

An Act to make better provision for the collection of claims against the Owners of Vessels navigating the Lakes and Canals in Upper Canada.

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

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

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 Mode of proceeding for the recovery of such debts.

affidavit of facts.