CHAPTER 18.

An Act to amend the Trusts (Scotland) Act, 1867.

[12th July 1887.]

30 & 31 Vict. c. 97.

WHEREAS it is expedient to amend the Trusts (Scotland) Act, 1867:

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 as the Trusts (Scotland) Act, 1867, Amendment Act, 1887.

Power to trustees to make abatement of rent.

2. In addition to the powers conferred upon trustees by the second section of the Trusts (Scotland) Act, 1867, in all trusts to which that section applies the trustees shall have power to make abatement or reduction, either temporary or permanent, of the rent stipulated in any lease of lands let for agricultural or pastoral occupation, or for both purposes, and to accept renunciations of leases of any such subjects.

Past abatement of rent not liable to challenge.

3. No abatement or reduction of rent, or acceptance of renunciation of any such lease, heretofore made by trustees, shall be liable to be challenged, which would have been lawful if made after the passing hereof.

CHAPTER 19.

An Act to provide for the Fencing of Quarries.

[19th July 1887.]

WHEREAS it is expedient to provide for the fencing of quarries in England and Wales:

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 as the Quarry (Fencing) Act, 1887.

Commencement of Act.

2. This Act shall not come into operation until the first day of January one thousand eight hundred and eighty-eight.

Fencing of quarries.

3. Where any quarry dangerous to the public is in open or unenclosed land, within fifty yards of a highway or place of public resort dedicated to the public, and is not separated therefrom by a secure and sufficient fence, it shall be kept reasonably fenced for the prevention of accidents, and unless so kept shall be deemed to be a nuisance liable to be dealt with summarily in manner provided by the Public Health Act, 1875.

Interpretation.

4. In this Act—

The term "quarry" includes every pit or opening made for the purpose of getting stone, slates, lime, chalk, clay, gravel, or sand, but not any natural opening.

Extent of Act.

5. This Act shall not extend to Scotland and Ireland.

An Act to make better provision for the prevention and punishment of Crime in Ireland, and for other purposes relating thereto. [19th July 1887.]

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:

PRELIMINARY INQUIRY.

Inquiry by order of Attorney-General.

1.—(1.) Where a sworn information has been made that any offence to which this section applies has been committed in a proclaimed district, the Attorney-General for Ireland may, if he thinks fit, by order in writing under his hand, direct a resident magistrate, of whose legal knowledge and legal experience the Lord Chancellor shall be satisfied, to hold an inquiry under this section, and thereupon such resident magistrate may, if he so think fit, although no person may be charged before him with the commission of such crime, sit at a police court, when the offence has been committed in Dublin, or at the place where the petty sessions for the petty sessional district in which the said offence has been committed are usually held, and examine on oath concerning such offence any person whom he has reason to believe to be capable of giving material evidence concerning such offence, other than any person confessing himself or herself to be the offender or the husband or wife of such person, and shall take the deposition of such witness, and, if he see cause, may bind such witness by his own recognizance to appear and give evidence at the next petty sessions, or when called upon within three months from the date of such recognizance: Provided that no sitting of any inquiry under this section shall commence except between the hours of 10 A.M. and 6 P.M.: Provided also, that a shorthand writer shall be in attendance at such inquiries, and shall take down the questions of the magistrate, and the answers of each witness, and such questions and answers, when transcribed, shall be annexed to the deposition of the witness: Provided also, that upon any person being accused of a crime respecting which an inquiry under this section has been held, such accused person, on his being returned for trial, or his solicitor, shall forthwith be supplied with copies of all depositions taken at any inquiry under this section of any witness to be called against him.

(2.) The enactments contained in the Petty Sessions (Ireland) Act, 1851, section 13, relating to the compelling of the attendance

14 & 15 Vict. c. 93.