

tarics of State, and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

C. L. Peel.

AT the Court at *Windsor*, the 3rd day of *April*, 1886.

PRESENT,

The QUEEN'S Most Excellent Majesty.

Lord President.

Lord Chamberlain.

Mr. Stansfeld.

WHEREAS it is expedient to consolidate and amend the laws at present in force in Gibraltar relating to the Police of the Port, and the navigation and use of the Port of Gibraltar.

It is hereby ordered by Her Majesty, by and with the advice of Her Majesty's Most Honourable Privy Council as follows:—

1. This Order may be cited for all purposes as "The Port Order in Council, Gibraltar, 1886."

2. In this Order, unless the context otherwise requires, the following terms have the meanings hereinafter respectively assigned to them, that is to say:—

The word "ship" shall mean and include any description of vessel used in navigation, whether propelled by steam, sails, or otherwise, being within the port of Gibraltar, or the roadstead or anchorage ground thereof.

The word "hulk" shall mean and include any dismantled vessel, lighter, or other craft of such or the like nature afloat, or being within the port of Gibraltar, or the roadstead or anchorage ground thereof.

The word "boat" shall mean and include gondola, launch, ferry boat, pleasure boat, fishing boat and bumboat, and every other boat or craft of whatever description other than those belonging to sea-going vessels, or to any vessel of Her Majesty's Navy or any foreign ship of war or to any yacht of any recognized English or foreign yacht squadron.

The word "Gibraltar" shall mean and include Her Majesty's city, garrison, and territory of Gibraltar, the seashore, port and harbour thereof, and so much of the high sea adjacent thereto as is subject to the dominion of the Crown of England, or the jurisdiction of the Admiralty of England.

The word "Governor" shall mean and include the Governor, Lieutenant-Governor, or other person lawfully administering the Civil Government of Gibraltar.

Captain of the Port.

3. The Governor shall have power in the event of the illness or absence from Gibraltar of the Captain of the Port, or in the event of the vacancy of his office, to appoint by Warrant under his hand and seal some other fit and proper person to act for the time being as Captain of the Port.

4. The Captain of the Port for the time being shall, by virtue of his office and without any further or other Commission, be a Justice of the Peace for Gibraltar, and shall for the purposes of this Order, and with respect to all felonies, misdemeanours, and other offences committed in the port or harbour of Gibraltar or upon the high seas have, possess, and exercise the same powers and authorities as are now possessed and may now be exercised by the Police Magistrate in Gibraltar.

5. The Captain of the Port shall for the purposes of this Order also have, possess and exercise in Gibraltar all such powers and authorities as are vested by the Imperial Merchant Shipping Acts, 1854 to 1883, in any one or more Justices

of the Peace in England, and in the exercise of all powers conferred upon him by this Order the Captain of the Port shall be entitled to the same protection, privileges, and immunities as any Justice of the Peace exercising lawful authority in Gibraltar.

Marine Police.

6. The Captain of the Port shall with the previous approval of the Governor, from time to time, appoint at such salary as the Governor may sanction a sufficient number of fit and able men to act as constables who shall take and subscribe before him the same oath as is prescribed to be taken by a constable of the Civil Police Force; such constable shall be designated "the Marine Police" and shall for the purposes of this Order have and possess the same powers, authorities, and privileges as a constable of the Civil Police Force.

7. Such constables shall obey all such lawful commands as they shall from time to time receive from the Captain of the Port for the apprehension of offenders, or otherwise conducting themselves in the execution of their offices; and the Captain of the Port may at any time for any just and reasonable cause and with the previous approval of the Governor suspend or dismiss any such constable from his employment.

8. Save as specially mentioned in this Order the Captain of the Port and the constables appointed under this Order shall not receive any fee, reward, perquisite or emolument whatever other than their salaries, from any person for or in respect of any act, matter or thing done or performed by virtue of the powers and authorities hereby vested in them, on pain of being dismissed from office, and becoming incapable to serve Her Majesty again in Gibraltar.

9. The Captain of the Port or any Constable appointed under this Order shall have power to enter at all times, as well by night as by day, into and upon any hulk or boat, as defined by this Order, and every part thereof (provided such hulk or boat be not then actually employed in Her Majesty's service), lying or being in the port or harbour of Gibraltar, to inspect the same and to ascertain whether any alien person or persons who may have been removed from Gibraltar, or who may have been refused admittance therein under the provisions of the Aliens Order in Council, Gibraltar, 1885, is or are on board of such hulk or boat; and also for the purpose of taking all such measures as may be necessary for providing against fire and other accidents, and for preserving peace and good order on board of any such hulk or boat; and for the effectual prevention, in all cases, of any felonies and misdemeanours being committed, and for the effectual detection of any felonies or misdemeanours which may have been committed, or which such Captain of the Port or any such Constable as aforesaid may have reasonable cause to suspect to have been committed or to be about to be committed on board any such hulk or boat.

10. It shall be lawful for any such Constable as aforesaid to apprehend any suspected person found on board any hulk or boat and to convey such person before the Captain of the Port, and if it shall appear upon the oath of one or more creditable witness or witnesses, that such person is a person of evil fame; and if such person shall not be able to give a satisfactory account of himself and of his way of living; and if it shall also appear to the satisfaction of the Captain of the Port that there is just ground to believe that such person was in or on board any such hulk or boat with intent to commit any felony or misdemeanour,