

Penalty for clearing
vessel, or sailing
without first pay-
ing Duties.

Recovery.

Application.

Before any Timber,
&c., shipped, Bond
for Duties to be
entered into.

Penalty for ship-
ping Timber, &c.,
before entering into
Bonds.

Recovery.

Application.

VI. And be it enacted, That if any such consignee, shipper or owner shall presume to clear any ship or vessel at any Custom House within this Province, having on board any Timber, Lumber or other Wood, liable to the payment of any duties under the provisions of this Act, or to sail or depart with such ship or vessel from any Port or place within this Province, without first paying such duties into the hands of the Treasurer or Deputy Treasurer of the Port or place of shipment, agreeably to the provisions of this Act, such consignee, shipper or owner, shall be subject and liable to a penalty for each and every offence of not less than three pounds, nor more than one hundred pounds, at the discretion of the Court before whom such offender or offenders shall be prosecuted; which penalty, with costs of suit, shall be recovered in an action of debt in any Court or Tribunal in this Province competent to try the same, upon the oath of one or more credible witness or witnesses, at the suit of the Province Treasurer or Deputy Treasurer of the Port or place of shipment; three fourth parts of which penalty shall, when received, be paid into the hands of the Province Treasurer as part of the Revenues of the Province, and the residue to the informer or person prosecuting for the same.

VII. 'And in order to secure the payment of the duties imposed by this Act on Timber, Lumber and other Wood that shall or may hereafter be exported from this Province,' Be it enacted, That before any consignee, shipper or owner of any Timber, Lumber or other Wood shall ship or load, or cause to be shipped or laden, on board of any ship or vessel, any Timber, Lumber or other Wood liable to duty under this Act, such consignee, shipper or owner, shall give a Bond to the Queen's Most Excellent Majesty, conditioned for the payment to the Treasurer or Deputy Treasurer of the Port or place of shipment, with good and sufficient security, to the satisfaction of such Treasurer or Deputy Treasurer, in the penal sum of one hundred pounds, conditioned for the payment of all the Duties payable on any Timber, Lumber or other Wood that shall be so shipped or laden on board any such ship or vessel, prior to such ship or vessel being cleared at the Custom House of the Port or place of shipment, or to such ship or vessel sailing from the place or places of lading.

VIII. And be it enacted, That if any Timber, Lumber or other Wood liable to the duties under the provisions of this Act, shall be shipped or laden on board of any ship or vessel at any Port or place in this Province, prior to the giving of such bond or security required by the seventh section of this Act, the consignee, shipper or owner of such Timber, Lumber or other Wood so shipped contrary to the provisions of this Act, shall be subject and liable to a penalty not exceeding five pounds, nor less than two pounds, for each and every offence, in the discretion of the Justice or tribunal before whom prosecuted; which penalty, together with the costs of suit, shall or may be recovered upon the oath of one or more credible witness or witnesses, before any one of Her Majesty's Justices of the Peace for the County or City and County in which such Timber, Lumber or other Wood shall be so shipped or laden, at the suit of the Treasurer or Deputy Treasurer of the Port or place of shipment, by action of debt, in like manner, and under the like proceedings with the like costs as small debts are recoverable, before one Justice of the Peace, by virtue of an Act of the General Assembly of this Province, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits*, three fourth parts of which penalty, when received, shall be paid into the hands of the Province Treasurer or Deputy Treasurer, as part of the Revenues of the Province, and the residue to the informer or person prosecuting for the same.