

or offer for sale any pickled Fish before being inspected or contrary to the provisions of this Act, he or they shall upon conviction forfeit and pay for every hundred pounds of Fish so sold or offered for sale, the sum of five shillings: Provided always, that no person shall be liable as aforesaid unless information is given, and a prosecution commenced within thirty days from the date of the offence.

XI. And be it further enacted, That all penalties and forfeitures imposed and arising by virtue of this Act, when the same shall not exceed the sum of five pounds, shall be recovered before any Justice of the Peace, or where the same shall be more than five pounds, and shall not exceed fifteen pounds, before any two of His Majesty's Justices of the Peace, together with the costs of prosecution, on the oath of one or more credible Witness or Witnesses, and to be levied by Warrant of Distress under the hand and seal of such Justice or Justices, and sale of the Offender's goods and chattels, and for want of sufficient distress, such offender shall suffer not less than five days' nor more than twenty days' imprisonment; and in case such fine shall exceed fifteen pounds, the same may be recovered in any of His Majesty's Courts of Record in this Province, by action of debt, together with costs of Suit; one half of all such penalties and forfeitures to be paid to the person or persons who shall sue for the same, and the other half to be paid to the Overseers of the Poor of the Town or Parish, where such offence shall be committed, for the benefit of the Poor of such Town or Parish.

XII. Provided always and be it further enacted, That nothing in this Act shall be construed so as to prevent any pickled Fish from being sold at any of the Ports of this Province by the Fishermen as they may bring them to market in bulk, and that nothing in this Act shall extend to Fish packed in kegs or other packages of less than ten gallons.

XIII. And be it further enacted, That if the owner of any pickled Fish inspected as aforesaid, or buyer or seller of any such Fish, shall be dissatisfied with any such inspection, it shall and may be lawful for the said owner to call two other Inspectors, or the said buyer and seller to call one other Inspector each to re-inspect such Fish, and in case the said two Inspectors cannot agree, then they shall be at liberty to call in a third Inspector, and the determination of the said Inspectors, or any two of them, shall be final and conclusive; and in case the inspection shall be confirmed, each of the said Inspectors shall be paid by the persons who shall respectively employ them; and in case the first inspection shall not be confirmed, the owner or purchaser of said Fish shall be entitled to recover the expense of re-inspection, from the person of whom he purchased them, or from the first Inspector thereof, at the option of the said owner or purchaser.

XIV. And be it further enacted, That if any Inspector shall brand or mark any Fish which shall remain in this Province, and which on examination within four months after such inspection, reckoning from the last day of the month branded on the cask, shall prove to be of a quality inferior to the brand on such Fish, such Inspector shall be liable to the person or persons who shall own the said Fish at the time of such examination, for all such damage as he or they may have sustained by reason of the said Fish proving inferior to the brand on such casks; and that such person or persons shall recover from such Inspector all such damage as he or they shall have sustained thereby, where the same does not exceed five pounds, before one of His Majesty's Justices of the Peace, or if the same shall exceed the sum of five pounds, and be less than fifteen pounds, then before two of His Majesty's Justices of the Peace, and in all cases where the damage shall exceed the sum of fifteen pounds by action of debt in any Court of Record in this Province, together with costs of suit: Provided always, that no Inspector shall be liable as aforesaid, unless he shall be duly notified of such claim, within six months after he shall have inspect-