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GOVERNMENT NOTICE No. 203 |

NOTICE.**The Trading with the Enemy Proclamation No. 2.**

NOTICE is hereby given that His Majesty King George V. has issued a Proclamation dated the 9th day of September, 1914, revoking the Royal Proclamation of the 5th day of August 1914 setting forth the law and policy with regard to Trading with the Enemy and revoking also the second paragraph of the Royal Proclamation of the 12th day of August 1914 which applied the aforesaid Proclamation of the 5th day of August 1914 to Austria Hungary and substituting the following provisions :—

1. The expression "enemy country" in this proclamation means the territories of the German Empire and of the dual monarchy of Austria Hungary, together with all the colonies and dependencies thereof.

2. The expression "enemy" in this Proclamation means any person or body of persons of whatever nationality resident or carrying on business in the enemy country, but does not include persons of enemy nationality who are neither resident nor carrying on business in the enemy country. In the case of incorporated bodies, enemy character attaches only to those incorporated in any enemy country.

3. The expression outbreak of war in this Proclamation means 11 p.m. on the 4th August 1914, in relation to the German Empire, its colonies and dependencies, and midnight on the 12th August 1914, in relation to Austria Hungary, its colonies and dependencies.

4. From and after the date of this Proclamation the following prohibitions shall have effect (save so far as licences may be issued as hereinafter provided), and we do hereby accordingly warn all persons resident, carrying on business or being in our dominions,

- (1) Not to pay any sums of money to or for the benefit of an enemy.
- (2) Not to compromise or give security for the payment of any debt or other sums of money with or for the benefit of an enemy.
- (3) Not to act on behalf of an enemy in defraying, accepting, paying, presenting for acceptance or payment, negotiating or otherwise dealing with any negotiable instrument.
- (4) Not to accept, pay, or otherwise deal with any negotiable instrument which is held by or on behalf of an enemy, provided that this prohibition shall not be deemed to be infringed by any person who has no reasonable grounds for believing that the instrument is held by or on behalf of an enemy.
- (5) Not to enter into any new transactions, or complete any transactions already entered into with an enemy in any stocks, shares, or other securities.
- (6) Not to make or enter into any new marine, life, fire or other policy or contract of insurance with or for the benefit of an enemy; nor to accept, or give effect to any insurance of, any risk arising under any policy or contract of insurance (including re-insurance) made or entered into with or for the benefit of an enemy before the outbreak of war.
- (7) Not directly or indirectly to supply to or for the use or benefit of, or obtain from, an enemy country or an enemy, any goods, wares or merchandise, nor directly or indirectly to supply to or for the use or benefit of, or obtain from any person any goods, wares or merchandise, for or by way of transmission to or from an enemy country or an enemy, nor directly or indirectly to trade in or carry any goods, wares or merchandise destined for or come from an enemy country or an enemy.
- (8) Not to permit any British Ships to leave for, enter or communicate with, any port or place in an enemy country.
- (9) Not to enter into any commercial, financial or other contract or obligation with or for the benefit of an enemy.
- (10) Not to enter into any transactions with an enemy if and when they are prohibited by an Order-in-Council made and published on the recommendation of a Secretary of State, even though it would otherwise be permitted by law or by this or any other proclamation.

And we do hereby further warn all persons that whoever in contravention of the law shall commit, aid, or abet any of the aforesaid acts, is guilty of a crime and will be liable to punishment and penalties accordingly.

5. Provided always that where an enemy has a branch locally situated in British, allied, or neutral territory, not being neutral territory in Europe, transactions by or with such branch shall not be treated as transactions by or with an enemy.

6. Nothing in this Proclamation shall be deemed to prohibit payment by or on account of enemies to persons resident, carrying on business or being in our dominions if such payments arise out of transactions entered into before the outbreak of war or otherwise permitted.

7. Nothing in this Proclamation shall be taken to prohibit anything which shall be expressly permitted by our licence, or by the licence given on our behalf by a Secretary of State, or the Board of Trade, whether such licences be especially granted to individuals or be announced as applying to classes of persons.

8. This Proclamation shall be called "The Trading with the Enemy Proclamation Number 2."

H. C. BELFIELD,
Governor.

Nairobi,

Dated this 16th day of September, 1914.

GOVERNMENT NOTICE No. 204]

NOTICE.

The attention of His Majesty's Government has been called to the fact that difficulties have arisen between shippers and shipowners in consequence of the wish of the latter to insert in bills of lading a clause to cover obligations which they undertake in many voyages to call at a port in the United Kingdom for information, instructions, or advice before proceeding on the final stage of the voyage.

The following is the text of such a clause :—

If and so long as the ship is insured against war risks with a war risks insurance association under or in connection with a war risks insurance scheme of His Majesty's Government the ship in addition to any liberties expressed or implied in this bill of lading shall have the liberty to comply with any orders or directions as to departure, arrival, routes, ports of call, stoppages or otherwise, howsoever given by His Majesty's Government or any department thereof or any person acting or purporting to act with the authority of His Majesty's Government or of any department thereof or by any committee or person having under the terms of the war risks insurance on the ship the right to give such orders or directions and nothing done or not done by reason of any such orders or directions shall be deemed a deviation.

Shippers are requested to note that this requirement is for the security of the cargo equally with the ship and that it is not to the prejudice of their interests which it is intended to safeguard.

H. C. BELFIELD,
Governor.

Nairobi.

Dated this 16th day of September, 1914.

GOVERNMENT NOTICE No. 205]

NOTICE.

NOTICE is hereby given that by Royal Proclamation dated 13th August 1914 all exequaturs granted to German or Austrian subjects now acting as Consular representatives of any other Foreign Power within His Majesty's Dominions or Protectorates or within places subject to His Majesty's occupation or control are withdrawn.

W. J. MONSON,
Acting Chief Secretary.

Nairobi.

Dated this 16th day of September, 1914.