

(iv.) *For Detention on Condemnation by Default.*

O. XXVIII.

[Commencement as in Form (i).]

The President [or Judge] having heard the evidence and counsel for the Crown, in default of appearance and claim of [Insert owners of ship or as the case may be] pronounced the said ship to have belonged at the time of seizure, &c. [as in Form (ii)].

(v.) *On Condemnation of a Ship of War.*

[Commencement as in Form (i).]

The President [or Judge] having heard the evidence and counsel for the Crown [or captors], in default of appearance and claim pronounced the said ship to have belonged at the time of capture and seizure to enemies of the Crown and, as such or otherwise, subject and liable to confiscation, as having been a ship of war, and condemned the same, together with her tackle, apparel, furniture, stores, arms, and ammunition, as good and lawful prize, generally reserving the question by whom taken [and also the consideration of prize bounty] [or as taken by His Majesty's ship , commander, Naval Prize Act, 1864, s. 42, and [if head-money is given] pronounced and declared that the officers and crew of His Majesty's said ship [or such of them as are entitled] are entitled to prize bounty as having been present at the taking of the said ship of war , and that at the beginning of the engagement there were on board the said ship of war persons, and that the amount of prize bounty aforesaid is the sum of ].

(vi.) *On Condemnation of a Neutral Ship.*

[Commencement as in Form (i).]

The President [or Judge], &c. [Follow Form (i) with the necessary adaptations down to the word "rejected," and continue] the said claim [or claims] pronounced the said ship [and the said cargo] [or the said cargo] to be liable to confiscation upon the ground that [Here state the grounds of confiscation], and condemned the same, &c. [adapt Form (i)].

(vii.) *On Condemnation, where Ship has been destroyed.*

[Commencement as in Form (i).]

The President [or Judge], &c. [Follow Form (i) with the necessary word "commander," and continue] and declared the destruction of the said ship [or cargo, &c.] to have been necessary [Here state the grounds on which the Court held the destruction to be justified.].

(viii.) *On Restoration.*

[Commencement as in Form (i).]

The President [or Judge] having heard the claim of A. B., claimant of the said ship , [and of the cargo thereof] [or, if there is a separate claim for cargo, and of C. D., claimant of the cargo of the said ship] and the evidence thereon and counsel for [Insert names and descriptions of the parties heard], and having been assisted by [Here state names and descriptions of assessors if any] admitted the said claim [or claims], pronounced the said ship [and cargo] [or the said cargo] to have belonged as claimed, and decreed the said ship [if the freight is due, with freight and expenses to be a charge on the cargo] (together with the said cargo) to be restored to the claimants for the use of the owners thereof [on payment of the captors' expenses or and condemned the captors [Insert name or names] in the costs and damages sustained by the owners of the said ship and of the said cargo [or of the said cargo] by reason of the capture and detention thereof by , and referred the amount of such costs and damages to the Registrar to report thereon].

(ix.) *Condemning Ship and Restoring Cargo.*

[Commencement as in Form (i).]

The President [or Judge] having heard, &c. [adapt Form (i)], pronounced the said ship to have belonged at the time of capture and seizure thereof to enemies of the Crown of Great Britain, and, as such or otherwise, subject and liable to confiscation, and condemned the same (as also the freight due for the transportation of the cargo lately taken therein) as good and lawful prize, and as taken by His Majesty's ship , commander, and ordered the said ship to be appraised and sold by the marshal, and pronounced the said cargo to have belonged as claimed and decreed the said cargo to be restored to the claimant for the use of the owners thereof (upon payment of the captors' expenses, and upon payment of the freight due for the transportation of the said cargo, and referred the amount of such freight to the Registrar to report thereon).

(x.) *Restoring Ship and Condemning Cargo.*

[Commencement as in Form (i).]

The President [or Judge] having heard, &c. [Adapt Form (i)], admitted the claim for the said ship , and pronounced the said ship to have belonged as claimed, and decreed the said ship to be restored to the claimant for the use of the owners thereof [if freight is due, and pronounced freight and expenses to be due upon the cargo of the said ship], and rejected the said claim for the said cargo, and pronounced the same to have belonged, at the time of the capture and seizure thereof, to enemies of the Crown of Great Britain, and, as such or otherwise, subject and liable to confiscation, and condemned the same [as in Form (i)], and ordered the said cargo to be unladen and appraised, and sold by the marshal.