

(vii.) *Claim for Droit of Admiralty on Capture by Non-commissioned Ship.*

The claim of C. D., Admiralty Proctor [or as the case may be], on behalf of Our Sovereign Lord the King, in His office of Admiralty, for the said ship, the Alpha, whereof was master, her tackle, apparel, and furniture, and any goods laden therein, seized and taken by the ship Beta, , Commander, and proceeded against as prize to the said ship, the Beta [or His Majesty, as the case may be].

For the said ship, the Alpha, her tackle, apparel, and furniture, and any goods laden therein, seized and taken as aforesaid by a ship other than a ship of war of His Majesty, and as such or otherwise subject to confiscation as prize, and as a droit and perquisite of His Majesty in His office of Admiralty.

(Signed) C. D.,

Claimant on behalf of the Admiralty.

NOTE.—Every claim must be endorsed by the claimant or his solicitor, with the grounds on which the claim is made, as follows :—

The grounds of the said claim are :—

- 1.
- 2.
- 3.

[State grounds concisely and in general terms.]

No. 10.

O. III. r. 5.
O. XV. r. 8.
O. XXX. r. 5.

AFFIDAVIT OF SERVICE OF WRIT.

[Heading and Title as in No. 1.]

I, [Name, address, and description of deponent], make oath and say as follows :—
I did, on the day of , 19 , serve the writ [or notice of the writ] herein by [State mode of service, or, if in personam state name of person served and the place of service] in accordance with the manner and form prescribed by the Rules of this Court.

(Signed)

Address.

or, Solicitor for

Sworn this day of , 19 , before me [Name and authority of person before whom the affidavit is sworn].

No. 11.

AFFIDAVITS AS TO SHIP PAPERS.

O. IV. r. 7.

(i.) *Ordinary Affidavit.*

[Heading and Title as in Form 49.]

The
I, A. B., a , in His Majesty's Navy, and of His Majesty's ship of war , whereof is Commander, make oath and say as follows :—

1. The papers and writings hereunto annexed, and numbered from No. to No. inclusive, are all the ship papers which were delivered up or otherwise found on board the ship called the , whereof was master or commander, and lately taken by His Majesty's said ship of war, at which capture I, the said deponent, was present.

2. The said papers and writings are brought in and delivered as they were received and taken, without fraud, addition, subduction, or embezzlement, and in the same condition (save the numbering thereof) as the same were delivered up or found on board the said ship.

(Signed) A. B.

Sworn by the said on the day of , 19

Before me [Name, rank, and authority of person before whom the affidavit is sworn].

O. IV. r. 7. (ii.) *Where Ship-papers injured, altered, lost, mislaid, thrown overboard, found concealed, &c.*

[Heading and commencement as in Form (i.).]

1. The papers and writings hereunto annexed, and numbered from No. to No. inclusive, are all the ship papers which were delivered up and found on board the ship , whereof was master or Commander and lately taken by His Majesty's said ship of war, at which capture I, the said deponent, was present.

2. By order of the said , I took charge of the captured ship to bring her in for adjudication.

3. After I so took charge [Set out the facts as they occurred].

[Where ship papers lost, mislaid, or thrown overboard, describe as accurately as possible each such document.]

4. Save as aforesaid, the said papers and writings are brought in and delivered as they were received and taken, without any fraud, addition, subduction, or embezzlement, and in the same condition as received (save the numbering thereof).

Sworn, &c. (Signed) A. B.

[NOTE.—This form must be adapted in accordance with the facts.]

O. IV. r. 7.

(iii.) *Where no Ship Papers delivered up or found.*

[Heading and commencement as in Form (i.).]

1. I was present at the capture of the said ship whereof was master or Commander, and lately taken by His Majesty's said ship of war.