II. The Provisions of this Act shall extend and be applied to every Will already made, where Administration or Probate has not already been granted or ordered by a Court of competent Jurisdiction in consequence of the defective Execution of such Will, or where the Property, not being within the Jurisdiction of the Ecclesiastical Courts, has not been possessed or enjoyed by some Person or Persons claiming to be entitled thereto in consequence of the defective Execution of such Will, or the Right thereto shall not have been decided to be in some other Person or Persons than the Persons claiming under the Will, by a Court of competent Jurisdiction, in consequence of the defective Execution of such Will. Act to extend to certain Wills already made.

III. The Word "Will" shall in the Construction of this Act be interpretad in like Manner as the same is directed to be interpreted under the Provisions in this Behalf contained in the said Act of the First Year of the Reign of Her Majesty Queen *Victoria*. Interpretation of "Will."

IV. This Act may be cited as "The Wills Act Amendment Act, 1852." Short Title of Act.

## CAP. XXV.

An Act to amend an Act for registering Births, Deaths, and Marriages in *England*. [17th *June* 1852.]

'WHEREAS by an Act passed in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, intituled *An Act for registering Births, Deaths, and Marriages in* England, His Majesty was empowered to provide a proper Office in *London* or *Westminster*, to be called "the General Register Office," for keeping a Register of all Births, Deaths, and Marriages of His Majesty's Subjects in *England*: And whereas under the Authority of the said Act an Office, called "the General Register Office," was provided in *Somerset Place* in the *Strand*; and it has become necessary for the Public Service that such Office should be removed from *Somerset Place*, and that another Office should be provided in lieu thereof; but Doubts have arisen whether such Office ought not by the said recited Act to be provided in the City of *London* or in the City or Liberty of *Westminster*, and not elsewhere;' to remove which Doubts, may it therefore please Your Majesty that it may be it enacted; and 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, That it shall be lawful for Her Majesty, Her Heirs or Successors, from Time to Time to provide a proper Office, to be called "The General Register Office," in such Place or Places as may appear to the Commissioners of Her Majesty's Treasury for the Time being to be fit and convenient for the Purpose, anything in the said recited Act or in any other Act of Parliament, or otherwise, to the contrary notwithstanding. 6 & 7 W. 4. c. 86. For providing a General Register Office.

## CAP. XXVI.

An Act to enable Her Majesty to carry into effect Arrangements made with Foreign Powers for the Apprehension of Seamen who desert from their Ships. [17th *June* 1852.]

'WHEREAS Arrangements have been made with certain Foreign Powers for the Recovery of Seamen deserting from the Ships of such Powers when in *British* Ports, and for the Recovery of Seamen deserting from *British* Ships when in the Ports of such Powers: And whereas it is expedient to enable Her Majesty to carry such Arrangements into effect, and likewise to enable Her Majesty to carry into effect any similar Arrangements of a like Nature which may be made hereafter:' 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. Whenever

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.