

(xi.) *Restoring Neutral Ship and Condemning Cargo.*

[Commencement as in Form (i).]

The President [or Judge] having heard, &c. [*Adapt Form (x) and proceed*] and rejected the said claim for the said cargo [*If part of cargo only condemned, describe the part condemned and say being part of the said cargo*] and pronounced the same to be contraband [*or as the case may be*] and, as such or otherwise, subject and liable to confiscation, and condemned the same [*as in Form (i)*], and ordered the said cargo [*or the said part of the said cargo*] to be unladen and appraised, and sold by the Marshal.

Naval Prize  
Act, 1864,  
s. 39.

(xii.) *Condemnation as Droit of Admiralty.*

[Commencement as in Form (i.).]

The President [or Judge], having heard, &c. [*Adapt Form (i) to words "good and lawful prize," and proceed*] and as droits and perquisites of His Majesty in His office of Admiralty, seized by the officers of His Majesty's Customs, at the port of [or, as taken by the non-commissioned ship] or the officers and crew of the non-commissioned ship, as the case may be, and conclude as in Form (i.) or as required].

O. XXX.  
Naval Prize  
Act, 1864,  
s. 40.

(xiii.) *In Prize Salvage.*

Where Ship is brought in and remains under Arrest.

[Commencement as in Form (i.).]

The President [or Judge], having heard the claim and evidence thereon, and counsel on both sides, and having been assisted by [*Here state the names and descriptions of assessors, if any*], admitted the claim of A. B., the claimant of the said ship [and her cargo], pronounced the said ship [and her cargo] to have belonged to subjects of His Majesty [or to His Majesty the King of] [*State style and title of the allied Government, and his subjects*], and to have been taken from them by the [*State name of enemy nation*], and retaken by His Majesty's ship of war, the [ ] commander, and decreed the same to be restored to the claimants for the use of the former owners thereof [or of his said Majesty (*Name of allied State*), and his subjects, the former owners thereof] on payment of one-eighth part [*or such other part as the Judge may determine*] of the value of the said ship [*or the cargo of the said ship*] to the recaptors. The President [or Judge] further decreed that the costs of the recaptors of and incidental to this cause should be paid by the claimants [*or insert such other order as to costs as the Judge may make*]. The President [or Judge] further ordered and directed that the said value should be ascertained by appraisal of the said ship [*or the cargo of the said ship*] by the marshal, and decreed that in default of payment by the claimant of the said [ ] part of the said value so ascertained as aforesaid, and the said costs, within [ ] days after the return of the said appraisal by the marshal, the said ship [*or the cargo of the said ship*] should be sold by the marshal, and the proceeds of such sale paid into Court, and that the said [ ] part [and the said costs] be paid to the recaptors out of the said proceeds.

O. XXX. r. 3.

(xiv.) *In Prize Salvage.*

Where Value Sworn or Agreed.

[Commencement as in Form (i.).]

The President [or Judge], having heard, &c. [*Follow last preceding decree down to "on payment of" and proceed*] the sum of [ ] being one-eighth part [*or such other part as the Judge may determine*] of the value of the said ship, as proved by the owner and accepted by the recaptors, and approved by the Court [*or as agreed between the owner and the recaptors and approved by the Court*].

The President [or Judge] further decreed that the costs of the recaptors of and incidental to this cause should be paid by the claimant. He further decreed that in default of payment by the claimant of the said sum of [ ] and the said costs within six days, the said ship should be appraised and sold by the marshal, and the proceeds of such sale paid into Court, and that the said sum of [ ] and the said costs, be paid to the recaptors out of the said proceeds.

O. XXX.

(xv.) *In Prize Salvage.*

Where Ship restored but Cargo condemned.

[Commencement as in Form (i.).]

The President [or Judge], having heard the claim, and evidence thereon, and counsel [*&c., as in Form (i)*], rejected the claim of A. B., the claimant of the cargo of the said ship [ ] and pronounced the same to have belonged, &c. [*as in Form (i)*], and condemned the same as taken by His Majesty's ship [ ] commander, and further pronounced that freight and expenses are due to the said ship in respect of the said cargo, and ordered that such freight and expenses should be a charge on the said cargo; admitted the claim of C. D., claimant of the said ship; pronounced the said ship to have belonged, &c. [*as in Form (xiii) down to "on payment of," and proceed*] of one-eighth part [*or as the case may be*] of the value of the said ship and of the said freight [*If the value has to be ascertained, continue as in Form (xiii), and proceed*] and referred the question of freight to the registrar to ascertain the amount thereof.

[*Note.—In cases where a sale of ship or cargo takes place, and the Judge directs the costs and expenses of all parties to be paid out of the value, the foregoing decrees can be adapted by inserting words to the following effect: "On payment of one-eighth part of the value of the said ship, or cargo, after deducting therefrom the "costs and expenses of all parties."*]