

No. 5.

## EXCHANGE OF NOTES

BETWEEN

THE UNITED KINGDOM AND  
FRANCE AND RUSSIA

MODIFYING

ARTICLE 2 OF THE CONVENTION  
OF NOVEMBER 9, 1914, RELATING TO  
PRIZES CAPTURED DURING THE PRESENT WAR.*(See "Treaty Series," Nos. 2 and 4 (1915).)*

1915-1916.

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*Presented to both Houses of Parliament by Command of His Majesty.  
November 1916.*

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(See "*Treaty Series*," Nos. 2 and 4 (1915).)

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*Article 2 of Convention of November 9, 1914 (Captures of  
Merchant Vessels belonging to the Allied Countries).*

By exchange of notes (15th February-27th April, 1915) between His Majesty's Government and the French Government it has been agreed that, where both vessel and cargo are proceeded against under Article 2 of the Convention of the 9th November, 1914, the provisions of paragraph 1 of that Article shall be held to apply in all cases. Where only the cargo of the vessel is concerned, however, it has been agreed that, in addition to the specific case provided for by Article 2, paragraph 2—viz., where the original destination of the vessel was an enemy port—the principles laid down in that paragraph shall apply also to cases of contraband consigned to a neutral port, and to cases of enemy property where the original destination was not a hostile port.

By exchange of notes (31st May, 1915-26th October, 1916) between His Majesty's Government and the Russian Government it has been agreed that a similar interpretation of Article 2 of the Convention shall be held to apply in the cases above referred to.\*

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\* By the Imperial Russian Ukase of the 10th/23rd August, 1915, it is decreed that enemy cargo found in Russian vessels, and equally in Allied vessels, which have been overtaken by the war in Russian ports or littoral waters, or which have entered therein during the war, is liable to confiscation on the order of the nearest Prize Court.