

“Vice-Admiralty Courts Act, 1863,” it was, amongst other things, enacted that Your Majesty might, by Order in Council, from time to time establish Rules touching the Practice to be observed in the Vice-Admiralty Courts, and might repeal and alter the existing and all future Rules, and establish new Rules in addition thereto, or in lieu thereof. And whereas by the Act 27 and 28 Victoria, Cap. 24, intituled “the Naval Agency and Distribution Act, 1864,” it was, amongst other things, enacted that Your Majesty in Council might from time to time make such Orders as should seem meet for the better execution of that Act: And whereas by an Order in Council of the 22nd day of October, 1859, certain Rules, Orders, and Regulations were established touching the Practice to be observed in Courts of Vice-Admiralty abroad in Proceedings instituted on behalf of Your Majesty’s Ships, and it is expedient that the said Rules, Orders, and Regulations should be repealed, and that new regulations should be established in lieu thereof: Now therefore, we, Your Majesty’s Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, do humbly submit that Your Majesty will be graciously pleased to repeal the said Rules, Orders, and Regulations established by Your Majesty’s Order in Council of the 22nd day of October 1859, and in lieu thereof to establish the following Regulations:—

I. Whenever any proceeding has been instituted in any Vice-Admiralty Court within Her Majesty’s Dominions, by or on behalf of any of Her Majesty’s Ships, for or in respect of any of the matters enumerated in the 12th Section of the Naval Agency and Distribution Act, 1864, the Proctor who shall have conducted such proceeding on behalf of Her Majesty’s Ship shall, on the termination of the suit, submit his Bill of Costs for taxation, and the Court shall thereupon tax the same as between Proctor and Client.

II. If in any such proceeding any proceeds have been realized and are remaining in Court, the Court may order the amount at which the Bill of Costs has been taxed to be paid thereout, and the balance of the proceeds, if any, shall thereupon be paid to the Senior Commissariat Officer in the Colony, to the end that the same may forthwith be remitted to this Country.

III. If there are not any proceeds, or if the proceeds are insufficient to pay the costs, the Commanding Officer shall either by himself or through the Agent of the Ship make provision for the payment of any sum that may be due in respect of any such proceeding as may have been instituted in the Court.

IV. The Registrar of the Vice-Admiralty Court shall, as soon as he has taxed the Bill of Costs, and whether the amount thereof has or has not been paid out of the proceeds, forward the same to the Registrar of the High Court of Admiralty of England, together with a Certificate,