SCHEDULE.

Section 2. PROVISIONS OF METALLIFEROUS MINES ACTS APPLIED TO QUARRIES.

Metalliferous Mines Regulation Act, 1872 (35 & 36 Vict. c. 77).

Section nine.
Section eleven, with the substitution of the word "explosive" for the word "powder."
Sections fifteen to eighteen.
Sections twenty to twenty-two.
Sections twenty-four to forty.
In section forty-one, the definitions of "owner" and "agent," and the definition of "court of summary jurisdiction" so far as it relates to Scotland.
Sections forty-two and forty-three.

Metalliferous Mines Regulation Act, 1875 (38 & 39 Vict. c. 39).

Section one, except the proviso.

Metalliferous Mines (Isle of Man) Act, 1891 (54 & 55 Vict. c. 47).

Section one.

CHAPTER 43.

An Act to amend the Law relating to the Management of the Woods, Forests, and Land Revenues of the Crown.

[25th August 1894.]

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:

Investment of capital money.

1. The Commissioners of Woods may, with the consent, general or special, of the Treasury, cause any sums received or to be received in respect of the capital of the land revenues of the Crown, whether at the time in a state of investment or not, to be invested in any one or more of the modes authorised by section one of the Trustee Act, 1893, and may vary any such investment, and the provisions of the Crown Lands Act, 1829, and the Acts amending the same, shall apply to any such investment as they apply to investments authorised by the Crown Lands Act, 1829.

56 & 57 Vict. c. 53.
10 G. 4. c. 50.

Extension of power to pay for improvements out of capital.
29 & 30 Vict. c. 62.
45 & 46 Vict. c. 38.

2. The power given to the Treasury by section one of the Crown Lands Act, 1866 (being a power to direct the costs of certain improvements to be charged to capital and repaid out of income), shall extend to any operation, work, matter, or thing, being within the description of improvements contained in section twenty-five of the Settled Land Act, 1882, and effected or done after the passing of this Act.

Capitalization of moiety of income from mines.

3.—(1.) From and after the thirty-first day of March one thousand eight hundred and ninety-four, one moiety of the gross annual income of the land revenues of the Crown received, and one moiety of the expenses incurred by the Commissioners of Woods, in respect of any substance obtained by mining, quarrying,

or excavating, shall be carried to the account of the capital of the land revenue of the Crown, and the residue of the said gross annual income and expenses shall be carried to the account of the income of such land revenue.

(2.) For the purposes aforesaid, the Commissioners of Woods shall keep a separate account, in such form as the Treasury direct, to be called the Mines Account, and this account shall include all receipts and outgoings in respect of the sources of revenue in this section mentioned, and shall show the respective amounts to be carried under this section to the capital and to the income of the land revenue of the Crown.

(3.) Section two of the Crown Lands Act, 1866, shall be repealed as from the date aforesaid. 29 & 30 Vict. c. 62.

Provision as to purchase of leasehold interests.

4.—(1.) If the Commissioners of Woods in exercise of the powers conferred by the Crown Lands Act, 1829, purchase any leasehold interest in any Crown land under their management, any purchase money paid therefor out of the capital money of the land revenues of the Crown shall be repaid out of the income of the land revenues of the Crown by such equal annual instalments as will replace the said capital money without interest within the period of forty years from the date when the purchase takes effect, or within the unexpired period of the term for which the lease was granted, whichever period is shorter.

(2.) The Commissioners of Woods may also purchase any such leasehold interest in consideration wholly or partly of an annuity for a period not exceeding forty years or the unexpired term for which the lease was granted, whichever period is shorter, and any person having power to sell any such interest, may, unless expressly prohibited by the terms of any settlement, sell the same for such consideration as aforesaid.

Donations for religious or other purposes. 10 G. 4. c. 50. 5 & 6 Will. 4. c. 58.

5.—(1.) Section forty-five of the Crown Lands Act, 1829, and sections three, four, and five of the Crown Lands (Scotland) Act, 1835 (authorising the grant of lands for churches, chapels, and other purposes), are hereby repealed.

(2.) The Commissioners of Woods may, with the consent of the Treasury, make, out of the income of the land revenues of the Crown, donations of money for any religious or educational purposes connected with land under the management of the Commissioners, or for the purposes of any hospital, infirmary, or cemetery.

New lease to operate as surrender of old lease.

6. Where any person, in whom property belonging to the Crown is vested under a lease, accepts a new lease of the property, either to begin presently or at any time during the continuance of the existing lease, the acceptance of the new lease shall, as from the commencement of the term of the new lease, but subject to anything to the contrary expressed in the new lease, operate as a surrender of the existing lease as to so much of the property demised thereby as is demised by the new lease, but without prejudice to any rights or liabilities existing at the date of the surrender.

Extension of 15 & 16 Vict. c. 62. s. 2. as to release from covenants.

7. The power conferred by section two of the Crown Lands Act, 1852, to release from any covenant, condition, or agreement, contained in a lease, shall extend to any covenant, condition, or agreement contained in a grant or other conveyance.

