Colonel of the Militia; and any Person who shall have been qualified to receive and shall have received a Commission of Major or Lieutenant Colonel in the Militia shall be qualified to receive and hold a Commission of higher Rank in the Militia.

Existing Enactments to extend to Qualifications under this Act.

IV. The Enactments concerning the Delivery of Descriptions of Property Qualifications, and other Provisions and Penalties having reference to the Qualifications now required by Law, shall be applicable with reference to the Qualifications required by this Act.

Exceptions for the Militia of London and Edinburgh.

V. Such of the Provisions of this Act as regulate the Amount and Nature of the Property Qualifications of Officers of the Militia shall not extend to the Militia of the City of *London* or the Militia of the City of *Edinburgh* and its Liberties.

Extent of the Act.

VI. Except as herein-before excepted, the Provisions of this Act shall extend and apply to the Militia raised in the several Parts of the United Kingdom, and to the Corps of Miners of *Cornwall* and *Devon*.

CAP. CI.

An Act for the more effectual Execution of the Convention between Her Majesty and the *French* Government concerning the Fisheries in the Seas between the *British* Islands and *France*. [14th *August* 1855.]

Convention between Her Majesty and the King of the French, dated 2d August 1839.

'WHEREAS a Convention was concluded between Her Majesty and the King of the *French* on the Second Day of *August* One thousand eight hundred and thirty-nine, defining the Limits of the Oyster Fishery between the Island of *Jersey* and the neighbouring Coast of *France*, and also defining the Limits of the exclusive Rights of Fishery on all other Parts of the Coasts of the *British* Islands and *France*: And whereas, pursuant to the said Convention, certain Articles, being Regulations for the Guidance of the Fishermen of the Two Countries in the Seas lying between the Coasts of the United Kingdom and those of *France*, were agreed upon by Commissioners authorized in that Behalf, and were approved and confirmed on the Part of Her Majesty and of the *French* Government: And whereas by the said Articles it was provided that Oyster-fishing should open on the First of *September* and should close on the Thirtieth of *April*, and that from the First of *May* to the Thirty-first of *August* no Boat should have on board any Dredge or other Implement whatsoever for catching Oysters: And whereas an Act was passed in the Session holden in the Sixth and Seventh Years of Her Majesty (Chapter Seventy-nine), to carry into effect the said Convention, and it was thereby enacted that the said Articles (which were set forth in the Schedule to the same Act) should be binding upon all Persons, and should have the Force of Law: And whereas it is expedient that more effectual Provision should be made for enforcing the Regulations established pursuant to the said Convention as aforesaid:' 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:

6 & 7 Vict. c. 79.

Oysters and Dredges found on board Fishing Vessels from 1st May to 31st August may be seized.

I. It shall be lawful for any Officer or Petty Officer belonging to Her Majesty's Navy or Revenue Service, or such Officers and Men of the Coast-guard Stations as may be thereunto authorized by the Commissioners of Her Majesty's Customs, or such Persons as may be appointed, under the Provisions of the said Act, by the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, when they go on board any *British* Vessel employed in fishing, to examine whether the Regulations of the said Act have been complied with, to seize, and throw overboard or destroy any Oysters found on board such Vessel, at any Time from the First Day of *May* to the Thirty-first Day of *August* in any Year, as well as to seize and dispose of in manner provided by the "Customs Consolidation Act, 1853," all Dredges and other Implements for catching Oysters found on board such Vessel; and it shall also be lawful for such Officers, Petty Officers, and Men, and such Persons as aforesaid respectively, to seize and dispose of in like Manner all Dredges and other Implements for catching Oysters found sunk in or floating upon the Seas at any such Time as aforesaid.

Oysters landed between 1st May and 31st August may be seized.

II. No Oysters taken in the Seas between the United Kingdom and *France* shall be imported into or landed in any Part of the United Kingdom at any Time between the First Day of *May* and the Thirty-first Day of *August* in any Year, and any Oysters imported in or landed between such Days from any Vessel employed in Fishing in the said Seas shall be deemed to be Oysters taken and imported contrary to the Provisions of the said Articles and of this Act, unless the contrary be proved; and it shall be lawful for any Officer of the Customs, or any Person who may be appointed under the Provisions of the said Act by the Lords of the said Committee of Council, to seize and destroy, or otherwise dispose of, as the said Commissioners of the Customs or the said Lords of the said Committee may direct, any Oysters imported into or landed in any Part of the United Kingdom contrary to the Provisions of this Act.

Penalties on Persons in charge of British Vessels for offending.

III. The Master or Person in charge of any *British* Vessel on board which any such Oysters or any such Dredge or other Implement for catching Oysters are found, at any such Time as aforesaid, or in or from which any such Oysters are landed at any such Time as aforesaid, contrary to the Provisions of this Act, shall be deemed guilty of an Offence against the said Articles, and shall on Conviction be liable to a Penalty of not less than Eight Shillings or more than Three Pounds, or to be imprisoned, with or without Hard Labour, for any Time not less than Two Days and not longer than Ten Days, and if convicted more than once then upon any Second or subsequent Conviction to a Penalty of not more than Six Pounds, or to be imprisoned, with or without Hard Labour, for any Time not longer than Twenty Days.

British Consuls may take Depositions on Oath concerning Offences against the Fishery Regulations.

IV. It shall be lawful for any *British* Consul exercising his Functions in any Port or Place in *France* where any Person, being a Subject of Her Majesty, is brought under the Provisions of the said Articles charged with any Offence against the said Articles, or against any Rule or Byelaw made under the said Act, to take any Statement on Oath (which Oath such Consul is hereby authorized to administer) of any Person who may be produced before the Consul for that Purpose, concerning the Facts or Circumstances of the Case, and to put the same into Writing; and every such Statement as aforesaid shall be taken and put into Writing in the Presence of the Person charged, and shall be read over to him, and, where not made in *English*, shall be interpreted to him; and the Person charged (by himself or by any legal Adviser acting on his Behalf) shall be entitled to put such Questions as he may think fit to the Witness making the Statement, and shall be told that he is so entitled by the Consul; and such Questions, with the Answers thereto, shall be put into Writing, and such Answers shall be read, and where necessary interpreted, to the Person charged as aforesaid; and all such Depositions shall be read over to and signed respectively by the Witnesses who shall have been so examined, and shall be signed also by the Consul, who shall certify that the same were taken on Oath in the Presence of and read over to the Person charged, and, where not taken in *English*, interpreted to him.

Depositions admissible in Evidence.

V. Every such Deposition shall be admissible in Evidence in any Proceeding against the Person charged as aforesaid with any Offence against the said Articles, or against any Rule or Byelaw made in pursuance of the said Act, unless it be shown that the Witness making such Deposition is within the United Kingdom; and it shall not be necessary in any Case to prove the Signature or official Character of the Consul appearing to have signed any such Deposition, or the Signature of the Witnesses signing the same; and in any such Proceeding such Certificate as aforesaid shall, unless the contrary be proved, be sufficient Evidence of the Matters thereby certified.

Penalties and Proceeds of Sales, &c. to be paid into Exchequer.

VI. All Penalties, Fines, and Forfeitures, and the Proceeds of any Sale of Dredges or other Implements under this Act, or under the said Act of the Sixth and Seventh Years of Her Majesty, shall be paid into the Receipt of Her Majesty's Exchequer, in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

As to the Term "British Consul."

VII. The Term "*British* Consul" in this Act shall include any Consul General, Consul, Vice Consul, or other Consular Agent.

Recited Act and this Act to be read together.

VIII. The said Act of the Sixth and Seventh of Her Majesty and this Act shall be read and construed together as One Act.