

of customs or any other person thereto directed by the minister and such chief officer or person may by bill of sale give the purchaser a valid title to such steamboat free from any mortgage or other claim on the vessel which at the time of such sale may be in existence :

2. Provided however, that any surplus remaining from the proceeds of the sale after paying the amount of the said penalty and the costs of conviction together with the costs of such seizure and sale shall be paid over to the owner of such steamboat.

**49.** Every inspector who wilfully, or through any culpable neglect of duty, makes or confirms any false statement in any certificate under this Act, shall incur a penalty of two hundred dollars.

Penalty for inspector giving false certificate.

**50. 1.** Except when otherwise especially provided, the owner or master of any steamboat in Canada shall, for any violation in respect of such steamboat, on any one voyage or trip thereof, of any of the provisions of this Act or of any Order in Council made under it, be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars; and any chief officer of customs or any inspector may detain any steamboat in respect of which the provisions of this Act [or any Order in Council made under it,] have not been fully complied with, or of which the boilers or machinery or the hull, by reason of any injury or other cause, have, in an inspector's opinion, become unsafe; and whenever an inspector gives notice in writing to any chief officer of customs that any of the provisions of this Act or any Order in Council made under it, have not been fully complied with in respect to any steamboat, such chief officer of customs shall seize and detain such steamboat until he receives the certificate in writing of such inspector, to the effect that such provisions have been fully complied with in respect to such steamboat.

Penalty on owner or master for violation of Act.

Vessel may be detained.

And in certain case shall be detained.

**51. 1.** All penalties incurred under this Act may be recovered with costs in a summary manner under the provisions of Part LVIII of *The Criminal Code*, 1892, in the name of Her Majesty, by an inspector or any person aggrieved by any act, neglect or omission, or by any person named for the purpose by the minister, on the evidence of one credible witness who may be the prosecuting inspector himself, or the person aggrieved or the person named by the minister for the purpose of recovering penalties, before any judge of a county court, judge of the sessions of the peace, stipendiary or police magistrate, or two justices of the peace; and in default of immediate payment of such penalty, and costs, such judge, magistrate or justices may commit the offender to jail for any term not exceeding three months, unless such penalty and costs are sooner paid; and all penalties recovered un-

Mode of recovery of penalties.