

witness, other than the prosecutor, before any justice of the peace, and to belong to the prosecutor, and be levied by distress and sale of the goods and chattels of the offender, under warrant of such justice, or the offender may be committed to prison for a time not exceeding three months, unless such penalty be sooner paid.

3. And be it enacted, that the instructions of the Governor under this Act may be communicated to any collector in like manner as instructions with regard to the remission of any other duty, or to any other matter relative to the collection and management of provincial revenue; that the word "emigrant" shall in this Act have the meaning assigned to the word "passenger" or "emigrant" in the Act passed in the 12th year of Her Majesty's reign, and intituled, "An Act to repeal certain Acts therein mentioned, and to make further Provision respecting Emigrants," and the word "duty" shall mean the rate or duty payable under the said Act; that any sum hereby authorized to be paid back, may be so paid out of any public monies in the hands of the collector, or out of public monies to be advanced to him for the purpose; that no such repayment shall cancel or affect any bond given under the said Act by the master of any vessel with regard to any emigrant; and that the proper person to receive back such portion as aforesaid of the said duty, shall be the owner, charterer, consignee or master of the vessel by the master whereof such duty shall have been payable, or other party who would eventually bear the said duty if not paid back as aforesaid, and not the emigrant himself, unless he shall have paid such duty separately and apart from such passage-money, and shall have then expressly covenanted for the right to receive such repayment.

Appendix.

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Instructions, how communicated.

Words interpreted.

12 Vict. cap. 6.

Out of what money such repayment may be made, &c. ;

and to whom.