

13. Service of a writ in a cause instituted as in Rule 6 mentioned, shall be effected by the writ being filed in the Registry by the captor, and notice of the institution of the cause shall be given in such manner as the Judge may direct.

14. In a cause instituted as in Rule 7 and Rule 8 mentioned, the writ shall be served on the captors.

15. If it is made to appear to the Judge that service in the manner prescribed by these Rules is impracticable, the Judge may make such order for substituted or other service, or for the substitution for service of notice by advertisement or otherwise as may seem just. Every application for substituted service or for the substitution of notice for service shall be supported by an affidavit setting forth the grounds upon which the application is made.

(d.) SERVICE OUT OF THE JURISDICTION.

16. Service of a writ may, by leave of the Judge, be allowed out of the jurisdiction.

17. Application for leave to serve a writ out of the jurisdiction shall be upon affidavit, stating that in the belief of the deponent the applicant has good cause for proceeding, and showing in what place or country the person or ship to be served is or probably may be found, and the grounds upon which the application is made.

18. An order giving leave to effect service out of the jurisdiction shall limit a time after such service within which an appearance shall be entered.

19. Where the person to be served out of the jurisdiction is not a British subject, or the ship is not the property of a British subject, notice of the writ and not the writ itself shall be served. Notice in lieu of service shall be served in the manner in which a notice of a writ of summons is served according to the procedure for the time being in force in the High Court. A form of notice in lieu of service will be found in Appendix A, No. 7.

20. Where under the practice of the High Court notice of a writ is served through the diplomatic channel, the notice shall, if the writ is issued by the High Court, be transmitted to the Secretary of State for Foreign Affairs in accordance with such practice, and, if the writ is issued by a Prize Court in a British possession, be transmitted through the chief executive authority to the Secretary of State for the Colonies, with a request for the further transmission of the same to the Government of the country in which service is to be effected.

(e.) GENERAL.

21. A writ for condemnation and the fact of service thereof shall be advertised by the Registrar forthwith in one or more of such newspapers and on one or more occasions as he shall think proper.

22. Where a writ is issued on the application of an alien enemy an affidavit shortly stating the grounds of the claim must be filed in the Registry before the writ is issued.

23. Where a writ is issued in respect of a ship purporting to be neutral, notice of the institution of the cause shall be sent by the Registrar to the Consul of the State to which the ship purports to belong.

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ORDER III.

APPEARANCE AND CLAIM.

1. Any person, desiring to enter an appearance in a cause, shall enter an appearance (Appendix A, Form No. 8) in the Registry within eight days after service of the writ, or may by leave of the Court do so at any time before final adjudication. He shall thereupon become a party to the cause.

2. A person, on entering an appearance, shall give notice thereof to the party issuing the writ.

3. Where a person has no usual residence or place of business within the jurisdiction, appearance may be entered for him by the master of the ship or by an agent duly authorized.

4. A party who has entered an appearance may make a claim in one of the forms marked No. 9 (i) to (vii) in Appendix A, with such variations as the circumstances may require.