

CAP. XXIII.

An Act to provide for the establishment of a Marine Court of Inquiry.

[Passed May 2, 1864.]

BE it enacted by the Lieutenant Governor, Council and Assembly as follows :

I. It shall be lawful for the Lieutenant Governor in Council, from time to time, and whenever occasion shall arise or require, by Commission under his hand and seal, to appoint such persons as he shall think suitable to form a Court, which shall be called the "Marine Court of Inquiry;" and such Court shall comprise some person or persons of judicial or legal knowledge and habits, and some person or persons of nautical skill and experience; and in the commission may be included the person to preside over the Court.

Lieut. Governor, in Council to appoint persons to form Court.

II. The proceedings of the Court shall be assimilated, as far as possible, to those of ordinary Courts of justice, with the like publicity.

Courts, how to proceed.

III. In the cases following, that is to say: whenever any ship or vessel is abandoned, or materially damaged in or near the coasts of this Island, or any island or place adjacent thereto—whenever any ship or vessel causes loss or material damage to any other ship or vessel, on or near such coasts, islands or places—whenever by reason of any casualty happening to or on board of any ship or vessel, on or near such coasts islands or places, loss of life ensues—whenever any such loss, abandonment, damage or casualty happens elsewhere, and any competent witnesses thereof arrive, or are found at any place within the Island, or any of the Islands belonging thereto—whenever a charge of misconduct or incompetency is brought by any person against any master or masters of a British ship or vessel—it shall be lawful for such Court to hear and enquire into any such charge of incompetency or misconduct, and to make enquiry respecting such loss, abandonment, damage or casualty; and for such purposes they shall have the powers given by the first part of the "Merchant Shipping Act, one thousand eight hundred and fifty-four," to inspectors appointed by the Board of Trade; and so far as relates to the summoning of parties, compelling the attendance of witnesses, the regulations of the proceedings, and the enforcing of penalties and of obedience to the judgments or orders of the Court, shall have the same powers as Justices of the Peace would have if the proceedings related to an offence, or cause of complaint,

Acts to which jurisdiction extend.

Powers of Court.