

FALKLAND ISLANDS.

No. 142

WAR/PRI/1#1

Governor's Office.



From

SUBJECT.

Secretary of State for the Colonies.

INSURANCE OF PRIZE CARGOES

Documents relative to

No.

Date

Circular 127

MINUTES.

ial Secretary's Record No.

536/15.

Registered Number of last Despatch.

Hon. Col Secy.

Please retain accompanying copy of despatch and forms for record and use in your office.

Can you let me know what action was taken on receipt here of Sec of State's telegrams of 5th and 10th Feb 15.

I should like your advice as to action to be taken on present despatch.

22. June 1915 *DJ*
905

No. next Despatch.

436/15.

H. E. /

neither the Registrar nor the Marshall, to whom I have spoken, ever heard of the arrival of the telegrams of the 5th & 10th February in question. Mr. Goddard who was then P. S. to Governor Allardyce tells me that Mr. Allardyce stated before him, (or to him), when they were received, that it was quite impossible to take any action in this Colony as the Staff was insufficient (or words to that effect) and bid him file the telegrams.

In view of this, I find it difficult to advise in the matter. On the one hand ~~in view of~~ ^{considering} the importance of uniformity throughout His Majesty's possessions, insisted on in the Circular despatch, it seems to me impossible simply to file the despatch as the telegrams were filed. On the other hand, I do not see how the Marshall (vide Guide, last page) or any other Superior Office can fairly be expected to undertake this fresh responsibility in addition to his other duties. Perhaps the matter might be represented to the S/S by telegram and instructions asked for?

A. Condell

C. S.

23. 6. 157.

Am?

Gov. No. 172/15 contd.

Hon Col Secy.

Please send copy of instructions, with the several forms ^{questd} which I have already sent to you, to the Marshal and ask him to kindly let me have at his earliest convenience, the necessary information with regard to the value of the cargo of the "Bangor", and the "Pase"

in order that I may telegraph the values to the Secretary of State.

I think form "B" is the one to be used in both cases.

3.7.15
A.
Gov

I send you the remainder of the supply of forms sent to me.

Requisition

For Marshal according to instructions

C. S. Condell

C.S.

5.7.15

A.
3.7.15

The Marshal
Prize Court

For the favour of your early attention
Mr. Brajendra Nath
Registrar, Prize Court
5.7.15

Registrar

Herewith Form 'B' in regard
to S.S. "Bayon," with list of cargo
placed under seal yesterday. vide Form 140/15

2. Herewith Form 'B' in regard
to Schooner "Dax". I am unable to
estimate value of Lenses

H. Thompson
Marshal

7 July 1915

The Hon. the Gov. Secy.

Forms submitted herewith.

Mr. Brajendra Nath
8.7.15

H.S. / submitted

C. Condell

8.7.15

See despatches to S/S.

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Bayon 75 of 22 July 1915. 9 G. N
140/15

AD
23.7.15

REGULAR.

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Downing Street,

12th April, 1915.

Sir,

I had the honour to address the telegrams of which copies are enclosed
on the 5th and 10th of February to those places where ships and cargoes were
still under adjudication. I now have the honour to transmit the following
documents relative to the insurance of prize cargoes:—

- (i) Instructions to officers charged with the duty of carrying out the
insurance scheme (12 copies).
- (ii) Forms for use in accordance with the instructions (50 copies).
- (iii) Guide to the use of the instructions and forms (6 copies).

Forms to follow

2. It is hoped that the blank forms and copies of the instructions, when
distributed to the officials whom it is decided to entrust with the responsibility
for carrying out the scheme and used in the light of the directions contained in
the guide, will obviate any difficulty in carrying out the insurance scheme on
uniform lines throughout His Majesty's possessions.

3. Should further copies of any of these documents be required at any
time I will cause them to be supplied immediately on receipt of a request to that
effect.

I have the honour to be,

Sir,

Your most obedient, humble servant,

L. HARCOURT.

The Officer Administering

the Government of the

Falkland Islands.

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[Enclosure 1.]

THE SECRETARY OF STATE TO THE GOVERNORS OF STRAITS SETTLEMENTS,
JAMAICA, CEYLON, HONG KONG, ZANZIBAR, SIERRA LEONE, MALTA, GIBRALTAR,
FALKLANDS.

(Sent 1.50 p.m., 5th February, 1915.)

