

diction, or before the Registrar, or by his direction before a clerk in the Registry, and in every case the sureties shall justify by affidavit.

Forms of bail bond and of affidavit of justification will be found in Appendix A, Nos. 28 and 29.

2. A bail bond shall not, unless by consent, be filed until after the expiration of twenty-four hours from the time when a notice (Appendix A, Form No. 30) containing the names and addresses of the sureties and of the commissioner before whom the bail was taken shall have been served upon the adverse solicitor, and a copy of the notice verified by affidavit shall be filed with the bail bond.

3. No Commissioner shall take bail on behalf of any person for whom he or any person in partnership with him is acting as solicitor or agent.

4. A commission or fee paid to a person becoming surety to a bail bond or otherwise giving security may be recovered on taxation, provided that the amount of such commission or fee shall not in the aggregate exceed one pound per centum on the amount in which bail is given.

5. If the adverse party is not satisfied with the sufficiency of a surety, he may file a notice of objection to such surety (Appendix A, Form No. 31). The surety shall thereupon be produced for cross-examination on his affidavit before the Registrar, who shall report on his sufficiency. If the Registrar reports against the sufficiency of the surety, a new bail bond shall be prepared.

6. Where bail is given in a cause for condemnation it shall be deemed to be given and to be answerable not merely to the actual captors, but to all parties having any rights in or against the property, including the Crown, and in respect of the decree of the Court or of any Court authorized to hear appeals therefrom.

ORDER XIII.

RELEASES.

1. Property in the custody of the Court whether under arrest or otherwise shall only be released under the authority of an instrument issued from the Registry (Appendix A, Form No. 32), to be called a release.

2. A release shall be issued at any time before adjudication upon the application of the proper officer of the Crown.

3. A release may be issued without an order of the Judge unless there is a caveat outstanding against the release of the property—

- (1.) Where the property has been ordered by the Judge to be delivered on bail, and one or more bail bonds have been filed for the appraised value of the property; or
- (2.) Where the property has been arrested at the instance of the Crown and a consent for a release signed by the proper officer of the Crown is filed; or
- (3.) Where the property is the subject of proceedings for condemnation and a consent to restitution signed by the captors is filed; or
- (4.) Where proceedings instituted by or on behalf of the Crown are discontinued; or
- (5.) Where in proceedings for the recovery of prize salvage the parties claiming salvage discontinue their proceedings, or their claim is dismissed; or
- (6.) Where in proceedings for the recovery of prize salvage one or more bail bonds have been filed, or other satisfactory security given, for the amount of salvage claimed and costs.

4. No release shall affect the right (if any) of the owners of the property captured to costs and damages against the captor, unless so ordered by the Judge.

5. Where property has been arrested for prize salvage, the release shall not be issued under the foregoing Rules, except on discontinuance of the proceedings or dismissal of the claim, until the value of the property arrested has been agreed upon between the parties or ascertained as by these Rules provided, unless the Judge shall otherwise order.

6. The release shall be lodged with the marshal by the party upon whose application it has been issued, and thereupon, upon payment to the marshal of all fees due to and charges incurred by him in