ment named in the order, describing them on the register as "Trustees for the purposes of the Settled Land Act, 1882."

(vi.) Any person dealing with the trustees from time to time, or with any other person acting under the trusts or powers of the settlement, is not to be affected by an order under this section, unless and until the order is duly registered, and when necessary re-registered as a lis pendens.

(vii.) An application to the Court under this section may be made by the tenant for life, or by the persons who together constitute the tenant for life, within the meaning of section sixty-three of the Act of 1882.

(viii.) An application to rescind or vary an order, or to make any new or further order under this section, may be made also by the trustees of the settlement, or by any person beneficially interested under the settlement.

(ix.) The person or persons to whom leave is given by an order under this section, shall be deemed the proper person or persons to exercise the powers conferred by section sixty-three of the Act of 1882, and shall have, and may exercise those powers accordingly.

(x.) This section is not to affect any dealing which has taken place before the passing of this Act, under any trust or power to which this section applies.

Curtesy to be deemed to arise under settlement made by his wife.

8. For the purposes of the Act of 1882 the estate of a tenant by the curtesy is to be deemed an estate arising under a settlement made by his wife.

CHAPTER 19.

An Act to amend the Summary Jurisdiction (Ireland) Acts so far as they relate to Children and young Persons. [3rd July 1884.]

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 for all purposes as the Summary Jurisdiction over Children (Ireland) Act, 1884.

Extension of Act.

2. This Act shall extend to Ireland only.

Commencement of Act.

3. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-five.

Summary trial of children for indictable offences unless objected to by parent or guardian.

4. (1.) Where a child is charged before a court of summary jurisdiction with any indictable offence other than homicide, the court, if they think it expedient so to do, and if the parent or guardian of the child so charged, when informed by the court of his right to have the child tried by a jury, does not object to the child being dealt with summarily, may deal summarily with the offence, and inflict the same description of punishment as might have been inflicted had the case been tried on indictment:

Provided that—

(*a.*) A sentence of penal servitude shall not be passed, but imprisonment shall be substituted therefor; and

(*b.*) Where imprisonment is awarded the term shall not in any case exceed one month; and

(*c.*) Where a fine is awarded the amount shall not in any case exceed forty shillings; and

(*d.*) When the child is a male the court may, instead of any other punishment, adjudge the child to be, as soon as practicable, privately whipped with not more than six strokes of a birch rod by a constable, in the presence of an inspector or other officer of police of higher rank than a constable, and also in the presence, if he desires to be present, of the parent or guardian of the child.

(2.) For the purpose of a proceeding under this section, the court of summary jurisdiction, at any time during the hearing of the case at which they become satisfied by the evidence that it is expedient to deal with the case summarily, shall cause the charge to be reduced into writing and read to the parent or guardian of the child, and then address a question to such parent or guardian to the following effect: "Do you desire the child to be tried by a "jury, and object to the case being dealt with summarily?" with a statement, if the court think such statement desirable for the information of such parent or guardian, of the meaning of the case being dealt with summarily, and of the assizes or sessions (as the case may be) at which the child will be tried if tried by a jury.

(3.) Where the parent or guardian of a child is not present when the child is charged with an indictable offence before a court of summary jurisdiction, the court may, if they think it just so to do, remand the child for the purpose of causing notice to be served on such parent or guardian, with a view, so far as is practicable, of securing his attendance at the hearing of the charge, or the court may, if they think it expedient so to do, deal with the case summarily.

(4.) This section shall not prejudice the right of a court of summary jurisdiction to send a child to a reformatory or industrial school.

(5.) This section shall not render punishable for an offence any child who is not, in the opinion of the court before whom he is charged, above the age of seven years and of sufficient capacity to commit crime.

Summary trial with consent of young persons.

5. (1.) Where a young person is charged before a court of summary jurisdiction with any indictable offence specified in the schedule to this Act, the court, if they think it expedient so to do, having regard to the character and antecedents of the person charged, the nature of the offence, and all the circumstances of the case, and if the young person charged with the offence, when informed by the court of his right to be tried by a jury, consents to be dealt with summarily, may deal summarily with the offence, and in their discretion adjudge such person, if found guilty of the offence, either to pay a fine not exceeding ten pounds, or to be imprisoned with or without hard labour, for any term not

exceeding three months; and if the young person is a male, and, in the opinion of the court, under the age of fourteen years, the court, if they think it expedient so to do, may, either in substitution for or in addition to any other punishment under this Act, adjudge such young person to be, as soon as practicable, privately whipped with not more than twelve strokes of a birch rod by a constable, in the presence of an inspector or other officer of police of higher rank than a constable, and also in the presence, if he desires to be present, of the parent or guardian of such young person.

(2.) For the purpose of a proceeding under this section, the court, at any time during the hearing of the case at which they become satisfied by the evidence that it is expedient to deal with the case summarily, shall cause the charge to be reduced into writing and read to the young person charged, and then address a question to him to the following effect: "Do you desire to be "tried by a jury, or do you consent to the case being dealt with "summarily?" with a statement, if the court think such statement desirable for the information of the young person to whom the question is addressed, of the meaning of the case being dealt with summarily, and of the assizes or sessions (as the case may be) at which he will be tried if tried by a jury.

(3.) This section shall not prejudice the right of a court of summary jurisdiction to send a young person to a reformatory or an industrial school.

Restriction on punishment of child for summary offence.

6. A child on summary conviction for an offence punishable on summary conviction under this Act, or under any other Act, whether past or future, shall not be imprisoned for a longer period than one month nor fined a larger sum than forty shillings.

Power of court to discharge accused children and young persons without punishment.