TELEGRAM.

His Majesty's Government have decided that all enemy vessels ordered to be detained should be insured while remaining in port and all cargoes ordered to be detained or awaiting adjudication should also be insured.

(*To all but Straits.*—As to ships I have already sufficient information.)

As to cargoes please report by telegram (*To Straits only*—whether any of following vessels—Quarta, Rancee, Chow Tai, Sandakhan—still in port and likely to remain beyond the month. Report also) estimated outside value of all cargoes as above at each port, giving if possible in every case rough estimate of amount on shore, also particulars of any insurances already effected with regard to either ships or cargoes which it is proposed to insure as above. Arrangements being made for provisional insurance on lines indicated above as from noon 27th January, 1915. Following rates arranged:—3s. 4d. per cent. per month in respect of hulls, and in respect of cargoes up to ten days 2s. per cent., 15 days 3s., 20 days 3s., 1 month 4s., 2 months 6s., 3 months 8s., 4 months 10s., 5 months 12s., 6 months 14s., 7 months 15s., 8 months 16s., 9 months 17s., and up to 10, 11 and 12 months £1, over 12 months rates will be *pro rata* on basis of £1 per cent. per annum. On granting release of any cargo after receipt of this telegram you should exact from claimants the proportion of premiums attributable to the cargo released. You will be informed later as to method of ascertaining value of released cargo for this purpose. Meanwhile bond should be taken in each case to pay amount of premium when ascertained or some other provisional arrangement should be made.—HARCOURT.

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15



INSURANCE OF PRIZE CARGOES.

INSTRUCTIONS TO

An Insurance cover for fire has been arranged on all cargo awaiting adjudication or ordered to be detained by the Prize Court.

The rates for all ports are as follows:—

GENERAL MERCHANDISE, EXCLUDING METALS.

Up to 10 days	2/- %.	Up to 7 months	15/- %.
15 "	3/- %.	8 "	16/- %.
20 "	3/- %.	9 "	17/- %.
1 month	4/- %.	10 "	20/- %.
2 months	6/- %.	11 "	20/- %.
3 "	8/- %.	12 "	20/- %.
4 "	10/- %.		
5 "	12/- %.	Over 12 months	<i>pro rata</i> on
6 "	14/- %.		basis of 20/- % per annum.

Metals (not including quicksilver) in blocks or slabs or otherwise unmanufactured and/or ores, half above rates. Tin and terne plates and sheets are not to be deemed unmanufactured metals.

The insurance commences:—

- (a) in the case of cargo already the subject of Prize proceedings on the 29th January, 1915, on that date.
- (b) in the case of cargo in respect of which proceedings are instituted after the 29th January, 1915, on the date of the issue of the writ.

The insurance continues:—

- (i) in the case of cargo in respect of which an order for condemnation or release is made, until the date of the order.
- (ii) in the case of cargo ordered to be detained, until further orders.

You are requested to proceed in respect of all cargo coming within the above description as under:—

1. With regard to cargo already in port and (a) awaiting adjudication or (b) ordered to be detained by the Prize Court, you should as soon as possible complete Form A in triplicate and transmit to.....

[Enclosure 2.]

THE SECRETARY OF STATE TO THE GOVERNORS OF THE STRAITS SETTLEMENTS,
JAMAICA, CEYLON, HONG KONG, SIERRA LEONE, MALTA, GIBRALTAR,
FALKLANDS AND THE RESIDENT OF ZANZIBAR.

(Sent 7 p.m., 10th February, 1915.)

TELEGRAM.

My telegram 5th February. Insurance against risk of fire cargo now effected as from noon 29th January, not 27th January. Premiums will not be payable on any cargo which is subject of any policy effected locally during currency of such policy, but any such policy should be cancelled forthwith and no new insurances effected. When cargo released value should be taken at amount insured under marine policy if any less 10 per cent. If that value cannot be obtained amount will be adjusted here and for this purpose I should be furnished with estimate of value of cargo and explanation of basis of valuation. Premiums will not be payable in respect of any released cargo on which receiver has effected insurance, but officer giving release must be satisfied that if cargo had been burnt claim would have been paid under receiver's policy. Production of policy or company's official receipt only satisfactory evidence of existence of policy. Name of company and number of policy or receipt should be reported to me in such cases. In the event of fire it should be reported to me immediately and value of cargo will be fixed here by arbitration. Full particulars and forms follow by post.—HARCOURT.

