

CHAP. 21.

An Act to establish a Court of Maritime Jurisdiction in the Province of Ontario.

[Assented to 28th April, 1877.]

WHEREAS it is expedient to establish a Court of Maritime Jurisdiction in the Province of Ontario: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble.

1. Save as by this Act excepted, all persons shall, after this Act comes into force, have, in the Province of Ontario, the like rights and remedies in all matters (including cases of contract and tort, and proceedings *in rem* and *in personam*) arising out of or connected with navigation, shipping, trade or commerce on any river, lake, canal or inland water, of which the whole or part is in the Province of Ontario, as such persons would have in any existing British Vice-Admiralty Court, if the process of such court extended to the said Province.

Rights and remedies in Ontario as to matters respecting shipping, etc.

2. For the enforcement of such rights and remedies there is hereby constituted, in the Province of Ontario, a Superior Court of Maritime Jurisdiction, under the name of "The Maritime Court of Ontario," which shall be a court of record and shall, save as by this Act excepted, have, as to the matters aforesaid, all such jurisdiction as belongs, in similar matters within the reach of its process, to any existing British Vice-Admiralty Court.

Court for enforcing the same.

Its jurisdiction.

2. In any matter referred to in the first section, but arising within reach of the process of the Vice-Admiralty Court at Quebec, the Court shall have the same jurisdiction as any existing British Vice-Admiralty Court has under like circumstances, in any like matter arising beyond the reach of its process.

Provision as to cases arising in Quebec.

3. And whereas many of the ships engaged in navigating the waters aforesaid are registered in ports in the Province of Quebec, the jurisdiction of the Court in respect of claims touching the ownership, possession, employment, or earnings of ships, shall extend to the case of a ship registered in a port in the Province of Quebec but navigating the waters aforesaid.

Jurisdiction as to ships registered in a Quebec Port.

4. No right or remedy *in rem* given by this Act only, shall be enforced as against any subsequent *bonâ fide* purchaser or mortgagee of a ship, unless the proceedings for the enforcement thereof be begun within ninety days from the time when the same accrued.

Limitation as to remedies given by this act only.