the Treasury shall be necessary in the case of any rule or regulation affecting the expenditure of money provided by this Act.

(2.) All rules and regulations under this section shall be laid before Parliament.

Definition.

12. In this Act, unless the context otherwise requires, the expression "railway" includes light railway or tramway, and where provided by an Order in Council any pier, quay, or jetty used in connexion therewith.

Short title and construction. 54 & 55 Vict. c. 2. 58 & 59 Vict. c. 20.

13. This Act may be cited as the Railways (Ireland) Act, 1896, and, save where the context otherwise requires, shall be construed as one with the principal Acts, that is to say, the Transfer of Railways (Ireland) Act, 1890, and the Tramways (Ireland) Acts as therein defined, and the Tramways (Ireland) Act, 1895, and those Acts and this Act may be cited collectively as the Tramways (Ireland) Acts, 1860 to 1896.

SCHEDULE.

Section 8.

ENACTMENTS RELATING TO SAFETY, &c.

Session and Chapter.	Title or Short Title.	Enactments referred to.
31 & 32 Vict. c. 119.	The Regulation of Railways Act, 1868.	Sections nineteen, twenty, twenty-two, twenty-seven, twenty-eight, and twenty-nine.
41 & 42 Vict. c. 20. -	The Railway Returns (Continuous Brakes) Act, 1878.	The whole Act.
52 & 53 Vict. c. 57. -	The Regulation of Railways Act, 1889.	The whole Act.

CHAPTER 35.

An Act to provide for the Appointment of Judicial Trustees and otherwise to amend the Law respecting the Administration of Trusts and the Liability of Trustees. [14th August 1896.]

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:

Power of court on application to appoint judicial trustee.

1.—(1.) Where application is made to the court by or on behalf of the person creating or intending to create a trust, or by or on behalf of a trustee or beneficiary, the court may, in its discretion, appoint a person (in this Act called a judicial trustee) to be a trustee of that trust, either jointly with any other person or as

sole trustee, and, if sufficient cause is shown, in place of all or any existing trustees.

(2.) The administration of the property of a deceased person, whether a testator or intestate, shall be a trust, and the executor or administrator a trustee, within the meaning of this Act.

(3.) Any fit and proper person nominated for the purpose in the application may be appointed a judicial trustee, and, in the absence of such nomination, or if the court is not satisfied of the fitness of a person so nominated, an official of the court may be appointed, and in any case a judicial trustee shall be subject to the control and supervision of the court as an officer thereof.

(4.) The court may, either on request or without request, give to a judicial trustee any general or special directions in regard to the trust or the administration thereof.

(5.) There may be paid to a judicial trustee out of the trust property such remuneration, not exceeding the prescribed limits, as the court may assign in each case, subject to any rules under this Act respecting the application of such remuneration where the judicial trustee is an official of the court, and the remuneration so assigned to any judicial trustee shall, save as the court may for special reasons otherwise order, cover all his work and personal outlay.

(6.) Once in every year the accounts of every trust of which a judicial trustee has been appointed shall be audited, and a report thereon made to the court by the prescribed persons, and, in any case where the court shall so direct, an inquiry into the administration by a judicial trustee of any trust, or into any dealing or transaction of a judicial trustee, shall be made in the prescribed manner.

Court to exercise jurisdiction.

2. The jurisdiction of the court under this Act may be exercised by the High Court, and as respects trusts within its jurisdiction by a palatine court, and (subject to the prescribed definition of the jurisdiction) by any county court judge to whom such jurisdiction may be assigned under this Act.

Jurisdiction of court in cases of breach of trust.

3.—(1.) If it appears to the court that a trustee, whether appointed under this Act or not, is or may be personally liable for any breach of trust, whether the transaction alleged to be a breach of trust occurred before or after the passing of this Act, but has acted honestly and reasonably, and ought fairly to be excused for the breach of trust and for omitting to obtain the directions of the court in the matter in which he committed such breach, then the court may relieve the trustee either wholly or partly from personal liability for the same.

(2.) This section shall come into operation at the passing of this Act.

Rules.

