

person appointed in lieu of the former master, who shall be named in such declaration; the said declaration shall be made and subscribed in the presence of the Registrar or Collector of Customs if the declarant or declarants reside within five miles of the Custom House of the port of Registry, but if beyond that distance, in the presence of any Registrar or Collector of Customs in Her Majesty's Dominions or of any Justice of the Peace; and in addition to such declaration, the Registrar of Shipping or Collector of Customs at the port where the change is requested to be endorsed may require to be produced a certified copy of the register, or such other evidence as he may deem necessary, as proof of the ownership of the ship.

12. In any case where two or more persons claim to be builder of any ship, or present the builder's certificate to the Registrar of Shipping at any port in Canada for the purpose of obtaining Registry for such ship under the provisions of section forty of "The Merchant Shipping Act, 1854," and are not agreed as to who is the builder of the same, such Registrar may refuse to grant registry for such ship, and is hereby empowered to summon witnesses, administer oaths, demand any books or papers, and receive any evidence relating to any ship; and a copy of such evidence taken, and a report thereon, shall be submitted by him to the Governor in Council, who shall issue such directions in the case as he may deem necessary; and Registry shall be granted in pursuance of such directions, and not otherwise.

Case of conflicting claims to obtain Registry of a ship provided for.

13. If any British or foreign registered ship is either actually or constructively wrecked, and the Register thereof is closed, and the Certificate of Registry is delivered up to the proper officer and cancelled; or if any ship, sailing under a pass from a Lieutenant-Governor, under the fourth section of this Act, is either actually or constructively wrecked on the voyage, and during the time and within the limits mentioned in such pass, the Governor in Council may direct that such ship be registered as a British ship in any port in Canada at and for which there is a Registrar of Shipping, on proof being adduced, to the satisfaction of the Governor in Council, that such ship has been thoroughly repaired and made seaworthy, and also that all the transactions connected with the wreck, condemnation and sale of such ship, were in good faith, and that all the requirements of the law have been complied with; but no Registrar of Shipping shall register any such ship without the authority of the Governor in Council.

Wrecked ship may be registered by authority of the Governor in Council.

14. No vessel duly registered under the provisions of the said Act "respecting the registration of inland Vessels," forming chapter forty-one of the Consolidated Statutes of the late Province of Canada before the day on which this Act takes effect, need be registered after that day in pursuance of the provisions of this Act, except for the purpose of enabling her to proceed to sea as a British ship.

Case of vessels registered under cap. 41 of Con. Stat. Canada provided for.

15. But no vessel required by the said Act to be registered shall unless duly registered under the provisions of the said Act before the said day, and no vessel required to be registered in Canada, under the provisions of "The Merchant Shipping Act, 1854," as amended as aforesaid, shall, unless so registered before or after the said day, be recognized in Canada, as a British ship; and no officer of Customs shall grant a clearance to any vessel required to be registered under the provisions of either of the said Acts, for the purpose of enabling her to proceed on a voyage unless the master of such vessel, upon being required so to do, produces to him the proper certificate of registry; and if any such vessel attempts to proceed on a voyage as a British ship without a clearance, any officer of Customs may detain such vessel until such certificate is produced to him.

Disabilities of unregistered vessels.