

ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

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CAP. LXXVIII.

An Act to amend the Law relating to Proceedings instituted by the Admiralty; and for other Purposes connected therewith. [31st *July* 1868.]

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 Admiralty Suits Act, 1868. Short Title.

2. In this Act the Term "the Admiralty" means the Lord High Admiral of the United Kingdom for the Time being, or the Commissioners for the Time being for executing the Office of Lord High Admiral. "The Admiralty."

3. The Admiralty may institute any Action, Suit, or Proceeding concerning Naval or Victualling Stores, or other Her Majesty's Stores, Goods, or Chattels under the Charge or Control of the Admiralty, or any Stores, Goods, or Chattels sold or contracted to be delivered to or by the Admiralty for the Use or on account of Her Majesty, or the Price to be paid for the same, or any Loss or Power to Admiralty to institute Actions, &c. as to Naval Stores, &c.

Injury of or to any such Stores, Goods, or Chattels as aforesaid, or concerning any Contract with the Admiralty relative to the Execution of any Work, or the doing of any Thing, or concerning any Matter arising under or in relation to any such Contract, or concerning any periodical or other Payment or Due payable to the Admiralty, or concerning any Debt, Damages, Claim, Demand, or Cause of Action or Suit whatever arising out of any Matter in anywise relating to the Rights, Powers, or Duties of the Admiralty, or to Property vested in or purchased by or being under the Management or Control of the Admiralty, in like Manner and Form (as nearly as may be) as if the Question in dispute were one between Subject and Subject.

Style of Admiralty in Suits, &c.

4. In any such Action, Suit, or Proceeding the Admiralty may be styled "the Lord High Admiral of the United Kingdom" or "the Commissioners for executing the Office of Lord High Admiral of the United Kingdom" (as the Case requires), without more; and any such Action, Suit, or Proceeding shall not be affected by any Change in the Admiralty.

Costs in Suits, &c.

5. In any such Action, Suit, or Proceeding the Admiralty shall be liable and entitled to pay or receive Costs according to the ordinary Law and Practice relative to Costs.

Nothing to affect legal Rights, &c. of the Crown, &c.

6. Nothing in this Act (except as expressly otherwise provided) shall take away or abridge in any such Action, Suit, or Proceeding any legal Right, Privilege, or Prerogative of the Crown; and in all such Actions, Suits, and Proceedings, and in all Matters and Proceedings connected therewith, the Admiralty may exercise and enjoy all such Rights, Privileges, and Prerogatives as are for the Time being exerciseable and enjoyable in any Proceeding in any Court of Law or Equity by the Crown as if the Crown were actually a Party to such Action, Suit, or Proceeding.

Power reserved to Her Majesty to proceed by Information, &c.

7. Notwithstanding anything in this Act, it shall be lawful for Her Majesty, Her Heirs and Successors, if and when it seems fit, 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 this Act had not been passed.

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Printers to the Queen's most Excellent Majesty. 1868.