CHAPTER 33.

An Act to provide for modifying the Constitution of the Court of Appeal for the Windward Islands.

[12th August 1889.]

WHEREAS under an Act of the session held in the thirteenth and fourteenth years of Her present Majesty, chapter fifteen, a court of appeal has been established for the colonies of Barbados, Grenada, St. Vincent, and St. Lucia, under the name of the Court of Appeal for the Windward Islands, and it is expedient to provide for modifying the constitution of that court:

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:

Power to modify constitution of Court of Appeal for Windward Islands.

1. If and whenever the legislatures of Barbados, Grenada, St. Vincent, and St. Lucia, pass laws making provision for modifying the constitution of the Court of Appeal for the Windward Islands, Her Majesty may, by Order in Council, modify the constitution of that court accordingly.

Repeal of 13 & 14 Vict. c. 15.

2. The said Act of the session held in the thirteenth and fourteenth years of Her Majesty, chapter fifteen, is hereby repealed, but this repeal shall not affect the validity of anything done under or in pursuance of the said Act, or the jurisdiction of the court established under the said Act, or any powers of the legislatures of the said colonies to extend, restrict, or vary that jurisdiction.

Short title.

3. This Act may be cited as the Windward Islands Appeal Court Act, 1889.

CHAPTER 34.

An Act to amend the Telegraph Acts, 1863 to 1885, and the Post Office Acts in relation to the Isle of Man.

[12th August 1889.]

41 & 42 Vict. c. 76.

WHEREAS the Telegraph Act, 1878, does not in express terms extend to the Isle of Man, and it is expedient that certain of the provisions thereof should be in force within that Isle:

And whereas although the Telegraph Acts, 1863 to 1885, other than the Telegraph Act, 1878, extend to the said Isle, the means prescribed for enforcing the enactments thereof are to a great extent inapplicable to the said Isle, and it is necessary to make provision for making those Acts effective therein:

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:

Application of Telegraph Acts to Isle of Man. 7 Will. 4. & 1 Vict. c. 36.

1. In the application of the Telegraph Acts and the Post Office (Offences) Act, 1837, to the Isle of Man the following provisions shall have effect:

(1.) "The Governor of the Isle of Man" shall be substituted for "the Board of Trade," save in sections thirty-six, thirty-seven, thirty-eight, thirty-nine, and forty of the Telegraph Act, 1863, and the expression "the Governor" shall include a Lieutenant-Governor and Deputy Governor.

26 & 27 Vict. c. 112.

(2.) "The Staff of Government Division" of Her Majesty's High Court of Justice of the Isle of Man shall be substituted for "the Railway Commissioners."

(3.) "The Attorney General for the Isle of Man" shall be substituted for the "Attorney General for England and Ireland" respectively, and for "the Lord Advocate of Scotland."

(4.) The expression "a justice of the peace" shall include a high bailiff.

(5.) "The Registrar of Joint Stock Companies" shall be deemed to be the registrar under the Act of Tynwald, the short title whereof is the Companies Act, 1865.

(6.) The expressions "court of summary jurisdiction," "police or stipendiary magistrate," and "two justices" shall respectively mean "a high bailiff or two justices of the peace."

(7.) The expression "Summary Jurisdiction Acts" shall mean the Act of Tynwald, the short title whereof is the Petty Sessions Act, 1864, and any Acts passed or to be passed amending the same.

(8.) References to the Lands Clauses Consolidation Acts or any of them shall be construed as references to the Act of Tynwald, the short title whereof is the Lands Clauses Act, 1871, and any Acts passed or to be passed amending the same.

(9.) The expression "Act of Parliament" in the Telegraph Act, 1878, shall include any Act of Tynwald and any resolution of the Tynwald Court confirming a provisional order for the taking of lands otherwise than by agreement, or authorising the taking of lands where any such resolution is authorised by Act of Tynwald or substituted for an Act.

(10.) The expression "indictment" shall include an information.

(11.) Any offence which by any of the Telegraph Acts is declared to be a misdemeanor in England or Ireland shall be a misdemeanor within the Isle of Man, and shall be punishable by imprisonment, with or without hard labour, for any term not exceeding twelve months.

(12.) All offences under the Telegraph Acts which are punishable on summary conviction may be prosecuted, and all fines and penalties under those Acts may be recovered, before a high bailiff or two justices of the peace at the instance of an officer of the post office or of a constable in accordance with the law for the time being in force for regulating the exercise of summary jurisdiction by such high bailiffs or justices.

26 & 27 Vict. c. 112.

(13.) The provisions contained in section four of the Telegraph Act, 1863, shall not apply to the Isle of Man.

(14.) Damages for the recovery of which no special provision is made by the Telegraph Acts, and any other matter the determination of which is referred to two justices by those Acts, shall be recovered and determined respectively before and by

the Common Law Division of the High Court of Justice of the Isle of Man in accordance with the rules and regulations for the time being in force in relation to proceedings before that court, or such other rules and regulations as that court may prescribe.

(15.) With regard to any such difference as is referred to in section four of the Telegraph Act, 1878, a high bailiff of the Isle of Man shall have the same powers and authority as the police or stipendiary magistrate or judge of the county court mentioned in the said section.

(16.) Every summons and other legal process issued in the Isle of Man in reference to any offence or other matter arising under the Telegraph Acts or the Post Office Acts shall be deemed to be sufficiently served if served in the manner usually observed in the Isle of Man in the case of other legal process.

(17.) Section forty-three of the Post Office (Offences) Act, 1837, shall not apply to the Isle of Man, but any sum or sums of money due for postage from any person in the said Isle of Man shall be recovered in the said Isle as a debt due to the Crown.

Extension of 41 & 42 Vict. c. 76. to Isle of Man.

2. The Telegraph Act, 1878, shall extend to the Isle of Man.

Definition of Telegraph Acts.

3. In this Act the expression "Telegraph Acts" means the Telegraph Acts, 1863 to 1889, and any Acts of Parliament or parts of Acts of Parliament incorporated with those Acts or referred to therein, or any of them.

Short title and construction.

4. This Act shall be read as one with the Telegraph Acts, 1863 to 1885, and shall be deemed to be a Post Office Act within the meaning of the Post Office (Offences) Act, 1837, and this Act and the Telegraph Acts, 1863 to 1885, may be cited together as the Telegraph Acts, 1863 to 1889, and this Act may be cited separately as the Telegraph (Isle of Man) Act, 1889.

CHAPTER 35.

An Act to make provision for the Support and Maintenance of the Children of His Royal Highness Albert Edward, Prince of Wales. [12th August 1889.]

Most Gracious Sovereign,

WHEREAS Your Majesty has, by Your Majesty's most gracious message, signified your desire that Parliament should make competent provision for the honourable support and maintenance of Your Majesty's grandson Prince Albert Victor Christian Edward:

And whereas Your Majesty has, by Your Majesty's most gracious message, further signified that Your Majesty has agreed to a marriage proposed between Your Majesty's granddaughter Her Royal Highness Princess Louise Victoria Alexandra Dagmar and the Right Honourable the Earl of Fife: