

Inspector lending them. 6. Any Inspector who hires out or lends his marking instruments to any person whomsoever, or—

Giving false certificate. 7. Gives any certificate of inspection, without having personally performed the inspection, or gives any wilfully false or untrue certificate, or connives at or is privy to any fraudulent evasion of this Act—shall, for each such offence, incur a penalty of one hundred dollars.

Assuming office of inspector.

26. Any person not thereunto duly authorized under this Act, who in any manner whatever assumes the title or office of Inspector, or issues any bill, certificate or declaration purporting to establish the quality or quantity of any petroleum, shall, for every such offence, incur a penalty not exceeding one hundred dollars.

Recovery of penalties or forfeitures.

27. Every penalty and forfeiture imposed by this Act, or by any regulation made under it, shall be recoverable by any complainant or informant suing for the same in a summary way, before a police or stipendiary magistrate, or two Justices of the Peace, by whom alone and no other or others the complaint shall be dealt with as the law directs; and every such penalty shall, in default of payment, be levied by warrant of distress, to be issued by such magistrate or justices against the goods and chattels of the offender; and one moiety of every such penalty when recovered, shall belong to the complainant or informant, and the other moiety to Her Majesty for the public uses of Canada; and if the penalty, together with any costs awarded, be not paid within thirty days, or be not recovered by seizure as hereinbefore provided, such offender shall be imprisoned in the common gaol of the county or district for a period of not less than two nor more than six months, at the discretion of the court.

Imprisonment if not paid or made.

Limitation of suits for things done under this Act.

28. Any action or suit against any person for anything done in pursuance of this Act, or contrary to its provisions, shall be commenced within six months next after the matter or thing done or omitted to be done, and not afterwards; and the defendant therein may plead the general issue, and give this Act and the special matter in evidence at any trial therein, and that the same was done under this Act; and if it appears so to have been done, then the judgment shall be for the defendant; and if the plaintiff is nonsuited or discontinues his action after the defendant has appeared, or if judgment is given against the plaintiff, the defendant shall recover his costs and have the like remedy for the same as defendants have in other cases.

Costs if plaintiff fails.

Act 42 Vict. cc. 18 and 19, repealed.

29. The Act passed in the forty-second year of Her Majesty's reign, chaptered eighteen, and intituled "*An Act to provide for the inspection, safe keeping and storage of Petroleum,*