

An Act to facilitate the recovery of claims against vessels navigating the waters of Upper Canada.

**WHEREAS** certain remedies which exist in Lower Canada and other British possessions in which Courts of Vice-Admiralty are established, for the recovery of claims which by the general law of the Empire constitute a lien on the vessels with respect to which they have arisen, cannot be exercised with respect to vessels navigating the lakes and waters of Upper Canada, while they are within that portion of the Province, and the want of such remedies frequently occasions great loss to persons making advances to or for such vessels, or prevents such advances being made when required in the interests of trade: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

Preamble.

1. In this Act the word "vessel," means any vessel which is or might be registered under any Imperial Act, or under chapter forty-one of the Consolidated Statutes of Canada; the word "owner," includes any number of owners, unless such construction be inconsistent with the context; the word "master," means any person having charge of a vessel, except merely as a pilot, or for some temporary or other special purpose; the word "seaman," includes any person employed on board a vessel in navigating, or working, or in using her for the purposes for which she is usually employed, whether as engineer, steward, fireman, waiter, or otherwise; and the word "County," includes a union of Counties for judicial purposes.

Interpretation clause.

2. All debts and liabilities contracted in Upper Canada by the master, owner, consignee, or agent of any vessel then being in Upper Canada, of the burden of fifteen tons or upwards, for any of the following purposes:

Certain debts, &c., contracted in Upper Canada to be a lien on the vessel in respect of which they are contracted.

1. On account of the wages of the master or any seaman employed in navigating such vessel; or

2. On account of any work done, or materials or articles furnished, for or towards the building, repairing, fitting, furnishing or equipping of such vessel; or

3. For provisions or stores furnished within Upper Canada, and fit and proper for the use of such vessel when furnished; or

4. For wharfage and expenses of keeping such vessel when in port, including expenses incurred in employing people to watch her; or

5. For pilotage, or towage, or for salvage of such vessel or of life or goods therefrom; or

6. For damage done by such vessel, by collision or otherwise,—

40 Shall be a lien on such vessel, her tackle, apparel, and furniture; and any lawful claims for wages of the master or seamen of such vessel shall be the first lien thereon, and preferred to all others whatsoever; and any lawful claim for any of the other causes above enumerated, shall be a lien on such vessel, and preferred to all others except such claims for wages, as aforesaid.

Rank of such liens.