a Board of Agriculture consisting of the Lord President of the Council, Her Majesty's Principal Secretaries of State, the First Commissioner of Her Majesty's Treasury, the Chancellor of Her Majesty's Exchequer, the Chancellor of the Duchy of Lancaster, and the Secretary for Scotland, and such other persons (if any) as Her Majesty the Queen may from time to time think fit to appoint during Her Majesty's pleasure: Provided that the Board shall not be entitled to act unless the President or one of the officers of State above mentioned is present. Establishment of Board of Agriculture.

(2.) It shall be lawful for Her Majesty the Queen from time to time to appoint any member of the Privy Council to be President of the Board during Her Majesty's pleasure.

(3.) The Board shall be deemed to be established on the appointment of the President thereof.

2.—(1.) There shall be transferred to the Board of Agriculture— Powers and duties of Board.

(*a*) the powers and duties of the Privy Council under the Acts mentioned in Part One of the First Schedule to this Act;

(*b*) the powers and duties of the Land Commissioners for England under the Acts mentioned in Part Two of the First Schedule to this Act or under any other Act, whether general, local and personal, or private; and

(*c*) on such date as shall be fixed by the Commissioners of Her Majesty's Treasury all powers and duties vested in the Commissioners of Her Majesty's Works and Public Buildings under the Survey Act, 1870. 33 & 34 Vict. c. 13.

(2.) The Board of Agriculture shall also undertake the collection and preparation of statistics relating to agriculture, and forestry, and may also undertake the inspection of, and reporting on, any schools which are not public elementary schools, and in which technical

instruction, practical or scientific, is given in any matter connected with agriculture or forestry, and the aiding of any school which admits such inspection, and in the judgment of the board is qualified to receive such aid and the aiding of any system of lectures or instruction connected with agriculture or forestry, and the inspection of and reporting on any examinations in agriculture or forestry.

(3.) The Board of Agriculture may also make or aid in making such inquiries, experiments, and research, and collect or aid in collecting such information as they may think important for the purpose of promoting agriculture or forestry.

Power as to dogs.

3. The Board of Agriculture may from time to time make such general or special orders as they think fit for the following purposes, or any of them, that is to say—

(*a*) for prescribing and regulating the muzzling of dogs, and the keeping of dogs under control;

(*b*) for prescribing and regulating the seizure, detention, and disposal (including slaughter) of stray dogs, and of dogs not muzzled, and of dogs not being kept under control, and the recovery from the owners of dogs of the expenses incurred in respect of their detention;

and the Contagious Diseases (Animals) Acts, 1878 to 1886, shall apply as if the said purposes were among the purposes mentioned in section thirty-two of the Contagious Diseases (Animals) Act, 1878.

41 & 42 Vict. c. 74.

Power to transfer other powers of Government departments.

4. It shall be lawful for Her Majesty the Queen in Council from time to time by order to transfer to the Board of Agriculture such powers and duties of any Government department as are conferred by or in pursuance of any statute, and appear to Her Majesty to relate to agriculture or forestry, and to be of an administrative character;

Provided that before any such order is made, the draft thereof shall be laid before each House of Parliament for not less than thirty days on which such House is sitting, and if either of such Houses before the expiration of such thirty days presents an address to Her Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft order.

Provided also, that nothing in this Act contained shall in any respect affect the exclusive control of the Secretary of State in Council of India over the candidates for the Indian Forest Department at Cooper's Hill College or elsewhere.

Staff and remuneration and expenses.

5.—(1.) The Board of Agriculture may from time to time appoint a secretary and such officers and servants as the Board may, with the sanction of the Treasury, determine.

(2.) There shall be paid out of money provided by Parliament to the President, if not one of the Officers of State above mentioned, nor any other Officer of State receiving a salary, the annual salary of two thousand pounds a year, and to the secretary, officers, and servants of the Board such salaries or remuneration as the Treasury may from time to time determine.

(3.) All expenses incurred by the Board of Agriculture in the execution of their duties under this Act, to such amount as may be sanctioned by the Treasury, shall be paid out of money provided by Parliament.

Style and seal of Board.

6.—(1.) The Board of Agriculture may sue and be sued, and may for all purposes be described, by that name.

