

laden with grain.

clearing at the custom house, notify the port warden, who shall then proceed on board such vessel, and examine whether she is in a fit state to proceed to sea or not; if she is found unfit, the port warden shall state in what particulars, and on what conditions only she will be deemed in a fit state to leave, and shall notify the master not to leave the port until the required conditions are fulfilled:

2. If the master refuses or neglects to fulfil such conditions, the port warden shall notify the collector of customs, in order that no clearance may be granted for the vessel until the same are fulfilled, and a certificate to that effect is granted by the port warden:

Penalty for violation.

3. Every person who violates any of the provisions of this section shall incur a penalty of eight hundred dollars. 37 V., c. 32, s. 11 and s. 26, *part*.

Clearance not to be granted to any vessel carrying grain, unless the requirements of this Act have been complied with.

Vessels may be detained.

15. No officer of customs shall grant a clearance to any vessel wholly or partly loaded with grain, for the purpose of enabling her to leave the harbor for any port not within the limits of inland navigation and not within Canada, unless the master of such vessel produces to him a certificate from the port warden, that all the requirements of this Act have been fully complied with if such grain is laden in bulk, —nor unless such master produces to him a certificate from the port warden, that all the requirements of this Act have been complied with, if such vessel is wholly or partly laden with grain, otherwise than wholly or partly in bulk; and if any vessel wholly or partly loaded with grain attempts to leave the harbor for any port not within the limits of inland navigation and not within Canada, without a clearance, any officer of customs, or the chief officer of the river police, or any person acting under the direction of the Minister of Marine and Fisheries, may detain such vessel until such certificate is produced to him. 37 V., c. 32, s. 28.

Valuing and measuring vessels by port warden

16. The port warden shall, when required, estimate the value and measurement of any vessel, when the same is in dispute or otherwise needed, and shall record the same in the books of his office. 37 V., c. 32, s. 12.

Duty of auctioneer selling condemned vessels, materials or goods

17. Every auctioneer who makes a sale of any condemned vessel, or ship's materials, or goods damaged on board a ship or vessel, whether sea-going or navigating inland waters, sold for the benefit of underwriters or others concerned, in any harbor for which there is a port warden, shall file a statement of the same at the office of the port warden, within ten days after such sale:

Notice and time of sale.

2. No such sale shall take place until after at least two days' public advertisement or notice is given, and such sale shall not take place at an hour earlier than eleven o'clock in the forenoon, or later than three o'clock in the afternoon: