of Her Majesty's Superior Courts of Record at *Westminster*, or by Monition and Attachment in the High Court of Admiralty of *England*, unless in Cases where any other Mode is by this Act particularly directed; and all such Penalties and Forfeitures which shall arise or become forfeited in any Part of Her Majesty's Dominions abroad may be recovered in any Court of Record of Her Majesty in the Colony, Territory, or Place where the same shall arise or have become forfeited, or in any of Her Majesty's Vice-Admiralty Courts having Jurisdiction there.

Limitation of Actions.

LVI. No Action shall be brought against any Person or Persons whomsoever for any Matter or Thing whatever done or committed under or by virtue or in the Execution of this Act unless such Action shall be brought within Two Years next after the doing or committing of such Matter or Thing, nor, unless Notice of Action shall have been given, One Calendar Month at least before the Commencement of the same, which Notice shall specify the Cause of the said Action; and if the Plaintiff or Plaintiffs shall be nonsuited, or suffer Discontinuance, or forbear further Prosecution, or if Judgment shall be given for the Defendant or Defendants, such Defendant or Defendants shall recover his Costs to be taxed as between Attorney and Client.

Continuance of Act.

LVII. This Act shall continue in force during the present War, and no longer, save and except as to all such Matters and Things as shall then be depending in Judgment in the Court of Admiralty, or before the Judicial Committee of the Privy Council, or in any Court of Record within Her Majesty's Dominions, at the Time when the present War shall cease, and also save and except as to the carrying out and finally disposing of all such other Matters or Things as shall arise out of the present War in reference to the Provisions of this Act; and also save and except as to all Offences which may have been committed against, and all Penalties and Forfeitures which may have been incurred under the Provisions of this Act, in respect whereof Proceedings shall and may be taken as if this Act still continued in force.

Not to extend to Seizures made by Officers of Customs on Excise.

LVIII. Nothing in this Act shall extend or be deemed or construed to extend to any Seizure of Ships, Vessels, Goods, or Merchandise made by any Officer of Customs or Excise for any Breach of the Laws or Regulations relating to the Customs or to Trade or Navigation.

CAP. XIX.

An Act for facilitating the Payment of Her Majesty's Navy, and the Payment and Distribution of Prize, Bounty, Salvage, and other Monies to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War; and for the better Regulation of the Accounts relating thereto. [2d *June* 1854.]

'WHEREAS it is desirable to facilitate the Payment of the Officers and Crews on board Her Majesty's Ships and Vessels of War, as also to provide further and more effectual Means for the Payment and Distribution of any Prize, Bounty, Salvage, or other Monies which may be payable and distributable to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War: And whereas, by Her Proclamation bearing Date the Twenty-ninth Day of *December* One thousand eight hundred and fifty-three, Her Majesty was pleased to direct the Mode in which the Distribution of any such Prize, Bounty, Salvage, or other Monies should be made; and by Her further Proclamation, bearing Date the Twenty-ninth Day of *March* One thousand eight hundred and fifty-four, Her Majesty was graciously pleased to order and direct that the net Proceeds of all Captures which should be made during the present War with *Russia* by any of her Ships or Vessels of War should be for the entire Benefit of the Officers and Crews of such Ships and Vessels of War as might have effected such Capture, after the same should have been finally adjudged to Her Majesty as lawful Prize:' Be it therefore 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. This

Short Title of Act.

I. This Act may for all Purposes be cited as "The Naval Pay and Prize Act, 1854."

Commencement of Act.

II. This Act shall come into operation on the First Day of *June* One thousand eight hundred and fifty-four.

Interpretation of certain Terms.

III. In the Construction of this Act the following Terms shall have the respective Meanings herein-after assigned to them (if not inconsistent with the Context or Subject Matter); that is to say,

"Her Majesty:"

"Her Majesty" shall include Her Majesty, Her Heirs, and Successors:

"Lords of the Admiralty:"

"Lords of the Admiralty" shall include the Lord High Admiral and also the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being:

"Court of Admiralty:"

"Court of Admiralty" shall include the High Court of Admiralty of *England*, and any Admiralty, Vice-Admiralty, or other Court within Her Majesty's Dominions, which shall be duly authorized to take Cognizance of and judicially to proceed in Matters of Prize:

"Vice-Admiralty Courts:"

"Vice-Admiralty Courts" shall include all such Courts other than the High Court of Admiralty of *England*:

"Judge:"

"Judge" shall include any Judge, Deputy Judge, Surrogate, or other Person duly appointed to act as the Judge in any Court of Admiralty:

"Ship and Vessel:"

"Ship and Vessel" shall include all and all Manner of Ships, Vessels, and Boats:

"Her Majesty's Ships and Vessels of War:"

"Her Majesty's Ships and Vessels of War" shall include all Ships and Vessels belonging to Her Majesty, as also any hired armed Ships or Vessels in Her Majesty's Service:

"Officers and Crew."

"Officers and Crew" shall include all Flag and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships or Vessels of War.

"Government Accountant."

"Government Accountant" shall include any Officer in charge of public Money, whether belonging to the Commissariat, Customs, or any other Department, who may have been, or may be hereafter, appointed by the Lords of the Treasury or Admiralty.

Proceeds of any Prize to be paid to the Naval Prize Account.

IV. Whenever any Ship, Vessel, Goods or Merchandise has been condemned in any Court of Admiralty, or other Court having competent Jurisdiction, whether as Prize of War, or in pursuance of any Act of Parliament relating to the Revenues of Customs and to Trade and Navigation, or to the Abolition of the Slave Trade, or to the Capture and Destruction of Pirates and piratical Vessels, or on any other Grounds, and the Proceeds arising therefrom have thereby or by Her Majesty's Proclamations become payable and distributable to and amongst the Officers and Crews of any of Her Majesty's Ships and Vessels of War, the Judge of the Court of Admiralty or other Court by which the Decree or Interlocutory Sentence shall have been pronounced shall forthwith direct the said Ship, Vessel, Goods, or Merchandise to be appraised by competent Persons sworn to appraise the same, according to the best of their Skill and Knowledge, and shall direct the same to be sold by the Marshal or other Officer of such Court, or by Persons to be appointed by the Court for that Purpose; and the Proceeds arising therefrom, or if the said Ship, Vessel, Goods, or Merchandise shall have been released on Bail, then the appraised or agreed Value thereof shall be paid to the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or into the Hands of some Government Accountant within Her Majesty's Dominions.

Bounties and Salvage to be paid to the Naval Prize Account.

V. All Bounties, whether for the Capture or Destruction of Enemies or Enemies' Ships or Vessels in Time of War, or for Captures or Seizures made under the Provisions of the several Acts of Parliament passed relating to the Revenues of Customs and to Trade and Navigation, or to the Abolition of the Slave Trade, or for the Capture and Destruction of Pirates and piratical Vessels, and all Awards for Salvage or other Services, whether the same shall have been by the Decree of a competent Court or by Agreement, and which shall be payable and distributable to and amongst the Officers and Crews of any of Her Majesty's Ships and Vessels of War, shall be forthwith paid to the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or into the Hands of some Government Accountant within Her Majesty's Dominions, in order that the same may be transferred to the said Account.

VI. Whenever

As to the Distribution of Proceeds, Bounty, Salvage, &c.

VI. Whenever the Proceeds of any Ship, Vessel, Goods, or Merchandise, or any Bounty, Salvage, or other Award as aforesaid, shall have been paid into the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or into the Hands of some Government Accountant within Her Majesty's Dominions, the High Court of Admiralty of *England* or the Court which may have condemned the said Prize, or awarded the said Bounty, Salvage, or other Monies, may direct the Payment thereout of all Costs, Charges, and Expenses which may be chargeable against the same, or which may have been incurred by the Captor, his Attorney, or Agent, after such Costs, Charges, and Expenses shallhave been taxed or allowed by the Registrar of such Court or his Deputy; and the Balance of such Prize, Bounty, Salvage, and other Monies shall thereupon, and after the Time for appealing shall have expired, forthwith be distributed by the Lords of the Admiralty to and amongst the Persons entitled thereto, after the same shall have been notified in the *London Gazette*.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

VII. The Lords of the Admiralty, or any Party claiming any Interest in the Proceeds of any Prize, or in any Bounty, Salvage, or other Monies payable and distributable under the Provisions of this Act, may, prior to the Distribution thereof, resort to the High Court of Admiralty of *England* for the Purpose of obtaining the Judgment of the said Court in that Behalf, and the Judge of the said Court shall proceed to hear and determine the same, as also any Question of joint Capture which may arise thereon; and such Court shall have and exercise full Power, Authority, and Jurisdiction throughout Her Majesty's Dominions, and may enforce any Decree or Sentence of any Vice-Admiralty Court; and all Vice-Admiralty Courts within Her Majesty's Dominions are hereby empowered, directed, and required to enforce upon all Persons within their respective Jurisdictions all Orders whatsoever of the High Court of Admiralty of *England* relating to any Matter arising under the Provisions of this Act.

High Court of Admiralty of England may compel Production of Proceeds, &c.

VIII. The Judge of the High Court of Admiralty of *England* may, on the Application of the Lords of the Admiralty, or any Persons interested in the Proceeds of any Prize, or in any Bounty, Salvage, or other Monies, and on an Affidavit that the Proceeds of any Prize, or of any Bounty, Salvage or other Monies payable and distributable under the Provisions of this Act, or any Papers or Books relating thereto, are in the Possession of any Person, compel by Process of the Court, and by Monition and Attachment, the Production thereof, and the paying and transferring of such Proceeds into the Naval Prize Account as aforesaid, and the answering to such Interrogatories touching the same as the Court may approve, and may make such Order in the Premises touching and concerning the same, and the Costs of such Proceedings, as to it shall seem meet.

Penalty of One Pound per Cent. per Month on retaining Proceeds contrary to this Act.

IX. Any Captor, or other Person who shall acquire or retain the Proceeds of any Prize, Bounty, Salvage, or other Monies contrary to the Provisions of this Act, except for reasonable Cause to be allowed by the Court of Admiralty, shall pay Interest thereon at the Rate of One Pound *per Centum per* Month for such Time as the same shall so be in his Custody or Possession, and such Interest shall be deemed to be Part of such Proceeds, and be paid and applied accordingly.

