'And whereas it would greatly conduce to the Convenience of the Public and to the 'Accommodation of Metropolitan Traffic if Alterations and Improvements were made in 'and adjacent to *Holborn Hill* and *Skinner Street*, by the raising of *Holborn Valley*:

'And whereas it is apprehended that the Proceeds of the said Coal and Wine Duties as 'continued by the said Continuance Act of 1861 will be insufficient for the Purposes 'aforesaid, and it is therefore expedient to continue the same from the said Fifth Day of '*July* One thousand eight hundred and seventy-two for a further Period of Ten Years, for 'the Purpose of providing Means to defray the Expenses of the Undertakings aforesaid, 'including the Alterations and Improvements aforesaid in and adjacent to *Holborn Hill* and '*Skinner Street*:'

Be it therefore 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:

Continuance of Duties and Acts for a further Period of Ten Years.

1. All Duties by The *London* Coal and Wine Duties Continuance Act, 1861, continued until the Fifth Day of *July* One thousand eight hundred and seventy-two, and all Acts relating thereto, shall be continued until the Fifth Day of *July* One thousand eight hundred and eighty-two; and The *London* Coal and Wine Duties Continuance Act, 1861, shall be read as if the Fifth Day of *July* One thousand eight hundred and eighty-two had been substituted throughout that Act for the Fifth Day of *July* One thousand eight hundred and seventy-two.

Coal Duty of 4*d.* to be applied by Corporation of London to Holborn Hill Improvements.

2. The net Proceeds of the Duty of Fourpence, Part of the Duty of Twelvepence, on Coal, Culm, and Cinders, continued by this Act until the Fifth Day of *July* One thousand eight hundred and eighty-two, shall during the Continuance thereof be applied by the Mayor, Commonalty, and Citizens of the City of *London* in the first instance in Payment of the Interest and in discharge of so much of the Principal of the several Sums mentioned in the Sixth Section of The *London* Coal and Wine Duties Continuance Act, 1861, as now remains unpaid; and an Account of the Receipt and Application of such Duty of Fourpence shall be kept separate and distinct from the Accounts of the said Mayor, Commonalty, and Citizens, and an Abstract of the said Account shall be annually laid by the Chamberlain of the said City before both Houses of Parliament; and after discharging the said Sums and Interest, and in the meantime subject thereto, the said Duty of Fourpence shall be applied by the Corporation of *London* in the first instance towards or in aid of the raising of *Holborn Valley*, and afterwards to such other public Improvement or Improvements in or adjacent to the City of *London* as Parliament shall hereafter sanction.

Short Title.

3. This Act may be cited as The *London* Coal and Wine Duties Continuance Act, 1863.

CAP. XLVII.

An Act for removing Doubts as to the Powers of the Courts of the Church of *Scotland*, and extending the Powers of the said Courts. [13th *July* 1863.]

'WHEREAS it would much conduce to the Interests of Religion were Ministers of 'Parishes against whom a Libel has been found relevant for alleged immoral Conduct, 'or for alleged Error in Doctrine, to abstain from exercising Ministerial Functions until 'the said Libel has been disposed of by final Sentence; but Doubts exist whether the 'Right of the Courts of the Church of *Scotland* to require and enjoin Ministers of Parishes 'so to abstain from Ministerial Functions in such Circumstances may not be liable to legal 'Impediment, and it is desirable to remove such Doubts: And whereas it is expedient to 'declare the said Right, and farther to declare the Right of the Presbyteries of the said 'Church to make Provision for supplying the Ordinances of Religion in any Parish where 'the said Ordinances have ceased to be performed by the Minister thereof:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

When a Libel found relevant against a Minister, Presbytery may require and enjoin him to abstain from the Discharge of his Functions.

1. Whenever any Presbytery or other Court of the Church of *Scotland* shall have found a Libel relevant, charging the Minister of any Parish with immoral Conduct or with Error in Doctrine, and shall have resolved to proceed to a Proof of the said Libel, it is hereby declared and enacted that it is and shall be held to be the Right of the said Presbytery to pronounce a Deliverance requiring and enjoining such Minister to abstain from the Exercise and Discharge of all Ministerial Functions of his Office as Minister of the Parish until the Libel shall have been fully investigated and finally disposed of; and in the event of an Appeal against such Deliverance the same shall continue in force until the same shall have been recalled by the Court of Appeal; and the Ordinances of Religion in the said Parish shall, so long as such Deliverance is unrecalled, be administered in the same Way as if the Parish were vacant by the Decease of the Minister thereof: Provided always, that nothing herein contained shall affect the Right of such Minister to his Stipend.

When a Minister has become insane, Presbytery to appoint an Assistant.