2. Immediately proceedings are instituted against any cargo complete Form B in triplicate and transmit to.....

3. Whenever the insured cargo or any part of it is unloaded, complete Form C in triplicate and transmit to.....

4. If the cargo, or any part of it, whether on board or on shore, be damaged or destroyed by fire, complete Form D in triplicate, and transmit to.....

5. When cargo is released complete Form E in triplicate and transmit to.....

When cargo is released (whether on bail or not), it will be necessary for you to collect the premium on the basis of the above rates, and you will ascertain from the receiver of the cargo the value for which it has been insured under the marine policy, or, failing this, the invoice value, and deduct from such value 10%, charging the premium on the net amount, e.g.: a cargo is released on the 16th March: the value of the marine policy (or the invoice value) is £1,620, which, less 10%, is £1,458: the premium charged will be calculated at 6/-% on £1,458, the period from noon on 29th January to 16th March being over one month and less than two months. Separate instructions will be given you as to the way in which moneys so collected should be dealt with.

6. If neither marine policy nor invoice value can be obtained, then the amount for which the insurance companies have been at risk will be adjusted in London, and for this purpose you will provide an estimate of the value of the cargo and give briefly some explanation of how you arrive at that estimate.

For this purpose you should complete Form F in triplicate and transmit to

taking a bond with (if thought necessary) sufficient sureties from the person receiving the cargo to pay the amount of the premium when ascertained.

*

7. If it is found at the time of the release of the cargo that the receiver has effected a special Insurance, the premium for such cargo need not be collected, since the cover arranged does not under any circumstances extend to cargo effectively insured elsewhere, but no insurance, other than a fire insurance covering the risk and effected after the seizure of the cargo, should be accepted.

The production of the policy or a company's official receipt can alone be accepted as satisfactory evidence.

Where such evidence is produced and cargo is delivered without collection of premium, you should complete Form G in triplicate and transmit to.....

8. When an order for condemnation or detention is made against any cargo coming within the above definition, you should immediately complete Form H in triplicate and transmit to.....

9. When any cargo coming within the above description, or condemned and ordered to be sold, is sold, you should immediately complete Form I in triplicate and transmit to.....

10. Where, in connexion with any cargo coming under paragraph i above, any of the events contemplated in paragraphs 3, 4, 5, 6, 7, 8 or 9, have occurred between the 29th January, 1915, and the date on which Form A is completed in respect of such cargo, you should, as soon as possible, complete the appropriate form or forms and transmit to.....

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FORM A.—(*Cargo in Port on the* of 191 .)

Date.....191...

PORT

NAME OF VESSEL.....

(*State whether steam or sailing vessel.*)

OWNER.....

Entered Port the.....of.....191.....

Writ issued theof.....191.....

Cargo (a) still awaiting adjudication ;

(b) ordered to be detained (date of order the.....

of.....191...).

consists of (a)

(b)

(*State generally nature of cargo.*)

The whole of the cargo is still on board.....
following parts are

.....

Outside estimate of value of cargo still on board is, in my opinion,
£.....

The whole of the cargo has been unloaded and placed in
following parts have

thewarehouse. The warehouse is constructed

of.....and (*state situation of warehouse and*

approximate distance from nearest warehouse containing cargo.)

Estimated outside value of unloaded cargo is £.....

Signed

Description

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FORM B.—(*To be despatched immediately a writ is issued against any cargo.*)

Date.....191...

PORT

NAME OF VESSEL.....

(State whether steamer or sailing vessel.)

Owner

entered the Port of.....

at.....on the.....of.....191

writ issued the.....of.....191

The cargo, so far as I have been able to ascertain, consists of.....

.....

(state generally nature of cargo)

and an outside estimate of its value is, in my opinion, £.....

Signed

Description

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18

FORM C.—(For advising the Removal of any Cargo from Ship to Shore, and also from any Warehouse to any other Warehouse.)

Date.....191...

PORT

NAME OF VESSEL.....

Referring to my advice of.....tons of.....

.....have been unloaded and placed in warehouse known as.....

.....(if any cargo is on the quay or in sheds state the fact)

.....

I estimate the outside value of the above to be £.....

The warehouse above is constructed of.....

.....

and (state situation of warehouse and rough estimate of distance from nearest

warehouse containing cargo).....

