



THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

Published by Authority.

WELLINGTON, TUESDAY, MARCH 23, 1915.

Restrictions on German Commerce.

HIS Excellency the Governor hereby notifies, for the information of the public, that the following Order in Council has been issued by His Majesty on the eleventh day of March, 1915.

ORDER IN COUNCIL.

WHEREAS the German Government has issued certain orders which, in violation of the usages of war, purport to declare the waters surrounding the United Kingdom a military area in which all British and allied merchant vessels will be destroyed irrespective of the safety of the lives of passengers and crew, and in which neutral shipping will be exposed to similar danger in view of the uncertainties of naval warfare: And whereas in a memorandum accompanying the said orders neutrals are warned against entrusting crews, passengers, or goods to British or allied ships: And whereas such attempts on the part of the enemy give to His Majesty an unquestionable right of retaliation: And whereas His Majesty has therefore decided to adopt further measures in order to prevent commodities of any kind from reaching or leaving Germany, though such measures will be enforced without risk to neutral ships or to neutral or non-combatant life, and in strict observance of the dictates of humanity: And whereas the Allies of His Majesty are associated with Him in the steps now to be announced for restricting by further measures the commerce of Germany:

His Majesty is therefore pleased, by and with the advice of His Privy Council, to order and it is hereby ordered as follows:—

1. No merchant vessel which sails from her port of departure after the 1st March, 1915, shall be allowed to proceed on her voyage to any German port. Unless the vessel receives a pass enabling her to proceed to some neutral or allied port to be named in the pass, goods on board any such vessel must be discharged in a British port and placed in the custody of the Marshal of the Prize Court. Goods so discharged, not being contraband of war, shall, if not requisitioned for the use of His Majesty, be restored by order of the Court upon such terms as the Court may in the circumstances deem to be just to the person entitled thereto.

2. No merchant vessel which sailed from any German port after 1st March, 1915, shall be allowed to proceed on her voyage with any goods on board laden at such port. All goods laden at such port must be discharged in a British or allied port. Goods so discharged in a British port shall be placed in the custody of the Marshal of the Prize Court, and, if not requisitioned for the use of His Majesty, shall be detained or sold under the direction of the Prize Court. The proceeds of goods so sold shall be paid into Court, and dealt with in such manner as the Court may in the circumstances deem to be just: Provided that no proceeds of the sale of such goods shall be paid out of Court until the conclusion of peace, except on the application of the proper officer of the Crown, unless it be shown that the goods had become neutral property before the issue of this Order; provided also that nothing herein shall prevent the release of neutral property laden at such enemy port on the application of the proper officer of the Crown.

3. Every merchant vessel which sailed from her port of departure after 1st March, 1915, on her way to a port other than a German port, carrying goods with an enemy destination or which are enemy property, may be required to discharge such goods in a British or allied port. Any goods so discharged in a British port shall be placed in the custody of the Marshal of the Prize Court, and unless they are contraband of war shall, if not requisitioned for the use of His Majesty, be restored by order of the Court upon such terms as the Court may in the circumstances deem to be just to the person entitled thereto: Provided that this article shall not apply in any case falling within articles 2 or 4 of this Order.

4. Every merchant vessel which sailed from a port other than a German port after the 1st March, 1915, having on board goods which are of enemy origin or are enemy property, may be required to discharge such goods in a British or allied port. Goods so discharged in a British port shall be placed in the custody of the Marshal of the Prize Court, and, if not requisitioned for the use of His Majesty, shall be detained or sold under the direction of the Prize Court. The proceeds of goods so sold shall be paid into Court, and dealt with in such manner as the Court may in the circumstances deem to be just: Provided that no proceeds of the sale of such goods shall be paid out of Court until the conclusion of peace, except on the application of the proper officer of the Crown, unless it be shown that the goods had become neutral property before the issue of this Order; provided also that nothing herein shall prevent the release of neutral property of enemy origin on the application of the proper officer of the Crown.

5. (1.) Any person claiming to be interested in or to have any claim in respect of any goods (not being contraband of war) placed in the custody of the Marshal of the Prize Court under this Order, or in the proceeds of such goods, may forthwith issue a writ in the Prize Court against the proper officer of the Crown, and apply for an order that the goods should be restored to him, or that their proceeds should be paid to him, or for such other order as the circumstances of the case may require.

(2.) The practice and procedure of the Prize Court shall, so far as applicable, be followed *mutatis mutandis* in any proceedings consequential upon this Order.

6. A merchant vessel which has cleared for a neutral port from a British or allied port, or which has been allowed to pass having an ostensible destination to a neutral port, and proceeds to an enemy port, shall, if captured on any subsequent voyage, be liable to condemnation.

7. Nothing in this Order shall be deemed to affect the liability of any vessel or goods to capture or condemnation independent of this Order.

8. Nothing in this Order shall prevent the relaxation of the provisions of this Order in respect of the merchant vessels of any country which declares that no commerce intended for or originating in Germany or belonging to German subjects shall enjoy the protection of its flag.

LIVERPOOL, Governor.

Government House,
Wellington, 23rd March, 1915.