(2.) The Board shall have an official seal, which shall be officially and judicially noticed, and such seal shall be authenticated by the signature of the president or some member of the Board, or of the secretary, or some person authorised by the President of the Board to act on behalf of the secretary.

(3.) In the execution and discharge of any power or duty transferred to the Board of Agriculture by or in pursuance of this Act, the Board shall adopt and use the style and seal of the Board of Agriculture and no other.

Proceedings of Board.

7.—(1.) Every document purporting to be an order, licence, or other instrument issued by the Board of Agriculture, and to be sealed with the seal of the Board, authenticated in manner provided by this Act, or to be signed by a secretary or any person authorised by the President of the Board to act on behalf of the secretary shall be received in evidence and be deemed to be such order, licence, or instrument without further proof, unless the contrary is shown.

(2.) A certificate signed by the President or any member of the Board of Agriculture, that any order, licence, or other instrument purporting to be made or issued by the Board is so made or issued, shall be conclusive evidence of the fact so certified.

Power of President to sit in Parliament. 30 & 31 Vict. c. 102. s. 52. 31 & 32 Vict. c. 48. s. 51. 31 & 32 Vict. c. 49. s. 11.

8.—(1.) The office of President of the Board of Agriculture shall not render the person holding the same incapable of being elected to, or sitting or voting as a member of, the Commons House of Parliament, and shall be deemed to be an office included in Schedule H. of the Representation of the People Act, 1867, Schedule H. of the Representation of the People (Scotland) Act, 1868, and Schedule E. of the Representation of the People (Ireland) Act, 1868.

(2.) The President of the Board of Agriculture, if not one of the officers of State above in this Act mentioned, shall take the oath of allegiance and official oath, and shall be deemed to be included in the first part of the schedule to the Promissory Oaths Act, 1868.

Transfer of officers.

9.—(1.) There shall be transferred and attached to the Board of Agriculture such of the persons employed under the Privy Council or any other Government department, in or about the execution of the powers and duties transferred by or in pursuance of this Act to the Board of Agriculture as the Privy Council, or Government department, with the sanction of the Treasury, determine.

(2.) There shall be transferred and attached to the Board of Agriculture all persons employed under the Land Commissioners for England.

(3.) The Board of Agriculture may from time to time distribute the business of the Board amongst the several persons transferred

thereto in pursuance of this Act in such manner as the Board may think right, and those officers shall perform such duties in relation to that business as may be directed by the Board.

Provided that such persons shall, while they continue in office, be in no worse position as respects their tenure of office, salaries, or superannuation allowances than they would have been in if this Act had not passed.

(4.) Any Order in Council made in pursuance of this Act which transfers any powers or duties to the Board of Agriculture shall extend this section to the persons employed in or about the execution of those powers and duties.

Ultimate abolition of Land Commissioners.

10. After the establishment of the Board of Agriculture, no person shall be appointed to the office of Land Commissioner for England.

Provided that any person who holds office as Land Commissioner at the passing of this Act shall be assigned such position in or under the Board of Agriculture as Her Majesty may direct, so that he is not placed in any worse position as respects his tenure of office, salary, or superannuation allowance than he would have been in if this Act had not passed.

Construction of Acts and documents.

11.—(1.) In the construction and for the purposes of any Act of Parliament, judgment, decree, order, award, deed, contract, or other document passed, or made before the establishment of the Board of Agriculture, but so far only as may be necessary for the exercise of the powers or the discharge of the duties by this Act, or any Order in Council made in pursuance thereof, transferred to that Board, the name of that Board shall be substituted for the Privy Council, Land Commissioners for England, Inclosure Commissioners for England and Wales, Copyhold Commissioners, Tithe Commissioners for England and Wales, or other Commissioners or Government department, as the case may require, and anything authorised or required to be done by, to, or before an Assistant Commissioner of any of the above-named Commissioners may be lawfully done by any officer of the Board of Agriculture for the time being assigned for that purpose.

(2.) Where anything has been commenced by or under the authority of the Privy Council, Land Commissioners, or other Government department, before the transfer to the Board of Agriculture of any powers or duties by or in pursuance of this Act, and such thing is in relation to the powers or duties so transferred, such thing may be carried on and completed by or under the authority of the Board of Agriculture.