4.—(1.) Rules may be made for carrying into effect this Act, and especially—

(1) for requiring judicial trustees, who are not officials of the court, to give security for the due application of any trust property under their control:

(2) respecting the safety of the trust property, and the custody thereof:

(3) respecting the remuneration of judicial trustees and for fixing and regulating the fees to be taken under this Act so as to cover the expenses of the administration of this Act, and respecting the payment of such remuneration and fees out of the trust property, and, where the judicial trustee is an official of the court, respecting the application of the remuneration and fees payable to him:

(4) for dispensing with formal proof of facts in proper cases:

(5) for facilitating the discharge by the court of administrative duties under this Act without judicial proceedings and otherwise regulating procedure under this Act and making it simple and inexpensive:

(6) for assigning jurisdiction under this Act to county court judges and defining such jurisdiction:

(7) respecting the suspension or removal of any judicial trustee, and the succession of another person to the office of any judicial trustee who may cease to hold office, and the vesting in such person of any trust property:

(8) respecting the classes of trusts in which officials of the court are not to be judicial trustees, or are to be so temporarily or conditionally:

(9) respecting the procedure to be followed where the judicial trustee is executor or administrator:

(10) for preventing the employment by judicial trustees of other persons at the expense of the trust, except in cases of strict necessity:

(11) for the filing and auditing of the accounts of any trust of which a judicial trustee has been appointed.

(2.) The rules under this Act may be made by the Lord Chancellor, subject to the consent of the Treasury in matters relating to fees and to salaries and numbers of officers, and to the consent of the authority for making orders under the Solicitors Remuneration Act, 1881, in matters relating to the remuneration of solicitors. The rules shall be laid before Parliament and have the same force as if enacted in this Act, provided that if, within thirty days after such rules have been laid before either House of Parliament during which that House has sat, the House presents to Her Majesty an address against such rules or any of them, such rules or the rule specified in the address shall thenceforward be of no effect.

44 & 45 Vict. c. 44.

Definitions.

5. In this Act—

The expression "official of the court" means the holder of such paid office in or connected with the court as may be prescribed.

The expression "prescribed" means prescribed by rules under this Act.

Short title, extent, and commencement of Act.

6.—(1.) This may be cited as the Judicial Trustees Act, 1896.

(2.) This Act shall not extend to any charity, whether subject to or exempted from the Charitable Trusts Acts, 1853 to 1894.

(3.) This Act shall not extend to Scotland or Ireland.

(4.) This Act, except as by this Act otherwise provided, shall come into operation on the first day of May, one thousand eight hundred and ninety-seven.

CHAPTER 36.

An Act to amend the Law with respect to the Use of Locomotives on Highways. [14th August 1896.]

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:

Exemption of light locomotives from certain stututory provisions.

1.—(1.) The enactments mentioned in the schedule to this Act, and any other enactment restricting the use of locomotives on highways and contained in any public general or local and personal Act in force at the passing of this Act, shall not apply to any vehicle propelled by mechanical power if it is under three tons in weight unladen, and is not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not to exceed in weight unladen four tons), and is so constructed that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause; and vehicles so exempted, whether locomotives or drawn by locomotives, are in this Act referred to as light locomotives.

Provided that—

(*a*) the council of any county or county borough shall have power to make byelaws preventing or restricting the use of such locomotives upon any bridge within their area, where such council are satisfied that such use would be attended with damage to the bridge or danger to the public:

(*b*) a light locomotive shall be deemed to be a carriage within the meaning of any Act of Parliament, whether public general or local, and of any rule, regulation, or byelaw, made under any Act of Parliament, and, if used as a carriage of any particular class, shall be deemed to be a carriage of that class, and the law relating to carriages of that class shall apply accordingly.

(2.) In calculating for the purposes of this Act the weight of a vehicle unladen, the weight of any water, fuel, or accumulators, used for the purpose of propulsion, shall not be included.

Regulations as to lights.

2. During the period between one hour after sunset and one hour before sunrise, the person in charge of a light locomotive shall carry attached thereto a lamp so constructed and placed as to exhibit a light in accordance with the regulations to be made by the Local Government Board.

Locomotives to carry a bell.

3. Every light locomotive shall carry a bell or other instrument capable of giving audible and sufficient warning of the approach or position of the carriage.