ordering the examination, it shall be lawful for such court, or the chief judge thereof, or such judge, to nominate some fit person to take such examination, and any deposition or examination taken before an examiner so nominated shall be admissible in evidence to the same extent as if it had been taken by or before such court or judge.

Power in criminal proceedings to nominate judge or magistrate to take depositions.

3. Where in any criminal proceeding a mandamus or order for the examination of any witness or person is addressed to any court, or to any judge of a court, in India or the Colonies, or elsewhere in Her Majesty's dominions, beyond the jurisdiction of the court ordering the examination, it shall be lawful for such court, or the chief judge thereof, or such judge, to nominate any judge of such court, or any judge of an inferior court, or magistrate within the jurisdiction of such first-mentioned court, to take the examination of such witness or person, and any deposition or examination so taken shall be admissible in evidence to the same extent as if it had been taken by or before the court or judge to whom the mandamus or order was addressed.

Application of 22 Vict. c. 20. as to conduct money, &c., to proceedings under this Act.

4. The provisions of the Act passed in the twenty-second year of Her Majesty, chapter twenty, intituled "An Act to provide for "taking evidence in suits and proceedings pending before tribunals "in Her Majesty's dominions in places out of the jurisdiction of such "tribunals" (which may be cited as the Evidence by Commission Act, 1859), as amended by this Act, shall apply to proceedings under this Act.

Amendment of 22 Vict. c. 20. as to costs.

5. The power to make rules conferred by section six of the Evidence by Commission Act, 1859, shall be deemed to include a power to make rules with regard to all costs of or incidental to the examination of any witness or person, including the remuneration of the examiner, if any, whether the examination be ordered pursuant to that Act or under this or any other Act for the time being in force relating to the examination of witnesses beyond the jurisdiction of the court ordering the examination.

Oath or affirmation of witness.

6. When pursuant to any such commission, mandamus, order, or request as in this Act referred to any witness or person is to be examined in any place beyond the jurisdiction of the court ordering the examination, such witness or person may be examined on oath, affirmation, or otherwise, according to the law in force in the place where the examination is taken, and any deposition or examination so taken shall be as effectual for all purposes as if the witness or person had been examined on oath before a person duly authorised to administer an oath in the court ordering the examination.

CHAPTER 75.

An Act to amend the Prevention of Crimes Act, 1871.

[14th August 1885.]

34 & 35 Vict. c. 112.

WHEREAS it is expedient to amend the Prevention of Crimes Act, 1871:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Tem-

poral, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Construction and short title.

1. This Act shall be construed as one with the Act of the session of the thirty-fourth and thirty-fifth years of the reign of Her present Majesty, chapter one hundred and twelve, and may be cited for all purposes as the Prevention of Crimes Amendment Act, 1885.

Extension of 34 & 35 Vict. c. 112. s. 12.

2. The provisions of the twelfth section of the said recited Act shall apply to all cases of resisting or wilfully obstructing any constable or peace officer when in the execution of his duty.

Provided, that in cases to which the said recited Act is extended by this Act the person convicted shall not be liable to a greater penalty than five pounds, or, in default of payment, to be imprisoned with or without hard labour for a longer term than two months.

Extent of Act.

3. This Act shall not apply to Ireland.

CHAPTER 76.

An Act for the preservation of the River Thames above Teddington Lock for purposes of public recreation, and for regulating the pleasure traffic thereon.

[14th August 1885.]

WHEREAS the River Thames is a navigable highway; and whereas, by reason of the increase of population in London and other places near the said river, it has come to be largely used as a place of public recreation and resort, and it is expedient that provision should be made for regulating the different kinds of traffic in the said river between the Town of Cricklade and Teddington Lock, and upon the banks thereof within the limits aforesaid, and for the keeping of public order and the prevention of nuisances, to the intent that the said river should be preserved as a place of regulated public recreation:

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:

PART I.—NAVIGATION.

Public right of navigation.

1. It shall be lawful for all persons, whether for pleasure or profit, to go and be, pass and repass, in boats or vessels over or upon any and every part of the River Thames, through which Thames water flows, between the Town of Cricklade and Teddington Lock, including all such backwaters creeks side-channels bays and inlets connected therewith as form parts of the said river within the limits aforesaid.

Private artificial cuts not to be deemed parts of the river.

2. All private artificial cuts for purposes of drainage or irrigation, and all artificial inlets for moats boathouses ponds or other like private purposes, already made or hereafter to be made, and all channels which by virtue of any conveyance from or agreement with the Conservators, or the Commissioners acting under any of the Acts mentioned in the First Schedule to this Act or by any