



Merchant Shipping Act 1894

1894 CHAPTER 60

PART I

REGISTRY.

Forfeiture of Ship.

76 Proceedings on forfeiture of ship.

- (1) Where any ship has either wholly or as to any share therein become subject to forfeiture under this Part of this Act,
- (a) any commissioned officer on full pay in the military or naval service of Her Majesty;
 - (b) any officer of customs in Her Majesty's dominions; or
 - (c) any British consular officer,
- may seize and detain the ship, and bring her for adjudication before the High Court in England or Ireland, or before the Court of Session in Scotland, and elsewhere before any Colonial Court of Admiralty or Vice-Admiralty Court in Her Majesty's dominions, and the court may thereupon adjudge the ship with her tackle, apparel, and furniture to be forfeited to Her Majesty, and make such order in the case as to the court seems just, and may award to the officer bringing in the ship for adjudication such portion of the proceeds of the sale of the ship, or any share therein, as the court think fit.
- (2) Any such officer as in this section mentioned shall not be responsible either civilly or criminally to any person whomsoever in respect of any such seizure or detention as aforesaid, notwithstanding that the ship has not been brought in for adjudication, or if so brought in is declared not liable to forfeiture, if it is shown to the satisfaction of the court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown the court may award costs and damages to any party aggrieved, and make such other order in the premises as the court thinks just.