And whereas the fees so taken have been insufficient to meet the said expenses, and consequently a sum is due from the Post Office to the Exchequer in respect of the said expenses, and it is expedient that the said sum should be written off: Be it therefore enacted as follows:— 27 & 28 Vict. c. 43. 35 & 36 Vict. c. 67.

The Commissioners of Her Majesty's Treasury may direct to be written off the claim of the Exchequer for any sum due in account from the Post Office in respect of the excess of the expenses of granting and managing Government annuities over and above the fees received in respect of such annuities.

Amendment of 29 & 30 Vict. c. 39. as to what constitutes vouchers in the case of certain payments out of money granted for army and navy services.

**14.** Whereas under the Exchequer and Audit Departments Act, 1866, the Comptroller and Auditor-General is directed to ascertain whether the payments are supported by vouchers or proofs of payment:

And whereas it is expedient to define the nature of the documents which in certain cases are to constitute vouchers or proofs of payment. Be it therefore enacted as follows:—

Where payment out of money granted by Parliament for army services or navy services is made in respect of pay, wages, pensions, gratuities, or allowances to persons who are serving or have served in any of Her Majesty's naval or military forces, or are, or have been employed in any of Her Majesty's naval or military establishments, such payments may be made and witnessed in manner for the time being prescribed by regulations approved by the Treasury; and any pay sheet, list, certificate, or document showing any such payment when attested by the persons whose duty it is under the said regulations to make and witness that payment shall be a voucher or proof of payment for the purposes of section twenty-seven of the Exchequer and Audit Departments Act, 1866.

Any reference in any enactment, whether past or future, to the Comptroller and Auditor-General shall, unless anything in such enactment is inconsistent therewith, be deemed to refer to the Comptroller-General of the receipt and issue of Her Majesty's Exchequer and Auditor-General of public accounts appointed in pursuance of the Exchequer and Audit Departments Act, 1866.

This section shall be construed as part of the Exchequer and Audit Departments Act, 1866.

## CHAPTER 63.

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

[14th August 1884.]

WHEREAS by an Act passed in the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, intituled An Act to amend the law in Scotland relative to the resignation, powers, and liabilities of gratuitous trustees, and by an Act passed in the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, intituled An Act to explain the Act for the amendment of the law relative to gratuitous trustees in Scotland, and by the Trusts (Scotland) Act, 1867, certain powers are conferred on gratuitous trustees in Scotland; 24 & 25 Vict. c. 84. 26 & 27 Vict. c. 115. 30 & 31 Vict. c. 97.

And it is expedient to amend the said Acts, and to extend the powers thereby conferred:

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 as the Trusts (Scotland) Amendment Act, 1884, and the said Acts and this Act may be cited as the Trusts (Scotland) Acts, 1861 to 1884, and shall be read and construed together.

Definition of trust.

**2.** In the construction of the said recited Acts and of this Act,—

"Trust" shall mean and include any trust constituted by any deed or other writing, or by private or local Act of Parliament, or by resolution of any corporation or public or ecclesiastical body, and the appointment of any tutor, curator, or judicial factor by deed, decree, or otherwise.

"Trustee" shall include tutor, curator, and judicial factor.

"Judicial factor" shall mean any person judicially appointed factor upon a trust estate or upon the estate of a person incapable of managing his own affairs, factor loco tutoris, factor loco absentis, and curator bonis.

The words "East India Stock" shall have the meaning assigned to them by an Act passed in the session holden in the thirtieth and thirty-first years of Her present Majesty, chapter one hundred and thirty-two.

Powers of investment.

**3.** Trustees under any trust may, unless specially prohibited by the constitution or terms of the trust, invest the trust funds—

(*a.*) In the purchase of—

1. Any of the Government stocks, public funds, or securities of the United Kingdom:
2. Stock of the Bank of England:
3. Any securities the interest of which is or shall be guaranteed by Parliament:
4. Debenture stock of railway companies in Great Britain incorporated by Act of Parliament:
5. Preference, guaranteed, lien, annuity, or rentcharge stock, the dividend on which is not contingent on the profits of the year, of such railway companies in Great Britain as have paid a dividend on their ordinary stock for ten years immediately preceding the date of investment:
6. Stock or annuities issued by any municipal corporation in Great Britain, which annuities, or the interest or dividend upon which stock are secured upon rates or taxes levied by such municipal corporation under the authority of any Act of Parliament:
7. East India Stock, stocks or other public funds of the government of any colony of the United Kingdom approved by the Court of Session, and also bonds or documents of debt of any such government approved as aforesaid, provided such stocks, bonds, or others are not payable to the bearer:
8. Feu-duties or ground-annuals.

(*b.*) In loans—

9. On the security of any of the stocks, funds, or other property aforesaid:
10. On real or heritable security in Great Britain:
11. On debentures or mortgages of railway companies in Great Britain incorporated by Act of Parliament:
12. On bonds, debentures, or mortgages, secured on rates or taxes levied under the authority of any Act of Parliament, by municipal corporations in Great Britain authorised to borrow money on such security:
13. On Indian railway stock, debentures, bonds, or mortgages on which the interest is permanently guaranteed by the Indian Government and payable in sterling money in Great Britain.

Provided that the trustees shall not be held to be subject as defendants or respondents to the jurisdiction of any of Her Majesty's Courts of Law or Equity in England or Ireland, either as trustees or personally, in any suit for administration of the trust by reason of their having invested or lent trust funds as aforesaid;

and section five of the Trusts (Scotland) Act, 1867, is hereby repealed. Repeal.

## CHAPTER 64.

An Act to consolidate and amend the Law relating to Criminal Lunatics. [14th August 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:

**1.** This Act may be cited as the Criminal Lunatics Act, 1884. Short titles.

The Acts mentioned in the First Schedule to this Act are in this Act referred to and may be cited by the short titles mentioned in the third column of the said Schedule

**2.**—(1.) Where a prisoner is certified, in manner provided in this section, to be insane, a Secretary of State may if he thinks fit, by warrant direct such prisoner to be removed to the asylum named in the warrant, and thereupon such prisoner shall be removed to and received in such asylum, and, subject to the provisions of this Act relating to conditional discharge and otherwise, shall be detained therein, or in any other asylum to which he may be transferred in pursuance of this Act, as a criminal lunatic until he ceases to be a criminal lunatic. Order for detention of insane prisoner as criminal lunatic.

(2.) A person shall cease to be a criminal lunatic if he is remitted to prison or absolutely discharged in manner provided by this Act, or if any term of penal servitude or imprisonment to which he may be subject determines.

(3.) Where it appears to any two members of the visiting committee of a prison that a prisoner in such prison, not being under sentence of death, is insane, they shall call to their assistance two legally qualified medical practitioners, and such members and