

2. Where a decree of detention has been made under Rule 1, the ship shall be kept at such port or place as the Court may from time to time direct.

3. Fee No. 48 of Appendix B shall not be leviable in respect of a ship detained under Rule 1, and no ship-keeper shall be maintained on board the ship except on the application of the owner or other party interested in the ship. The expenses incurred in the payment of a ship-keeper under this rule shall be recoverable from the claimant as fees due to the marshal.

#### ORDER XXIX.

##### REQUISITION BY ADMIRALTY.

1. If in a cause for the condemnation of a ship in respect of which no final decree has been made it is made to appear to the Judge, on motion on behalf of the Crown, that the Lords of the Admiralty desire to requisition the ship, and that there is no reason to believe that the ship is entitled to be released, he shall order that the ship shall be appraised, and that upon payment into Court on behalf of the Crown of the appraised value of the ship the said ship shall forthwith be released and delivered to the Lords of the Admiralty.

Form of notice of motion will be found in Appendix A, No. 54.

Provided that no order shall be made by the Judge under this rule in respect of a ship which he considers there is good reason to believe to be neutral property.

2. Where a ship has been condemned as prize and has not yet been sold, or where a decree for the detention thereof has been made in accordance with Order XXVIII, the proper officer of the Crown may file a notice (Appendix A, Form No. 55) that the Lords of the Admiralty desire to requisition the same, and thereupon a commission (Appendix A, Form No. 56) to the marshal directing him to appraise the ship shall issue. On payment into Court on behalf of the Crown of the appraised value the ship shall be released and delivered to the Lords of the Admiralty.

Service of this notice shall not be required before filing, but copies thereof shall be served upon the parties by the proper officer of the Crown as soon thereafter as possible.

3. Where in any case of requisition under this Order it is made to appear to the Judge on motion on behalf of the Crown that the ship is required for the service of His Majesty forthwith, the Judge may order the same to be forthwith released and delivered to the Lords of the Admiralty without appraisement.

4. In any case where a ship has been requisitioned under the provisions of this Order, and whether or not an appraisement has been made, any party may apply to the Court by motion to fix the amount to be paid by the Crown in respect of the value of the ship, and the sum so fixed, so far as not already paid into Court, shall be paid into Court on behalf of the Crown.

5. The proceedings in respect of a ship requisitioned under this Order shall continue notwithstanding the requisition.

#### ORDER XXX.

##### PRIZE SALVAGE.

1. A ship brought into port for adjudication after recapture from the enemy, but liable to restoration on payment of salvage, shall (except as hereinafter provided) be proceeded against by writ in the same form and manner as all other ships captured as prize.

2. (a.) Where a ship, on recapture from the enemy by any of His Majesty's ships, or by any persons other than her own crew, which, if brought into port by the recaptors, would have been liable to restoration on payment of salvage, is with the consent of the recaptors allowed to prosecute her voyage, or otherwise parts company with or ceases to be in possession of the recaptors; or

(b.) Where a ship captured by the enemy is recaptured by the crew of such ship:

In either case the recaptors may take proceedings to recover the salvage due in respect of recapture (if any), either *in rem* or *in personam*.

3. Within 12 days after a writ has been served, the owner shall file an affidavit setting out the value of the property claimed or alleged