

The subject of this application is prize money, in the hands of a prize agent ; a species of property of a very peculiar nature, inasmuch as it is created, and laid under many restrictions, by the King's Proclamation, and by various Acts of Parliament.

By the Laws of Great-Britain, all prize belongs originally to the King, as a part of the ancient rights of the Crown, and no subject can be intitled to it but by grant from His Majesty. Grants of Prize, like all other Royal Grants, are to be construed strictly against the Grantee, and cannot be extended by any construction beyond the plain import of the express words. Such grantees are captors held to be in law, and neither the confirmation of the grant by Act of Parliament, or the granting of the further or reversionary right remaining in the Crown to other subjects, have taken them out of the general rule. These principles are incontrovertible, and they have formed the basis of most of the decisions which are to be found relating to droits of Admiralty.\*

If then the King, in his Proclamation, and by the Acts of Parliament, has not granted prize money absolutely, but under certain restrictions, those restrictions are limitations which confine and circumscribe the grant, and the right cannot by any construction be extended beyond their express terms. *Within* those restrictions the captors acquire a perfect right to prize, *beyond* those restrictions they acquire no right at all. Where the captors do not comply with the conditions,

\* Rebecca, Thompson, 1 Rob. 230. Gottruyda. 2. 219. Marie Francaus 6. 297.