Her Majesty may by Order in Council declare that Deserters from Foreign Ships may be apprehended and given up.

I. Whenever it is made to appear to Her Majesty that due Facilities are or will be given for recovering and apprehending Seamen who desert from *British* Merchant Ships in the Territories of any Foreign Power, Her Majesty may, by Order in Council stating that such Facilities are or will be given, declare that Seamen, not being Slaves, who desert from Merchant Ships belonging to a Subject of such Power, when within Her Majesty's Dominions or the Territories of the *East India* Company, shall be liable to be apprehended and carried on board their respective Ships, and may limit the Operation of such Order, and may render the Operation thereof subject to such Conditions and Qualifications, if any, as may be deemed expedient.

Upon Publication of Order in Council Justices shall aid in recovering Deserters from the Ships of Foreign Powers, and may apprehend them, and send them on board.

II. Upon such Publication as herein-after mentioned of any such Order in Council, then, during such Time as the same remains in force, and subject to such Limitations and Qualifications, if any, as may be therein contained, every Justice of the Peace or other Officer having Jurisdiction in the Case of Seamen who desert from *British* Merchant Ships in Her Majesty's Dominions or in the Territories of the *East India* Company shall, on Application being made by a Consul of the Foreign Power to which such Order in Council relates, or his Deputy or Representative, aid in apprehending any Seaman or Apprentice who deserts from any Merchant Ship belonging to a Subject of such Power, and may for that Purpose, upon Complaint on Oath duly made, issue his Warrant for the Apprehension of any such Deserter, and, upon due Proof of the Desertion, order him to be conveyed on board the Vessel to which he belongs, or to be delivered to the Master or Mate of such Vessel, or to the Owner of such Vessel or his Agent, to be so conveyed; and thereupon it shall be lawful for the Person ordered to convey such Deserter, or for the Master or Mate of such Vessel, or the Owner or his Agent, (as the Case may require,) to convey him on board accordingly.

Penalty on Persons harbouring such Deserters.

III. If any Person protects or harbours any Deserter who is liable to be apprehended under this Act, knowing or having Reason to believe that he has deserted, such Person shall for every Offence be liable to a Penalty not exceeding Ten Pounds, and every such Penalty shall be recovered, paid, and applied in the same Manner as Penalties for harbouring or protecting Deserters from *British* Merchant Ships.

Orders to be published in the London Gazette.

IV. Every Order in Council to be made under the Authority of this Act shall be published in the *London Gazette* as soon as may be after the making thereof.

Orders may be revoked or altered.

V. Her Majesty may by Order in Council from Time to Time revoke or alter any Order in Council previously made under the Authority of this Act.

Short Title.

VI. This Act may be cited as the "Foreign Deserters Act, 1852."

CAP. XXVII.

An Act to amend the Law of Evidence in *Scotland*. [17th *June* 1852.]

'WHEREAS it is expedient to alter and amend the Law of Evidence in *Scotland*:' 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; *viz.*,

Witnesses not to be excluded by reason of Crime, &c.

I. No Person adduced as a Witness in *Scotland* before any Court or before any Person having by Law or by Consent of Parties Authority to take Evidence, shall be excluded from giving Evidence, by reason of having been convicted of or having suffered Punishment for Crime, or by reason of Interest, or by reason of Agency or of partial Counsel, or by reason of having appeared without Citation, or by reason of having been precognosced subsequently to the Date of Citation; but every Person so adduced, who is not otherwise by Law disqualified from giving Evidence, shall be admissible as a Witness, and shall be admitted to give Evidence as aforesaid, notwithstanding of any Objections offered on the above-mentioned Grounds: Provided always, that nothing herein contained shall affect the Right of any Party in the Action or Proceeding in which such Witness shall be adduced to examine him on any Point tending to affect his Credibility: Provided also, that it shall not be

Right to examined Witnesses as to Credibility not affected.

be competent to adduce as a Witness in any Action or Proceeding any Person who shall at the Time when he is so adduced as a Witness be acting as Agent in the Action or Proceeding in which he is so adduced, excepting in so far as the same may be competent by the existing Law and Practice of *Scotland;* and where any Person who is or has been an Agent shall be adduced and examined as a Witness for his Client, touching any Matter or Thing, to prove which he could not competently have been adduced and examined according to the existing Law and Practice of *Scotland,* it shall not be competent to the Party adducing such Witness to object, on the Ground of Confidentiality, to any Question proposed to be put to such Witness on Matter pertinent to the Issue.

Not competent to adduce as a Witness any Person who shall be Agent in the Action.

Where any Person adduced has been an Agent no Plea of Confidentiality allowable.

II. It shall be competent to adduce and to examine as a Witness as aforesaid in any Action or Proceeding any Party to such Action or Proceeding, even although individually named in the Record or Proceeding, unless it shall be shown to the Satisfaction of the Court, or of the Person having Authority to take Evidence as aforesaid, that such Party has a substantial Interest in such Action or Proceeding, and is not merely nominally a Party thereto.

Party to an Action may be adduced as a Witness, unless it be shown that he has a substantial Interest.

III. It shall be competent to examine any Witness who may be adduced in any Action or Proceeding as to whether he has on any specified Occasion made a Statement on any Matter pertinent to the Issue different from the Evidence given by him in such Action or Proceeding; and it shall be competent in the course of such Action or Proceeding to adduce Evidence to prove that such Witness has made such different Statement on the Occasion specified.

Witness may be examined as to having made a different Statement.

IV. It shall be competent to the presiding Judge or other Person before whom any Trial or Proof shall proceed, on the Motion of either Party, to permit any Witness who shall have been examined in the course of such Trial or Proof to be recalled.

Witness may be recalled, after Examination.

V. All Statutes, Laws, and Practice now in force respecting Evidence in *Scotland* shall be and the same are hereby repealed, in so far as inconsistent or at variance with the Provisions of this Act, but the same shall in all other respects remain in full Force.

Laws and Practice inconsistent with this Act repealed.

CAP. XXVIII.

An Act to amend an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for the Direction of Public Works and Buildings; and to vest the Buildings appropriated for the Accommodation of the Supreme Courts of Justice in *Edinburgh* in the Commissioners of Her Majesty's Works and Public Buildings. [17th *June* 1852.]

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. The Persons who for the Time being, under the Provisions of the Act passed in the last Session of Parliament, Chapter Forty-two, shall be the Commissioners of Her Majesty's Works and Public Buildings shall be and they are hereby constituted a Corporation, by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name shall and may have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, for the Purpose of taking and holding all the Lands, Tenements, and Hereditaments whatsoever, of every Tenure, by this Act vested in them, or hereafter to be vested in or purchased by them under or by virtue of the Provisions of this Act, and of conveying, assigning, leasing, underleasing, or otherwise disposing of the same Lands, Tenements, and Hereditaments, and of entering into any Covenants or Agreements respecting any such Hereditaments vested or to be purchased, taken, or disposed of as aforesaid, but not for any other Purpose.

Commissioners of Works and Public Buildings incorporated for the Purpose of holding Lands, &c. under this Act.

II. It