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parliament. The existing jurisdiction of the council is both administrative and judicial.

Administrative.—This jurisdiction depends chiefly upon statutory authority, which practically makes of the privy council a subordinate legislature. It is found impossible for parliament to enact long and intricate measures dealing with departmental detail, hence a general measure is passed and the privy council is authorized under the act to draw up orders in council which of course have the full force of law. This power is exercised usually by committees to which matters are referred by the Crown in council, the departments of state concerned settling the details. Other examples of administrative work are the universities committee, with temporary powers under the Universities Act (1877), and the committee of council for the consideration of charters of incorporation under the Municipal Corporations Act (1882), the latter a work of considerable difficulty and delicacy and usually carried out in close consultation with the local government board. Cases affecting the constitutional rights of the [Channel Islands](#) are referred to a committee for the affairs of [Jersey](#) and [Guernsey](#). The committees report to the Crown in council, and their report is adopted and enforced by an order in council published in the *Gazette*. Among other acts conferring administrative powers on the privy council are

the Pharmacy Act (1852), as amended by 31 & 32 Vict. c. 121, the Medical Act (1858), the Foreign Enlistment Act (1870), the Destructive Insects Act (1877), the Contagious Diseases (Animals) Act (1878), the Dentists Act (1878) the Veterinary Surgeons Act (1881).

Judicial.—By the 3 & 4 Will. IV. c. 41 a judicial committee of the council was constituted. It consists of all the members of the council holding or having held the office of lord president or lord chancellor or certain high judicial offices enumerated in the act. By the Appellate Jurisdiction Acts of 1876 and 1887 other high judicial offices are included. All the lords of appeal in ordinary are members of the committee. Under the act of 1833 the king may also appoint any other two persons, being councillors. By the acts of 1833 and 1887 two persons having been Indian or Colonial judges may be appointed, and such appointments carry an annual salary of £400. By an act of 1895 any of the chief justices of certain colonies who are also privy councillors may be appointed to the committee, but not more than five such appointments may be made. Under this act certain colonial chief justices now sit. In appeals under the Clergy Discipline Acts three bishops sit as assessors. In colonial Admiralty appeals two nautical assessors attend. These assessors are merely technical advisers, and have no part in any decision. Appeals also lie from consular courts and prize courts. The decisions of ecclesiastical courts are subject to review by the committee, the sovereign being the “supreme governor” of the Church, but no appeal is

competent where the case is one for the exercise of the bishop's discretion. In these ecclesiastical cases the committee does not profess to expound and settle doctrine with ecclesiastical authority : it merely interprets the laws of the Church. In matters relating to ritual history and precedents are taken into account. Appeals also lie from vice-admiralty courts abroad, the Channel Islands, the [Isle of Man](#), [India](#) and all the colonies. As a rule they lie as of right when the value of the matter at issue is of a certain amount (the amount varying according to the appeal rules of the different foreign possessions) and in a few other cases. Recent legislation, at the instance of the colonies, has to some extent further restricted the right to appeal. Appeals lie at the discretion of the committee on leave being obtained by petition for special leave to appeal. All proceedings are by petition (see [PETITION](#)) which is addressed to the Crown in council in the first instance. The judicial proceedings of the council are in reality conducted like an ordinary case in the courts of law. Counsel are heard, and the ordinary rules of law and legal practice followed, and costs taxed. Judgment is given by motion which takes the form of advice to the Crown, and whatever may have taken place privately in discussion between the members, outwardly the committee is unanimous. Within recent years it has been suggested that the appellate jurisdiction of the House of Lords and the privy council should be coalesced, and thus constitute one final court of appeal for the whole empire. Besides the appellate there exists in the sovereign in council an original jurisdiction in

questions concerning boundaries between dependencies, the extent of charters and the like. Until recently the council dealt with the petitions to extend the time patents were protected, but this work has now been given by statute to the controller-general of patents.

