

## PORTUGUESE PRIZE COURTS.

*Foreign Office,**November 11, 1916.*

With reference to the notification which was published in the *London Gazette* of May 30 last a translation is appended of the Portuguese Decree No. 2565 of August 14, 1916, relating to procedure in the Portuguese Prize Courts:—

(TRANSLATION.)

*Decree No. 2565 (August 14, 1916).*

Article I.—The form of procedure in the Prize Courts shall be the summary form laid down in Decree No. 3 of the 29th of May, 1907, with the modifications set forth in the following Articles:—

Article 2.—In the Statement of Claim the Plaintiff shall ask that the Defendant be served with notice to produce, at the Registrar's Office, within the fixed period of five days, a Statement of Defence, setting forth his whole defence.

Sub-Clause 1.—With regard to Article 36 of the Decree No. 2350 of the 20th of April, 1916, the Action shall be laid against the Depository-Administrator, or the Advocate, and, at the same time, his appointment and a summons for him to appear shall be applied for.

Sub-Clause 2.—When it is necessary to do so, the Judge shall at once proceed to make such appointment, and, in the same Order, shall order the summons to be issued. Service of this summons must be effected within forty-eight hours.

Article 3.—If the hearing of witnesses shall have been applied for, then during the three days following the filing of the Statement of Defence, or such further period as may be granted for the purpose, not more than three witnesses put forward by each party shall be heard, no interlocutory proceeding or other delay being admitted; and, on the day next following, the Judge shall deliver Provisional Judgment. Notice of this Judgment shall be served within twenty-four hours, or it may be made public at a sitting of the Court, and thenceforth shall be of full effect and validity.

Article 4.—Upon the termination of the above mentioned proceedings the case shall be allotted according to its class to a Registrar of the Court. The Plaintiff may then reply to the Statement of Defence already filed: this reply must be filed and the other proceedings set forth in the 5th and following Articles of Decree No. 3 of the 29th of May, 1907, shall be completed within 5 days of service of notice on publication of the Provisional Judgment.

Sole Sub-Clause.—Should there have been no Statement of Defence, or if it is declared to be of no avail, the Provisional Judgment shall become final.

Article 5.—From the final Judgment, delivered in Prize Proceedings, an Appeal will always lie direct to the Supremo Tribunal de Justiça (the Supreme Court of Justice), where cognisance will be taken of the nullities alleged, and of Interlocutory Appeals which may be pending, no other Appeal being allowed.

Article 6.—The Surveys of vessels, made by the Technical Committees, which are treated of in Article 29\* of Decree No. 2350, are sufficient proof both for the Provisional and the Final Judgments.

Article 7.—Judgments upholding a capture, whether provisional or final, shall be communicated direct by the Judges delivering them to the Ministry for Foreign Affairs in view of the possible bearing thereon of Article 2 of the 12th Hague Convention of October, 1907, approved by the Decree of February 24, 1911.

Article 8.—The Legal Representative of the State shall always intervene as the principal party in Prize Proceedings, without prejudice to any other legitimately interested person being a co-Plaintiff therein.

Article 9.—There shall be no Vacation Terms in the proceedings treated of by this Decree.

Article 10.—This Decree shall come into force immediately, and all provisions which are antagonistic are revoked.

The Ministers of all the Departments will thus take cognisance of it, and cause it to be carried out.

\* Relating to survey of enemy vessels seized with a view of ascertaining whether they are adapted for conversion into warships.

*Foreign Office,**June 30, 1916.*

The KING has been graciously pleased to appoint—

Major Hugh Augustus Keppel Gough to be His Majesty's Consul at Shiraz.

*Foreign Office,**July 25, 1916.*

The KING has been graciously pleased to appoint—

Robert Michael Fletcher, Esq., to be His Majesty's Consul at the Port of Vavau, Tonga.

*Foreign Office,**August 3, 1916.*

The KING has been graciously pleased to appoint—

William Robertson Heatley, Esq., to be His Majesty's Consul at Odense.

*Foreign Office,**August 8, 1916.*

The KING has been graciously pleased to appoint—

George Alexander Gavin Mungavin, Esq., to be His Majesty's Vice-Consul for Lingah, the Shib Kuh ports, and the Islands of Farur, Kais, Hindarabi and Sheikh Shuaib, to reside at Lingah.

*Foreign Office,**August 24, 1916.*

The KING has been graciously pleased to appoint—

Lieutenant-Colonel William George Grey to be His Majesty's Consul-General for the Province of Khorassan, to reside at Meshed.