or class of creditors present either in person or by proxy at such meeting shall agree to any arrangement or compromise, such arrangement or compromise shall, if sanctioned by an order of the Court, be binding on all such creditors or class of creditors, as the case may be, and also on the liquidator and contributories of the said company.

Interpretation.

3. The word "Company" in this Act shall mean any company liable to be wound up under "The Companies Act, 1862."

Act and Companies Act to be read together.

4. This Act shall be read and construed as part of "The Companies Act, 1862."

CHAP. 105.

An Act for appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry. [10th August 1870.]

WHEREAS an Act was passed in the session held in the first and second years of the reign of King William the Fourth, chapter thirty-seven, intituled "An Act to "prohibit the payment in certain trades of wages in goods or otherwise than in the "current coin of the realm," and the object of such Act is, as its title imports, to prohibit throughout Great Britain the payment in certain trades of wages in goods or otherwise than in money, which payment of wages in goods is commonly called the truck system:

1 & 2 W. 4. c. 37.

And whereas it is alleged that in certain parts of Great Britain the provisions of the said Act, and divers other provisions in Acts passed for the prevention of the said truck system, are systematically disregarded, and it is expedient that inquiry should be made by Commissioners to be appointed by Parliament into the truth of the said allegations, with power to such Commissioners to suggest any improvement to be made in the law in respect of the matters aforesaid:

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 of Act.

1. This Act may be cited as the "Truck Commission Act, 1870."

Extent of Act.

2. This Act shall not extend to Ireland.

Appointment of Commissioners.

3. Charles Synge Christopher Bowen, esquire, barrister-at-law, and Alexander Craig Sellar, esquire, advocate, shall be Commissioners for the purpose of inquiring into and reporting to one of Her Majesty's Principal Secretaries of State, upon the operation of the above-mentioned Act, and of all other Acts or provisions of Acts prohibiting the truck system, with power to investigate any offences against such Acts which have occurred within the period of two years immediately preceding the passing of this Act, and to make such report on the subject of the truck system, and of the existing laws in relation thereto, as they shall deem proper and useful.

Any report made in pursuance of this Act shall be laid before Parliament within one calendar month next after such report is made if Parliament be then sitting, or, if Parliament be not then sitting, then within one calendar month next after the then next meeting of Parliament.

Vacancy in offices of Commissioners.

4. As often as any vacancy occurs in the office of any Commissioner acting under this Act by reason of such Commissioner dying, resigning, declining, or becoming incapable to act, one of Her Majesty's Principal Secretaries of State may from time to time fill up such vacancy.

Payment of Commissioners.

5. There shall be paid to each of the said Commissioners out of moneys to be provided by Parliament such remuneration for their services under this Act as the Commissioners of

the Treasury may direct, and the said Commissioners may employ such secretary, clerks, and other officers at such salaries, to be paid out of moneys to be provided by Parliament, as may be approved of by the said Commissioners of the Treasury.

Powers of Commissioners.

6. The Commissioners shall have for the purposes of this inquiry to be instituted by them in pursuance of this Act all such powers, rights, and privileges as are vested in any of Her Majesty's superior courts, or in any judge thereof, or in the Court of Session in Scotland, or any judge thereof, on the occasion of any action or suit, in respect of the following matters:

(*a.*) The enforcing the attendance of witnesses, and examining them on oath, affirmation, or otherwise, as they or he may think fit:

(*b.*) The compelling the production of documents:

(*c.*) The punishing persons guilty of contempt:

(*d.*) The ordering an inspection of any real or personal property:

And a summons under the hand or hands of one or more of the Commissioners may be substituted for and shall be equivalent to any form of process capable of being issued at law in any action or suit for enforcing the attendance of witnesses, or compelling the production of documents.

Any warrant of committal to prison issued for the purpose of enforcing the powers conferred by this section shall be under the hand of one or more of the Commissioners, and shall specify the prison to which the offender is to be committed, and shall not authorise the imprisonment of any offender for a period exceeding three months.

For the purposes of this Act the Commissioners or either of them shall have power to enter and view any premises.

All superintendents of police, chief constables, headboroughs, gaolers, constables, and bailiffs shall and they are required to give their aid and assistance to the said Commissioners in the execution of their office.

The gaoler or other chief officer of any prison refusing to receive into his prison any prisoner committed thereto in pursuance of this Act shall incur a penalty not exceeding five pounds, to be recovered summarily for every day during which such refusal continues.

