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PROCLAMATIONS.

No. 16.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency SIR FRANCIS HENRY MAY Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same:—

Whereas by section three of the Prize Courts Act 1894 His Majesty in Council is authorised to make rules of court for regulating subject to the provisions of the Naval Prize Act 1864 and the said Act the procedure and practice of prize courts within the meaning of the Naval Prize Act 1864 and the duties and conduct of the officers thereof and of the practitioners therein and for regulating the fees to be taken by the officers of the courts and the costs charges and expenses to be allowed to the practitioners therein:

And whereas by section five of the Naval Prize Act 1864 it is provided that every appeal from a prize court within the meaning of this Act shall be made in such manner and form and subject to such regulations (including regulations as to fees costs charges and expenses) as may for the time being be directed by Order in Council:

And whereas in pursuance of the Prize Courts Act 1894 certain rules were made by an Order in Council dated the 18th day of July 1898 :

And whereas by an Order in Council made in pursuance of the Prize Courts Act 1894 and the Naval Prize Act 1864 and dated the 5th day of August 1914 the rules thereafter set forth were substituted for the rules made by the said Order in Council dated the 18th day of July 1898 :

And whereas by Order XLVI of the said rules made by the said Order in Council dated the 5th day of August 1914 it is provided that so far as the said rules apply to any Court in a British Possession outside the United Kingdom they shall not come into operation until they are proclaimed in the Possession by the Governor thereof :

And whereas by Orders in Council made in pursuance of the said Acts and dated respectively the 28th day of November 1914 and the 3rd day of February 1915 the said rules so made by the Order in Council of the 5th day of August 1914 were amended as therein specified :

And whereas the said amendments of the said rules were proclaimed in the Colony by the Governor on the 29th day of January and the 1st day of April 1915 respectively :

And whereas by an Order in Council made in pursuance of the said Acts and dated the 23rd day of March 1915 the said rules were further amended as follows :—

1. Order IX, Rule 1, is amended by the omission of the words "upon filing an affidavit" in the first and second lines thereof, and by substituting the words "any party other than the proper officer of the Crown" for the words "any other party" in the second and third lines thereof.
2. Order XI, Rule 1, is amended by the omission of the words between the word "time" in the fourth line thereof and the word "order" in the fifth line thereof.
3. Order XV is amended by the addition of the following rule after Rule 20 thereof :—
 "Notwithstanding anything contained in these rules the proper officer of the Crown may apply to the Judge for leave to administer interrogatories for the examination of any person whether a party to the cause or not."
4. Order XXIX as amended by the Order-in-Council of the 28th November 1914 is revoked and the following order is substituted therefor :—
 "(1.) Where it is made to appear to the Judge on the application of the proper officer of the Crown that it is desired to requisition on behalf of His Majesty a ship in respect of which no final decree of condemnation has been made, he shall order that the ship shall be appraised and that upon an undertaking being given in accordance with Rule 5 of this Order the ship shall be released and delivered to the Crown.
 "(2.) Where a decree for the detention of a ship has been made in accordance with Order XXVIII the proper officer of the Crown may file a notice (Appendix A, Form No. 55) that the Crown desires to requisition the same, and thereupon a commission (Appendix A, Form No. 56) to the marshal directing him to appraise the ship shall issue. Upon an undertaking being given in accordance with Rule 5 of this Order the ship shall be released and delivered to the Crown.
 "Service of this notice shall not be required before filing, but copies thereof shall be served upon the parties by the proper officer of the Crown as soon thereafter as possible.
 "(3.) Where in any case of requisition under this Order it is made to appear to the Judge on behalf of the Crown that the ship is required for the service of His Majesty forthwith, the Judge may order the same to be forthwith released and delivered to the Crown without appraisalment.
 "(4.) In any case where a ship has been requisitioned under the provisions of this Order and whether or not an appraisalment has been made the Court may on the application of any party fix the amount to be paid by the Crown in respect of the value of the ship.

