

An Act to make better provision for the collection of claims against the owners of Vessels, in Upper Canada.

FOR the relief of persons who furnish provisions for, or render services Preamble.
to or sustain injuries from Vessels passing on or through any of the
Canals in Upper Canada; Therefore Her Majesty, &c., enacts as follows:

I. Any debt or liability to whatever sum amounting, contracted by the Debts of certain kinds contracted with regard to vessels passing through the canals in U. C. made a privileged lien.
owner, master, agent or consignee, in charge of any ship or vessel within
the Province of Upper Canada,—

1. For goods, wares, merchandize or provisions, furnished for the use of
such ship or vessel,—

2. For labor, repairs or any kind of work done to or upon such ship or
vessel,—

3. For towing such ship or vessel, with any steam vessel, horses or
otherwise,—

4. For damages done to any other vessel or property by collision,—

shall be a lien upon such ship or vessel, and preferred to all others, and
shall be recoverable from the owner, master, agent or consignee, in charge
of such ship or vessel, saving any recourse he may have against any
other party.

II. It shall and may be lawful for the creditor to whom any such debt is
due, or towards whom any liability is incurred by the owner, master, agent
or consignee of any ship or vessel for any of the causes above mentioned,
or for any other person on behalf of such creditor, when the sum claimed
does not exceed the jurisdiction of the Division Court, to make application
to the Clerk of the Division Court of the Division wherein the ship or
vessel may be, or to any Justice of the Peace having jurisdiction where
such ship or vessel may be, and to make or cause to be made by some
person cognizant of the facts, an affidavit or affirmation to the purport of
that in the Schedule to this Act, and which the said Clerk or Justice of
the Peace is hereby authorised to administer, and to file the said affidavit
with the said Clerk or such Justice of the Peace, (and if a Justice of the
Peace it shall be his duty to transmit the same to the Clerk of the Division
Court within whose Division the application is made, to be filed and kept
among the papers in the cause), and it shall then be lawful for such Clerk
or Justice of the Peace forthwith to issue a warrant under his hand and
seal directed to any Bailiff of the Division Court for the Division within
Mode of proceeding for the recovery of such debt.
An affidavit of facts.