(3.) Where at the time of the transfer of any powers or duties by or in pursuance of this Act, any legal proceeding is pending, to which the Privy Council, Land Commissioners, or other Government department are parties, and such proceeding has reference to the powers and duties transferred by or in pursuance of this Act, the Board of Agriculture shall be substituted in such proceeding for the Privy Council, Land Commissioners, or other Government department, and such proceeding shall not abate by reason of such substitution.

12. In this Act— Definitions.

The expression "agriculture" includes horticulture:

The expression "the Treasury" means the Commissioners of Her Majesty's Treasury:

The expression "the Privy Council" means Her Majesty's most Honourable Privy Council.

13. The Acts specified in the Second Schedule to this Act are, as from the date of the establishment of the Board of Agriculture, hereby repealed to the extent in the third column of that schedule mentioned. Repeal.

Provided that this repeal shall not affect the tenure of office, salary, or allowance of any person holding office at the passing of this Act, and shall not affect the exercise by the Board of Agriculture of any power which at the passing of this Act can be exercised by the Land Commissioners for England, and shall not affect the validity of any order or act which prior to the date of the said establishment has been made or done by the Privy Council, and all orders of the Privy Council in force at that date in relation to the powers and duties transferred by this Act to the Board of Agriculture shall continue in force until revoked or altered by that Board.

14. This Act may be cited as the Board of Agriculture Act, 1889. Short title.

FIRST SCHEDULE.

PART I.

Section 2.

Acts relating to Powers and Duties of the Privy Council transferred to Board of Agriculture.

Session and Chapter.	Title.
40 & 41 Vict. c. 68. -	The Destructive Insects Act, 1877.
41 & 42 Vict. c. 74. -	The Contagious Diseases (Animals) Act, 1878.
47 & 48 Vict. c. 13. -	The Contagious Diseases (Animals) Act, 1884.
47 & 48 Vict. c. 47. -	The Contagious Diseases (Animals) Transfer of Parts of Districts Act, 1884.
49 & 50 Vict. c. 32. -	The Contagious Diseases (Animals) Act, 1886.

PART II.

Acts relating to Powers and Duties of Land Commissioners for England.

Tithe Rentcharge Acts.

Session and Chapter.	Title or Short Title.
6 & 7 Will. 4. c. 71. -	An Act for the commutation of tithes in England and Wales.
7 Will. 4. and 1 Vict. c. 69.	An Act to amend an Act for the commutation of tithes in England and Wales.
1 & 2 Vict. c. 64. -	An Act to facilitate the merger of tithes in land.
2 & 3 Vict. c. 62. -	An Act to explain and amend the Acts for the commutation of tithes in England and Wales.
3 & 4 Vict. c. 15. -	An Act further to explain and amend the Acts for the commutation of tithes in England and Wales.
5 & 6 Vict. c. 54. -	An Act to amend the Acts for the commutation of tithes in England and Wales, and to continue the officers appointed under the said Acts for a time to be limited.
9 & 10 Vict. c. 73. -	An Act further to amend the Acts for the commutation of tithes in England and Wales.
10 & 11 Vict. c. 104. -	An Act to explain the Acts for the commutation of tithes in England and Wales, and to continue the officers appointed under the said Acts until the first day of October one thousand eight hundred and fifty, and to the end of the then next session of Parliament.
23 & 24 Vict. c. 93. -	An Act to amend and further extend the Acts for the commutation of tithes in England and Wales.
31 & 32 Vict. c. 89. -	An Act to alter certain provisions in the Acts for the commutation of tithes, the copyhold Acts, and the Acts for the inclosure, exchange, and improvement of land; and to make provision towards defraying the expense of the Copyhold, Inclosure, and Tithe Office.
36 & 37 Vict. c. 42. -	The Tithe Commutation Acts Amendment Act, 1873.
40 & 41 Vict. c. iii. -	The Vicar's Rate in Halifax Act, 1877.
41 & 42 Vict. c. 42. -	An Act to amend and further extend the Acts for the commutation of tithes in England and Wales.
42 & 43 Vict. c. clxxvi.	The London (City) Tithes Act, 1879.
44 & 45 Vict. c. cxcvii.	The London (City) Tithes (St. Botolph Without, Aldgate) Act, 1881.
48 & 49 Vict. c. 32. -	The Tithe Rentcharge Redemption Act, 1885.
49 & 50 Vict. c. 54. -	The Extraordinary Tithe Redemption Act, 1886.
51 & 52 Vict. c. lxix. -	The St. Botolph Without, Aldgate, Tithe Rate Act, 1888.

