SCHEDULE.

Fund.	Circumstances of Fund.
Captain Fund -	This fund is administered under a trust deed of the 26th October 1871, which, after setting out the trusts of the fund, provides that any surplus shall be applied in relief of widows, children, or parents of officers, petty officers, non-commissioned officers, seamen, and marines of Her Majesty's Navy.
Royal Naval Relief Fund.	This fund is administered under a commission from Her Majesty, dated the 7th June 1875, for the immediate relief of any special objects of destitution arising among the widows, orphans, and other relatives of deceased officers, sailors, and marines who have served in the Navy.
Eurydice Fund -	This fund is administered under a trust deed dated the 19th November 1878, which, after setting out the trusts of the fund, provides that any surplus shall be transferred to the Royal Naval Relief Fund.
Zulu War Fund -	This fund is administered under a Royal Warrant dated the 22nd August 1879, which provides that, subject to the special trusts therein mentioned, the fund shall be administered as Her Majesty may from time to time direct.
Atalanta Fund -	This fund is administered under a trust deed dated the eleventh day of July 1881, which sets forth the trust of the fund, and provides that any surplus shall be paid to the Royal Naval Relief Fund.

CHAPTER 47.

An Act to amend the Law as regards the Presumption of Life in persons long absent from Scotland.

[22nd August 1881.]

WHEREAS great hardships have arisen from the want of any limitation to the presumption of life as regards persons who have been absent from Scotland or have disappeared for long periods of years, and it is desirable that a limitation should be provided:

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:

Presumption of life limited to seven years as regards income.

1. In the case of any person who has been absent from Scotland, or who has disappeared, for a period of seven years or upwards, and who has not been heard of for seven years, and who at the time of his leaving or disappearance was possessed of or entitled to heritable or movable estate in Scotland, or who has become entitled to such estate in Scotland, it shall be competent to any person entitled to succeed to an absent person in such estate to present a petition to the Court setting forth the said facts, and after proof of the said facts, and of the petitioner's being entitled as aforesaid, and after such procedure and inquiry, by advertisement or other-

wise, as the Court may direct, the Court may grant authority to the petitioner to uplift and enjoy the yearly income of the heritable or movable estate of such absent person, as the case may be, and to grant all requisite discharges for the same, as if the said absent person were dead; or the Court may sequestrate the estate, and appoint a judicial factor thereon with the usual powers, and with authority to pay over the free yearly income of the estate to the petitioner, whose discharge shall be as valid and effectual as if granted by the absent person.

Provision for disposal of capital of movable estate seven years after date of deliverance.

2. It shall be competent to the petitioner upon whose petition a deliverance has been granted in terms of the preceding section, authorising him to uplift and enjoy the yearly income of movable estate, or to the heir or representative of such petitioner, to present another petition to the Court after the lapse of seven years from the date of said deliverance, setting forth that during that further period the said absent person has not been heard of, and after proof of the facts stated in the petition, and such procedure and inquiry, by advertisement or otherwise, as the Court may direct, the Court may grant authority to the petitioner to make up a title to, and thereupon to receive and discharge, possess and enjoy, the fee or capital of the said movable estate of the said absent person in the same manner as if the said absent person were dead.

Provision for disposal of heritable estate thirteen years after date of deliverance.

3. It shall be competent to the petitioner or petitioners upon whose petition a deliverance has been granted in terms of section one, authorising him to uplift and enjoy the yearly income of heritable estate, or to the heir or representative of such petitioner, to present another petition to the Court after a lapse of thirteen years from the date of said deliverance, setting forth that during that further period the said absent person has not been heard of, and after proof of the facts stated in the petition, and such procedure and inquiry, by advertisement or otherwise, as the Court may direct, the Court may grant authority to the petitioner to make up a title to and enter into possession and enjoyment of the fee of the said heritable estate of the said absent person in the same manner as if the said absent person were dead.

Provision for disposal of movable estate after fourteen years absence where no previous deliverance relative to income under sec. 1.

4. In the case of any person who has been absent from Scotland, or who has disappeared for a period of fourteen years or upwards, and who has not been heard of for fourteen years, and who at the time of his leaving or disappearance was possessed of or entitled to movable estate in Scotland, or who has since become entitled to movable estate there, it shall be competent to any person entitled to succeed to the said absent person in such movable estate to present a petition to the Court setting forth the said facts; and after proof of the said facts, and of the petitioner's being entitled as aforesaid, and after such procedure and inquiry, by advertisement or otherwise, as the Court may direct, the Court may grant authority to the petitioner to make up a title to, receive and discharge, possess and enjoy, sell or dispose of the said movable estate in the same manner as if the said absent person were dead.

