

Penalty for receiving money for shipping seamen from others than the owner, &c.

XII. And be it enacted, That if any person shall demand or receive from any seaman, or from any person other than the owner, part owner, master, or person in charge of a merchant ship, or ship's husband, requiring seamen, any remuneration whatever, either directly or indirectly, for and on account of the hiring, supplying or providing any such seamen, he shall forfeit for every such offence a sum not exceeding five pounds currency.

None other than certain public officers to board any vessel before actual arrival, without consent of the Master.

XIII. And be it enacted, That it shall not be lawful for any person, other than any officer or person in the employment of Her Majesty's Government, Harbour Master, Health Officer, Emigration Officer, and Custom House or Treasury Officer, to go and be on board of any merchant vessel arriving or about to arrive at the port of her destination, before or previous to her actual arrival in dock, or at the quay or place of her discharge, without the permission and consent of the master or person in charge of the said vessel; and if any person (other than as aforesaid) shall go and be on board any such vessel before or previous to her actual arrival in dock, or at the wharf or place of her discharge, without the permission and consent of the said master or person in charge of the said vessel, he shall for every such offence forfeit and pay a sum of money not exceeding fifty pounds currency; and for the better securing the person of such offender, the master or person in charge of the said vessel is hereby authorized and empowered to take any person so offending as aforesaid into custody, and to deliver him up forthwith to any Constable or Peace Officer, to be by him taken before a Justice or Justices of the Peace, or Police Magistrate, to be dealt with according to the provisions of this Act.

Penalty.

Offender may be taken into custody.

Penalty for boarding vessels within 24 hours of arrival, and soliciting lodgers, &c.

XIV. And be it enacted, That if any person shall go on board any merchant vessel, within twenty four hours after her arrival at any port as aforesaid, and solicit any seaman to become a lodger at the house of any person letting lodgings for hire, or shall take from and out of such ship any chest, bedding, or other effects of any seamen, except under the personal direction of such seaman, without having the permission of the master or person in charge of such ship, he shall be liable to forfeit and pay for every such offence a sum not exceeding ten pounds.

Penalty for demanding more than is actually due for lodging seamen, or detaining effects, &c.

XV. And be it enacted, That if any person shall demand and receive of and from any seaman payment in respect of his board or lodging in the house of such person, for a longer period than such seaman shall have actually resided and boarded therein, or shall receive or take into his possession or under his control any monies, documents or effects of any seaman, and shall not return the same, or pay the value thereof, when required so to do by such seaman, and after deducting therefrom what shall be justly due and owing in respect of the board and lodging of such seaman, he shall forfeit and pay a sum not exceeding ten pounds currency, over and above the amount or value of such monies, documents or effects, after such deductions as aforesaid, which shall be adjudged to be forthwith paid to such seaman, under the conviction by the Justices before whom such offences shall be heard and determined.

Penalties to be recoverable with costs by summary proceedings before two Justices of the Peace or the Police Magistrate.

XVI. And be it enacted, That all penalties and forfeitures imposed by this Act, shall and may be recovered with costs, by summary proceedings before any two Justices of the Peace, or Police Magistrate; and if the sum imposed as a penalty to be paid shall not be forthwith and immediately paid on conviction, it shall be lawful for the said Justice or Justices, or Police Magistrate, to commit the offender or offenders to the Common Gaol of the City and County of Saint John, there to be imprisoned and kept to hard labour according to the discretion of said Justices or Police Magistrate, for any term not exceeding three calendar months, the commitment to be determinable upon payment of the amount of costs; and all such penalties and forfeitures shall be paid and applied in manner following, (that is to say:) one moiety of such penalty shall be paid to the informer, and the residue shall be paid to the Commissioners for the benefit of the Marine Hospital at the Port of Saint John.

Form of conviction and commitment.

XVII. And be it enacted, That the Justices or Police Magistrate before whom any person shall be summarily convicted against this Act, may cause the conviction and commitment to be the same as set out in Form N. in the Schedule to *An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within this Province, with respect to summary convictions and orders*, passed at this Session of the Legislature.

Convictions and commitments not voidable for want of form, &c.

XVIII. And be it enacted, That no such conviction shall be quashed for want of form, or be removed into any of Her Majesty's Superior Courts, and no Warrant of Commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and there be a good and valid conviction to sustain the same.