Copyhold Acts.

Session and Chapter.	Title or Short Title.
4 & 5 Vict. c. 35.	The Copyhold Act, 1841.
6 & 7 Vict. c. 23.	The Copyhold Act, 1843.
7 & 8 Vict. c. 55.	The Copyhold Act, 1844.
15 & 16 Vict. c. 51.	The Copyhold Act, 1852.
21 & 22 Vict. c. 94.	The Copyhold Act, 1858.
31 & 32 Vict. c. 89.	An Act to alter certain provisions in the Acts for the commutation of tithes, the Copyhold Acts, and the Acts for the inclosure, exchange, and improvement of land; and to make provision towards defraying the expense of the Copyhold, Inclosure, and Tithe Office.
50 & 51 Vict. c. 73.	The Copyhold Act, 1887.

Inclosure of Commons and Allotments Acts.

Session and Chapter.	Short Title.
8 & 9 Vict. c. 118.	The Inclosure Act, 1845.
9 & 10 Vict. c. 70.	The Inclosure Act, 1846.
10 & 11 Vict. c. 111.	The Inclosure Act, 1847.
11 & 12 Vict. c. 99.	The Inclosure Act, 1848.
12 & 13 Vict. c. 83.	The Inclosure Act, 1849.
14 & 15 Vict. c. 53.	The Inclosure Commissioners Act, 1851.
15 & 16 Vict. c. 79.	The Inclosure Act, 1852.
17 & 18 Vict. c. 97.	The Inclosure Act, 1854.
20 & 21 Vict. c. 31.	The Inclosure Act, 1857.
22 & 23 Vict. c. 43.	The Inclosure Act, 1859.
31 & 32 Vict. c. 89.	The Inclosure, &c. Expenses Act, 1868.
36 & 37 Vict. c. 19.	The Poor Allotments Management Act, 1873.
39 & 40 Vict. c. 56.	The Commons Act, 1876.
41 & 42 Vict. c. 56.	The Commons (Expenses) Act, 1878.
42 & 43 Vict. c. 37.	The Commons Act, 1879.
45 & 46 Vict. c. 15.	The Commonable Rights Compensation Act, 1882.
50 & 51 Vict. c. 48.	The Allotments Act, 1887.

Metropolitan Commons.

Session and Chapter.	Title or Short Title.
29 & 30 Vict. c. 122. -	The Metropolitan Commons Act, 1866.
32 & 33 Vict. c. 107. -	The Metropolitan Commons Amendment Act, 1869.
41 & 42 Vict. c. 71. -	The Metropolitan Commons Act, 1878.

Drainage and Improvement of Land Acts.

Session and Chapter.	Title or Short Title.
9 & 10 Vict. c. 101. -	The Public Money Drainage Act, 1846.
10 & 11 Vict. c. 11. -	The Public Money Drainage Act, 1847.
10 & 11 Vict. c. 38. -	An Act to facilitate the Drainage of Lands in England and Wales.
11 & 12 Vict. c. 119. -	The Public Money Drainage Act, 1848.
13 & 14 Vict. c. 31. -	The Public Money Drainage Act, 1850.
14 & 15 Vict. c. 91. -	The Public Money Drainage Act, 1851.
19 & 20 Vict. c. 9. -	The Public Money Drainage Act, 1856.
24 & 25 Vict. c. 133. -	The Land Drainage Act, 1861.
27 & 28 Vict. c. 114. -	The Improvement of Land Act, 1864.
30 & 31 Vict. c. 101. -	The Public Health (Scotland) Act, 1867.
33 & 34 Vict. c. 56. -	The Limited Owners Residences Act, 1870.
34 & 35 Vict. c. 84. -	The Limited Owners Residences Act (1870) Amendment Act, 1871.
38 & 39 Vict. c. 55. -	The Public Health Act, 1875.
40 & 41 Vict. c. 31. -	The Limited Owners, Reservoirs, and Water Supply Further Facilities Act, 1877.

Other Duties.

