Any report, act, or thing required or authorised by any Act of Parliament, law, or custom to be made or done to or by the said Secretary of State shall, so far as such Act of Parliament, law, or custom applies to Scotland, be made or done to or by the Secretary for Scotland.

(2.) All the powers and duties vested in or imposed on the Commissioners of Her Majesty's Treasury, under the Valuation of Lands (Scotland) Act, 1854, shall be transferred to, vested in, and imposed on the Secretary for Scotland. 17 & 18 Vict. c. 91.

(3.) All the powers and duties vested in or imposed upon the Board of Trade relating to Provisional Orders dealing with any of the subjects transferred to the Fishery Board, Scotland, by section eleven of the Sea Fisheries (Scotland) Amendment Act, 1885, shall be transferred to, vested in, and imposed upon the Secretary for Scotland. 48 & 49 Vict. c. 70.

3. Nothing in this Act shall affect the powers and duties of the said Secretary of State under or in pursuance of the Acts of Parliament herein-after mentioned or any Acts amending the same, viz.: — Exceptions.

(*a.*) The Factory and Workshop Act, 1878. 41 & 42 Vict. c. 16.

(*b.*) The Coal Mines Regulation Act, 1872. 35 & 36 Vict. c. 76.

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

(*d.*) The Explosives Act, 1875. 38 & 39 Vict. c. 17.

(*e.*) The Cruelty to Animals Act, 1876. 39 & 40 Vict. c. 77.

(*f.*) The Reformatory and Industrial Schools Acts 1866–1879.

4. This Act shall take effect on and after the first day of November one thousand eight hundred and eighty-seven. Commencement of Act.

CHAPTER 53.

An Act for repealing certain Enactments relating to Escheators and the Procedure in cases of Escheat; and for regulating the Procedure in such cases.

[16th September 1887.]

WHEREAS most of the enactments relating to escheators and the process of finding the title of the Crown in cases of escheat are now practically inoperative, and it is expedient to repeal them, and to authorise rules to be made for regulating the procedure in such cases:

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:

1. This Act may be cited as the Escheat (Procedure) Act, 1887. Short title.

2.—(1.) The Lord Chancellor may from time to time, with the assent of the Treasury, make rules for the procedure on and incidental to and consequential on the holding of inquiries into the title of Her Majesty in right of the Crown, or the title of the Duke of Cornwall, or of the personage for the time being entitled to the Power to regulate procedure with respect to escheats to Crown.

possessions of the Duchy of Cornwall, to any real estate or any interest therein in cases of escheat or alleged escheat, whether in relation to the Crown or otherwise, or the holding of any inquest of office not otherwise regulated by law.

(2.) Such rules shall provide that an inquisition touching real estate shall find of whom the real estate was held, and that every inquisition shall be forthwith returned into the central office of the Supreme Court of Judicature, and that every person aggrieved by any such inquisition shall be entitled to traverse the same, or to object thereto, in such manner as may be from time to time directed by rules of court.

47 & 48 Vict. c. 71

(3.) Subject to the provisions of section six of the Intestates Estates Act, 1884, no grant shall be made of any real estate alleged to be escheated until after the inquisition finding the title thereto has been returned to the central office of the Supreme Court of Judicature.

(4.) An inquisition shall not prejudice any rights which, at the time of the death of the person that led to the inquisition, were vested in some other person.

(5.) If the inquisition does not find of whom the real estate was held, any person aggrieved shall be entitled to obtain from the High Court an order for the taking of another inquisition.

(6.) This Act shall apply to inquiries into the title of Her Majesty in right of Her Duchy of Lancaster, with this qualification, that any rules which may be made under this Act shall be made by the Chancellor of the Duchy of Lancaster with the approval of the Lord Chancellor.

(7.) All rules made under this section shall be laid before Parliament within three weeks after they are made, if Parliament is then sitting, and if Parliament is not then sitting, within three weeks after the beginning of the then next session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act

Repeal.

3. The Acts mentioned in the schedule to this Act are hereby repealed to the extent in that schedule mentioned.

Provided that—

(1.) This repeal shall not affect the validity or invalidity of anything done or suffered, or any right accrued or liability incurred before the commencement of this Act, or any proceedings pending at the commencement of this Act; and

(2.) Any such proceeding may be carried on in like manner as if this Act had not been passed; and

(3.) Except so far as may be otherwise directed by rules under this Act, any procedure or practice heretofore in use under the provisions of any Act hereby repealed or otherwise may be used as if this Act had not been passed.

SCHEDULE.

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee.

The chapters of the statutes (before the division into separate Acts) are described by the marginal abstracts given in that edition.

The repeal by the present Act of a part of a statute set out or referred to in terms of the translation given in that edition is to operate on the original Latin or Norman-French, of which the translation is set out or referred to, as if the original itself were in like manner set out or referred to.

A description or citation of a portion of an Act is inclusive of the words, section, or other part, first or last mentioned, or otherwise referred to as forming the beginning, or as forming the end of the portion comprised in the description or citation.

29 Edw. 1. - -	A statute for escheators.
14 Edw. 3. Stat. 1. c. 8.	Escheators: their number; appointment; continuance in office; Coroners: their sufficiency. In part: namely, except so far as relates to Coroners.
25 Edw. 3. Stat. 5. c 2.	Declaration what offences shall be adjudged treason, &c. In part, namely, from "and if in such case" to end of chapter.
36 Edw. 3. c. 13. -	Escheators shall have no fee of lands in wards, nor commit waste. Fine, and treble damages to the heir injured. Extended to lands seised by inquest of office. Such inquisitions may be traversed in Chancery. The land may be demised to the tenant until judgment. Escheators shall take inquests as directed by the statute 34 Edw. 3. c. 13 (*a*) on penalty of fine and imprisonment.
8 Hen. 6. c. 16. -	Escheators shall take no inquests but by persons returned by the sheriffs in their proper counties; on penalty of forty pounds. No lands seised into the King's hands upon inquests shall be let to farm until after inquests returned; if the party grieved traverse the inquests, within a month, the lands shall be let to farm to him, as under 36 Ed. 3. c. 13. All letters patent to the contrary void. Escheators shall return offices found before them within a month.
18 Hen. 6. c. 6. -	Recital of the statute 8 Hen. 6. c. 16 as to grant of lands by the King after office found. No grant of lands shall be made by the King, until office found and returned, if the King's title be not of record; nor within the month after such return, unless to the traverser.
18 Hen. 6. c. 7. -	Escheators not duly returning offices shall pay damages to the King, &c. above the penalty under Statute 8 Hen. 6. c. 16. Treasurer shall be associate with the Chancellor, &c.
23 Hen. 6. c. 16. -	When and where escheators shall take inquests: Fees of escheators. Penalty. On traverse of inquest no protection in scire facias. Leases to traversers.
1 Hen. 8. c. 8. -	An Acte agaynst Escheators and Comyssioners for makinge false retornes of Office and Comyssions.
1 Hen. 8. c. 10. -	An Act that noe Lease shalbe made of Lande seised into the Kinge Hande, but in certayne cases.
2 & 3 Edw. 6. c. 8 -	An Acte towchinge the findinge of Offices before the Escheator.

Repealed by 42 & 43 Vict.