

By-laws sanctioned by the Governor to have the force of Law.

III. All By-laws from time to time made by the said corporation under the provisions of the said Act or of this Act, upon being sanctioned by the Governor and published in the Canada Gazette as provided in the said Act shall become and be law: and shall have the same force and effect as if specifically enacted in, and forming part of the said Act or of this Act; and such sanction shall be conclusive evidence of the legality of such By-laws. 5

Seizure of vessel or goods before judgment for infraction of By-laws.

IV. In every case wherein the master, owner or person in charge of any vessel or goods shall infringe any of the By-laws of the said corporation, or any of the provisions of the said Act or of this Act, and shall thereby render himself liable to a penalty, such vessel or goods may be forthwith seized by the said corporation before judgment, and may be detained at the risk, cost and charges of the owner until the penalty so incurred, and the costs and charges incurred in the seizure and detention of the same, and the costs of any conviction that may be obtained for such infraction be paid in full. 10 15

How seizure may be authorized, and upon what evidence, &c.

V. In every case wherein under the said Act, or under this Act, the said corporation or its authorized agent, is empowered to seize, or to seize and detain, any vessel or goods, such seizure and detention may be effected upon the order of any Magistrate for the district of Montreal, or for the district of Quebec, or for the district of Three Rivers, or of the Collector of Customs at either of the ports of Montreal or Quebec; and such Magistrates and Collectors respectively are hereby authorized to give such order upon the application of the said corporation, or of its authorized agent, or of its attorney or solicitor, on the affidavit of any one credible person, that any sum is due to the said corporation for any tolls, rates or dues whatever; or that any penalty has been incurred under the By-laws of the said corporation, or under the provisions of the said Act or of this Act, by the master, owner or person in charge of the said vessel or goods; or that the provisions of the said Act or of this Act have been infringed by any vessel, or by the master, owner, or person in charge thereof; or by the owner or person in charge of any goods; stating the particulars of such infringement; and such seizure and detention may take place either at the commencement of any action or proceeding for the recovery of any dues, penalties or damages; or pending such action or proceeding, as an incident thereto; or without the institution of any action or proceeding whatever. 20 25 30 35

Provisions of sect. 10. of 18 V. c. 143. to apply to this Act, and to By laws made under it.

Service of process.

Description of defendant.

VI. The provisions of the tenth section of the said Act regulating the recovery of dues and penalties and the competency and sufficiency of witnesses, shall apply to this Act and to the By-laws made under the authority of this Act, to the same extent as if contained herein; and the service of any writ of summons, warrant, or notice which may be required by law or by the practice of any court of justice to be made upon the master, owner or person in charge of any vessel whatever, shall be held to be well and validly made, if a duplicate, or copy, or original of such writ, warrant, or notice, as the case may be, is delivered to any grown person on board of such vessel, for the master, owner or person in charge thereof; and in any action or proceeding by the said corporation the defendant shall be held to be sufficiently described by the mention of his surname only; and no plea in abatement, *exception à la forme*, or other preliminary plea shall be received or filed by the defendant to any such action or proceeding: And if any writ of *certiorari* be issued at the suit of the defendant on any conviction 40 45 50