Signed.....

Description

N.B.—Please be careful to give name of warehouse accurately and particulars of construction, i.e., whether brick built, number of floors, and any other details useful from a fire point of view. If cargo is removed into barges please advise on this form.

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FORM D.—(For advising occurrence of fire.)

Date.....191...

PORT

NAME OF VESSEL.....

I beg to advise that a fire has taken place on the.....
inst., destroying or damaging cargo of above

*(a) on board the vessel.

*(b) in warehouse situate.....
.....

*(c) on wharf at.....Dock.

The damage is serious [i.e., runs into more than, say, £1000].
not serious.

The class of goods concerned is chiefly.....
of which I estimate that about £.....worth has been damaged.

Signed

Description

*Strike out clauses which do not apply.

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15

FORM E.—(For advising release of cargo and collection of premium where marine policy or invoice value available.)

PORT

NAME OF VESSEL.....

..... $\frac{\text{tons}}{\text{packages}}$ of.....

(state nature of cargo)

were released to-day to.....

.....

* The value for which the cargo was insured under marine policy

(or) * The invoice value of the cargo

was £.....which, less 10% is £....., and I collected

premium as under :—

£.....insured from.....to.....

191.....at.....% = £ : : .

Signed

Description

* Please strike out the clause which does not apply.

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15

FORM F.—(For advising release of cargo and collection of premium where neither marine policy nor invoice value available.)

PORT

NAME OF VESSEL.....

..... $\frac{\text{tons}}{\text{packages}}$ of † were

released to-day to.....

(state nature of cargo.) †

In the absence of satisfactory evidence as to value I took a bond from the said.....to pay the amount of the premium when ascertained.

I estimate the value of the said cargo at £..... The basis of my valuation is as follows.....
.....

Signed

Description

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15

FORM G.—(For advising release of cargo without collection of premium owing to cargo being insured elsewhere.)

PORT

NAME OF VESSEL.....

..... tons of † were released
packages

to-day to.....

† (state nature of cargo)

As the said.....

.....

produced to me

†(a) a fire insurance policy effected with the (state name of Insurance Company) on the..... of191..... and numbered.....covering the said cargo

†(b) a receipt numbered.....and dated theof.....191... from the (state name of Insurance Company) for premium paid under a fire insurance policy appearing to cover the cargo

I did not collect any premium.

Signed.....

Description

†Strike out the clause which does not apply.

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FORM H.—(For advising when final order made in respect of any cargo.)

PORT

NAME OF VESSEL.....

An order for condemnation
detention was made by the Prize Court on the.....

of191..... against the following cargo.....

.....

(state particulars of cargo affected)

Signed

Description

172
15

Form I.—(*Sale of cargo.*)

PORT

NAME OF VESSEL

CARGO

NET PROCEEDS

WHEN SOLD

WHETHER CONDEMNED OR NOT

Signed

Description

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15.



GUIDE TO THE INSTRUCTIONS AND FORMS FOR USE IN CONNEXION WITH
THE INSURANCE OF PRIZE CARGOES.

The title of the officer to whom the instructions should be addressed and by whom the Forms should be filled up has been left blank, as it is thought that this can most conveniently be settled on the spot.

It is suggested, however, that it will be most convenient to address the instructions to the Marshal, and to make him responsible for filling up the forms, leaving it to him to arrange for the supply of the necessary information from the officers acting under him.

The title of the department or official to whom the completed Forms should be transmitted has also been left blank in the instructions, and these blanks should be filled in before the instructions are issued.

The instructions direct the Forms to be completed in triplicate—one set should be kept for record and the remaining two sets transmitted to the Secretary of State.

Where the damage caused by any fire is likely to exceed £500, particulars of the nature and estimated value of the cargo affected should be telegraphed to the Secretary of State without delay and Form D completed and forwarded in due course.

All moneys collected in accordance with paragraph 5 of the instructions must ultimately be remitted to the Secretary of State. Some convenient procedure should be devised to provide for the transmission of moneys so collected by the officer collecting the same to the appropriate department or officer for ultimate transmission to the Secretary of State as aforesaid, and the necessary instructions to secure the carrying out of this procedure should be given to the officer entrusted with the duty of collection.

The form of bond to be taken in accordance with para. 6 of the instructions should be settled locally and retained in the appropriate department. Copies need not be sent to the Secretary of State.