

it shall be headed with the name of the captured ship, and shall be divided into short paragraphs numbered consecutively, and shall be in the first person, and signed by the deponent.

2. The name, address, and description of every person making an affidavit shall be inserted therein.

Where an affidavit is made by two or more persons, the names of all such persons, and the dates when, and the places where it is sworn, shall be inserted in the jurat.

Form of heading and jurat to an affidavit will be found in Appendix A, No. 49.

3. When an affidavit is made by any person who is blind, or who, from his signature or otherwise, appears to be illiterate, the person before whom the affidavit is sworn shall certify that the affidavit was read over to the deponent, and that the deponent appeared to understand the same, and made his mark or wrote his signature there-to in the presence of the person before whom the affidavit was sworn.

4. When an affidavit is made by a person who does not speak the English language, the affidavit shall be taken down and read over to the deponent by interpretation of a person previously sworn faithfully to interpret the affidavit.

5. Affidavits sworn within the jurisdiction shall be sworn before the Judge, Registrar, commissioner, or officer empowered under these rules to administer oaths.

6. Affidavits sworn out of the jurisdiction may be sworn before the following persons:—

(1.) If sworn in any place being a part of His Majesty's Dominions before any person authorized to administer oaths in such place.

(2.) If sworn in any place not being a part of His Majesty's Dominions, before any person authorized to administer oaths under the Commissioners for Oaths Act, 1889, sections 4 and 6, or under the Commissioners for Oaths Act, 1891, section 2, or under the Commissioners for Oaths (Prize Proceedings) Act, 1907, or before a notary public, or before a Judge or Magistrate, the signature of such notary public, Judge, or Magistrate being authenticated by the official seal of the Court to which he is attached, or by the official seal of the Supreme Court of the country where the affidavit is sworn, or by the certificate of a consular officer.

7. The reception of any affidavit as evidence may be objected to, if the affidavit has been sworn before the solicitor for the party on whose behalf it is offered, or before a partner or clerk of such solicitor.

8. Every affidavit shall, before being used as evidence, be filed in the Registry, and a copy thereof served on the other parties to the cause.

## ORDER XXII.

### OATHS.

1. The Registrar, and any commissioner for oaths, or other person directed or empowered to administer oaths in prize proceedings may administer oaths therein.

2. The Judge may appoint any person to administer oaths in prize proceedings either generally or in any particular proceeding.

3. Any person to whom an oath is administered shall swear in the manner provided by the Oaths Act, 1909, or in such manner as is provided by the law regulating the manner of taking oaths in the Court.

4. If any person tendered for the purpose of giving evidence, whether orally or by affidavit, objects to take an oath or is not a Christian, or is objected to as incompetent to take an oath, or is by reason of any defect of religious knowledge or belief incapable of comprehending the nature of an oath, the Judge or person authorized to administer the oath shall, if satisfied that the taking of an oath would have no binding effect on his conscience, permit him, in lieu of an oath, to make a declaration.

5. Forms of oaths and declarations in lieu of oaths will be found in Appendix A, Nos. 50 and 51.