
5th Session, 8th Parliament, 63 Victoria, 1900

THE SENATE OF CANADA.

BILL.

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An Act to amend the Admiralty Act, 1891.

Received and read a first time, Monday, 2nd
April, 1900.
Second reading, Tuesday, 3rd April, 1900.

The Honourable MR. MILLS.

OTTAWA

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1900

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An Act to amend "*The Admiralty Act, 1891.*"

HER Majesty, by and with the advice and consent of the Preamble.
Senate and House of Commons of Canada, enacts as follows:—

1. Section 5 of *The Admiralty Act, 1891*, being chapter 29 1891, c. 29,
s. 5 amended
of the Statutes of that year, is hereby repealed and the following substituted therefor:—

"**5.** The Governor in Council may from time to time Admiralty
Districts.
(a) constitute any part of Canada an Admiralty District for the purposes of this Act;

10 (b) assign a name to any such district and change such name as he may think proper, and

(c) fix and change the limits of any such district.

"**2.** The Governor in Council may also from time to time Registries.

15 (a) establish at some place within any admiralty district a registry of the Exchequer Court on its admiralty side, and

(b) divide the territory comprised in any admiralty district into two or more registry divisions, and establish a registry of the Exchequer Court on its admiralty side at some place in each of such divisions."

20 **2.** Section 8 of the said Act is hereby repealed and the following substituted therefor:— Section 8
amended.

"**8.** The Governor in Council may from time to time Officers and
clerks.
appoint for any district or for any registry division of any district a registrar, a marshal and such other officers and clerks as
25 are necessary".

3. Section 13 of the said Act is hereby repealed and the following substituted therefor:— Section 13
amended.

"**13.** Any suit may be instituted in any registry when Where suits
may be
instituted.
30 (a) the ship or property, the subject of the suit, is at the time of the institution of the suit within the district or division of such registry;

(b) the owner or owners of the ship or property, or the owner or owners of the larger number of shares in the ship, or the managing owner, or the ship's husband reside at the time
35 of the institution of the suit within the district or division of such registry;

(c) the port of registry of the ship is within the district or division of such registry; or

(d) the parties so agree by a memorandum signed by them or by their attorneys or agents.

Proviso.

Provided always that when a suit has been instituted in any registry no further suit shall be instituted in respect of the same matter in any other registry of the court without the leave of the judge of the court, and subject to such terms as to costs and otherwise as he directs." 5

As to proceedings.

4. Where in any district there are more registries than one all proceedings in any suit shall be carried on in the registry in which the suit is instituted, unless the judge shall otherwise order. 10

Coming into force of Act.

5. This Act shall not come into force until Her Majesty's pleasure thereon has been signified by proclamation in the *Canada Gazette*.