

Inspector's certificate not to be granted for a steamer on which the duty for the year is not paid, &c.

44. No Inspector shall make or deliver a certificate respecting any Steamboat under this Act, unless the receipt of a Collector of Customs for the rate or duty payable in respect of such Vessel for the then current year has been produced and shewn to him, nor unless he be satisfied by carefully examination that all the conditions and requirements of this Act, have been fulfilled and complied with by and in respect of such Steamboat; and every Inspector shall report to some one of the Collectors of Customs, any case of omission to pay such rate or duty or of omission to apply for such inspection as aforesaid, for more than one year from the date of the then last inspection, or of refusal to submit to inspection at any time, which may at any time or in any way come to his knowledge.

Appeal from Inspector to Governor in Council.

45. Any person who feels himself aggrieved by any order or act of an Inspector, may, within two weeks thereafter, appeal therefrom to the Governor in Council, who may confirm, modify or disallow such act or order.

Liability for damages sustained by the non-observance of this Act.

46. If any damage to any person or property is sustained in consequence of the non-observance of any of the provisions of this Act for the inspection of Steamboats and the safety of those on board them, the same shall be deemed, in the absence of proof to the contrary, to have been caused by the wilful default of the Master or other person having charge of the Steamboat, in respect of which such non-observance has occurred or by which such damage is done, and the Owner thereof in all civil proceedings, and the Master or other person having charge thereof in all proceedings, whether civil or criminal, shall be subject to the legal consequences of such default.

Penalty for any contravention of this Act.

47. For every contravention in respect of any Steamboat in this Province, on any one voyage or trip thereof, of any provision in this Act or in any Order in Council made under it, the Owner or Master thereof shall incur a penalty of not more than fifty and not less than ten pounds.

Recovery and application of penalties.

48. Except as hereinafter provided,—All penalties incurred under this Act may be recovered in the name of Her Majesty, by any Inspector or by any party aggrieved by any act, neglect or omission, on the evidence of one credible witness, before any two Justices of the Peace, and in default of payment of such penalty, such Justices may commit the offender to Gaol for any period not exceeding three months;—and, except as hereinafter provided, all penalties recovered under this Act shall be paid to the Receiver General, and shall be by him placed to the credit and form part of "The Steamboat Inspection Fund": Except always, that all penalties incurred for any offence against the first thirteen sections of this Act, shall, if such offence is committed within the jurisdiction of the Trinity House of Quebec, or of the Trinity House of Montreal, be sued for, recovered and ap-