

special authority from the court; and witnesses who have the rights of neutrals shall be discharged as soon as practicable. The prize commissioners shall also take depositions *de bene esse* of the prize crew and others, at the request of the district attorney, on interrogatories prescribed by the court. They shall also, as soon as any prize property comes within the district for adjudication, examine the same, and make an inventory thereof, founded on an actual examination, and report to the court whether any part of it is in a condition requiring immediate sale for the interests of all parties, and notify the district attorney thereof; and if it be necessary to the examination or making of the inventory that the cargo be unladen, they shall apply to the court for an order to the marshal to unlade the same, and shall, from time to time, report to the court anything relating to the condition of the property, or its custody or disposal, which may require any action by the court, but the custody of the property shall be in the marshal only. They shall also seasonably return into court, sealed and secured from inspection, the documents and papers which shall come to their hands, duly scheduled and numbered, and the other preparatory evidence, and the evidence taken *de bene esse*, and their own inventory of the prize property; and if the captured vessel, or any of its cargo or stores, are such as in their judgment may be useful to the United States in war, they shall report the same to the Secretary of the Navy."

Upon receipt from the Canadian Government of the consent required by section 3 of the Act, this Government will take appropriate measures in accordance with section 7 of the Act to confer reciprocal privileges with respect to prizes upon the Canadian Government.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

BRECKINRIDGE LONG.

II

The Canadian Chargé d'Affaires ad interim to the Secretary of State

CANADIAN LEGATION

Washington, August 13, 1943.

No. 423

Sir,

I have the honour to refer to your Note of May 24, 1943, concerning a proposed arrangement between the Governments of Canada and the United States in respect of the exercise by either country in the territorial waters of the other of jurisdiction in cases of prize.

Under instructions from my Government I am now enclosing herewith copies of an Order in Council, P.C. 6092, dated August 3, 1943, authorizing the exercise of original jurisdiction by District Courts of the United States in regard to prizes captured on the high seas. It is understood that in view of this action on the part of the Government of Canada, a proclamation will now be issued by the President of the United States, conferring a like jurisdiction on the appropriate Canadian Courts.

Accept, Sir, the renewed assurance of my highest consideration.

MERCHANT MAHONEY,
Chargé d'Affaires.