Every examination of witnesses under this Act shall be conducted in public, and due notice shall be given of the time and place of holding the same, but with power to the Commissioners to adjourn any meeting from any one place or time to another as occasion may require.

Any one Commissioner may hold inquiries for the purpose of this Act sitting alone, and exercise singly all the powers which by this Act may, when the two Commissioners are sitting together, be exercised by both or either of them, except only the power of punishing persons guilty of contempt, which power shall not be exercised by one Commissioner sitting alone, unless by order of one of Her Majesty's Principal Secretaries of State.

Indemnity to witnesses.

7. Any person examined as a witness in an inquiry under this Act who in the opinion of the Commissioners makes a full and true disclosure touching all the matters in respect of which he is examined, shall receive a certificate under the hand of such Commissioners stating that the witness has upon his examination made a full and true disclosure as aforesaid; and if any civil or criminal proceeding be at any time thereafter instituted against such witness in respect of any matter touching which he has been so examined, the tribunal before which such proceeding is instituted shall, on the production and proof of the certificate, stay the proceeding, and may in its discretion award to such witness any costs he may have been put to by the institution of the proceeding; provided that no evidence taken under this Act shall be admissible against any person in any civil or criminal proceeding whatever, except in the case of a witness who may be accused of having given false evidence before the Commissioners conducting the inquiry under this Act.

Penalty for false swearing, &c.

8. Every person who, upon examination upon oath or affirmation in any inquiry under this Act, wilfully gives false evidence, shall be liable to the penalties of perjury.

9. The reasonable expenses incurred by any person who may be summoned to appear to give evidence in any inquiry under this Act, according to a scale to be approved by the Commissioners of Her Majesty's Treasury, may be allowed and paid to such person upon a certificate under the hands or hand of both or one of the Commissioners conducting the inquiry under this Act, and shall be deemed to be expenses incurred by the Commissioners for the purposes of their Commission, and, together with all incidental expenses of the inquiry directed by this Act, shall be paid by the said Commissioners of the Treasury out of moneys provided by Parliament. Expenses.

10. The Commissioners in conducting an inquiry under this Act shall have such and the like protection and privileges, in case of any action brought against them for any act done or omitted to be done in the execution of their duty, as is now by law given by any Act or Acts now or hereafter to be in force to justices acting in execution of their office. Protection to persons appointed to conduct inquiries.

11. Service upon any person of a summons under this Act may be made by leaving the summons at his usual or last known place of abode or of business. Service of a summons.

12. No person shall be liable to any suit, action, indictment, or proceeding by reason of his publishing a true account of any evidence taken by the Commissioners or of any report of the Commissioners. Protection to persons publishing true accounts of evidence.

13. No action shall be brought against any of the Commissioners appointed to conduct an inquiry under this Act, or any other person whomsoever, for anything done in the execution of his duty under this Act, unless such action be brought within six calendar months next after the doing of such thing. Limitation of actions.

CHAP. 106.

An Act to amend the Sanitary Act, 1866, so far as relates to the City of Dublin. [10th August 1870.]

WHEREAS under the provisions of the Sanitary Act, 1866, the right honourable the lord mayor, aldermen, and burgesses of the city of Dublin, acting by the town council of the said city, are the sewer authority within the said city for the purposes of the said Act and of the Sewage Utilization Act, 1865, and are also the nuisance authority for executing the Nuisance Removal Acts, as the same are made applicable to Ireland by the said Sanitary Act, 1865:

And whereas for the purpose of carrying the said Acts into effect it is necessary that the River Liffey should be made pure and the main drainage of the said city should be perfected, and that the works necessary for the purposes aforesaid should be executed, and that to defray the expenses which will be incurred in the execution of the said works the Public Works Loan Commissioners, as defined by the Public Works Loan Act, 1853, should advance to the said town council moneys to the amount, upon the security and in the manner by this Act authorised:

And whereas for the purposes aforesaid it is necessary to amend the Sanitary Act, 1866:

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; (that is to say,)

1. The Public Works Loan Commissioners, as defined by the Public Works Loan Act, 1853, may, if they think fit, advance to the said town council of the city of Dublin, upon the security of the rate or fund out of which expenses incurred by the said town council as the sewer and nuisance authority within the said city under the Sanitary Act, 1866, Public Works Loan Commissioners may advance to town council