Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and 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:

Issue of 4,925,320*l.* out of the Consolidated Fund for the service of the year ending 31st March 1881.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-one the sum of four million nine hundred and twenty-five thousand three hundred and twenty pounds.

Power to the Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time on the credit of the said sum, any sum or sums not exceeding in the whole the sum of four million nine hundred and twenty-five thousand three hundred and twenty pounds, and shall repay the moneys so borrowed with interest not exceeding five pounds per centum per annum out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Short title.

3. This Act may be cited as the Consolidated Fund (No. 1) Act, 1880 (Session 2).

CHAPTER 4.

An Act to provide for the appointment of Judicial Factors in Sheriff Courts in Scotland. [9th July 1880.]

WHEREAS an Act was passed in the session of the twelfth and thirteenth years of the reign of Her present Majesty, chapter fifty-one, intituled "An Act for the better "protection of the property of pupils, absent persons, and persons under mental incapacity "in Scotland:"

And whereas it is expedient that sheriffs in Scotland should be empowered to appoint Judicial Factors in cases of estates of small value:

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:

Short title.

1. This Act may be cited for all purposes as the Judicial Factors (Scotland) Act, 1880.

Commencement of Act.

2. This Act shall commence to have effect on the first day of January one thousand eight hundred and eighty-one, which day is herein-after referred to as the commencement of this Act.

Interpretation of terms.

3. In this Act the following words and expressions shall have the meanings herein-after assigned to them, unless there be something in the subject or context repugnant to such construction; that is to say,

The expression "Judicial Factor" shall mean factor loco tutoris and curator bonis:

The expressions "Accountant of the Court of Session" or "Accountant," shall mean the Accountant of the Court of Session appointed under the recited Act:

The expression "prescribed" means prescribed by the regulations which the Court of Session are by this Act authorised to make from time to time by act of sederunt:

The expression "Lord Ordinary" shall mean the Lord Ordinary in the Court of Session discharging the duties of Junior Lord Ordinary in time of session, and the Lord Ordinary on the Bills in the time of vacation:

"Estate" shall include all property and funds, and all rights heritable and moveable.

Sheriff empowered to appoint Judicial Factors in small estates.

4. From and after the commencement of this Act it shall be competent for sheriffs in the several sheriff courts in Scotland, or for their substitutes, and they are hereby authorised and empowered, to appoint Judicial Factors in cases of estates the yearly value of which (heritable and moveable estate being taken together) does not exceed one hundred pounds, and every sheriff and sheriff substitute respectively shall have and may exercise over and with regard to Judicial Factors appointed in the sheriff court the same powers and authorities that under the recited Act either division of the Court of Session or the Lord Ordinary respectively have and may exercise under the recited Act over and with regard to Judicial Factors appointed in the Court of Session; and for the purposes of this enactment the following provisions shall have effect; that is to say,

1. Until otherwise prescribed, proceedings for appointment of Judicial Factors in the sheriff court shall commence by petition to be presented to the sheriff or sheriff substitute of the county in which the pupil or insane person is resident, as nearly as may be in the form in use in ordinary actions in that court, and shall thereafter be conducted therein as nearly as may be in the same form and manner in which proceedings under the recited Act are conducted before the Lord Ordinary:
2. In estimating the yearly value of the estate the yearly value of any lands and heritages shall be taken to be the yearly rent or value of the same as entered in the valuation roll for the county or burgh in which the same are situated in force for the time under the provisions of the Act of the session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter ninety-one, and the Acts amending the same, and the yearly value of any moveable estate shall be taken to be the amount of the yearly interest on the estimated value of the same at four pounds per centum per annum; and the yearly value of any estate, or any portion thereof, which cannot be ascertained in either of the foregoing manners shall be ascertained in such manner as the sheriff or sheriff substitute shall think fit:
3. Before appointing a Judicial Factor on any estate under the provisions of this Act the sheriff or sheriff substitute shall be satisfied, by reasonable evidence adduced before him, that the yearly value of such estate (heritable and moveable estate being taken together) does not exceed one hundred pounds; and in making any such appointment he shall make a finding in his interlocutor to that effect, which shall be final; and no such appointment once made shall fall in respect of it afterwards appearing that such yearly value did exceed one hundred pounds:
4. Subject to such rules as may from time to time be made by act of sederunt as hereinafter provided, the whole provisions of the recited Act, and any Acts amending the same, and any acts of sederunt made in terms thereof applicable to Judicial Factors appointed in the Court of Session shall apply as nearly as may be to Judicial Factors appointed in the sheriff court:
5. In all cases of any appeal or reclaiming note being competent from a determination of the Lord Ordinary in the Court of Session to a division of the Inner House of that court an appeal shall be competent in the like cases from a determination by a sheriff substitute to the sheriff, and in all cases of the accountant of the Court of Session being bound to make any report to the Lord Ordinary in the Court of Session he shall be bound in the like case to make his report to a sheriff or sheriff substitute:
6. Until otherwise prescribed, proceedings in the fixing of caution, in applying for special powers, in the auditing of accounts, in the exoneration and discharge or removal of Judicial Factors, and all other proceedings necessary for the management of the estates dealt with under this Act, shall be taken in the sheriff court in as nearly as may be the same form and manner in which the like proceedings are taken before the Lord Ordinary:
7. It shall be the duty of the accountant, when it appears to him that there is a diversity of judgment or practice in proceedings in Judicial Factories in the sheriff courts which it would be important to put an end to, to report the same to the first division of the Court of Session, specifying the proceedings in which such diversity appeared, and asking for a rule to be laid down to secure uniformity of judgment