Power to allow in Paymaster General's Accounts certain Sums without the Production of Vouchers in detail.

X. 'Whereas Her Majesty's Paymaster General is required to make up, and transmit to 'the Commissioners for auditing the Public Accounts, Accounts of the Receipts and Expen- 'diture within his Department: And whereas numerous Payments are made by Her Majesty's 'Paymaster General by way of Imprest and upon Account, under the Authority of Orders 'drawn upon him by the Heads of Departments in favour of Accountants and other Persons, 'who subsequently account to such Department for the detailed Application of such 'respective Advances: And whereas numerous other Payments are made by Her Majesty's 'Paymaster General upon Orders in like Manner issued, the Vouchers for which are 'examined by the Department from which such Orders are severally issued, and many of 'which Vouchers are necessarily retained by such Department: And whereas it is expedient 'that the Commissioners for auditing the Public Accounts should be empowered to allow and 'pass Payments in the Accounts of Her Majesty's Paymaster General in manner hereafter 'provided:' Be it enacted, That the Commissioners for auditing the Public Accounts may allow

allow and pass as final Payments in the Accounts of Her Majesty's Paymaster General all such Sums paid and charged by him in his Accounts, on Production to them of the Warrants, Bills, Orders, or other usual Authorities in respect of which such Payments have been made, with the Acquittances or Endorsements of the Parties to whom such Orders are made payable, whether the same be stamped or not, without requiring the Production of any subordinate or other Voucher in support of any such Warrant, Bill, Order, or other Authority.

Power to allow in Paymaster General's Accounts Sums paid on Certificate.

XI. 'And whereas certain other Payments are made by Her Majesty's Paymaster 'General upon Orders signed by the Heads of Departments, and which are vouched by 'Persons present and witnessing the same, but no Receipts are given by the Parties to 'whom such Payments are respectively made:' Be it enacted, That the Commissioners for auditing the Public Accounts may allow and pass in the Accounts of Her Majesty's Paymaster General all such Payments vouched or certified by Persons present and witnessing such respective Payments, without requiring the receipts of the several Parties to be produced.

Power to allow in Paymaster General's Account Sums paid under Certificates of Heads of Departments.

XII. 'And whereas there are certain other Cases where it has not been found practicable 'to produce to the Commissioners for auditing the Public Accounts any Certificates from 'Persons present and witnessing Payments, or the Receipts of the Parties to whom such 'Payments were respectively made, although such Certificates or Receipts have been produced 'to the Head of the Department:' Now be it enacted, That the said Commissioners for auditing the Public Accounts may allow and pass in the Accounts of Her Majesty's Paymaster General all Payments not supported by such Certificates or Receipts, on the Production to them of Returns or Statements signed by the Head of the Department.

Lords of the Admiralty may by Order in Council alter the Mode of paying the Navy, and distributing Prize Money, &c.

XIII. The Lords of the Admiralty may from Time to Time make such Rules, Orders, and Regulations as may to them appear expedient for facilitating the paying of the Navy, and for distributing the Proceeds of any Prize, or any Bounty, Salvage, or other Monies, as aforesaid, and for keeping the Accounts and Expenses in relation thereto, notwithstanding any Provisions to the contrary contained in the Act of the Eleventh *George* the Fourth, Chapter Twenty, and Fifty-fourth *George* the Third, Chapter Ninety-three, or in any other Act whatsoever; provided always, that such Rules, Orders, and Regulations are not inconsistent with the aforesaid Proclamations, or with any future Proclamation which Her Majesty may see fit to issue in that Behalf, and that the same shall not have any Force or Effect until they have been previously approved by Her Majesty in Council; and such Orders in Council shall be presented to Parliament within Fourteen Days after the Date thereof, or if Parliament be not then sitting within Fourteen Days next after the meeting of Parliament; and an Account showing all the Receipts and Expenditure on account of Naval Prize to the Thirty-first Day of *March* in each Year, signed by the Accountant General of Her Majesty's Navy, shall be annually laid before Parliament.

Act not to extend to Seizures made by Officers of Customs, &c.

XIV. Provided, that nothing in this Act contained shall extend or be construed to extend to any Seizure of Ships, Vessels, Goods, or Merchandise made by any Officer or Officers of Customs, or of Inland Revenue or Excise, for any Breach of the Laws or Regulations relating to the Customs, Inland Revenue, or Excise, or to Trade and Navigation.

CAP XX.

An Act to repeal an Act of the Fifty-third Year of King *George* the Third, Chapter Seventy-two, and an Act of the Eighth Year of Her present Majesty, Chapter Twenty-one; and for making Provision for the Appointment and for Remuneration of a Stipendiary Justice for the Division of *Manchester* in the County of *Lancaster*, and of Clerks to such Justice and the Justices for the Borough of *Salford*; and for other Purposes. [2d *June* 1854.]

'WHEREAS by an Act (herein-after called the first-recited Act) passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act for the more* 53 G. 3. c. 72.