CHAPTER 64.

An Act for the better Protection of Witnesses giving Evidence before any Royal Commission or any Committee of either House of Parliament, or on other Public Inquiries. [28th June 1892.]

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:

Definition.

1. In this Act the word "inquiry" shall mean any inquiry held under the authority of any Royal Commission or by any committee of either House of Parliament, or pursuant to any statutory authority, whether the evidence at such inquiry is or is not given on oath, but shall not include any inquiry by any court of justice.

Persons obstructing or intimidating witnesses guilty of misdemeanor.

2. Every person who commits any of the following acts, that is to say, who threatens, or in any way punishes, damnifies, or injures, or attempts to punish, damnify, or injure, any person for having given evidence upon any inquiry, or on account of the evidence which he has given upon any such inquiry, shall, unless such evidence was given in bad faith, be guilty of a misdemeanor, and be liable upon conviction thereof to a maximum penalty of one hundred pounds, or to a maximum imprisonment of three months.

Prosecution of offences.

3. A prosecution for any offence under this Act may be heard and determined by a court of summary jurisdiction under the Summary Jurisdiction Acts, provided that should either the complainant or the party charged object to the case being dealt with summarily, the court shall send such case for trial to the quarter sessions or assizes, or in cases arising within the metropolitan area to the central criminal court.

Court to have power to award costs and compensation to party aggrieved.

4. It shall be lawful for any court before which any person may be convicted of any offence under this Act, if it thinks fit, in addition to sentence or punishment by way of fine or imprisonment, to condemn such person to pay the whole or any part of the costs and expenses incurred in and about the prosecution and conviction for the offence of which he shall be convicted, and, upon the application of the complainant, and immediately after such conviction, to award to complainant any sum of money which it may think reasonable, having regard to all the circumstances of the case, by way of satisfaction or compensation for any loss of situation, wages, status, or other damnification or injury suffered by the complainant through or by means of the offence of which such person shall be so convicted, provided that where the case is tried before a jury, such jury shall determine what amount, if any, is to be paid by way of satisfaction or compensation.

Costs and compensation to be a judgment debt.

5. The amount awarded for such satisfaction or compensation, together with such costs, to be taxed by the proper officer of the court, shall be deemed a judgment debt due to the person entitled to receive the same from the person so convicted, and be recoverable accordingly.

Application to Scotland.

6. In the application of this Act to Scotland the following modifications shall have effect:—

(1.) A court of summary jurisdiction means the sheriff.

(2.) If the complainant or the party charged, as in section three of this Act mentioned, objects to the case being dealt with summarily, it shall be sent for trial by the sheriff with a jury, or by the High Court of Justiciary, as Her Majesty's Advocate shall direct.

(3.) Judgment debt means a civil debt, and such debt may be recovered in any competent court.

Saving.

7. Nothing in this Act contained shall in any way lessen or affect any power or privilege possessed by either House of Parliament, or any power given by statute in the premises.

Short title.

8. This Act may be cited as the Witnesses (Public Inquiries) Protection Act, 1892.

CHAPTER 65.

An Act to amend the Law relating to the Drainage and Improvement of Land in Ireland, and for other purposes. [28th June 1892.]

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 and application.

1. This Act may be cited as the Drainage and Improvement of Land (Ireland) Act, 1892, and shall extend to Ireland only.

Tenant may by agreement be substituted for proprietor of land in drainage district.

2. Where, in the case of any land included in any drainage district proposed to be constituted pursuant to the provisions of the Drainage Acts, the proprietor of the said land and the person occupying the same as tenant so agree, such tenant shall for the purposes of the said Acts be substituted for the proprietor.

Tenant may be substituted for proprietor by Board of Works in certain cases.

3. If, within the time limited for making objections to the report of the inspector sent by the Board of Works to make inquiries respecting the proposed formation of any drainage district pursuant to the provisions of the Drainage Acts, the proprietor of any land included within the proposed district dissents from or does not assent to the formation of such district, the person occupying such land as tenant may apply to the Board of Works to be substituted for the proprietor for the purposes of the said Acts; and if, after