

As to Holidays in
Upper Canada.

V. And be it enacted, That in Upper Canada, the Birth-day of the Sovereign, Christmas Day, New Year's Day and Good Friday, shall be holidays, and any Promissory Note or Bill of Exchange falling due on any one of these days, shall be deemed and taken to be due on the day preceding any of such days, unless such preceding day shall be a Sunday, and then such Promissory Note or Bill of Exchange shall be deemed and taken to be due on the Saturday next preceding such Sunday.

VI. And be it enacted, That from and after the passing of this Act, all Protests of Bills of Exchange and Promissory Notes shall be taken and received in all the Courts of Law and Equity in this Province to be *prima facie* evidence of the allegations and facts therein set forth and contained.

C A P. X X I V .

An Act to amend an Act to secure the right of property in British Plantation Vessels navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of the Reign of His late Majesty King William the Fourth, intituled, *An Act for the Registering of British Vessels, and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such Vessels.*

[10th August, 1850.]

Preamble.
8 Vict. c. 5:

WHEREAS it is desirable to amend the Act passed in the eighth year of Her Majesty's Reign, intituled, *An Act to secure the right of Property in British Plantation Vessels navigating the Inland Waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom passed in the third and fourth years of the Reign of His late Majesty King William the Fourth, intituled, 'An Act for the registering of British Vessels,' and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such Vessels:* Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,* and it is hereby enacted by the authority of the same, That whenever it shall become necessary to register any ship or vessel belonging to a corporate body or limited partnership, the following declaration, in lieu of the declaration in the said recited Act mentioned, shall be taken and subscribed by the Secretary or any Director or Manager of such corporate body, or any general partner of such limited partnership:

New form of declaration to be used in certain cases.

The form.

" I, A. B., Secretary (or as the case may be) of (name of corporation or limited partnership) do hereby declare, that the Ship or Vessel (name) of (port) whereof (master's name) is at present master, being (kind of build, burden, &c., as described in the certificate of the surveying officer) was (when and where built) and that the same doth wholly and truly belong to (name of company, corporation, or limited partnership, describing in the case of a limited partnership, the time when and the county in which the certificate of partnership was made and registered.)"

C A P. X X V .

An Act to extend certain Provincial Acts to Foreign Merchant Vessels, when within this Province.

[24th July, 1850.]

Preamble.

WHEREAS it is expedient that the Acts hereinafter mentioned should extend to Foreign Merchant Ships: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue

virtue of and under the authority of An Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That in so far as may be consistent with the provisions of any Act of the Imperial Parliament in force in this Province, and with the terms of existing Treaties between Her Majesty and Foreign Powers respectively, and the rights, privileges, and immunities secured to the Consuls, Vice-Consuls, Commercial and other duly accredited Agents, subjects and citizens of such Foreign Powers respectively, all the provisions and enactments of the Act of the Parliament of Lower Canada, passed in the forty-seventh year of the Reign of King George the Third, and intituled, *An Act to prevent the desertion of Seamen and others in the sea service, to punish persons encouraging such Seamen and others to desert, or harbouring or concealing them thereafter, and to repeal certain Acts therein mentioned*, as amended by the Act of the Parliament of this Province, passed in the sixth year of Her Majesty's Reign, intituled, *An Act to amend the Act therein mentioned relative to the desertion of Seamen and others in the sea service*, and of the Act of the Parliament of this Province, passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and intituled, *An Act for regulating the shipping of Seamen*, shall extend and are hereby extended, and shall apply to Ships and Vessels in the Merchant Service of Foreign Countries, and to all persons in relation to such Ships and Vessels, in the same manner as the same have heretofore extended and applied to Ships and Vessels in the British Merchant Service, and to similar persons, in relation to such last mentioned Ships and Vessels. Provided always, that the oath of the Master of any such Foreign Merchant Ship or Vessel, or of any officer or person employed on board thereof, or on board any other Ship or Vessel of the same country, that to the best of his belief and understanding, any Seaman or other person is bound or engaged to serve on board such Ship or Vessel, according to the law of the country to which such Ship or Vessel shall belong, or of the place where such Seaman or other person shall have been hired, shall be *prima facie* evidence that he is legally bound or engaged to serve on board such Ship or Vessel, within the meaning of the said Act, although he may not have regularly entered into or signed Articles of Agreement, or be bound by Articles of Indenture, in the manner required by law with regard to Seamen and others engaged or bound to serve on board British ships. And provided also, that no Justice of the Peace shall entertain or act upon any complaint or information under the said Acts, or either of them, by or against any person belonging to or connected with any such Foreign Merchant Ship or Vessel, and not being a subject of Her Majesty, or exercise jurisdiction under the said Acts, or either of them, over or at the instance of any such person, without the consent of both parties to such complaint or information, or the consent in writing of the Consul, Vice-Consul, or Commercial or other duly accredited Agent of the country to which such ship or vessel belongs, first had and obtained, unless the parties to such complaint or information be subjects or citizens of a country or countries, by the terms of Treaties in force between Her Majesty's Government and the Government or Governments of which country or countries it be stipulated that the assistance of British Courts and Magistrates shall be granted to the subjects or citizens of such country or countries, or one of such parties be a subject or citizen of any such country and the other a subject of Her Majesty.

II. And be it enacted, That this Act, and the said above cited Act passed in the sixth year of Her Majesty's Reign, shall be once in each year publicly read on the first day of the term of the Courts of Quarter Sessions for the month of April in and during the sittings of the said Courts for the Districts of Quebec, Montreal and Three-Rivers respectively, by the Clerks of the Peace for the said Districts, who shall make an entry in the Register of the said Courts, that this Act and the said Act were so read publicly.

Act of L. C. 47 Geo. 3. c. 9 extended to foreign ships.

As amended by 6 V. c. 4.

10 & 11 V. c. 25.

Proviso as to proof of engagement.

Proviso as to consent of parties or Consuls except in certain cases.

This Act and 6 Vic. c. 4, to be read at Quarter Sessions as 47 Geo. 4. c. 9.