Session and Chapter.	Title or Short Title.
12 & 13 Vict. c. xci. -	The General Land Drainage and Improvement Company's Act, 1849.
15 & 16 Vict. c. 62. -	An Act to alter and amend certain Acts relating to the Woods, Forests, and Land Revenues of the Crown.

Session and Chapter.	Title or Short Title.
16 & 17 Vict. c. cliv. -	The Lands Improvement Company's Act, 1853.
18 & 19 Vict. c. lxxxiv.	The Lands Improvement Company's Amendment Act, 1855.
19 & 20 Vict. c. lxx. -	The Scottish Drainage and Improvement Company's Act, 1856.
21 & 22 Vict. c. 44. -	The Universities and College Estates Act, 1858.
22 & 23 Vict. c. lxxxii.	The Land Improvement Company's Amendment Act, 1859.
23 & 24 Vict. c. 59. -	The Universities and College Estates Act Extension, 1860.
23 & 24 Vict. c. clxix.	The Land Loan and Enfranchisement Company's Act, 1860.
23 & 24 Vict. c. clxx. -	The Scottish Drainage and Improvement Company's Amendment Act, 1860.
26 & 27 Vict. c. cxl. -	The Lands Improvement Company's Amendment Act, 1863.
29 & 30 Vict. c. 70. -	An Act to extend the provisions of the Acts for the inclosure, exchange, and improvement of land to certain portions of the Forest of Dean called Walmore Common and the Bearce Common, and for authorising allotments in lieu of the forestal rights of Her Majesty in and over such commons.
31 & 32 Vict. c. 118. -	The Public Schools Act, 1868.
34 & 35 Vict. c. clviii.	The Thames Valley Drainage Act, 1871.
36 & 37 Vict. c. 62. -	The Public Schools (Eton College Property) Act, 1873.
37 & 38 Vict. c. xxii. -	The Thames Valley Drainage Act, 1874.
40 & 41 Vict. c. xxxvi.	The Somersetshire Drainage Act, 1877.
40 & 41 Vict. c. 48. -	The Universities of Oxford and Cambridge Act, 1877, and Statutes made thereunder.
43 & 44 Vict. c. 46. -	The Universities and College Estates Amendment Act, 1880.
44 & 45 Vict. c. 41. -	The Conveyancing and Law of Property Act, 1881.
45 & 46 Vict. c. 38. -	The Settled Land Act, 1882.
46 & 47 Vict. c. 61. -	The Agricultural Holdings (England) Act, 1883.
47 & 48 Vict. c. 67. -	The Improvement of Lands (Ecclesiastical Benefices) Act, 1884.
50 & 51 Vict. c. 30. -	The Settled Land Acts (Amendment) Act, 1887.
51 & 52 Vict. c. 20. -	The Glebe Lands Act, 1888.

Section 13.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title of Act.	Extent of Repeal.
6 & 7 Will. 4. c. 71. -	An Act for the Commutation of Tithes in England and Wales.	Section two.
4 & 5 Vict. c. 35. -	The Copyhold Act, 1841	Sections one, two, four, five, seven, eight, and nine.
8 & 9 Vict. c. 118. -	The Inclosure Act, 1845	Sections two, six, and eight.
14 & 15 Vict. c. 53. -	The Inclosure Commissioners Act, 1851.	The whole Act, except section nine.
25 & 26 Vict. c. 73. -	An Act for continuing the Copyhold Inclosure and Tithe Commission, and entitling the Commissioners to Superannuation Allowance.	The whole Act so far as unrepealed.
40 & 41 Vict. c. 68. -	The Destructive Insects Act, 1877.	Section six.
41 & 42 Vict. c. 74. -	The Contagious Diseases (Animals) Act, 1878.	Section eight from "the "powers by this Act con- "ferred" inclusive to the end of the section, being sub-section two, and section fifty-eight from "any Act of the Privy Council" inclusive to the end of the section, being sub-section six.
45 & 46 Vict. c. 38. -	The Settled Land Act, 1882.	Section forty-eight down to "may require of the "three several bodies of "commissioners afore- "said," being the end of sub-section five, inclusive.

CHAPTER 31.

An Act to make provision for the Audit of the Manufacturing and Shipbuilding and other like Accounts of the Army and Navy. [12th August 1889.]

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: