

his inspection, measurement or calculation, or of any other wilful neglect or prevarication with regard to the duty he is employed to discharge, shall, for every such offence, incur a penalty not exceeding four hundred dollars, and shall be dismissed from his office, and be for ever after incapable of holding any such situation or employment. C. S. C., c. 46, s. 39.

39. Every person who assaults any culler in the execution of his duty under this Act, or by threats, menaces or violence, impedes or prevents any culler from the performance of his duty, shall, upon summary conviction upon the oath of one credible witness, be liable to a penalty not exceeding forty dollars and not less than twenty dollars, and in default of payment, to imprisonment for a term not exceeding two months, unless the penalty is sooner paid. C. S. C., c. 46, s. 41.

Assaults on cullers.

Penalty.

40. Every person who unlawfully uses, or counterfeits or forges, or procures to be counterfeited or forged, any stamp directed to be provided for use, in pursuance of this Act, or counterfeits or imitates the impression of the same on any article of lumber, or knowingly, wilfully and fraudulently defaces, obliterates or removes any of the marks or letters marked, indented or imprinted in or upon any article of lumber, after the same has been culled or measured as aforesaid, shall be liable to a penalty not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, in the discretion of the court. C. S. C., c. 46, s. 42.

Forging, counterfeiting or defacing stamps.

Penalty.

41. Every person who wilfully and unlawfully, with the intention, to set the same adrift, unmoors, by cutting or otherwise, any timber, masts, spars, staves, oars, handspikes, planks, boards, saw-logs or other description of lumber, or any boat, bateau or scow, shall, for each offence, incur a penalty not exceeding four hundred dollars and not less than twenty dollars:

Setting timber adrift.

Penalty.

The remainder of this sub-section is covered by the Larceny Act, s. 86.

2. A moiety of such penalty shall belong to Her Majesty, for the public uses of Canada, and the other moiety to the informer or prosecutor, and the offender shall be imprisoned until such penalty is paid, but no term of imprisonment shall, for any first offence, exceed three months; and if any person is a second or subsequent time convicted of any such offence, he shall be liable to imprisonment for a term not exceeding twelve months. C. S. C., c. 46, s. 43, *part*.

Application of penalties.

Imprisonment for non-payment.

42. Nothing in this Act shall make it compulsory to have any article of lumber measured, culled or assorted, under this Act, if such lumber is shipped for exportation

Culling not compulsory in certain cases.