or practice in such proceedings, and the Court shall consider such report, and if they shall see fit shall lay down such a rule accordingly, which rule the several sheriffs and their substitutes shall be bound to observe :

8. Decrees in absence shall not be opened up after the elapse of twelve months :

9. It shall be competent for the sheriff or for the Court of Session, upon the application of any person interested, to recall any appointment made under this Act :

10. The decision of the sheriff in all cases under this Act shall be final, and the decision of the Court of Session in all applications for recall of appointments under this Act shall be final.

Power to pass acts of sederunt.

5. It shall be competent to the Court of Session, and they are hereby authorised and required, from time to time to pass such acts of sederunt as shall be necessary or proper for regulating or prescribing the manner of appointing Judicial Factors in the sheriff courts, and of finding caution by such Judicial Factors, and the manner in which such Judicial Factors shall discharge their duties, and the manner in which the accountant shall discharge his duties, and the forms of process to be used in pursuance of this Act, and the manner of verifying by affidavit, declaration, certificate, or otherwise the sufficiency of the caution offered for Judicial Factors in the sheriff courts, and all other matters requisite for more effectually carrying out the purposes of this Act.

Fees payable by estates deriving benefit from Act.

6. There shall be payable into the fee fund established under the recited Act, by each estate under charge of a Judicial Factor appointed under this Act, such fees as shall from time to time be authorised by the Court of Session, having due regard to the sums required for the purposes of this Act, and to the interests of the estates to be benefited thereby ; and out of the said fee fund it shall be lawful for the Lords Commissioners of Her Majesty's Treasury to make such additions as they shall think fit to the salaries of the accountant and clerks appointed and acting under the recited Act, and to grant such salary or salaries as shall seem proper to any other clerk or clerks whom the said Commissioners shall think fit to appoint for the purposes of this Act.

CHAPTER 5.

An Act to make provision for borrowing in respect of certain County Bridges. [19th July 1880.]

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.

1. This Act may be cited as the County Bridges Loans Extension Act, 1880.

Extension of power to borrow under 4 & 5 Vict. c. 49. 41 & 42 Vict. c. 77.

2. Where, under section twenty-two of the Highways and Locomotives (Amendment) Act, 1878, the county authority, as defined by that Act, see fit to make a contribution towards the cost of a bridge erected as therein mentioned, they may borrow on mortgage of the county rate all or any part of the amount of such contribution in the same manner in every respect as if the amount to be borrowed had been the amount of an estimate made and approved in the manner mentioned in the Act of the fourth and fifth years of the reign of Her Majesty, chapter forty-nine, herein-after termed the principal Act ; and all the powers, directions, and provisions of the principal Act shall extend and apply to the moneys borrowed under this Act ; provided that the sum required for or towards any such contribution as aforesaid may be borrowed in exercise of the power hereby conferred, although the same shall not exceed one fourth of the amount of the ordinary annual assessment in the principal Act referred to.

Interpretation.

3. This Act and the Highways and Locomotives (Amendment) Act, 1878, shall be construed as one Act.