

## DESPATCHES FROM THE SECRETARY OF STATE.

No. 383.

HONGKONG.

*Miscellaneous.*DOWNING STREET,  
9th July, 1915.

SIR,—I have the honour to transmit to you for your information copies of the Prize Courts Act, 1915.

I have, &amp;c.,

A. BONAR LAW.

*The Officer Administering the Government of*  
HONGKONG.

## Prize Courts Act, 1915.

[5 &amp; 6 GEO. 5. CH. 57.]

A.D. 1915.

## ARRANGEMENT OF SECTIONS.

Section.

1. Power to transfer proceedings from one prize court to another.
2. Power to make orders enforceable by other prize courts.
3. Supplemental powers of prize courts.
4. Salaries and remuneration of judges and officers of prize courts.
5. Short title and construction.

## CHAPTER 57.

An Act to amend the Enactments relating to Prize Courts.

[2nd July 1915.]

**B**E it enacted by the King'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 :—

Power to transfer proceedings from one prize court to another.

1.—(1) Where proceedings are pending in any prize court against any ship or cargo, the court may at any stage of the proceedings, on application being made by the proper officer of the Crown, and upon being satisfied that the proceedings, or the proceedings so far as they relate to the cargo or any part thereof, would be more conveniently conducted in any other prize court, make an order remitting the proceedings, or the proceedings so far as they relate to the cargo or to any part of the cargo, to such other prize court.

(2) Where any proceedings have been remitted to another prize court that other court shall have the same jurisdiction to deal with the matter as if the subject-matter of those proceedings had originally been seized within its jurisdiction or been brought within its jurisdiction after capture, and any order or other steps made or taken in those proceedings before the order of remission shall be deemed to have been made or taken by or in that court.

Power to make orders enforceable by other prize courts.

2. A prize court may, as respects any cause or matter within its jurisdiction, and on the application of the proper officer of the Crown, declare that any order or decree made by it, whether before or after the commencement of this Act, is enforceable within the jurisdiction of another prize court, and shall, on the like application, have power to enforce any decree or order which another prize court has declared to be enforceable within the jurisdiction of such first-mentioned court.

Supplemental powers of prize courts.

3.—(1) Where a prize court under this Act orders the remission of any proceedings, or declares that any order or decree is enforceable by another prize court, the first-mentioned court may order the subject-matter of the proceedings, or of the order or decree, to be removed, in such manner and subject to such

conditions as the court thinks fit, into the jurisdiction of the other court, and, where any such order of removal is made, either court may direct that any expenses incurred in the removal shall be borne by the cargo or any part of the cargo or the ship in such manner as the court thinks proper. A.D. 1915.

(2) For the purpose of the voyage of a ship from the jurisdiction of one court to that of another under such an order of removal, the ship, if not a British ship, shall be treated as if it were a British ship registered in the United Kingdom.

(3) The power of His Majesty in Council to make rules for regulating the procedure and practice of prize courts shall extend to making rules for carrying this Act into effect.

(4) The powers conferred by this Act are without prejudice to any other powers which the High Court in England may possess for the like purposes independently of this Act, and to the obligation imposed on prize courts by section nine of the Naval Prize Act, 1864.

27 & 28  
Vict. c. 25.

4.—(1) The power conferred by section ten of the Naval Prize Act, 1864, to grant salaries in lieu of fees to judges of prize courts shall be extended so as also to confer a power of granting a remuneration by way of a lump sum, and, as so extended, shall, notwithstanding anything in any other enactment, apply also to officers of prize courts or performing duties in connection with matters of prize : Salaries and remuneration of judges and officers of prize courts.

Provided that the powers under that section or this section shall not be exercised as respects any prize court in India except on the application of the Governor General of India in Council, or as respects any prize court in the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, or Newfoundland, except on the application of the Governor General or of the Governor in Council, as the case may be.

(2) This section shall be deemed to have had effect since the commencement of the present war.

5. This Act may be cited as the Prize Courts Act, 1915, and shall be construed as one with the Naval Prize Act, 1864; and the Naval Prize Acts, 1864 to 1914, and the Prize Courts (Egypt, Zanzibar and Cyprus) Act, 1914, and this Act may be cited together as the Naval Prize Acts, 1864 to 1915. Short title and construction.  
4 & 5 Geo.  
5, c. 79.

## No. 384.

### CIRCULAR.

DOWNING STREET,  
17th July, 1915.

SIR,—I have the honour to inform you that His Majesty's Government have had under their careful consideration the precise form to be required in the case of bills of lading for goods, consigned to neutral countries, which are contraband of war or fall to be dealt with under the Retaliation Order in Council of the 11th March, and that they have come to the following conclusions.

2. In regard to goods destined for a neutral country in Europe (and the same rule is to be applied also to goods destined for Russia) there is likely to be considerable delay if the bills of lading, no matter what may be the nature of the goods or the country of origin, are not made out to a named consignee—or, as an alternative, to a bank or financial house of high standing, with the remark Notify "A. B.," "A. B." being the name of the person or firm for whom the goods are ultimately destined.

3. It is not necessary that goods destined for a British, French, or Italian destination should be shipped to a named consignee, provided it is clearly indicated on the bill of lading and manifest that the ultimate destination is as stated.

4. It is desirable, in cases where the use of another form of consignment might result in an interruption of the voyage, that goods shipped to neutral countries outside Europe should be consigned in the same way as goods consigned to neutral countries in Europe; but this is not so necessary, provided always that it is clearly indicated that the destination of the goods is outside Europe and not in Turkey in Asia.