Any person charged with an offence under this Act, and the husband or wife of such person, as the case may be, shall be competent to give evidence in answer to such charge.

Injunction against person making false statement.

3. Any person who shall make or publish any false statement of fact as aforesaid may be restrained by interim or perpetual injunction by the High Court of Justice from any repetition of such false statement or any false statement of a similar character in relation to such candidate, and for the purpose of granting an interim injunction primâ facie proof of the falsity of the statement shall be sufficient.

Candidate exonerated in certain cases of illegal practice by agents.

4. A candidate shall not be liable, nor shall be subject to any incapacity, nor shall his election be avoided, for any illegal practice under this Act committed by his agent other than his election agent, unless it can be shown that the candidate or his election agent has authorised or consented to the committing of such illegal practice by such other agent, or has paid for the circulation of the false statement constituting the illegal practice, or unless upon the hearing of an election petition the election court shall find and report that the election of such candidate was procured or materially assisted in consequence of the making or publishing of such false statements.

Short title.

5. This Act may be cited as the Corrupt and Illegal Practices Prevention Act, 1895, and shall be construed as one with the Corrupt and Illegal Practices Prevention Act, 1883, and that Act and this Act may be cited together as the Corrupt and Illegal Practices Prevention Acts, 1883 and 1895.

CHAPTER 41.

An Act to amend the Valuation of Lands (Scotland) Acts.

[6th July 1895.]

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 and extent of Act.

1. This Act may be cited as the Lands Valuation (Scotland) Amendment Act, 1895, and shall apply to Scotland only.

Construction of Act.

2. This Act shall be read and construed as one with the Valuation Acts.

Interpretation. 17 & 18 Vict. c. 91.

3. In this Act the expression "Valuation Acts" shall mean and include the Lands Valuation (Scotland) Act, 1854 (herein-after referred to as the Valuation Act, 1854), and any Acts amending the same.

Amendment of section 6 of Valuation

4. Section six of the Valuation Act, 1854, shall be read and construed as if the following proviso were inserted after the words

Act, 1854, in cases of erections and structural improvements.

"as compared with the amount of such valuation," that is to say:—

"Provided also, that where any lessee of any such lands and heritages, holding under a lease or agreement, the stipulated duration of which is twenty-one years or under from the date of the entry under the same, and in the case of minerals, thirty-one years or under from the date of such entry, has made or acquired erections or structural improvements on the subjects let, and where the actual yearly value of such erections or structural improvements cannot, under the provision of section six of this Act, be entered in the valuation roll, such erections or structural improvements shall be deemed to be lands and heritages within the meaning of this Act, and such lessee shall be deemed to be proprietor thereof for the purposes of this Act, and the assessor shall ascertain the yearly value of such erections or structural improvements as a separate subject, by taking the amount of rent, if any, in addition to the rent stipulated to be paid under such lease or agreement at which, one year with another, the subjects let, and such erections or structural improvements might together, in their actual state, be reasonably expected to let from year to year, in consequence of such erections or structural improvements having been made, and shall make a separate entry thereof in the valuation roll, setting forth all the particulars relating thereto as herein-before provided with respect to other lands and heritages."

But this proviso shall not apply—

(1.) To any erections or structural improvements made or acquired for agricultural purposes by the lessee of subjects wholly or mainly agricultural; nor

(2.) To any erections or structural improvements made or acquired, and used exclusively for the purpose of working or cleaning minerals let under such lease or agreement as aforesaid, in respect of which minerals rent or lordship is stipulated to be paid; nor

(3.) To coke ovens or other structures in which coal or other minerals are treated, where the rent or lordship stipulated in such lease or agreement as aforesaid to be paid in respect of such coal or other minerals is, by the terms of such lease or agreement, calculated upon the coke or other minerals as treated in such ovens or other structures.

Burgh valuation committee to be appointed.

5. From and after the commencement of this Act, appeals and complaints, under the Valuation Acts, to the magistrates and council in any burgh may be heard and determined in the same manner as prior to the commencement of this Act, by such magistrates and councillors of such burgh, or may be heard and determined by a standing committee of their own number to be annually appointed by such magistrates and council, consisting of not less than seven nor more than fifteen members, of whom three shall be a quorum, and to be called the burgh valuation committee. The burgh valuation committee may appoint a chairman,

who shall have a casting as well as a deliberative vote. Any vacancy on the committee caused by death, resignation, or other cause, may be filled up by the magistrates and council. The town clerk shall be clerk of the committee. The determination of a burgh valuation committee shall, for all purposes, be deemed to be the determination of the magistrates and council by whom it is appointed.

CHAPTER 42.

An Act for the better Regulation of Scottish Sea Fisheries.

[6th July 1895.]

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 Sea Fisheries Regulation (Scotland) Act, 1895, and shall be read along with the Sea Fisheries Acts.

Extent of Act.

2. This Act shall apply to Scotland only, and to the parts of the sea adjoining Scotland, or within the jurisdiction of the Fishery Board for Scotland.

Definition. 31 & 32 Vict. c. 45. 38 & 39 Vict. c. 15. 46 & 47 Vict. c. 22. 48 & 49 Vict. c. 70.

3. In this Act the expression "Sea Fisheries Acts" means the Sea Fisheries Act, 1868, the Sea Fisheries Act, 1875, the Sea Fisheries Act, 1883, and the Sea Fisheries (Scotland) Amendment Act, 1885, and the expression "Herring Fishery (Scotland) Acts" means the Herring Fishery Acts enumerated in Schedule I. to the Fishery Board (Scotland) Act, 1882, and includes any enactments amending these Acts or any of them.

Constitution of Fishery Board. 45 & 46 Vict. c. 78.

4. From and after the first day of January one thousand eight hundred and ninety-six the Fishery Board for Scotland established by the Fishery Board (Scotland) Act, 1882, shall be reconstituted in manner following (that is to say):—

(1.) The Board shall consist of seven members, (viz., three members, of whom one shall be the chairman of the Board, a second shall be the sheriff of a county in Scotland, and the third shall be a person of skill in the branches of science concerned with the habits and food of fishes, and four members who shall be representative of the various sea fishing interests of Scotland,) to be appointed by Her Majesty from time to time after the passing of this Act on the recommendation of the Secretary for Scotland, and to hold office for five years, unless they sooner die or resign office. Four members shall be a quorum. The chairman or deputy chairman, as the case may be, shall have a casting as well as a deliberative vote.