

- Rank among themselves.** 3. The priority or equality of any such enumerated lien as aforesaid, (except wages) over or with any other also enumerated, shall be governed by the circumstances of the case and the rules of the maritime law of England, so far as the same can be applied thereto: but every such lien shall cease and determine unless proceedings to enforce it be instituted within *six months* from the time when the cause of such lien arose. 5
- Limitation.**
- How enforced.** 4. Any such lien as aforesaid may be enforced by suit against the owners of the vessel in the proper Court in Upper Canada, by the ordinary process and procedure of such Court, or if the claim amount to fifty dollars or upwards such lien may be enforced by proceedings *in rem* against the vessel without naming the owner thereof; and any number of seamen of such vessel may join in one such proceeding for wages due to them, and so raise the amount for which such proceeding is brought to or above fifty dollars. 10
- As to wages.**
- Proceeding against the vessel.** 5. Any such proceeding against the vessel shall be brought in a County Court if the claim does not exceed two hundred dollars, but if the claim exceeds that sum then in one of the Superior Courts of Common Law for Upper Canada; and shall be commenced by a writ of attachment against the vessel to be issued by the Clerk of the Court, on the application of the plaintiff or his Attorney and affidavit of the plaintiff or of some person on his behalf cognizant of the facts. 15
- Application for attachment.** 6. Such application shall be in writing, and shall state by whom the debt was contracted, and when, and the items composing the same, and shall describe the vessel by her registered name, if she has one, and if not, by such description as will be sufficient to identify her; and the affidavit in support of such claim shall state that the debt is justly due to the person by whom or on whose behalf the application is made, over and above all payments made, and all discounts or deductions on account thereof. 25
- Affidavit.**
- Form of Writ.** 7. The writ of attachment shall be addressed to the Sheriff of the County, if the proceeding be in a County Court, or to the Sheriff of any County in Upper Canada within which the vessel may be found, if the proceeding be in one of the superior Courts, commanding him to attach, seize and safely keep the vessel, her tackle, apparel and furniture, until discharged in due course of law, and to return the writ and his proceedings thereon into the Court out of which it issued, within ten days after such seizure, which such Sheriff shall accordingly do, and shall annex to his return a true inventory of the property seized, and shall sign the same. 30
- Return.**
- Only one to issue at the same time.** 8. No other writ of attachment under this Act shall issue against the vessel out of the same Court until that first issued be superseded. 40
- Vessel may be released on bond.** 9. The master, owner, consignee or agent for the vessel so attached, may at any time after the seizure have the vessel and property attached released, on entering into a bond to the Sheriff, with two good and sufficient sureties, in double the amount of the claim, and conditioned that such vessel and property shall be forthcoming to answer any judgment or order which may be rendered or made in the matter. 45
- Master, owner, &c., may appear and plead.** 10. The execution of the writ shall be held to be a summons to the master, owner, consignee or agent of the vessel, to appear in Court within days after the return of the Writ, to answer the claim for enforcing which the Writ issued, and the pleadings and other proceedings in the case, not herein specially provided for, shall be as if the 50