7. If upon the hearing of a charge against children and young persons for an offence punishable on summary conviction under this Act, or under any other Act, whether past or future, the court of summary jurisdiction think that, though the charge is proved, the offence was in the particular case of so trifling a nature that it is inexpedient to inflict any punishment, or any other than a nominal punishment,—

(1.) The court, without proceeding to conviction, may dismiss the information, and, if the court think fit, may order the person charged to pay such damages, not exceeding forty shillings, and such costs of the proceeding, or either of them, as the court think reasonable; or,

(2.) The court upon convicting the person charged may discharge him conditionally on his giving security, with or without sureties, to appear for sentence when called upon, or to be of good behaviour, and either without payment of damages and costs, or subject to the payment of such damages and costs, or either of them, as the court think reasonable.

Appeals and form of conviction.

8. (*a.*) The enactments in force in the Dublin Metropolitan Police District relative to appeals in cases of summary jurisdiction, and the enactments of the Petty Sessions (Ireland) Act, 1851, relative to appeals in the like cases, shall respectively extend to cases heard and determined in such district, and elsewhere in Ireland, under this Act.

(*b.*) Every conviction under this Act shall contain a statement, in the case of a child, as to the consent or otherwise of his parent or guardian, and, in the case of a young person, of the consent of such young person, to be tried by a court of summary jurisdiction.

Definitions for purposes of the Act.

9. In this Act the following expressions have the meanings herein-after respectively assigned to them; that is to say,

The expression "child" means a person who in the opinion of the court before whom he is brought is under the age of twelve years:

The expression "young person" means a person who in the opinion of the court before whom he is brought is of the age of twelve years and under the age of sixteen years:

The expression "guardian," in relation to a child or young person, includes any person who, in the opinion of the court having cognizance of any case in which a child or young person is concerned, has for the time being the charge of or control over such child or young person:

The expression "court of summary jurisdiction" shall, in the police district of Dublin metropolis, mean a court constituted of a divisional justice acting for the said district, and elsewhere in Ireland shall mean a court constituted of one or more justices of the peace sitting in petty sessions.

SCHEDULE.

INDICTABLE OFFENCES WHICH CAN BE DEALT WITH SUMMARILY UNDER THIS ACT.

Young Persons consenting.

1. Simple larceny.
2. Offences declared by any Act for the time being in force to be punishable as simple larceny.
3. Larceny from or stealing from the person.
4. Larceny as a clerk or servant.
5. Embezzlement by a clerk or servant.
6. Receiving stolen goods.
7. Aiding, abetting, counselling, or procuring the commission of simple larceny, or of an offence declared by any Act for the time being in force to be punishable as simple larceny, or of larceny or stealing from the person, or of larceny as a clerk or servant.
8. Attempt to commit simple larceny, or an offence declared by any Act for the time being in force to be punishable as simple larceny, or to commit larceny from or steal from the person, or to commit larceny as a clerk or servant.

This Act shall apply to any of the following offences when alleged to have been committed by a young person in like manner as if such offence were included in the schedule; that is to say,

(1.) To any offence in relation to railways and railway carriages mentioned in sections thirty-two and thirty-three of the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter one hundred, intituled, "An Act to consolidate and amend the statute law of England and Ireland relating to offences against the person"; and

(2.) To any offence relating to railways mentioned in section thirty-five of the Act of the session of the twenty-fourth and twenty-fifth years of

the reign of Her present Majesty, chapter ninety-seven, intituled "An "Act to consolidate and amend the statute law of England and Ireland "relating to malicious injuries to property"; and

(3.) To any indictable offence, either under the Post Office Laws or prosecuted by Her Majesty's Postmaster-General; and for the purpose of this provision the expression "Post Office Laws" has the same meaning as it has in the Act of the session of the seventh year of the reign of King William the Fourth and the first year of the reign of Her present Majesty, chapter thirty-six, intituled "An Act for "consolidating the laws relative to offences against the Post Office of "the United Kingdom, and for regulating the judicial administration of the Post Office Laws, and for explaining certain terms "and expressions employed in those laws," and the Acts amending the same.

CHAPTER 20.

An Act to remove Doubts as to the Validity of certain Marriages of Members of the Greek Church in England.

[3rd July 1884.]

WHEREAS it is alleged that certain marriages have been from time to time, between the years one thousand eight hundred and thirty-six and one thousand eight hundred and fifty-seven, solemnized between members of the Greek Church in the Greek Chapel then situate at 9, Finsbury Circus, in the City of London, and afterwards, within the said period, at London Wall, in the said City:

And that similar marriages have been from time to time, within the said period, solemnized at the residences of members of the said Church:

And that such marriages were respectively solemnized in conformity with the rights and ceremonies of the Greek Church by a priest of that Church, and entries of the said respective marriages so solemnized have from time to time been made in the register book kept for that purpose at the said chapels respectively, or otherwise, in the custody of the said priest:

And that the said marriages were respectively solemnized in the belief that the aforesaid conformity to and compliance with the rites and ceremonies of the Greek Church constituted a compliance with the law of England:

And whereas objections may be made to the validity of such marriages, by reason of the same not having been solemnized in any consecrated or licensed church or chapel of the Church of England, or in any registered building, or at the office of the Registrar, and not having been solemnized after due publication of banns, or under licence or special licence, or in the presence of a Clerk in Holy Orders of the Church of England, or a Registrar of marriages, and it is expedient to confirm, in the manner and subject to the proviso herein-after mentioned, any marriage which may have been contracted in the manner and under the circumstances aforesaid, notwithstanding all or any of the aforesaid defects: