



FRIDAY, SEPTEMBER 17, 1869.

PROCLAMATION

BY HIS HONOR

SIR ROBERT HODGSON, KNIGHT,

Administrator and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c., &c., &c.

R. HODGSON, Administrator.

WHEREAS an Act of the Imperial Parliament of Great Britain and Ireland, herewith published, was passed on the Thirteenth day of May last, being Chapter the second of the Acts of the Imperial Parliament passed in the thirty-second year of the reign of Her present Majesty and intituled "An Act for amending the Law relating to the Coasting Trade and Merchant Shipping in British Possessions. And whereas by the third section of the said Act it is enacted that the said Imperial Act shall be proclaimed in every British Possession by the Governors thereof as soon as may be after receiving notice of the same, and shall come into operation in that British possession on the day of such Proclamation. I do therefore hereby declare and proclaim that I have duly received the said Act of the Imperial Parliament of Great Britain and Ireland, intituled "An Act for amending the Law relating to the Coasting Trade and Merchant Shipping in British Possessions," and herewith published, and that the said Act, on and after the day of the date of this Proclamation, shall come into operation and be enforced in Prince Edward Island.

Given under my hand and the Great Seal of this Island, at Charlottetown, in the said Island, this Fourteenth day of September, in the year of our Lord One thousand eight hundred and sixty-nine, and in the thirty-third year of Her Majesty's reign.

By Command,
BENJAMIN DAVIES,
Colonial Secretary.

An Act for amending the Law relating to the Coasting Trade and Merchant Shipping in British Possessions.

[Passed 13th May, 1869.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PRELIMINARY:

1. This Act may be cited as "The Merchant Shipping (Colonial) Act, 1869"

2. In this Act, unless the context otherwise requires,—

The term "British possession" means any territory or place situate within Her Majesty's dominions, and not forming part of the United Kingdom, or of the Channel Islands or Isle of Man; and all territories and places under one legislature, as hereinafter defined, are deemed to be one British possession for the purposes of this Act.

The term "legislature" includes any person or persons who exercise legislative authority in the British possession, and where there are local legislatures as well as a central legislature, means the central legislature only.

3. This Act shall be proclaimed in every British possession by the Governor thereof as soon as may be

after he receives notice of this Act, and shall come into operation in that British possession on the day of such proclamation, which day is hereinafter referred to as the commencement of this Act.

COASTING TRADE.

4. After the commencement of this Act, the legislature of a British possession, by any Act or Ordinance, from time to time, may regulate the coasting trade of that British possession, subject, in every case, to the following conditions:

- (1.) The Act or Ordinance shall contain a suspending clause, providing that such Act or Ordinance shall not come into operation until Her Majesty's pleasure thereon has been publicly signified in the British possession in which it has been passed.
- (2.) The Act or Ordinance shall treat all British ships (including the ships of any British possession) in exactly the same manner as ships of the British possession in which it is made.
- (3.) Where by treaty made before the passing of this Act Her Majesty has agreed to grant to any ships of any foreign state, any rights or privileges in respect of the coasting trade of any British possession, such rights and privileges shall be enjoyed by such ships for so long as Her Majesty has already agreed or may hereafter agree to grant the same, anything in the Act or Ordinance to the contrary notwithstanding.

5. The following sections of The Customs Consolidation Act, 1853, are hereby repealed, namely:

Section three hundred and twenty-eight as from the commencement of this Act.

Section one hundred and sixty-three as from the date in the case of each British possession at which either an Act or Ordinance with respect to the coasting trade made within two years after the commencement of this Act in such British possession comes into operation, or if there is no such Act or Ordinance, at which the said two years expire.

MERCHANT SHIPPING.

6. It shall be lawful for Her Majesty, by Order in Council, from time to time, to declare, with respect to the British possession mentioned in the order, the description of persons who are to be registrars of British ships in that British possession, and to revoke any order so made.

After the date specified in the order, or, if no date is specified, after the date of the proclamation of the order in the British possession, the order shall have effect as it were contained in section thirty of the Merchant Shipping Act, 1854.

7. In the construction of the Merchant Shipping Act, 1854, and of the Acts amending the same, Canada shall be deemed to be one British possession.

8. Where the legislature of any British possession provides for the examination of, and grant of certificates of competency to persons intending to act as masters, mates or engineers on board British ships, and the Board of Trade reports to Her Majesty that they are satisfied that the examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons and in the like manner, it shall be lawful for Her Majesty, by Order in Council—

1. To declare that the said certificates shall be of the same force as if they had been granted under the said Acts.
2. To declare that all or any of the provisions of the said Acts which relate to certificates of competency granted under those Acts shall apply to the certificates referred to in the said order.
3. To impose such conditions and to make such regulations with respect to the said certificates, and to the