- “(5.) In every case of requisition under this Order an undertaking in writing
“shall be filed 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 purpose of payment out of Court.
- “(6.) Where in any case of requisition under this Order it is made to appear to
“the Judge on behalf of the Crown that the Crown desires 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 Crown,
“and subject as aforesaid the provisions of this Order shall apply to
“such requisition; provided, 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 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 I, relating to deten-
“tion, 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 by reason of such temporary delivery as
“aforesaid.
- “(7.) The proceedings in respect of a ship requisitioned under this Order shall
“continue notwithstanding the requisition.
- “(8.) In any case of requisition of a ship in respect of which no cause has been
“instituted, any person interested in such ship may without issuing a
“writ, provided he does not intend to make a claim for restitution or
“damages, apply by summons for an order that the amount to be paid
“in respect of such ship shall be fixed by the Court, and the Judge may
“on the hearing of such summons order the ship to be appraised or to
“be valued or give such other direction for fixing the amount as he may
“think fit.”
5. Form No. 4, in Appendix A, is amended by the omission of the words
“Commander of our ship of war”, and of the words “taken and seized as
prize by our said ship of war”.

And whereas it is expedient that the said further amendments of the said rules should come into operation in this Colony:

Now therefore I Sir FRANCIS HENRY MAY Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same do hereby proclaim the said amendments of the said rules in this Colony.

Given under my hand and the Public Seal of the Colony at Victoria Hongkong this 21st day of April 1915.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.

No. 17.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same:—

Whereas by the second section of the Military Stores (Exportation) Ordinance 1862 as amended by the Military Stores (Exportation) Ordinance 1914 it is enacted that it shall be lawful for the Governor by and with the advice of the Executive Council by proclamation to prohibit for such period as may be therein mentioned to be exported from the Colony of Hongkong arms ammunition and gunpowder military and naval stores and any articles which the Governor may judge capable of being converted into or made useful in increasing the quantity of military or naval stores provisions or any sort of victual which may be used as food by man or any or either of such arms ammunition gunpowder stores goods or articles respectively:

And whereas by the third section of the Military Stores (Exportation) Ordinance 1862 as enacted by the Military Stores (Exportation) Ordinance 1914 it is provided that it shall be lawful for the Governor by and with the advice of the Executive Council by proclamation to prohibit for such period as may be therein mentioned the exportation of all or any of the following articles namely arms ammunition military and naval stores and any articles which the Governor shall judge capable of being converted into or made useful in increasing the quantity of arms ammunition or military or naval stores to any country or place therein named whenever the Governor by and with the advice aforesaid shall judge such prohibition to be expedient in order to prevent such arms ammunition or military or naval stores being used against His Majesty's subjects or forces or against any forces engaged or which may be engaged in military or naval operations in co-operation with His Majesty's forces:

And whereas by the fourth section of the Military Stores (Exportation) Ordinance 1862 as renumbered by the Military Stores (Exportation) Ordinance 1914 it is enacted that the Governor may whilst any such proclamation is in force permit to be exported or to be water-borne to be so exported any particular articles or class of articles the export of which is prohibited by such proclamation to such persons and on such terms and subject to such conditions and regulations if any as to the Governor may seem fit and may at any time revoke or vary the terms of any such permission:

And whereas by sub-clause (9) of clause III of the order of Her late Majesty Queen Victoria-in-Council made on the 26th day of October 1896 as amended by the order of His Majesty-in-Council made on the 28th day of August 1914 it is enacted that the Governor may prohibit the export from the Colony of any article:

And whereas by a proclamation dated the 1st April 1915 the exportation of certain articles therein referred to from the Colony was prohibited to certain or all destinations:

And whereas it is expedient that the said proclamation should be amended:

And whereas the articles other than arms ammunition or military or naval stores hereinafter enumerated are articles which I with the advice aforesaid judge capable of being converted into or made useful in increasing the quantity of arms ammunition or military or naval stores:

And whereas in order to prevent such arms ammunition or military or naval stores being used against His Majesty's subjects or forces or against any forces engaged or which may be engaged in military or naval operations in co-operation with His Majesty's forces I with the advice aforesaid have deemed it expedient to prohibit the exportation of the articles hereinafter enumerated:

Now therefore I Sir FRANCIS HENRY MAY Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same by and with the advice of the Executive Council of this Colony and in virtue and exercise of the aforesaid powers do by this Proclamation declare and it is hereby declared that the above-mentioned proclamation be and the same is hereby amended as follows:—

- (1.) That the following headings in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom and British Possessions and Protectorates be deleted:—

Drawplates, jewelled for drawing steel wire ;
Meat, namely, beef and mutton, fresh or refrigerated ;
Peas (except split, tinned and bottled peas, packed in cardboard boxes and similar receptacles).

- (2.) That the following items be added to the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom and British Possessions and Protectorates:—

Drawplates, jewelled, for drawing steel wire, and diamonds prepared for use therein ;
Prussiate of Soda.

Given under my hand and the Public Seal of the Colony at Victoria Hongkong this 21st day of April 1915.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.