

How to be recovered.

One-half of such Penalties to the Poor of the Parish, the other to the Informer.

Description of Wears, &c. which may be built in the aforesaid, Havens, &c.

How to be regulated.

Penalty for erecting any Wear, &c. contrary to this Act.

two of His Majesty's Justices of the Peace in the County where such offence shall be committed, to be levied by warrant of distress and sale of the offender's goods---rendering the overplus, if any, after deducting costs and charges, to such offender; and *twenty pounds* for the second offence, to be recovered with costs, by action of debt, bill, plaint or information, in any Court of Record in this Province; and *fifty pounds* for the third and every subsequent offence, to be recovered with costs in the manner last mentioned; one half of which penalties shall on conviction be paid to the Overseers of the Poor of the Town or Parish where such offence shall be committed, to be applied to the use of the Poor, and the other half to the Informer.

II. *And be it further enacted*, that all wears or fish-garths, now built, or hereafter to be built in any of the havens, rivers, creeks or harbours before mentioned, shall have a space of forty feet wide left open in the centre, or where the water is deepest, at said wear or fish-garth, for the ingress and egress of the fish, except at such time or times when the said wear or fish-garth shall be attended by the owner or occupier, or some other competent person, when it shall and may be lawful to stop the said space with a net, for the purpose of taking such fish as the owner, occupier, or other person attending the same may be prepared to cure, use for bait, or take care of in any other manner; and any person erecting, owning, or occupying any such wear or fish-garth, contrary to this Act, shall forfeit and pay the sum of *ten pounds*, to be recovered before any two of His Majesty's Justices in the County where such offender may reside, and applied as specified in the first section of this Act.