

If such qualification consists of a rent, then so much of the lands as may suffice to secure the same to be specified in such oath.

9. Provided always, and be it enacted, that when the qualification hereby required or any part thereof, consists of rent, it shall be sufficient to specify in such Oath or notice as aforesaid, so much of the lands, tenements or real property, out of which such rent is issuing, as shall be of sufficient value to secure such rent.

Defendant if successful to recover treble costs.

10. Provided always, and be it enacted; that in case the plaintiff or informer in any such action, suit or information shall discontinue the same, otherwise than as aforesaid, or judgment be given against him, then and in every such case the defendant shall recover treble costs.

When an action is brought and due notice is given, proceedings to be stayed in any subsequent action for any offence committed before the time of giving such notice, provided the first action be prosecuted without fraud.

11. Provided always, and be it enacted, that when an action, suit or information shall be brought, and due notice thereof shall be given to the person against whom such action, suit or information, shall be brought, no proceedings shall be had upon any subsequent action, suit or information against the same person, for any offence committed before the time of giving such notice ; but the Court wherein such subsequent action, suit or information shall be brought, may, upon the defendant's motion, stay proceedings upon every such subsequent action, suit or information ; Provided such first action, suit or information be prosecuted without fraud and with effect, it being hereby declared, that no action, suit or information shall be deemed or construed to be an action, suit or information within the intent and meaning of this Act, unless it shall be so prosecuted,

Manner of proceeding in actions instituted for the recovery of penalties under this Act.

12. And be it enacted, that the Court in which any action, suit or information shall be brought for the recovery of any penalty imposed by this Act, shall require from the plaintiff or informer, his declaration upon oath that such action, suit or information has been brought without fraud, and not for the purpose of protecting the defendant from any action, suit or information, which might be brought by any other person, by reason of the same offence ; and that if such declaration be not made to the satisfaction of the Court, the action, suit or