

1907, and being desirous of lessening, so far as may be practicable, the injury caused by war to peaceful and unsuspecting commerce, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. From and after the publication of this Order no enemy merchant ship shall be allowed to depart, except in accordance with the provisions of this Order, from any British port or from any ports in any Native State in India, or in any of His Majesty's Protectorates, or in any State under His Majesty's protection or in Cyprus.

2. In the event of one of His Majesty's Principal Secretaries of State being satisfied by information reaching him not later than midnight on Friday, the seventh day of August, that the treatment accorded to British merchant ships and their cargoes which at the date of the outbreak of hostilities were in the ports of the enemy or which subsequently entered them is not less favourable than the treatment accorded to enemy merchant ships by Articles 3 to 7 of this Order, he shall notify the Lords Commissioners of His Majesty's Treasury and the Lords Commissioners of the Admiralty accordingly, and public notice thereof shall forthwith be given in the "London Gazette," and Articles 3 to 8 of this Order shall thereupon come into full force and effect.

3. Subject to the provisions of this Order, enemy merchant ships which

- (i.) At the date of the outbreak of hostilities were in any port in which this Order applies; or
- (ii.) Cleared from their last port before the declaration of war, and, after the outbreak of hostilities, enter a port to which this Order applies, with no knowledge of the war:

shall be allowed up till midnight (Greenwich mean time), on Friday, the fourteenth day of August, for loading or unloading their cargoes, and for departing from such port:

Provided that such vessels shall not be allowed to ship any contraband of war, and any contraband of war already shipped on such vessels must be discharged.

4. Enemy merchant ships which cleared from their last port before the declaration of war, and which with no knowledge of the war arrive at a port to which this Order applies after the expiry of the time allowed by Article 3 for loading or unloading cargo and for departing, and are permitted to enter, may be required to depart either immediately, or within such time as may be considered necessary by the Customs Officer of the port for the unloading of such cargo as they may be required or specially permitted to discharge.

Provided that such vessels may, as a condition of being allowed to discharge cargo, be required to proceed to any other specified British port, and shall there be allowed such time for discharge as the Customs Officer of that port may consider to be necessary.

Provided also that, if any cargo on board such vessel is contraband of war or is requisitioned under Article 5 of this Order, she may be required before departure to discharge such cargo within such time as the Customs Officer of the port may consider to be necessary; or she may be required to proceed, if necessary under escort, to any other of the ports specified in Article 1 of this Order, and shall there discharge the contraband under the like conditions.

5. His Majesty reserves the right recognised by the said Convention to requisition at any time subject to payment of compensation enemy cargo on board any vessel to which Articles 3 and 4 of this Order apply.

6. The privileges accorded by Articles 3 and 4 are not to extend to cable ships, or to sea-going ships designed to carry oil fuel, or to ships whose tonnage exceeds 5,000 tons gross, or whose speed is 14 knots or over, regarding which the entries in Lloyd's Register shall be conclusive for the purposes of this Article. Such vessels will remain liable on adjudication by the Prize Court to detention during the period of the war, or to requisition, in accordance, in either case, with the Convention aforesaid. The said privileges will also not extend to merchant ships which show by their build that they are intended for conversion into warships, as such vessels are outside the scope of the said Convention, and are liable on adjudication by the Prize Court to condemnation as prize.

7. Enemy merchant ships allowed to depart under Articles 3 and 4 will be provided with a pass indicating the port to which they are to proceed, and the route they are to follow.

8. A merchant ship which, after receipt of such a pass, does not follow the course indicated therein will be liable to capture.

9. If no information reaches one of His Majesty's Principal Secretaries of State by the day and hour aforementioned to the effect that the treatment accorded to British merchant ships and their cargoes which were in the ports of the enemy at the date of the outbreak of hostilities, or which subsequently entered them, is, in his opinion, not less favourable than that accorded to enemy merchant ships by Articles 3 to 8 of this Order, every enemy merchant ship which, on the outbreak of hostilities, was in any port to which this Order applies, and also every enemy merchant ship which cleared from its last port before the declaration of war, but which, with no knowledge of the war, enters a port to which this Order applies, shall, together with the cargo on board