

Laws of Her Majesty's Province of Upper Canada, passed in the year 1850. Toronto: Stewart Derbshire & George Desbarats, 1850.

13 & 14 Victoria – Chapter 25

An Act to extend certain Provincial Acts to Foreign Merchant Vessels, when within this Province. 24th July, 1850.

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 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 *primâ 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 [Trois-Rivières] 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.