



The Edinburgh Gazette.

Published by Authority.

FRIDAY, JANUARY 5, 1866.

At the Court at Osborne House, Isle of Wight, the 28th day of December 1865.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS by The Navy and Marines (Property of Deceased) Act, 1865, it is enacted (among other things,) that Her Majesty in Council may from time to time make such Orders in Council as seem meet for the better execution of any of the purposes of that Act, and that the said Act shall commence on such day not later than the first day of January one thousand eight hundred and sixty-six, as Her Majesty in Council thinks fit to direct :

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the said Act or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

Preliminary.

1. The said Act and this Order shall commence from an immediately after the 31st day of December one thousand eight hundred and sixty-five.

2. In this Order—

The term "naval assets" includes all property affected by The Navy and Marines (Property of Deceased) Act, 1865 :

The term "will" includes codicil :

The term "probate," includes letters of administration with will annexed :

Other terms have the same respective meanings as in the said Act.

I.—WILLS OF SEAMEN AND MARINES.

Deposit of Will in Testator's Lifetime.

3. In the office of the Inspector of Seamen's Wills (hereafter in this Order called the Inspector) there shall be a Repository for wills of seamen and marines.

4. The will of a seaman or marine intended to pass naval assets may, as soon as practicable after its execution, be sent to the Secretary of the Admiralty to be examined by the Inspector.

5. On receipt of any instrument purporting to be such a will, the Inspector shall register it in books kept in his office for the purpose, specifying the date and place of execution, the name and description of the testator, the name, description,

and address of the person appointed executor, and those of the attesting witnesses.

6. If the instrument appears to the Inspector invalid as a will on account of any informality or of non-accordance in any respect with The Navy and Marines (Wills) Act, 1865, or otherwise, he shall, as soon as may be, return it to the intending testator, with a statement in writing of the objection to its validity, and of the mode in which the objection may be removed.

7. If the instrument does not appear to the Inspector invalid as a will, he shall cause it to be stamped with the official stamp of the Admiralty, and to be placed in the repository for wills of seamen and marines, under official seal, and shall issue a receipt for it to the testator, specifying the matters required to be registered as aforesaid.

8. With reference to every such will, the Inspector shall also proceed as follows :—

(1.) He shall, with all convenient speed, issue to the person appointed executor, if any, a cheque of the will, not giving any information respecting the testator's disposition of his property, but containing directions as to the steps to be taken on the testator's death.

(2.) If there is not any person appointed executor, then, with the assent of the testator, either implied by the mode of transmission of the will to the Admiralty Office or expressed, but not otherwise, he shall, with all convenient speed, issue to the residuary or the universal legatee, or other person most beneficially interested under the will, a cheque in lieu of the will, containing directions as to the steps to be taken on the testator's death.

(3.) If, in any such last-mentioned case, by reason of the absence of such assent, a cheque is not issued in the testator's lifetime, then he shall, with all convenient speed after the testator's death, issue to the residuary, or the universal legatee, or other person most beneficially interested under the will, a cheque in lieu of the will, containing directions as to the steps to be taken in consequence of the testator's death.

Deposit of Will after Testator's Death.

9. On the death of a seaman or marine leaving a will, if the will is not already deposited with the Inspector, it shall be forthwith sent to the Secretary of the Admiralty by the executor or other

RECEIVED
JAN 11 1866
ADMIRALTY