

3. Any party to a cause may, for the purposes of the hearing of a cause, serve a notice (Appendix A, Form No. 17) on any other party to produce, for inspection or for the purpose of being copied, any document in his possession or power relating to any matter in question in the cause.

4. If the party served with notice to produce omits or refuses to do so within the time specified in the notice, the adverse party may apply to the Judge for an order to produce, and the Judge may, if he thinks fit, make such order.

5. Notice to produce documents at the hearing or at an examination of witnesses shall be in the Form No. 18 of Appendix A, with such variations as the circumstances may require.

6. The captor or any party who has entered a claim, or, by leave of the Judge, any other party may inspect in the Registry and take copies of the ship papers filed in the cause.

7. A party may, for the purposes of any hearing of a cause, serve a notice (Appendix A, Form No. 19) on any other party to admit any document or fact, saving all just exceptions, and a party not admitting it after such notice shall be liable for the costs of proving the document or fact; unless at the hearing the Judge shall certify that the refusal or omission to admit was reasonable.

Form of admission of facts will be found in Appendix A, No. 20.

#### ORDER<sup>NS</sup> X.

##### ARREST OF PRIZE.—WARRANT.

1. Where a ship is taken as prize and brought into port within the jurisdiction of the Court, or seized as prize in port within such jurisdiction, or having been taken or seized as prize comes or is howsoever within the jurisdiction of the Court, but is not delivered up to the marshal of the Court, the Judge may, after claim made, and upon the application of the claimant, order a warrant for the arrest of the ship to be issued.

2. Where in any proceeding it shall be made to appear to the Judge by the Crown or any party to a cause other than a claimant that property taken or seized as prize is within the jurisdiction of the Court, and that it is necessary or desirable that such property should be within the custody of the Court, the Judge may, on the application of the Crown or such party, order a warrant for the arrest of such property to be issued.

3. A warrant (Appendix A, Form No. 21) for the arrest of property shall be issued only on the order of the Judge.

No warrants shall be issued for the arrest of property until an affidavit has been filed by the party applying for the warrant as hereinafter prescribed.

4. The affidavit shall state the grounds upon which the application is made and that the aid of the Court is required. Form of affidavit to lead warrant will be found in Appendix A, No. 22.

5. The warrant shall be issued out of the Registry, and lodged by the party applying for the same with the marshal, and it shall be served by the marshal in the manner following:—

- (1.) Upon ship, freight, or goods on board, by attaching the warrant for a short time to some conspicuous part of the ship, and by leaving a copy of the warrant attached thereto;
- (2.) Upon goods or freight where the goods have been landed or transhipped or are not on board a ship, by attaching the warrant for a short time to such goods, and by leaving a copy of the warrant attached thereto; or, if the person having the custody of the goods refuses access thereto, by showing the warrant to such person and by leaving with him a copy thereof;
- (3.) Upon freight or proceeds of prize in the hands of any person other than a person holding the same on behalf of the Court, by showing the warrant to him, and by leaving with him a copy thereof;
- (4.) Upon freight or proceeds in Court, by showing the warrant to the Registrar, and by leaving with him a copy thereof;

A warrant served as in paragraph (3) provided shall be deemed to be an order for payment into Court forthwith of the freight or proceeds in respect of which the warrant is issued: Provided that, instead of such warrant, the Judge may, if he sees fit, order the person