



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

C A P. CXXIV.

An Act for consolidating certain Enactments relating to the Admiralty. [6th July 1865.]

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. The Provisions of The Admiralty Lands and Works Act, 1864, respecting the User of Lands, and respecting Powers of Management and Leasing, and other Rights and Powers relative to Lands, and respecting Recovery of Possession and Sale of Lands, and respecting Actions and Suits by and against the Admiralty relative to Lands, shall apply in relation to all Lands for the Time being vested in or purchased by the Commissioners of the Admiralty.

Provisions of 27 & 28 Vict. c. 57. to apply to this Act.

2. Except as otherwise expressly provided, the Commissioners of the Admiralty for the Time being may be styled, in any Action, Suit, or other Proceeding at Law or in Equity, "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom," without more ; and any Action, Suit, or Proceeding shall not be affected by any Change among the Commissioners of the Admiralty ; and in any Action, Suit, or Proceeding the Commis-

Style of Commissioners of Admiralty in Suits.

As to Costs.

Admiralty Powers, &c.

sioners of the Admiralty shall be liable and entitled to pay or receive Costs according to the ordinary Law and Practice relative to Costs.

Prerogatives of the Crown in Suits preserved, &c.

3. Nothing in this Act, or in The Admiralty Lands and Works Act, 1864, shall take away or abridge in any Action or Suit the legal Rights, Privileges, and Prerogatives of Her Majesty, Her Heirs and Successors, but in all Actions and Suits instituted by or against the Commissioners of the Admiralty, and in all Proceedings and Matters connected therewith, the Commissioners of the Admiralty may exercise and enjoy all such Rights, Privileges, and Prerogatives as are for the Time being exercised and enjoyed in any Action or Suit in any Court of Law or Equity by Her Majesty, Her Heirs or Successors, as if the Crown were actually a Party to such Action or Suit.

Saving for proceeding by Information, &c.

4. Notwithstanding anything in this Act, or in The Admiralty Lands and Works Act, 1864, it shall be lawful for Her Majesty, Her Heirs and Successors, to proceed by Information in the Court of Exchequer, or by any other Crown Process, legal or equitable, in any Case in which it would have been competent for Her Majesty, Her Heirs or Successors, so to proceed if no Provisions respecting Procedure had been inserted in this Act, or in The Admiralty Lands and Works Act, 1864.

Superintendents of Dockyards to be Justices for certain Purposes.

5. The Superintendents of Her Majesty's Dockyards shall be in all Places Justices of the Peace in respect of all Offences specified in this Act, and of all Matters relating to Her Majesty's Naval Service, and the Stores, Provisions, and Accounts thereof.

Punishment for uttering false Petitions, Certificate, &c.

6. If any Person, in order to sustain any Claim to any Pay, Wages, Allotment, Prize Money, Bounty Money, Grant, or other Allowance in the Nature thereof, Half Pay, Pension, or Allowance from the Compassionate Fund of the Navy, or other Money payable by the Admiralty, or to any Effects or Money in charge of the Admiralty,—or in order to procure any Person to be admitted a Pensioner as the Widow of an Officer of the Navy,—does any of the following Things, namely,—offers or utters to any Person in the Service of the Crown or of the Admiralty any false Affidavit, knowing the same to be false, or makes or subscribes or offers or utters as aforesaid any false written Petition, Application, Statement, Answer, Certificate, or Voucher, or other false Writing, knowing the same to be false,—every such Person shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any

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any Term not exceeding Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, or on summary Conviction before a Justice, Sheriff, or Magistrate shall be liable to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

7. The following Sections of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign (Chapter Ninety-eight), "to consolidate and amend the Statute " Law of *England and Ireland* relating to indictable Offences by " Forgery," shall be incorporated with this Act, and shall be read as if they were here re-enacted, namely,—Sections Forty to Forty-two and Fifty to Fifty-three (all inclusive); and for this Purpose the Expression "this Act" used in the said incorporated Sections shall be construed to include the present Act, and Expressions therein used relating to Forgery or forged Writings shall be construed to apply to any Act being a Misdemeanor under the last foregoing Provision of this Act, and to Writings made, subscribed, offered, or uttered in contravention of that Provision.

Parts of
24 & 25 Vict.
c. 98. in-
corporated.

8. If any Person in order to receive any Pay, Wages, Allotment, Prize Money, Bounty Money, Grant, or other Allowance in the Nature thereof, Half Pay, Pension, or Allowance from the Compassionate Fund of the Navy, payable or supposed to be payable by the Admiralty, or any other Money so payable or supposed to be payable, or any Effects or Money in charge or supposed to be in charge of the Admiralty, falsely and deceitfully personates any Person entitled or supposed to be entitled to receive the same, every such Person shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, or on summary Conviction before a Justice, Sheriff, or Magistrate shall be liable to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Punishment
for Person-
ation of
Seamen, &c.

9. Nothing in this Act shall prevent any Person from being proceeded against and punished under any other Act or at Common Law in respect of an Offence (if any) punishable as well under this Act as under any other Act or at Common Law.

Saving for
Punishment
under other
Acts, &c.

10. This Act shall commence on such Day, not later than the First Day of *January* One thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct.

Commence-
ment of Act.

11. Every

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As to Pub-
lication of
Orders in
Council.

11. Every Order in Council under this Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within Thirty Days after the making thereof, if Parliament is then sitting, and if not then within Thirty Days after the next meeting of Parliament.

Short Title.

12. This Act may be cited as The Admiralty Powers, &c. Act, 1865.

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