Explanation of powers of Commissioners as to water rights.

8. The Commissioners of Woods may, with the consent of the Treasury, release to or waive in favour of any grantee of land from the Commissioners, or any parish council, district council, council of a county borough, or other local authority or body having power by statute to supply water, any water right exerciseable by or reserved to the Crown.

Provision as to temporary vacancy in office of Commissioner of Woods.

9. It is hereby declared that a vacancy in the office of either of the Commissioners of Woods does not invalidate any order of the Treasury under section five of the Crown Lands Act, 1851, so far as the order relates to the other Commissioner, or prevent the Treasury from making an order under that section.

Provision as to deputy keeper of records.

10. Any certificate or other document required to be given or signed by the Keeper of the Land Revenue Records and Inrolments may be given or signed by any person acting with the sanction of the Treasury as his deputy or assistant, whether the office of the said Keeper is vacant or not, and it shall not be necessary to prove the handwriting of the person so acting or his authority to act.

Settlement of disputed claims in Scotland. 16 & 17 Vict. c. 56.

11.—(1.) The provisions of section five of the Crown Lands Act, 1853, with respect to the settlement of disputed claims, shall extend to disputed claims in Scotland.

(2.) Any order mentioned in that section shall, if it relates to the hereditary possessions and land revenues of the Crown in Scotland, be binding and conclusive when recorded in the office of Her Majesty's Chancery for Scotland.

(3.) With respect to disputed claims in Scotland, that section shall have effect as if the Lord Advocate were substituted therein for Her Majesty's Attorney-General for England or Ireland.

Apportionment of rents in Ireland. 21 & 22 Vict. c. 72.

12. The power conferred by section sixty-eight of the Landed Estates Court (Ireland) Act, 1858, of apportioning any Crown rent, and of charging the whole of any such rent on any part of the land charged therewith in exoneration of the remainder of such land, shall extend to any quitrent or other perpetual rent payable to the Crown in respect of land in Ireland, and may be exercised whether the land liable to the payment of the rent is being sold by the High Court or not, and the order or instrument by which the rent is apportioned shall be recorded by the deposit of a duplicate thereof in the Public Record Office in Dublin.

Power to transfer Sunk Island Fund to Ecclesiastical Commissioners.

13. Whereas there is now standing in the names of the Archbishop of York and of the Commissioners of Woods in the books of the Bank of England a sum of eight thousand three hundred and thirty-three pounds six shillings and eightpence, two and three-quarters per centum Consolidated Bank Annuities, which sum is under an Act of the session held in the eleventh year of King George the Fourth and the first year of King William the Fourth, chapter fifty-nine, to be by them held in trust to pay the dividends arising therefrom to the officiating minister for the time being of the parish church of Sunk Island in the east riding of the county of York, and it is expedient that this sum be transferred to the Ecclesiastical Commissioners who have signified their

willingness to administer the trusts of the same: Be it therefore enacted—

(1.) The Commissioners of Woods may, at any time after the passing of this Act, transfer the said sum of Bank Annuities to the Ecclesiastical Commissioners, to be by them held and administered on and subject to the trusts on and subject to which that sum was held and administered immediately before the passing of this Act.

(2.) This section shall be sufficient authority for the Bank of England to cause the transfer to be made in their books on the written request of the Commissioners of Woods or any one of them.

(3.) The Ecclesiastical Commissioners may at their discretion from time to time vary the investment of the said fund, and may invest the same in any one or more of the modes authorised by section one of the Trustee Act, 1893. 56 & 57 Vict. c. 53.

14. This Act may be cited as the Crown Lands Act, 1894, and shall be read with the Crown Lands Acts, 1829 to 1885. Short title.

CHAPTER 44.

An Act to amend the Law relating to Heritable Securities in Scotland. [25th August 1894.]

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. This Act may be cited for all purposes as the Heritable Securities (Scotland) Act, 1894. Short title.

2. This Act shall apply to Scotland only, and shall come into operation on the first day of January one thousand eight hundred and ninety-five. Extent and commencement of Act.

3. The creditor in a heritable security may, without calling the tenants of the lands disponed in security as defenders, raise an action of maills and duties either in the sheriff court, in the form as nearly as may be of Schedule (A.) annexed to this Act, or in the Court of Session in common form, with the necessary alterations consequent upon the provisions of this Act, and may give notice of the raising of such action to the tenants by registered letter in the form as nearly as may be of Schedule (B.) annexed to this Act, and from and after the date when such notice is received by the tenants they shall be held as interpelled from making payment of the rents due by them, in the same manner and to the same effect as if they were called as defenders in an action of maills and duties according to the present law and practice, and upon intimation of the decree obtained in said action being made to the tenants by registered letter in the form as nearly as may be of Schedule (C.) annexed to this Act, the said tenants shall make payment of the rents due by them respectively in the same manner and under the like legal compulsitors as if the same had been decerned for and Tenants need not be parties to actions of maills and duties.