



# The Hongkong Government Gazette Extraordinary.

---

Published by Authority.

---

MONDAY, OCTOBER 26, 1914.

---

The following Notification is published,

By command,

CLAUD SEVERN,  
*Colonial Secretary.*

---

## NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

**No. 406.**—It is hereby notified that, by an Order of His Majesty the King in Council bearing date the thirtieth day of September, 1914, the Rules made in pursuance of the Prize Courts Act, 1894, on the 5th August, 1914, and proclaimed in this Colony in the *Gazette* of the 9th October, 1914, have been amended in the manner hereinunder set out, that is to say:—

In Order No. XXVIII

Rule 3 is omitted retrospectively as though it had never been inserted.

In Order No. XXIX

the words "on motion" are omitted in Rules 1 and 3. The words "form of notice of motion will be found in Appendix A number 54" are omitted in Rule 1. The words "by motion" are omitted in Rule 4.

The following new Rules are added :—

- 4A. Notwithstanding anything contained in this Order, the Court shall on the request of the proper officer of the Crown accept in lieu of payment into Court an undertaking in writing signed by the proper officer of the Crown for payment into Court on behalf of the Crown of the appraised value of the ship, or of the amount fixed under Rule 4 of this Order, as the case may be, at such time or times as the Court shall declare by order that the same or any part thereof is required for the purposes of payment out of Court.
- 4B. Where in any case of requisition under this order it is made to appear to the judge on behalf of the Crown that the Lords of the Admiralty desire to requisition the ship temporarily, the Court may, in lieu of an order of release, make an order for the temporary delivery of the ship to the Lords of the Admiralty, and subject as aforesaid the provisions of this order shall apply to such a requisition ; provided always that, in the event of the return of the ship to the custody of the Court, the Court may make such order as it thinks fit for the return to the Crown of the money paid into Court, or some or any part thereof, or the release of the undertaking given on behalf of the Crown or the reduction of the amount undertaken to be paid thereby, as the case may be ; and provided also that, where the ship so requisitioned is subject to the provisions of Order XXVIII, Rule 1, relating to detention, the amount for which the Crown shall be considered liable in respect of such requisition shall be the amount of the damage, if any, which the ship has suffered during such temporary delivery as aforesaid.

In Appendix A

Form No. 54 is omitted.

CLAUD SEVERN,  
*Colonial Secretary.*

26th October, 1914.