Provision for disposal of heritable estate after twenty years absence

5. In the case of any person who has been absent from Scotland, or who has disappeared for a period of twenty years or upwards, and who has not been heard of for twenty years, and who at the time of his leaving or disappearance was possessed of or entitled

where no previous deliverance relative to income under sec. 1.

to heritable estate in Scotland, or who has since become entitled to heritable estate there, it shall be competent to any person entitled to succeed to said absent person in such heritable estate to present a petition to the Court setting forth the said facts; and after proof of the said facts, and of the petitioner's being entitled as aforesaid, and after such procedure and inquiry, by advertisement or otherwise, as the Court may direct, the Court may grant authority to the petitioner to make up a title to, enter into possession of and enjoy, and sell or dispose of the said heritable estate in the same manner as if the said absent person were dead.

Power to dispense with consent of absent person to sale of property held pro indiviso.

6. Where the absent person shall have been one of two or more pro indiviso proprietors of heritable estate in Scotland, and he shall not have been heard of for seven years or upwards after his leaving Scotland or disappearance, and where the other pro indiviso proprietor or proprietors shall desire to sell the said estate, it shall be competent to such other pro indiviso proprietor or proprietors to present a petition to the Court setting forth the said facts, and after such procedure and inquiry, by advertisement or otherwise, as the Court may direct, the Court may grant authority to the petitioner or petitioners to sell the said estate by public roup or private bargain, as the Court may think fit, and the title granted by the said pro indiviso proprietor or proprietors under such authority shall be as good and valid to the purchaser as if the absent person had been a party to the sale and conveyance, and in the case of such a sale the share of the price belonging to the absent person shall be paid into bank for behoof of such absent person, and shall be deemed to be heritable estate of the said absent person, and, as such, shall be subject to the provisions of sections one, three, and five hereof.

Claim of absent person barred after thirteen years from date of deliverance.

7. In the event of the absent person having right to heritable or movable estate in Scotland as aforesaid, or of any person entitled to succeed to or take by title derived from him preferably to the person who has obtained possession of the heritable or movable estate under any of the preceding sections of this Act, appearing and establishing his right thereto, he shall be entitled to demand and receive the fee or capital of the said estate, heritable or movable, where extant in the hands of the person or persons who has or have obtained possession thereof as aforesaid, or of anyone taking from him by gratuitous title (subject to a claim for the value of any meliorations made thereupon by such person), or to demand and receive the price obtained for the said property, where the same has been sold, unless a period of thirteen years has elapsed since possession of the fee of such estate was obtained under the other provisions of this Act, and after the expiry of such period of thirteen years all claim by the absent person, or those entitled to succeed or deriving right from him as aforesaid, shall be barred. In no case shall any person who has uplifted the income of property under any of the provisions of this Act, or the income of the price obtained therefor, prior to the absent person or those in his right as aforesaid appearing and intimating their claim, be liable to account for or pay to the absent person or those in his right the income received as aforesaid prior to the intimation of such claim.

Presumption of time of death.

8. For the purposes of this Act, in all cases where a person has left Scotland, or has disappeared, and where no presumption arises from the facts that he died at any definite date, he shall be presumed to have died on the day which will complete a period of seven years from the time of his last being heard of, at or after such leaving or disappearance.

Several persons may be conjoined in one petition.

9. Any number of persons entitled to succeed as aforesaid may be conjoined in one petition relating to the estate of the same absent person; and any person having a limited right of succession may appear as petitioner to the effect of having such right made effectual, subject to the provisions of this Act.

Saving the rights of third parties.

10. It is hereby expressly provided and declared that nothing in this Act contained shall be held to prejudice or affect the right of third parties, having right to the estate or any part of it, preferable to the right of the absent person, or to the right of his representatives derived from him.

Policies of assurance exempted.

11. This Act shall not apply to any claim under a policy of assurance upon the life of any person who has been absent from Scotland, or who has disappeared, but the person or persons claiming under such policy shall be required to prove the death of the person whose life is assured, in the same manner as if this Act had not been passed.

Jurisdiction.

12. For the purposes of this Act "the Court" shall mean and include—

(1.) In all cases one of the Divisions of the Court of Session:

(2.) In all cases where the estate of the absent person in Scotland does not exceed in amount or value the sum of one hundred and fifty pounds sterling, the sheriff court of the county in which said estate or the greater part thereof is situate: Provided always, that the value of heritable estate shall be ascertained in terms of the provisions of the 40 & 41 Vict. c. 50.

Short title.

13. This Act may be cited as the Presumption of Life Limitation (Scotland) Act, 1881.

CHAPTER 48.

An Act further to amend the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes relating thereto.

[22nd August 1881.]

38 & 39 Vict. c. 65.

WHEREAS by the Metropolitan Board of Works (Loans) Act, 1875, (in this Act referred to as "the Act of 1875,") the raising of money by the Metropolitan Board of Works (in this Act referred to as "the Board") for the purposes therein specified was regulated, and provision was made requiring that the borrowing powers granted to the Board by Parliament for the purposes therein named should for the future be limited both in time and amount:

43 & 44 Vict. c. 25.

And whereas by the Metropolitan Board of Works (Money) Act, 1880, (in this Act referred to as "the Act of 1880,") the Board were empowered to raise certain sums of money for the purposes