2. When, in the course of any Judicial Process affecting the Status of a Minister, or on the Representation of any Party having Interest, it has been established to the Satisfaction of a Presbytery or other Superior Court of the Church, on a Certificate by the Sheriff of the County, which he is hereby authorized to grant after due Investigation, that the Minister of any Parish is insane, and thereby disabled from discharging the Duties of his Office, it is hereby further declared and enacted, that it is and shall be the Right of the Presbytery, unless an Arrangement for the Purposes after mentioned shall have been made on behalf of the said Minister to the Satisfaction of the Presbytery, to appoint a qualified Assistant to perform the Duties of the Charge until the said Minister shall be enabled to resume the same, or until the Parish shall be declared vacant, and at the same Time to apportion and fix, by their Deliverance appointing such Assistant, an Allowance out of the Stipend not exceeding One Half of the whole Proceeds of the Benefice, and which shall be payable so long as such Assistant shall hold and continue to act on his Appointment by the Presbytery; and such Deliverance, when duly intimated to the Heritors or others liable in Payment of the Stipend, shall be equivalent to a legal and completed Assignation by the Minister to such Assistant of the Portion of the Stipend specified in the Deliverance so long as the said Deliverance shall subsist: Provided, that it shall at all Times be competent to such Minister to apply to the Presbytery to be restored to the Duties of his Office on the Ground of his Recovery, and the Presbytery, on being satisfied that such Minister has recovered, shall recall the Deliverance, and from the Date of such Recall all Right and Interest under the Deliverance shall cease and determine.

Provision in case of a Minister being suspended.

3. When, by their final Sentence upon a Libel, a Presbytery or other Church Court shall suspend a Minister from the Discharge of the Duties of his Office for a Term specified in the said Sentence, it is hereby further declared and enacted, that it is and shall be held to be the Right of the Presbytery to appoint a qualified Assistant to discharge the said Duties, and to apportion and fix an Allowance to such Assistant out of the Stipend not exceeding One Half of the whole Proceeds of the Benefice, and which shall be payable so long as such Assistant shall hold and continue to act on his Appointment by the Presbytery; and such Sentence, when duly intimated to the Heritors or others liable in Payment of the Stipend, shall be equivalent to a legal and completed Assignation by the Minister to such Assistant of the Proportion of the Stipend specified in the Sentence.

Church Court may appoint a Person to dictate the Evidence of Witnesses, or appoint a Shorthand Writer to take it down.

4. Where in any Cause depending before a Presbytery or other Superior Court of the Church a Proof shall have been allowed, it shall be lawful and competent for such Court to appoint a qualified Person being an Advocate, Writer to the Signet, Solicitor before the Supreme Courts, or a Procurator duly entered as a Practitioner in any Sheriff Court in *Scotland*, of not less than Three Years standing, to sit with them for the Purpose of dictating to the Clerk of Court the Evidence given by the Witnesses examined in the course of the Proof, and the Oath De fideli administratione officii shall be administered by the Moderator to any Person so appointed; and it shall be lawful and competent for

for such Court, if it see fit, to appoint the Evidence of the Witnesses examined in the course of such Proof to be taken down by a Writer skilled in Shorthand Writing, to whom the Oath De fideli administratione officii shall be administered; and the said Shorthand Writer shall afterwards, and within such Time as may be fixed by the Court, write out in full the Evidence so taken down by him in Shorthand; and the extended Notes, so written out, certified by the Moderator and Clerk of Court to be correct, shall be the Record of the oral Evidence in the Cause: Provided always, that nothing herein contained shall prevent any Church Court, if it see fit, from taking down and recording the Evidence adduced in any Cause, according to the Form hitherto in use.

CAP. XLVIII.

An Act to repeal the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty-six, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and for regulating in such Service the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in the Service. [13th *July* 1863.]

'WHEREAS it is expedient that the Officers and Soldiers of Her Majesty's *European* 'Forces in *India* should from henceforth be subject to the Provisions of such Acts 'for the Punishment of Mutiny and Desertion as may from Time to Time be passed for 'the Government of Her Majesty's General Forces: And whereas Provision has been 'made in that Behalf in the Act "for punishing Mutiny and Desertion, and for the better 'Payment of the Army and their Quarters," which has been passed in the present Session 'of Parliament:' Be it therefore 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:

26 & 27 Vict. c. 8.

20 & 21 Vict. c. 66. repealed.

1. The Act passed in the Twentieth and Twenty-first Years of Her Majesty, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and for regulating in such Service the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in the Service, is hereby repealed.

Offences against repealed Act, and Articles of War made under it, and all existing Proceedings, continued.

2. All Crimes and Offences which shall have been committed against the said Act hereby repealed, or against any of the Articles of War made and established by virtue of the same, may be inquired of and punished in like Manner as if they had been committed against the said Mutiny Act of this present Session, and every Warrant or Order for holding any Court-martial under the said repealed Act shall remain in full Force, and all Proceedings of Courts-martial convened and held under any such Warrant or Order shall be still continued: Provided always, that no Person shall be liable to be tried or punished for any Offence against the said repealed Act, or any Articles of War made in pursuance thereof, which shall appear to have been committed more than Three Years before the Date of the Warrant or Order for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice, within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Not to affect Provisions of 7 & 8 Vict. c. 28.

3. Nothing in this Act, or in the said Mutiny Act passed in the present Session of Parliament, shall affect the Provisions of an Act passed in the Seventh Year of Her Majesty, intituled *An Act to remove Doubts as to the Power of appointing, convening, and confirming the Sentences of Courts-martial in the* East Indies, and all the Provisions thereof shall remain in force, unless and except they may be in any respect inapplicable.

Commencement of Act.

4. This Act shall commence and take effect from and after the First Day of *February* One thousand eight hundred and sixty-five, or from and after any earlier Day whereon the said