Ireland has its own privy council. The lord-lieutenant takes the place of the Crown. There is little real work and the distinction of membership is titular as in England. Scotland has had no privy council since the Act of Union which provided for one council for Great Britain. British colonies with parliamentary government have cabinets or committees of ministers, borrowed from the English model, but no privy council. In France, before the Revolution, the king had a council which bore some resemblance to the English type (see FRANCE: Law and Institutions). In Germany a “privy council” (*Geheimes Rats-Kollegium*, *Geheimes Conseil*, *Staatsrat*), which under the prince formed the supreme organ of government, formerly existed in the various states of the empire, and out of this the ministries developed in the 17th century. These were originally committees of the council (*Geheime Conferenz*, *Geheimes Kabinett*, &c.) which, as in England, gradually absorbed its functions. In some of the German states, however, it still survives as the “council of state” (*Staatsrat*) and in Württemberg as “privy council” (*Geheimer Rat*). The title *Wirklicher Geheimer Rat* (real privy councillor), with the predicate *Excellenz* is given to the highest officials. That of *Geheimer Rat* simply is very generally, e.g. in Prussia,

given to high officials, usually with the addition of the branch of the service to which they belong, *e.g.* Geheimer Finanzrat, Geheimer Justizrat. The title is also sometimes purely honorary, *e.g.* that of *Geheimer Commerzienrat*, bestowed on eminent men of business. (G. E.*)

PRIVY PURSE, is the amount set apart in the [civil list](#) (*q.v.*) for the private and personal use of the sovereign in England. During the reign of [Queen Victoria](#) it was £60,000 a year, but on the accession of [EDWARD VII.](#) the amount was fixed at £110,000 a year, which was the amount paid to the last sovereign ([WILLIAM IV.](#)) who had a queen consort. The official who is charged with all payments made by the sovereign for his private expenses or charities is termed the keeper of the privy purse. The department of the keeper of the privy purse to the sovereign, assumed its existing shape in the earlier part of the last century. Under Queen Victoria the offices of keeper of the privy purse and private secretary were combined. As now organized these branches of the royal household consist of the private secretary and the keeper of the privy purse, two assistant private secretaries and keepers of the privy purse, and a secretary, assistant secretary and several clerks of the privy purse. These officials, though of the royal household, are not in the department of the lord steward or the lord chamberlain, but are of the king's *personal staff*.

PRIVY SEAL, a seal of the United Kingdom, next in importance to the great seal, and occupying an intermediate position between it and the signet. The authority of the privy seal was principally of a two-fold nature. It was a warrant to the lord chancellor to affix the great seal to such patents, charters, &c., as must necessarily pass the great seal (more particularly [letters patent](#) (q.v.)). It was also the authority required for the issue of money from the [exchequer](#), and was appended to documents of minor importance which did not require the great seal. Previous to the Great Seal Act 1884, all letters patent conferring any dignity, office, monopoly, franchise or other privilege were always passed under the privy seal before passing under the great seal.

Lord Privy Seal is the title of the officer who had the custody of the privy seal. He was originally known as the “keeper of the privy seal.” The importance of the office was due to the desire of the [privy council](#) and the [parliament](#) in the 14th and 15th centuries to place some check on the issue of public money, as well as to prevent the use of the [great seal](#) by the sovereign without any intermediary except the [lord chancellor](#). The lord privy seal first appears as a [minister of state](#) in the reign of [Edward III](#). Until 1537 he was always an ecclesiastic, but is now more usually a temporal lord. He is the fifth [great officer of state](#), and takes rank next after the [president of the council](#) and before all [dukes](#).

See [Anson](#), *Law and Custom of the Constitution* (1896).

PRIZE, or PRIZE OF WAR (Fr. *prise*, from *prendre*, to take), a vessel or cargo captured by a [belligerent](#) on the high seas; also the act of capture. Under [BLOCKADE](#), [CONTRABAND](#), and [NEUTRALITY](#) will be found details of existing practice as regards infringements of international law which expose neutrality vessels and cargoes to capture and trial in a prize court. Under [WAR](#) will be found the application of international law in relation to the private property of subjects and citizens of belligerent states as between them. We treat here of the manner of dealing with prizes after they have been brought into the jurisdiction of the prize court.

Under the law in force at the beginning of 1910 the subject was governed by the following English acts: the Naval Prize Act 1864 (27 & 28 Vict. c. 25); the Colonial Courts of Admiralty Act 1890 (53 & 54 Vict. c. 27); the Supreme Court of Judicature Act 1891 (54 & 55 Vict. c. 53, s. 4), and the Prize Courts Act 1894 (57 & 58 Vict. c. 39). A new Naval Prize Act was,

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