

of a claimant who has entered an appearance as provided by Order III, order the ship to be released and to be restored to the claimant, and may make such order as to damages or costs as he may think fit.

4. Any person interested in a ship may, without issuing a writ, under the circumstances stated in Rule 1, provided he does not intend to make a claim for restitution or damages, apply by summons for an order that the captors proceed to adjudication, and the Judge may, on the hearing of such summons, order the captors to proceed to adjudication or make such other order as he may think fit.

#### ORDER VI.

##### DISCONTINUANCE.

Proceedings may be discontinued by leave of the Judge, and not otherwise; such discontinuance may be in respect of all or any part of the subject-matter of the cause. No order for discontinuance shall be made or taken to prejudice the right (if any) of a claimant to costs and damages. Notice of discontinuance (Appendix A, Form No. 12) shall be served on the other parties.

#### ORDER VII.

##### PLEADINGS.

1. A party instituting a cause or making a claim shall, if ordered by the Judge, file a petition in the Registry, and serve a copy on the other parties to the cause. Any party served with a copy of the petition may within seven days file an answer thereto and forthwith serve the same, and there shall be no further pleadings except by order of the Judge.

2. The petition and answer shall be divided into short paragraphs numbered consecutively, which shall state concisely the facts and the effect of the documents, if any, on which the party relies, and shall be signed by the party or his solicitor or counsel.

3. A pleading may at any time be amended by consent of the parties, or by order of the Judge. If a party unreasonably refuses to give his consent he shall be liable to be condemned in the costs occasioned by such refusal.

4. A party may apply to the Judge to decide before the trial of the cause any question of law raised by any pleading, and the Judge shall thereupon make such order as he shall think fit.

5. Any person becoming a party after the filing of a petition, shall, after making a claim, or by leave of the Judge, be entitled to a copy of the petition, and shall within seven days of the receipt thereof plead thereto as in Rules 1 and 2 stated.

Forms of pleadings will be found in Appendix A, Nos. 13 (i.) to (iv.).

#### ORDER VIII.

##### PARTICULARS.

In any cause the Judge may, on the application of any party by summons, order particulars in writing to be delivered by a party upon such terms as he may think just.

Forms of order and of particulars will be found in Appendix A, Nos. 14 and 15.

#### ORDER IX.

##### DISCOVERY, INSPECTION, AND ADMISSION OF DOCUMENTS AND FACTS.

1. Any party to a cause or matter may, upon filing an affidavit, apply to the Judge for an order directing any other party to make discovery on oath of the documents which are or have been in his possession or power, relating to any matter in question therein, and the Judge shall make such order, either generally or limited to certain classes of documents, as he may think fit. Provided that discovery shall not be ordered unless the Judge shall be of opinion that it is necessary either for disposing fairly of the cause or for saving costs.

2. The affidavit of discovery (Appendix A, Form No. 16) shall specify which, if any, of the documents therein mentioned the party objects to produce, and the grounds of his objection.