CAP. XLII.

An Act to enable *British* Diplomatic and Consular Agents Abroad to administer Oaths and do Notarial Acts. [2d *July* 1855.]

6 G. 4. c. 87.

'WHEREAS by an Act of the Sixth Year of King *George* the Fourth, Chapter Eighty-seven, Powers are given to *British* Consuls General and Consuls to administer Oaths and do Notarial Acts in the Foreign Places to which they are appointed; and it is expedient that the like Powers should be given to Ambassadors and other Diplomatic Agents and to Vice-Consuls and Consular Agents Abroad:' 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:

Oaths may be administered by Ambassadors and other British Ministers Abroad.

I. From and after the passing of this Act, it shall and may be lawful for every *British* Ambassador, Envoy, Minister, Chargé d'Affaires, or Secretary of Embassy or of Legation exercising his Functions in any Foreign Country, and for every *British* Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent (as well as every Consul General or Consul) exercising his Functions in any Foreign Place, whenever he shall be thereto required, and whenever he shall see necessary to administer in such Foreign Country or Place any Oath or to take any Affidavit or Affirmation from any Person whomsoever, and also to do and perform in such Foreign Country or Place all and every Notarial Acts or Act which any Notary Public could or might be required and is by Law empowered to do within the United Kingdom of *Great Britain* and *Ireland;* and every such Oath, Affidavit, or Affirmation, and every such Notarial Act, administered, sworn, affirmed, had, or done by or before such Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of Embassy or of Legation, Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent, shall be as good, valid, and effectual, and shall be of like Force and Effect, to all Intents and Purposes, as if such Oath, Affidavit, or Affirmation, or Notarial Act, respectively, had been administered, sworn, affirmed, had, or done before any Justice of the Peace or Notary Public in any Part of the United Kingdom of *Great Britain* or *Ireland*, or before any other legal or competent Authority of the like Nature.

Affidavits taken before Ambassadors, &c. abroad may be used in Courts in the United Kingdom.

II. Affidavits and Affirmations so taken as aforesaid under the said Act of King *George* the Fourth or this Act shall and may be received, read, and made use of in and before any Court of Law or Equity or other Judicature whatever in any Part of the United Kingdom, and the Judges and Officers thereof, in or in relation to any Action, Suit, Cause, Matter, or Proceeding in or before any such Court or Judicature, in like Manner, and shall be of the same Force and Effect, as Affidavits and Affirmations taken in or before such Court or Judicature, or by any Person duly commissioned or authorized by such Court of Judicature to take such Affidavits or Affirmations, and shall be filed and dealt with accordingly.

Documents to be admitted in Evidence without Proof of the Seal or Signature of the Ambassador or other official Person.

III. Any Document purporting to have affixed, impressed, or subscribed thereon or thereto the Seal and Signature of any *British* Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of Embassy or of Legation, Consul General, Consul, Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent, in testimony of any such Oath, Affidavit, Affirmation, or Act having been administered, sworn, affirmed, had, or done by or before him, shall be admitted in Evidence, without Proof of any such Seal and Signature being the Seal and Signature of the Person whose Seal and Signature the same purport to be, or of the official Character of such Person.

Persons swearing or affirming falsely guilty of Perjury.

IV. Any Person knowingly and wilfully making any false Oath, Affidavit, or Affirmation before any Person having Authority to administer such Oath or take such Affidavit or Affirmation under the said Act of King *George* the Fourth or this Act, shall be deemed guilty of Perjury, and such Offender may be charged, proceeded against, tried, and dealt with in any County or Place in the United Kingdom in the same Manner in all respects as if the Offence had been committed in such County or Place.

Persons forging Seal or Signature

V. If any Person shall forge any such Seal or Signature as aforesaid, or shall tender in Evidence any such Document as aforesaid with a false or counterfeit Seal or Signature thereto,

thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for the Term of Four Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Years nor less than One Year; and whenever any such Document has been admitted in Evidence by virtue of this Act, the Court or the Person who has admitted the same may, at the Request of any Party against whom the same is so admitted in Evidence, direct that the same shall be impounded and be kept in the Custody of some Officer of the Court or other proper Person for such Period, and subject to such Conditions, as to the said Court or Person shall seem meet; and every Person charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed in the County, District, or Place in which he may be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed in any County, District, or Place in which the principal Offender may be tried.

guilty of Felony.

CAP. XLIII.

An Act to enable Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage.

[2d *July* 1855.]

'WHEREAS great Inconveniences and Disadvantages arise in consequence of Persons 'who marry during Minority being incapable of making binding Settlements of their 'Property:' For Remedy whereof 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:

I. From and after the passing of this Act it shall be lawful for every Infant upon or in contemplation of his or her Marriage, with the Sanction of the Court of Chancery, to make a valid and binding Settlement or Contract for a Settlement of all or any Part of his or her Property, or Property over which he or she has any Power of Appointment, whether Real or Personal, and whether in Possession, Reversion, Remainder, or Expectancy; and every Conveyance, Appointment, and Assignment of such Real or Personal Estate, or Contract to make a Conveyance, Appointment, or Assignment thereof, executed by such Infant, with the Approbation of the said Court, for the Purpose of giving Effect to such Settlement shall be as valid and effectual as if the Person executing the same were of the full Age of Twenty-one Years: Provided always, that this Enactment shall not extend to Powers of which it is expressly declared that they shall not be exercised by an Infant.

Infants may with the Approbation of the Court of Chancery, make valid Settlements or Contracts for Settlements of their Real and Personal Estate upon Marriage.

II. Provided always, That in case any Appointment under a Power of Appointment, or any disentailing Assurance shall have been executed by any Infant Tenant in Tail under the Provisions of this Act, and such Infant shall afterwards die under Age, such Appointment or disentailing Assurance shall thereupon become absolutely void.

In case Infant die under Age, Appointment, &c. to be void.

III. The Sanction of the Court of Chancery to any such Settlement or Contract for a Settlement may be given, upon Petition presented by the Infant or his or her Guardian, in a summary Way, without the Institution of a Suit; and if there be no Guardian, the Court may require a Guardian to be appointed or not, as it shall think fit; and the Court also may, if it shall think fit, require that any Persons interested or appearing to be interested in the Property should be served with Notice of such Petition.

The Sanction of the Court of Chancery to be given upon Petition.

IV. Provided always, That nothing in this Act contained shall apply to any Male Infant under the Age of Twenty Years, or to any Female Infant under the Age of Seventeen Years.

Not to apply to Males under 20, or Females under 17.