



BRITISH COLUMBIA.

ANNO TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No. 22.

An Act to prevent Desertion from Merchant Ships.

[28th March, 1871.

WHEREAS it is expedient to repeal the "Merchant Ship Preamble. Desertion Ordinance, 1870," and to make the following provisions in lieu thereof;

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:—

I. In the construction of this Act, whenever in describing or Interpretation clause. referring to any person or party, matter or thing, any word importing the masculine gender or singular number is used, the same shall be understood to include and shall be applicable to several persons and parties as well as one person or party, and females as well as males, and several matters and things as well as one matter or thing, unless it otherwise be provided, or there be something in the subject or context repugnant to such construction. The word "Ship" shall mean any Ship or Vessel other than those belonging to Her Majesty's Navy.

II. The "Merchant Ship Desertion Ordinance, 1870," is hereby Repeal of "Merchant Ship Desertion Ordinance, 1870." repealed; provided, however, that such repeal shall not affect any liabilities incurred or existing before such repeal, but such remedies and punishments thereunder shall, notwithstanding such repeal, be capable of enforcement and imposition as if this Act had not been passed, but not further or otherwise.

III. Every person who by any means whatever, persuades or Inciting Seamen to desert, or secreting same, an offence. attempts to persuade, or incites or attempts to incite, any Seaman or Apprentice to neglect or refuse to join, or to Desert from his Ship, or otherwise to absent himself from his duty, and every person who harbors or secretes any Seaman or Apprentice who has deserted from his Ship, shall for each such offence in respect of each such Seaman or Apprentice incur a penalty not exceeding Two Penalty. Hundred and Fifty Dollars, unless such person is able to prove to the satisfaction of the Stipendiary Magistrate or Justices of the Peace before whom he is summoned for an infraction of this Act, as hereinafter mentioned, that he had no means of knowing, and Burden of proof on accused. did not know, that the person in respect of whom the offence is charged was a Seaman or Apprentice.

IV. Every infraction of this Act shall be punishable, upon summary conviction before any Stipendiary Magistrate or any two Punishable by summary conviction; Justices of the Peace of British Columbia, by a penalty not exceeding Two Hundred and Fifty Dollars, or in default of payment, by imprisonment for any period not exceeding Six Calendar Months, with