

DESPATCHES FROM THE SECRETARY OF STATE.

COLONIAL SECRETARY'S DEPARTMENT.

No. 356.—The following Circular despatch with the accompanying Order of the King in Council is published for the information of those concerned. Government Notification No. 826 of the 9th December, 1903, is hereby cancelled.

A. W. BREWIN,
Colonial Secretary.

24th November, 1911.

CIRCULAR.

DOWNING STREET,
24th October, 1911.

SIR,—With reference to my predecessor's Circular despatch of the 19th October, 1903, covering copies of an Order of His Majesty in Council of the 9th of October, 1903. I have the honour to transmit to you, for publication in the Colony under your government, copies of an Order of His Majesty in Council of the 3rd instant revoking the Order of 1903 and making provision, under Section 238 of the Merchant Shipping Act, 1894, for the apprehension of seamen deserters from Japanese merchant ships.

I have, etc.,

L. HARCOURT.

The Officer Administering the Government of
HONGKONG.

AT THE COURT AT BALMORAL,
THE 3RD DAY OF OCTOBER, 1911.
PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by Sub-section (1) of Section 238 of "The Merchant Shipping Act, 1894," it is provided that, where it appears to His Majesty that due facilities are, or will be, given by the Government of any foreign country for recovering and apprehending seamen who desert from British Merchant ships in that country, His Majesty may, by Order in Council stating that such facilities are or will be given, declare that that section shall apply in the case of such foreign country, subject to any limitations, conditions, and qualifications contained in the Order:

And whereas by an Order in Council dated the 9th October, 1903, His late Majesty, by and with the advice of His Privy Council, was pleased to order and declare that seamen not being slaves (and not being British subjects) who, within His Majesty's Dominions, desert from ships belonging to subjects of His Majesty the Emperor of Japan should be liable to be apprehended and carried on board their respective ships:

And whereas it is desirable to repeal the said Order in Council of the 9th day of October, 1903:

And whereas it appears to His Majesty that due facilities are given by the Government of Japan for recovering and apprehending seamen who desert from British Merchant ships in that country:

NOW, THEREFORE, His Majesty by virtue of the power vested in Him by the hereinbefore recited Sub-section (1) of Section 238 of "The Merchant Shipping Act, 1894," and by and with the advice of His Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette the said Section 238 of "The Merchant Shipping Act, 1894," shall apply in the case of Japan, subject to the condition and qualification following, that is to say, that the application for assistance by the competent Consular Officer of Japan shall be accompanied by an assurance that all expenses connected therewith shall be repaid and that this Order shall not apply to subjects of His Majesty.

And His Majesty by virtue of the powers vested in Him by the provisions of Section 738 of "The Merchant Shipping Act, 1894," and by and with the advice of His Privy Council, is further pleased to order and declare that upon and after the publication hereof in the London Gazette the Order in Council made on the 9th day of October, 1903, shall be revoked and the same is hereby revoked accordingly.

J. C. LEDLIE.