

ship liable to be seized or detained in pursuance of this Order and such officers are in this Order referred to as the "local authority"; but nothing in this Order contained shall derogate from the power of the Court to direct any ship to be seized or detained by any officer by whom such court may have power under its ordinary jurisdiction to direct a ship to be seized or detained.

22. Any officer authorized to seize or detain any ship in respect of any offence against this Order may, for the purpose of enforcing such seizure or detention, call to his aid any constable or officers of police, or any officers of His Majesty's Army or Navy or marines, or any excise officers or officers of customs, or any harbour master or dock master, or any officers having authority by law to make seizures of ships, and may put on board any ship so seized or detained any one or more of such officers to take charge of the same, and to enforce the provisions of this Order, and any officer seizing or detaining any ship under this Order may use force, if necessary, for the purpose of enforcing seizure or detention, and if any person is killed or maimed by reason of his resisting such officer in the execution of his duties, or any person acting under his orders, such officer so seizing or detaining the ship, or other person, shall be freely and fully indemnified as well against the King's Majesty, his heirs and successors, as against all persons so killed, maimed or hurt.

23. If the Governor is satisfied that there is a reasonable and probable cause for believing that a ship within the Protectorate has been or is being built, commissioned, or equipped contrary to this Order, and is about to be taken beyond the limits of such Protectorate, or that a ship is about to be despatched contrary to this Order, such Governor shall have power to issue a warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant the local authority shall have power to seize and search such ship, and to detain the same until it has been either condemned or released by process of law, or in manner hereinafter mentioned.

The owner of the ship so detained, or his agent, may apply to the court for its release, and the Court shall as soon as possible put the matter of such seizure and detention in course of trial between the applicant and the Crown as represented by the Governor.

If the applicant establish to the satisfaction of the Court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Order, the ship shall be released and restored.

If the applicant fail to establish to the satisfaction of the Court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Order, then the ship shall be detained till released by Order of the Governor.

The Court may, in cases where no proceedings are pending for its condemnation, release any ship detained under this article on the owner giving security to the satisfaction of the Court that the ship shall not be employed contrary to this Order, notwithstanding that the applicant may have failed to establish to the satisfaction of the Court that the ship was not and is not being built, commissioned, or intended to be despatched contrary to this Order. The Governor may likewise release any ship detained under this article on the owner giving security to the satisfaction of such Governor that the ship shall not be employed contrary to this Order, or may release

the ship without such security if the Governor think fit so to release the same.

If the court be of opinion that there was not reasonable and probable cause for the detention, and if no such cause appear in the course of the proceedings, the Court shall have power to declare that the owner is to be indemnified by the payment of costs and damages in respect of the detention, the amount thereof to be assessed by the Court, and any amount so assessed shall be payable by the proper financial officer of the Protectorate out of any moneys legally applicable for that purpose. The Court shall also have power to make a like order for the indemnity of the owner, on the application of such owner to the Court in a summary way, in cases where the ship is released by the order of the Governor, before any application is made by the owner or his agent to the Court for such release.

Nothing in this article contained shall affect any proceedings instituted or to be instituted for the condemnation of any ship detained under this article where such ship is liable to forfeiture, subject to this provision, that if such ship is restored in pursuance of this article all proceedings for such condemnation shall be stayed: and where the Court declares that the owner is to be indemnified by the payment of costs and damages for the detainer, all costs, charges, and expenses incurred by such owner in or about any proceedings for the condemnation of such ship shall be added to the costs and damages payable to him in respect of the detention of the ship.

Nothing in this article contained shall apply to any foreign non-commissioned ship despatched from any Protectorate after have come within the same under stress of weather or in the course of a peaceful voyage and upon which ship no fitting out or equipping of a warlike character has taken place in the Protectorate.

24. Where it is represented to any local authority as defined by this Order, and such local authority believes the representation that there is a reasonable and probable cause for believing that a ship within a Protectorate has been or is being built, commissioned, or equipped contrary to this Order, and is about to be taken beyond the limits of the Protectorate, or that a ship is about to be despatched contrary to this Order, it shall be the duty of such local authority to detain such ship, and forthwith to communicate the fact of such detention to the Governor.

Upon the receipt of such communication the Governor may order the ship to be released if he thinks there is no cause for detaining her, but if satisfied that there is reasonable and probable cause for believing that such ship was built, commissioned, or equipped, or intended to be despatched in contravention of this Order, he shall issue his warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant being issued further proceedings shall be had as in cases where the seizure or detention has taken place on a warrant issued by the Governor without any communication from the local authority.

Where the Governor orders the ship to be released on the receipt of a communication from the local authority without issuing his warrant, the owner of the ship shall be indemnified by the payment of costs and damages in respect of the detention upon application to the Court in a summary way in like manner as he is entitled to be indemnified where the Governor having issued his warrant under this Order releases the ship before any application is made by the owner or his agent to the court for such release.

25. The Governor, may, by warrant, empower any person to enter any dockyard or other place